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JUSTICE LAMAR.

LUCIUS Q. C. LAMAR:  
HIS LIFE, TIMES, AND SPEECHES.

1825—1893.

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BY EDWARD MAYES, LL.D.,  
*EX-CHANCELLOR OF THE UNIVERSITY OF MISSISSIPPI.*

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“It is, therefore, as the inspired pacificator that Lamar will stand out unique, almost incomprehensible to other times.”—*The Illustrated American.*

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## PREFACE.

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THE writing of Mr. Lamar's biography was not, with me, a self-assumed task. When he died the members of his more immediate family requested me to undertake the work. Notwithstanding the grave objections that I possessed no adequate literary preparation, either of study or experience, and was much pressed by the imperative demands of an active law practice, there were certain other considerations which compelled my consent. Of these the principal was a belief that my long-continued and intimate association with Mr. Lamar, which began in 1869 and ended only with his life, qualified me especially to collect the facts of his history and to understand and interpret much of his thoughts and designs which to any other who could be induced to assume the labor would be obscure or even incomprehensible. Bound to him by many ties of gratitude and tender memories, I could not decline to render the service desired.

It is not the purpose of this memoir to rake over the ashes of old quarrels or to stir up the embers of dying animosities. Nor is its object either to vindicate the people of the South or to convict those of the North. Nor is it an apology for, or a glorification of, the career of Mr. Lamar. The aim is to give the story of his life as it was; to show, so far as is possible, what he did and why he did it, conceiving that the story will be not only a merited tribute to a brave and patriotic man who dared much and suffered greatly for the good of his people, and in the end was greatly rewarded, but also a useful illustration of the unprecedented times in which he lived and of the novel events among which he moved. Those events extended over forty years of most exciting and fruitful struggles in all departments of our government. They included the subjects of slavery, secession, civil war, reconstruction, constitutional amendments, reconciliation, in all of which Mr. Lamar was actively and prominently concerned. In order, therefore, that his biography may be read with full comprehension and sympathy, it has been necessary to venture upon the delicate and dangerous task of presenting occasional brief expositions of some of those great controversies, as appropriate and helpful setting for the man and his work. I have earnestly tried to do this in a nonsectional spirit. Unless that has been done, I have not only fallen short of my duty as a man and patriot; but also I have departed from the way of the great-hearted subject of the work, and have been untrue to his teaching.

The principal labor and end of Mr. Lamar's later and greater life, that indeed to which all other efforts were but a means, was the molding of a public sentiment—a sentiment in each section of our unhappily divided Union for a broad and lasting national love. What success was his, and how much of that success was his work, this volume may help to indicate. It was manifestly impossible to tell that story without recalling and unfolding the conditions of then existing sentiment, both North and

South, with which he and his colaborers had to deal. Let the reader be assured that in discussing those topics the statement of them is designed to be historical only, and not polemic.

The new South holds the old in highest honor. The South of to-day thrills with filial love for the South that was; and in her innermost heart sits enshrined an unwavering faith in the purity, the nobility, and the patriotism of the former generation. But aspirations and hopes change with the lapse of time and the drift of events, and the Southern dreams of the present are not those of the past. Our people, throughout all the republic, are by the South believed to be now united as never before. Prejudices of section and the passions of war and the humiliation of conquest have alike and all failed to rend us asunder; and the voice of the sower of dissension is felt to be the voice of a criminal.

EDWARD MAYES.

Jackson, Miss., November 5, 1895.

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# LUCIUS Q. C. LAMAR:

## HIS LIFE, TIMES, AND SPEECHES.

### CHAPTER I.

The Family of Lamar—Thomas, the Immigrant—Thomas, His Son—John Lamar—Mirabeau B. Lamar—Lucius Q. C. Lamar, the Elder—Micajah Williamson and Sarah Gilliam, His Wife—Dr. Thompson Bird and Susan Williamson, His Wife—Mrs. Sarah (Bird) Lamar.

THERE is a tradition amongst the Lamars of Georgia that their family was of Huguenot origin, and was planted in Maryland by four brothers who fled from France in the celebrated exodus consequent upon the revocation of the Edict of Nantes in 1685. In part this report is probably correct; but there are public records still extant in Maryland which show that the Georgia tradition is incomplete and, in details, erroneous.

In the early days of Maryland all of the papers which found their way into the records, and so have been preserved, were prepared by petty officials and lawyers who seem to have had very limited educational advantages. The spelling of names varied almost with the number of the documents in which they appeared; for example, Brown was spelled Broun, Brown, Browne, and Broune, all in instruments intended to convey property to the same individual. It seems also to have been customary for one person, in making deeds, to spell his own name in different ways, in order to conform exactly to the various spellings by which he had received conveyances of the properties alienated. It is not strange, therefore, that a Frenchman in an English colony should have his name spelled phonetically, and differently by different parties.

It is more than probable that the first Lamars came to Maryland prior to the year 1663. There is a Maryland tradition that there were three brothers, Huguenots. If their religion formed any part of the motives which led them to seek the New World, the immediate cause certainly could not have been the revocation of the Edict of Nantes, but probably was only the general disfavor and oppression of Protestants under the administration of Cardinal Richelieu following upon the destruction of Rochelle in 1628.

Maryland being an English colony, the English laws obtained, and no immigrants could hold lauds in fee except such as were of British na-

tionality. In 1649 Lord Baltimore issued a circular to the people of France, Germany, and other countries, offering inducements to immigrants to join his Maryland colony, and assuring to them the same privileges as immigrants of English birth. On November 17, 1663, he granted a certificate of nationality—or “dennozacōn,” as it was called—wherein it was recited that

Whereas Thomas and Peter Lamore, *late of Virginia*, and subjects of the crown of France, having transported themselves into this province here to abide, have besought us to grant them, the said Thomas and Peter Lamore, leave to here inhabit as free denizens, and freedom land to them and their heirs to purchase, Know ye, that we, willing to give encouragement to the subjects of that crown, do hereby declare them, the said Thomas and Peter Lamore, to be free denizens of this our province of Maryland, etc.

Various record entries and documents, extending from 1663 to 1684, give the names of these men, and of a John of the same name, as Lamer, Lamare, Lamair, Lamaire, De Le Maire, Lemaire, Lemarre, Lemar, Le Marr, and Lamar. Not infrequently the name was spelled variously in the same document. The records of this period are so perfect that it would seem impossible to confound these men and their families with other persons. There are no names similar to these three.

John Lamaire was naturalized about ten years after Thomas and Peter, from which it is inferable that he came over at a later date. His naturalization papers showed that he, at least, was born in Anjou.

Peter and Thomas “Lamore” located in what was then Calvert County, on the Patuxent River, and engaged in planting; while John, who was a doctor, as the records show by numerous administrator’s accounts, settled in the more populous community of Port Tobacco, the county seat of Charles County.

However, all of this is more or less speculative. What is certain is that Peter Lamer’s will is of record, dated in 1693; while that of Thomas Lamar, dated October 4, 1712, is also recorded, and shows that he was then living in Prince George’s County. By that instrument he left what seems to have been quite a considerable estate, both in Maryland and in England, to his wife, Ann, and to his two sons, Thomas and John.

The second Thomas also left a will. It is dated May 11, 1747. He distributed a large estate between his six sons and two sons-in-law, by name. In the year 1755 three of those sons (Robert, Thomas, and John) and one of the sons-in-law (Clementius Davis) on the same day sold their lands to the Rev. John Urquhart, “Minister of Al-Faith Parish in Saint Mary’s County,” their mother’s brother, and moved down into South Carolina and Georgia, settling at Beach Island and on the Georgia side of the Savannah River. This settlement in these Southern colonies may have given rise in later years to the Georgia tradition that four brothers came to America.

John Lamar, son of John, was grandson of the John who moved to Georgia. He was born in the year 1769, and married his cousin-german, Rebecca Lamar. That union produced nine children who attained maturity. Four were sons (Lucius Quintus Cincinnatus, Thomas Randolph, Mirabeau Buonaparte, and Jefferson Jackson) and five were daughters (Mrs. Evalina Harvey, Mrs. Mary A. Moreland, Mrs. Aurelia Randle, Mrs. Louisa McGehee, and Mrs. Loretto H. Chappell).

This John Lamar, the grandfather of Justice Lamar, was a planter, and a thrifty one. His residence was for a time in Warren County; but later in Putnam, eight or ten miles south of Eatonton. Here, about the year 1810, he established what is still locally known as the "old Lamar homestead," now the property of Mr. Mark Johnson. The house still stands in good condition: a fine, old-fashioned, two-story, frame building, constructed after the strong and enduring models of that period. Little River winds near by, and cultivated fields offer a wide prospect. Here for many years, in great happiness and moderate prosperity, lived the old couple.

With them lived a bachelor brother, Zachariah—a self-taught man—who, like many of the men in old plantation times, gave himself up to the ideal world of literature and history, without any further purpose than the enjoyments of that fairyland. These honest, happy—some might consider them useless—members of society belong to an extinct fauna, but they were loved and revered and humored in their day and little circles. This Lamar was one of this sort, perhaps its most striking example. Over all his immediate surroundings was cast the glamour of that realm of letters in which he lived. When he led in family prayer, good Methodists that they were, he did not think it inapt to thank God for the heroic examples of Roman or English or American history, for the march of science, or for exemption from the crimes and miseries of less favored lands into which his geographical studies had last led him. So when son after son was born to the head of the house this bookish enthusiast claimed the privilege of naming his infant nephews after his favorite of the moment, and the amiable and doubtless amused parents consented. Thus Lucius Quintus Cincinnatus, Mirabeau Buonaparte, Jefferson Jackson, Thomas Randolph, and Lavoisier Legrand (a grandchild) indicate how his interest shifted from history to politics, and from politics to chemistry.\*

At this old homestead, buried in a quiet garden, by the side of his daughter Evalina, lies John. His grave is kept in excellent order, and over him is a slab bearing the following inscription, written by his son Mirabeau:

In memory of John Lamar, who died August 3, 1833, aged sixty-four years. He was a man of unblemished honor, of pure and exalted benevolence, whose conduct through life was uniformly regulated by the strictest principles of probity, truth, and justice; thus leaving behind him, as the best legacy to his children, a noble example of consistent virtue. In his domestic relations he was greatly blessed, receiving from every member of a large family unremitting demonstrations of respect, love, and obedience.

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\* William Preston Johnston, in the *Farmer's World* of February 5, 1879.

That is the testimony of a son. Here is the impartial evidence of one who was connected by no such endearing tie. In the "Bench and Bar of Georgia" Hon. Joel Crawford says this:

Though not a rich man, Mr. John Lamar, by dint of industry and good management, found means to give his children the best education which the schools of the country afforded. None of them had the benefit of a college course, nor were they (it is believed) acquainted with the ancient classics or any other language but English. But, if the children of this worthy man did not bring into practical life any great amount of literary and scientific lore, they certainly brought what was infinitely more valuable: mind, morals, and most of the virtues which elevate and adorn it. In the regimen of no other family were strict veracity, temperance in all things, probity, and benevolence more peremptorily and successfully inculcated.

John Lamar had the rare good fortune that two of his sons achieved distinction. Of these, Mirabeau, the younger, was born in 1798. He was a man of considerable genius and of great versatility of talent. Writer, soldier, lawyer, statesman, and diplomatist—in each career he was successful, and in some brilliant. Beginning life as a planter and merchant, he cultivated letters; and in 1828 established the *Columbus Inquirer*, a State rights paper. Some of the best essays upon the government of the United States, which appeared in the public press of Georgia, were from his pen; and later he proved a capacity for poetry of no mean order, publishing a volume of "Verse Memorials."

He was already distinguished for eloquence when he came to Texas, in 1835, to aid the constitutional cause, and is said to have been the first to declare publicly for independence. He was not less ardent as a soldier than as a speaker; and, in the cavalry skirmish on the day before the battle of San Jacinto, saved the life of Gen. Rusk by a free exposure of his own. He was conspicuous for gallantry at San Jacinto, and, having first served as Attorney General, was soon after appointed Secretary of War by President Burnet, and was elected Vice President in 1836. His impetuous valor, enthusiastic temper, and unselfish aspirations for the honor and welfare of his country, made him the fit choice of Texas as her President. Lamar was a man of high, unbending honor; his native gifts were fine: largeness and brilliancy of conception, fancy, eloquence, readiness, and courage. Though ardent, impulsive, and open to present impressions, sometimes, especially in seasons of ill health, he gave way to the reaction that displays itself in waywardness, dejection, and lassitude. But he was brave, affectionate, open as the day, lofty, and magnanimous.

To the eloquent appeals of Lamar are due the foundations of the educational system of Texas, and the consecration of noble grants of public lands to the school and university funds. By him, too, a great tide of corruption and public plunder was suddenly stopped.\*

After the annexation of Texas Mirabeau Lamar served efficiently in the Mexican War. In 1857 he was appointed United States Minister to the Argentine Republic, and in 1858 to Costa Rica and Nicaragua. He died in the year 1859. Between him and Justice Lamar existed the deepest attachment and mutual admiration. His rare combination of qualities, his fiery and chivalric nature, his enthusiasm, his patriotism

\* William Preston Johnston, in "Life of Gen. A. S. Johnston," pp. 93, 94.



MIRABEAU B. LAMAR.



and fervid partisanship—all strongly drew and deeply influenced the nascent character of his observant and thoughtful young nephew.

As a specimen of the literary style of Mirabeau Lamar the following lyric, which does not appear in the "Verse Memorials," is given. The poem is the last he wrote, and was inspired by a rarely beautiful woman whom he saw in Central America.

THE DAUGHTER OF MENDOZA.

O lend to me, sweet nightingale,  
 Your music by the fountains!  
 And lend to me your cadences,  
 O river of the mountains!  
 That I may sing my gay brunette  
 A diamond spark in coral set,  
 Gem for a prince's coronet—  
 The daughter of Mendoza.

How brilliant is the morning star!  
 The evening star, how tender!  
 The light of both is in her eye,  
 Their softness and their splendor.  
 But for the lash that shades their light,  
 They were too dazzling for the sight;  
 And when she shuts them all is night—  
 The daughter of Mendoza.

O! ever bright and beauteous one,  
 Bewildering and beguiling,  
 The lute is in thy silvery tones,  
 The rainbow in thy smiling.  
 And thine is, too, o'er hill and dell,  
 The bounding of the young gazelle,  
 The arrow's flight and ocean's swell—  
 Sweet daughter of Mendoza!

What though, perchance, we meet no more?  
 What though too soon we sever?  
 Thy form will float like emerald light,  
 Before my vision ever.  
 For who can see and then forget  
 The glories of my gay brunette?  
 Thou art too bright a star to set—  
 Sweet daughter of Mendoza!

Lucius Q. C. Lamar, the father of the late Justice, was John Lamar's oldest son. Born in Warren County, on the 15th of July, 1797, he passed the most of his early youth in Putnam, to which county his father had removed. Much of his time was spent behind the counter as a salesman; but in 1816 he began the study of law in the office of Hon. Joel Crawford, at Milledgeville. Reading with great diligence, he acquired, amongst other things, accuracy in pleading. After twelve months or more he repaired to the celebrated law school of Judges



Reeve and Gould, at Litchfield, Conn. About the year 1818, having been admitted to practice in the courts of law and equity in Georgia, he opened an office in Milledgeville. There, on the 10th of March, 1819, he married Sarah W. Bird, daughter of Dr. Thompson Bird, an eminent physician of that city.

Though few young lawyers have brought to the bar higher qualifications, he lacked some, and for a few years his prospects were anything but bright. While others, with not a tithe of his genius or learning, were seen to be reaping rich harvests of fees and crowded with clients, he remained poor and almost briefless. How and why did this happen? Courage, truth, and honor were among the most conspicuous elements of his character, and he seemed to have the esteem and confidence of every one. But he could not court clients nor solicit patronage; his characteristic independence and legitimate self-esteem would not tolerate even the semblance of unworthy condescension. He doubtless wanted what is commonly called *address*: he had no turn for frivolous chat, story-telling, anecdotes, etc. In short, he lacked those qualifications on which humbler natures rely for conciliating popular favor.

When quite young in his profession Mr. Lamar was chosen by the Legislature to compile the laws of Georgia from 1810 to 1820. He arranged the several acts under their appropriate divisions, and made such references and explanations in notes as were necessary to show what had been repealed or modified. The result of his labors was reported to Gov. Clark in 1821, and by him was accepted after a careful examination at the hands of a committee. It was then published in a quarto volume of thirteen hundred pages, constituting Volume III. of the "Georgia Statutes."

Mr. Lamar also revised Clayton's "Georgia Justice" (now rarely found) about 1819.

In the summer of 1821 Judge Crawford, who had retired from the practice some four or five years before, resumed it, and Lamar became his partner.

This copartnership by its terms was limited to three years, and before the expiration of that time Lamar had so many opportunities of exhibiting proofs of his great legal ability that he never afterwards wanted clients or fees.

Mr. Lamar doubtless had ambition—a legitimate ambition—to acquire by meritorious actions that fame and fortune which may at all times be justly awarded to useful and brilliant achievements; but he had an insuperable aversion to catching office as a mere fortuitous windfall, or getting it by surrendering himself to the arbitrary management of a political party. Under the influence of such generous self-denial, he more than once refused his name as a candidate when success was little less than certain. His conduct when Thomas W. Cobb (about the fall of 1828) became a candidate for the bench of the Ocmulgee circuit will serve to exemplify some of the lofty traits which belonged to his character.

Mr. Cobb was an experienced and confessedly an able lawyer; had been for many years a respectable member of Congress, desired to continue in the public service, but, in the decline of life, preferred a station nearer home. The popularity, however, which had carried him three terms to the House of Representatives, and afterwards to the Senate of the United States, now forsook him. He was beaten on joint vote of the General Assembly by a large majority; but, for some cause best known to himself, his successful opponent within a few days resigned the commission of judge, and the vacancy had again to be filled. Cobb's friends again presented his name, and Lamar was importuned to offer as a rival candidate. Had he consented, his election was morally certain; but he had a becoming respect for Mr.

Cobb's seniority and past services, was no stranger to the unworthy motives of those who were most intent on a second defeat, nor to the plasticity of that ill-organized college of electors, the General Assembly. His refusal was peremptory, and Mr. Cobb was permitted to take the office he so much coveted.

Before the term for which Mr. Cobb had been elected expired, his death made a vacancy which Mr. Lamar could honorably consent to fill. He came then, on the 4th of November, 1830, while only in his thirty-fourth year, into office on such conditions as met his approbation, and continued until the day of his own lamented death to discharge its duties with signal ability, and with public applause which few in judicial stations have had the good fortune to receive.

He presided with great dignity, and was most effective in the dispatch of business. No one who knew the man ever ventured on an act of rudeness or disrespect to his court; yet every person whose deportment was worthy of it had unflinching assurances of his kindness. His lectures of instruction to the grand juries, at the opening of a term, were delivered in admirable style; and his charges to special and petit juries in the trial of difficult and much-litigated cases might well serve as models to any bench.

As specimens of Judge Lamar's style and reasoning on legal topics, reference may be made to two cases in Dudley's "Reports:" *Brewster vs. Hardeman* and *Kendrick vs. the Central Bank*, the latter sustaining notes when the statute required bonds. They are both fine instances. A remarkable case was one which was brought from Jasper before the convention of Judges. It was well argued, was thoroughly discussed, and the authorities examined by the Convention, Judge Lamar leading the convention to adopt his view. An opinion was rendered *unanimously*. During the succeeding interval before the next convention he met with a case which gave him a new view. He pursued the examination closely during several weeks. When the next convention assembled, he stated what had occurred, and that his opinion had undergone an entire change. The authorities were reviewed, criticised, and applied by the convention, and it *unanimously* reversed its former decision, Judge Lamar leading both times the argument, and writing out the final decision of the judges. This remarkable episode furnishes a high proof of his mental powers and intellectual and moral integrity; more especially when it is remembered that William H. Crawford, Judge Law, Judge Dougherty, and perhaps Judge Warner, were members of the convention. Of this decision, and of that of *Brewster vs. Hardeman*, Hon. Joseph Henry Lumpkin says, that they "may be placed on a level with the best productions of the American or English bench."

Nothing delighted him more than for his brethren of the bar to mingle literary anecdote or classical allusion in their arguments. He was a great admirer of Hugh S. Legare, of South Carolina, as presenting the finest model of the profound lawyer and accomplished scholar; and such, since Legare's death, was the judgment of Mr. Justice Story.

From boyhood Judge Lamar was a lover of books, reading with good effect almost everything that came within his reach, but had a decided partiality for poetry.

and other works of imagination. In after life he was distinguished for his attainment in *belles-lettres*, for the classic purity of his compositions, and for his forensic eloquence. He was fond of politics, and wrote many articles of that nature for publication.

His active genius, lofty virtues, and profound erudition would have given eclat to any name. There is no instance in England or America where a judge so rapidly gained public favor. In less than four years from his accession to the bench he was commonly known as "the great Judge Lamar," and was its brightest luminary. He could not have been displaced; there was no desire felt by his political opponents to give his office to another; and it was his singular merit, his crowning glory, that both Union and State rights men would equally have renewed his commission. And, to complete his blessings, he was happy in his domestic circle. Wife and children, relatives and friends, everybody loved him, and he loved all.

Yet amid all this innocence and honor and felicity a withering bolt fell; and Judge Lamar's sudden death occurred on the 4th of July, 1834, when he was thirty-seven years of age.

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A lengthy and beautiful "Tribute of Respect" was adopted by the bar of the Baldwin Superior Court, from which the following extract is taken:

At the bar he was an ingenious and able advocate and excellent jurist. Possessing a mind far above the ordinary grade, distinguished alike for acuteness and discrimination, it could grapple with the giant difficulties of the science and master its abstruse theories. On the bench he exhibited a soundness of judgment and depth of learning beyond his years. His candor, ingenuousness, and modesty were no less conspicuous than his amenity and kindness to all in any way connected with the administration of justice. His expositions of the law, his charges and instructions to juries, were uniformly marked by precision, beauty, and eloquence, imparting interest to the subject and instruction to the hearer. Devoting himself to the arduous duties of his station, he seldom erred in judgment; but, ever anxious that his judicial opinions should be correct, he sought occasion for their revision, and, with the noble impulse of an upright mind, rejoiced in the opportunity for their revision. Always guided by humanity, he truly administered justice in mercy. To the youthful aspirant for professional distinction he was indeed a friend, exciting his ardor, aiding his exertions, commending his efforts, alluring him onward, and extending a fostering hand for his support when difficulties surrounded him.

In all the relations of private life he was blameless, ever kind, ardent, and affectionate. Of unblemished integrity and pure morals, no whisper injurious to either ever rested on his name. He was beloved for his amiable disposition, his bland deportment, his noble frankness, and his generous sentiments.\*

Judge Lamar had eight children, five of whom attained maturity. The sons were Lucius Quintus Cincinnatus, Thompson Bird, and Jefferson Mirabeau. The daughters were Mrs. Susan R. Wiggins and Mary Ann, who first married James C. Longstreet, Esq., and afterwards John B. Ross, of Macon, Ga.

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The maternal ancestors of Justice Lamar are historic in Georgia. They should be briefly noticed, not only because they are noteworthy in

\* These quotations are from the "Bench and Bar of Georgia;" title, "L. Q. C. Lamar."



JUDGE LUCIUS Q. C. LAMAR, OF GEORGIA.



themselves, but also because both by inheritance and by education they materially contributed to the production in him of those qualities of mind and soul with which he was endowed, as well as the sentiments by which his life was greatly influenced. The women especially were at once lovely and heroic. Sarah Gilliam, Susan Williamson, and Sarah Bird were all of such sort as was the Roman Cornelia.

The first is believed to have been a niece of the Rev. Devereux Jarratt, the celebrated Episcopalian divine of Virginia. A native of Henrico County, Va., and descended from a Huguenot stock, she married Micaiah Williamson, of Bedford County, whose grandfather was from the North of Ireland, and who was himself a man of quite considerable wealth. The two, in the year 1768, moved to Georgia and settled in Wilkes County, where Mr. Williamson purchased a valuable plantation from Col. Alston, giving him sixty negroes in exchange therefor. Wilkes County was then on the frontier, and subject to great afflictions from Indian aggressions. Here and then, and in the later stormy days of the great Revolution, the Williamsons were conspicuous from both their services and their sufferings.

The country was almost a wilderness. The houses of settlers were built as near together as possible, for union and for capacity of fortifying against hostile attacks. In the Indian wars Williamson became prominent. He was brave but prudent, and inspired such confidence as made him by common consent a leader. He soon became intimate with Elijah Clarke, even then the most prominent man of that region, and later a colonel in the continental army. Their intimacy continued through the Revolution. In that struggle they were associated in the army of the South, which was assigned to protect the western frontier of Georgia. Williamson was Clarke's lieutenant colonel and was his chief dependence. In all hazardous enterprises requiring skill, caution, and perseverance he was selected to command. This, of course, immensely increased his risks, and he was more frequently wounded than any other officer in the command. The scene of this war was in the immediate neighborhood of his home, and his wonderful wife was not only a witness of many of the conflicts, but also often a participant in them. Hers was a character as marked as was that of her husband. While he was in the field fighting she was in the fields at home supervising the management of the farm, and contriving to support a large family of sons and daughters. In one of the inroads of the English, Tories, and Indians, during the absence of Col. Williamson with his command, their house and outbuildings were burned, with all their movables. A son, a youth of twelve years, was hung in the presence of his mother. Following this a proclamation was issued, offering a large reward for the head of Col. Williamson. The wife and children were forced to flee to the mountains of North Carolina for safety. This was near the end of

the war. It was only on the cessation of hostilities that the suffering family returned to their desolated fields. Then Williamson went to work to repair his shattered fortunes. A few slaves were left; and, uniting with theirs the labor of himself and his sons, the farm was cultivated actively and successfully. He also kept an inn in the town of Washington. In a few years he was again comparatively independent, and directed as best he could the education of his family. In this his wife, who was well educated for the times, assisted. But the fatigues, the wounds, and the anxieties of the troubled life he had, added to the severe labors of the reclamation, broke down the old soldier's constitution. He died in 1795, aged about sixty years.

Col. Williamson left five sons and six daughters. The sons were Charles, Peter, Micajah, William, and Thomas Jefferson. The daughters were Mrs. Nancy Clarke, Mrs. Sarah Griffin, Mrs. Susan Bird, Mrs. Martha Fitch, Mrs. Elizabeth Thweat, and Mrs. Mary Campbell.

It was a most remarkable family of women. They were celebrated for their beauty and intellects. Any one of them would have made a home distinguished, and no sisters ever took a wider hold upon a State. Mrs. Clarke was the wife of Gen. John Clarke, afterwards Governor of the State. Mrs. Griffin was twice married; both husbands were judges, and the second, Hon. Charles Tait, served two terms in the United States Senate. The husbands of Mrs. Bird, Mrs. Fitch, and Mrs. Thweat were all men of high standing and influence. Mrs. Campbell was the wife of Hon. Duncan G. Campbell, a lawyer of prominence, who was one of the two commissioners of the United States who negotiated the treaty whereby the Creeks surrendered their lands in Georgia and Alabama; and she became the mother of the Hon. John A. Campbell, late Justice of the Supreme Court of the United States. It is believed that the Williamson family occupy the unique position that it was the first in the United States to give two of its members to that great tribunal, since the commission of Judge Campbell antedated that of Justice Field, while Justice Lamar was appointed before Justice Brewer.

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Dr. Thompson Bird, the husband of Mrs. Susan (Williamson) Bird, and the grandfather of Justice Lamar, was a son of Empson Bird, of Cecil County, Md., who died there in 1787. Thompson graduated at William and Mary, and afterwards at the celebrated medical college in Philadelphia. His older half-sister, Mrs. Mary Montgomery, and her husband (from whom are descended a fine family of that name), having found their way to Georgia, induced Thompson to follow them. He settled first in Milledgeville, and later at Macon, at which place he died July 8, 1828. He was one of the most eminent, successful, and popular physicians in the State. His nature was frank and generous; quick to resent an injury, he was yet easily conciliated. He was dis-

tinguished for hospitality; and his cheerfulness and vivacity gave him great prestige in society. For example, in 1823 he was selected to preside over the festal board at the first banquet ever given in the then newly organized county of Bibb in commemoration of the Declaration of Independence. His superior skill and many personal virtues secured for him a high place in popular esteem.

However, the chief interest along this branch of the family history gathers about Mrs. Bird. The personal and mental graces, the intellectual and spiritual glory of a perfect woman—who shall paint them? And who shall sound the mysterious ways in which God moves to perform his wonders? or guess why it is that a star whose brightness and serenity seem worthy of a cloudless heaven shall yet go down in dark clouds and in storm? This magnificent woman died, under the most tragical and dramatic circumstances, of a broken heart.

Her sister, Mrs. Fitch, with her husband and children, lived at St. Augustine. Attracted by them, thither also had gone Mrs. Bird's only son then living, just entering upon manhood, a most amiable and gifted young man, who when only twenty-one years of age had been appointed United States Attorney for the Territory. To him his uncle and aunt were very kind. On one fatal occasion in the fall of 1821, while traveling off the coast, Mr. Fitch found floating on the ocean a mattress which seemed to be good. He had it taken aboard, dried it, and slept upon it. The result was yellow fever. This dread disease spread. When it became epidemic Mrs. Bird wrote to her son, praying him to come away; but in the meantime every member of his aunt's family had been taken ill, and she, rising from her bed of sickness, threw her arms about her nephew and implored him not to leave her in her despair. He knew that to stay was death; but he wrote his mother that he must meet his fate; and stay he did, and died November 15, with his uncle, his aunt, and both of his cousins. From this blow his mother never recovered. Her grief was supposed to have induced organic disease of the heart.

On the 22d of March, 1822, Mrs. Bird's niece, Nancy Clarke, the daughter of the Governor, was married to John W. Campbell, the younger brother of Hon. Duncan G. Campbell. Mrs. Bird laid aside her mourning, if not her sorrow, and assisted in the preparation for the wedding. When the ceremony was over, she approached the happy and blushing bride, kissed her, wiped from her eyes the gathering tears, and said, "Dear Nancy, if your happiness shall be equal to my wishes, you will never know misery. Excuse me now, I am fatigued and must go home." She kissed her niece again, and left the drawing-room.

The *elite* of the young people of the State were present. Everybody knew Nancy Clarke, and everybody loved her, and was responding in mirth to her happiness.



The clock struck twelve, the dancers were upon the floor, when that stern old man, Gov. Clarke, with his military stride, entered the room, and authoritatively said: "Stop this!" All were startled, and an instantaneous silence ensued. There was a pause of a moment, when the Governor said: "Mrs. Bird is dead."\*

Aye; the wrung heart had ceased from its labors, and the stricken mother had fallen on sleep, slain through the noble conduct of her dutiful and loviug son. Again was illustrated the singular and terrible fact that acts of the highest virtue and those of the lowest depravity often lead to the same bitter result; that in the strange complexity of this mysterious life many of the purest altars bear the burden of that tremendous offering, the broken heart.

The mother of Justice Lamar, Sarah Williamson Bird, was born in Milledgeville on the 24th of February, 1802. She was married when only seventeen years of age. Left a widow by the cruel stroke already narrated, at thirty-two, with five young children to rear, she was not overwhelmed by so great a calamity, but bravely gathered her mental and moral forces to meet the duties cast upon her. In her widowhood she was not altogether alone, for she had many warm and devoted friends, both of her husband and of her own. She was spared the sharp bitterness of poverty. Her husband left her a comfortable property, which was considerably increased by the skillful management of his brother, Mr. Jefferson Lamar. Her daughters were educated at good boarding schools; her oldest son, Lucius, at Emory College; her second son, Thompson B., at the same institution, and afterwards at the Jefferson Medical College, in Philadelphia; and her youngest son, Jefferson M., at the University of Mississippi.

In July, 1851, after remaining a widow for seventeen years, she was married to Col. Hiram B. Troutman, of Vineville, near Macon, Ga., and removed to his home, where she lived until her death.

She had much in this world—beauty, intellect, education, social position, a competency, admiration, friends, dutiful and bright children—and she had need of them all, for her life was often stricken by the sharpest darts of agony. First, was the great shock of her brother's death, followed by that of her mother. Then came that of her husband. In the year 1858, her youngest daughter's husband, James C. Longstreet, to whom she was tenderly attached, died. In September, 1862, her youngest son, then a lieutenant colonel of Cobb's Legion, fell while leading his command in the engagement at Crampton's Gap. In May, 1864, her eldest daughter, Mrs. Wiggins, passed away after losing both of her children, and after a painful illness protracted through several years. In 1864, also, her second son, then colonel of the Fifth Florida, was killed in a battle near Petersburg. In the closing period of her life, there came both upon her and upon her second

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\* Col. Sparks, in the *Atlanta Constitution*; article, "Old Families of Geo. gia."

husband, the companion of her old age, the great shadow of darkness, the horror of blindness. But amid all these continuing troubles she had the great consolation. From early life a humble and devout Methodist, the native strength of her character was not her only resource. She had taken the eternal truths into her heart, her feet were planted firmly upon the Rock of Ages, and her hand was clasped closely in that of the loving Christ. On the 31st of October, 1879, she died suddenly of heart disease. It was her last request that her body be taken to Milledgeville, and there be buried by the side of her first husband.

A few of the tributes paid to this noble lady will be given here in order to illustrate her own character, as well as that of her son. An obituary by the Rev. G. G. Smith says:

She was one of the most elegant women in a circle of women of rare accomplishments. . . . She presided over a large establishment and dispensed a queenly hospitality. . . . I have known few such women. She was accomplished, talented, dignified, pious. She adorned every circle into which she was thrown. In prosperity she was not proud, in adversity she was not despondent. She had a true Christian faith, and it sustained her through all the varying circumstances of a sadly checkered life. I have known her all my life, and never knew aught but good of her. She was truly an elect lady, and sleeps in Jesus.

The Rev. Joseph S. Key, now Bishop Key, said:

She lived and died loved and honored by all who knew her. Endowed by nature with great beauty of person and amiability of disposition, she added the graces of education and culture, and laid all these in consecration at Jesus' feet. Religion with her was no mere profession or theory; it was an experience felt and seen. She literally "put on the Lord Jesus Christ," and to her dying day through good and ill illustrated him. Her last years were years of testing. Blindness came first upon her, and then upon her husband. She anticipated its coming, and stored her memory with many precious passages of scripture on which to dwell in meditation in the darkness. A most touching sight it was to see the two aged saints sitting together, under the cloud of their blindness, repeating to each other the promises and hopes of the Word of God. The stroke which took her off was sudden and unexpected, leaving no opportunity for dying testimony. It was not needed. Her life was monumental goodness. Her end was peace.

The blindness of which Bishop Key spoke was relieved before her death, as also was that of her husband, by successful operations for cataract.

Judge John A. Campbell, under date of November 3, 1879, wrote to his own sister:

*My Dear Rebecca:* I was grieved to receive your notice of the death of my cousin Sarah, Mrs. Troutman. I remember her a long while ago, when I was but a boy, as she was at Aunt Griffin's. I remember her as I saw her about 1821, newly married, when I went to Milledgeville. I remember her as I saw her after my return from West Point in 1829. I have seen her since. She was much connected in my mind with mother, of whom she reminded me. I held her in the highest esteem and respect. There were sincerity, truth, gentleness, good breeding, high honor, religious culture, and refinement in her demeanor and in her thoughts. I felt proud of her as

a relation by blood. I cannot too strongly express my sympathy for Col. Troutman. Please tell him how much I grieve with him.

The gentleness and good breeding to which Judge Campbell referred produced one of the most striking of Mrs. Troutman's personal traits. This was her most unusually soft and low voice. Hardly audible across a small room, it was never raised, even in moments of intensest excitement. Nothing could induce her to speak loudly.

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This review of the ancestry of Justice Lamar shows how completely and wholly he was a Southerner. Himself born and reared in Georgia and adopted by Mississippi, his forefathers to the remotest generations in America, so far as known without exception, were citizens of the States of Maryland, Virginia, and Georgia. Every inherited trait and predisposition, every tradition, every feature of his education—all of his instincts and all of his teaching—were distinctively and strongly Southern.

## CHAPTER II.

The Old Lamar Homestead—The Old Georgia-Conference Manual-Labor School—Lucius' Character and Habits as a Child—Anecdote—Removal to Oxford, Ga.—Emory College—Graduation—College Influence upon his Character and Views.

LUCIUS QUINTUS CINCINNATUS LAMAR was born at the "old Lamar Homestead," in Putnam County, Ga., on the 17th of September, 1825. Much of his childhood was spent there. To his latest days he retained a longing for the old place, and delighted to indulge in reminiscences of it and of the old life when he was a child. The scenes were apparently as clearly and durably cut upon his memory as if they had been cameos. There was a large, old-fashioned, two-story house or mansion, with a wide gallery along its entire front. The whitewashed walls of the airy rooms were hung with pictures, of which one, symbolizing a nightmare, had been painted by "Uncle Mirabeau"—a beautiful woman asleep upon a sofa with her hair aflow, and a great shadowy horse's head thrust through the window above her. An immense front yard was filled with grand oaks and Lombardy poplars. To the east and front lay rolling lands, and a widespread plain in the rear shelved gradually down to a beautiful river which gave to the owner of the farm the *sobriquet* of "Little River John." There was an orchard filled with fruit trees, resonant with the hum of bees busy about the labors of their hives, and thrilling with the insistent songs of birds. In wide fields the odor of the freshly turned earth hung heavily, and the cracking of the growing maize was heard after the summer showers, under the hot suns of noon. The house was a relay; and down the far-reaching red lane which stretched away like a long orange ribbon, the stage coaches would daily drive with rattle and halloo and call of bugle from afar, emptying their bustling bebies of hungry but genial travelers for the midday meal. In the evenings, as the darkness gathered, from the oaks and the forest about came the long-drawn, drowsy droning of the locusts, punctuated with the quick but melancholy cry of the chuck-Will's-widow, while waving branches gave half-admittance to the moonlight, and made eerie shadows about the house. Then there were the black "mammy"—the indispensable factotum of the Southern nursery—and the fascinated terrors of those restless nights when she would try to frighten Lucius to sleep with threats of the devil, who would come out of the black hole under the garret stair and catch him if he wasn't good. There was one adventurous hour when, with the courage which comes of desperation, he explored that recess and found that there was no hole. How he triumphed over the old nurse in his vain childish imagination! and what was his disappointment and dismay

when, with the facility of her kind, she replied to his exultation that the devils concealed the hole from boys except as suited themselves. All of these things, and many more of similar character, Mr. Lamar loved to recall, and to recount to sympathizing friends.

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However, dearly as he loved this grandfather's home, his own residence was, of course, with his father in Milledgeville. Judge Lamar, it seems, had also, at one time, a residence in Scottsboro, a village some four or five miles from Milledgeville; and it was there, so far as appears from the papers still extant, that Lucius got his first schooling. He also attended a school at Midway, in that vicinity, of which Beman and Mead were the Principals. Then came the sad event of his father's death, shortly after which Mrs. Lamar moved to the town of Covington for the purpose of educating her boys. To this object, like the wise and true mother that she was, she devoted much of her personal attention, carefully directing his course of reading. Speaking of this period many years afterwards, he said:

Books? I was surrounded with books. My father's library was unusually large and varied for those times. The first book I remember having had put into my hands by my mother, after juvenile books, was Franklin's Autobiography. The next was Rollin's History. Then came Plutarch's Lives, which I keenly enjoyed. Then Mrs. Hemans' innocent poems were intrusted to me, and Young's Night Thoughts. As an antidote, or at least a foil, for these, came Byron, which I devoured with eagerness. It was not till later years that I discovered that I had read an expurgated edition—'Don Juan' had been carefully cut out. After this was Robinson's America, Marshall's Life of Washington, Locke on the Understanding, Stuart's Mental Philosophy, Brown's Lectures on the Intellect, and, after a while, Cousin's Psychology.

Near Covington was located the old Georgia-Conference Manual-Labor School. At that early period there was quite an enthusiasm, especially amongst educators, over the importance of developing the physical powers simultaneously with those of the mind. Robustness of frame was regarded as greatly favorable to robustness of intellect. Hence, amongst other results, was the establishment of this school, where farm labor, supplemented by mental drill, would, it was thought, best prepare the boys for their life's work. Dr. Alexander Means was the Principal. Under him were Profs. Round, Lane, Myers, and several assistants. The campus was surrounded by numerous dormitories for the boys, residences for the professors, and schoolrooms. Adjoining was the school farm. The labor was by no means arduous, and the boys, of all ages, devoted quite as much time to those games in which they delight as would have been done even had they not wielded a hoe or guided a plow for two or three hours daily. About two hundred and fifty students were in attendance, and various sections relieved each other at intervals throughout the day. The boys were paid for their work a few cents per hour,

the amounts being graduated, not according to the amount of labor done, but according to the size of the laborer. The small fry therefore had but a poor showing when pay day came, which was at the close of the session. To this school Lucius was sent for three years, during the period from 1835 to 1838. It was a wise step. He needed something of the kind. Reared, so far, in a town, he was diminutive, pale, and troubled with dyspepsia. The hours of labor tried him greatly. He was unaccustomed to handling farm implements, and was not partial to the exercise. He had none of the fondness for it which was entertained by many of the boys from the rural districts. But irksome although this duty was, his old schoolmates testify that he went to it with a quiet resolution, never needing to be pushed up by the Superintendent and never doing it slovenly. In after years he himself said of this period that

“I was a delicate boy, never so athletic as my two brothers, and being put to work strengthened and toned up my whole system. We all had to work three hours every day at the ordinary work of a plantation—plowing, hoeing, cutting wood, picking cotton and sowing it, pulling fodder, and every item of a planter’s occupation. When we left that school we could do not only this ordinary drudgery in the best way, but the most expert could shoe a horse, make an ax helve, stock a plow, or do any plain bit of blacksmithing and carpentry. It was a great training for us all, for we became perfectly versed in the details of the work of a farm. Many of Georgia’s most distinguished men were reared there.”—His mental tendencies were toward history, political economy, sociology, and biology. He said: “Poetry, too, took a strong hold of me. When I was in college I read through the plays of Shakespeare and the dramatic poetry of that remarkable woman, Joanna Baillie, recommended to me by my mother.”

He was not regarded by either pupils or teachers as possessed of remarkable intellectual powers, or as a promising boy in any respect. Very frail in appearance, small for his age, and with a sallow complexion, he was quite reticent, slow in movement, giving the impression of constitutional weakness, of sluggishness and indolence, rather than of the nascent physical and intellectual strength which was in him. He was considered a good, commonplace boy, who, if he came to manhood at all, would run a common career and disappear in the common way. When in the full maturity of his powers he spoke of his own mind even then as dull and slow in its operation.

He seemed to have but little love for books. His recitations were seldom perfect; but yet he was scrupulously faithful to his class duties, never missing a call of the roll. For this reason his deficiencies in lessons were put down to the account of dullness, and not to any want of inclination to respond to the demands of his masters.

He was never wild and thoughtless like most boys, but was remarkable for his quiet and manly manners. The oldest of his mother’s boys, even as a child he seemed her stay and companion. He was one of the purest of boys. His conduct and conversation were always chaste. One of his old classmates describes his morality as “that of a Samuel or

a Timothy." He mingled but little with the other lads, and hardly ever took part in their sports. He loved retirement, and seldom engaged in conversation; and this predisposition was regarded as an idiosyncrasy of a nature inclined to solitary musing. Even when, with his young comrades, he roamed through the woods and fields, hunting for squirrels and rabbits, it was noticed that he "often seemed abstracted, as if he were communing with the invisible, and hunted for thoughts and ideas" rather than for small game.

The other boys thought him at times morose, and made but little effort to get near him; but this moroseness was only in appearance. He was given to deep and earnest thought from his earliest days. When any subject engaged his attention he had the faculty of withdrawing his mind from everything else. At such times he would hardly notice his most intimate friend; but rouse him from his contemplations, and no one was more genial or lovable than he. His heart was as tender as that of a girl, and his attachments were like those of Jonathan. The proof of this fact is that those affections endured throughout his life; and amongst his vast correspondence are to be found to this day the freshest and most loving letters, written, over a period of three-score years, to and from the friends of his youth. He loved to have the good will and confidence of his comrades; and while he used no blandishments to secure them, yet no one enjoyed them more than he when secured. Said one of those old friends, writing from Milledgeville, in 1885: "It is a glad advantage I have of you to look across the creek and over the hills to Midway, where dear 'old Beman' used to direct the studies of our early school days; and to write from the old Forte homestead, about a hundred yards from where you once lived, to my old classmate, whose boyhood, principles, and impulses have changed not in character, but 'from glory to glory,' till his name adds fame to the country."

Even at this time Lucius possessed to a remarkable degree the powers of abstraction and of concentration of mind upon any subject which interested him. The boys at the school were required to write compositions and were, for the most part, left to themselves in the large dormitory appropriated to the small boys to do as they pleased and to write what they could on any subject. To write original essays without having received any instruction whatever on that branch of education, and in the midst of a babel of voices free to be used as loudly and as long as their owners pleased, was no easy task; and the productions of those callow brains were curious in the extreme. But Lucius would seat himself to his task, seemingly unconscious of the conversations, the laughter, and the general confusion, and write with intelligence and correctness, if not with elegance.

The lads were also required to declaim, every week or two, such selections of prose or poetry as they might fancy; and, while the hours of

the small boys for speaking in the chapel were times for amusement and hilarity to the larger youths, Lucius was never their sport. Although extremely modest and diffident, never seeking applause, and apparently never caring for anything approaching notoriety, his little efforts on those occasions were marked by a dignity and a self-possession which won admiration. He seemed always to comprehend fully the meaning of the author, and made every syllable he spoke his own; so that emphasis, intonation, and gesture were admirably fitted to the subject. Doubtless he received assistance from his accomplished mother. So, also, in the debating society he would often astonish and overwhelm his little rivals with argument masterly for a child. He never spoke unless he understood his subject thoroughly. He not only thought out his line of argument, but evidently also the very language in which it was expressed, and those expressions were unusually succinct and forcible. Nor did those little victories ever seem to render him vain or dispose him to underestimate the abilities of his mates.

He was remarkably fond of listening to sermons, orations, and discussions, and even as a child seemed to have the ability to sift out the good from the bad, and to engrave the former upon his memory, as if with a burin upon steel—a capacity which became remarkably developed with him in after life. An illustration of this gift will be found in the following amusing anecdote, which he related at a dinner table to a circle of friends in 1891, while the Methodist Ecumenical Conference was in session in Washington City:

While living in Covington his mother took him to hear a discussion between a professed Universalist (who was in reality an infidel) and an old Methodist local preacher. A great crowd had assembled. He and his mother secured favorable seats, and he listened with eager interest. Child as he was, he took in and retained the whole scope of the argument, and he rehearsed it to his friends after the lapse of about fifty-five years. While pretending to believe the Bible, the infidel yet ridiculed the doctrine of the immortality of the soul; and in the course of his argument quoted from the Scriptures quite a number of passages to prove his position. In concluding he said that the soul was nothing but a breath of air, a something that lingered in connection with the body for a time, and at death was exhaled like the breath, which was the last of it. He was a fine speaker, and clothed his thoughts in beautiful language. Just in front of him sat a lady who held a vinaigrette, which she occasionally applied to her nostrils. The speaker pointed to her and said: "See that smelling bottle in the hand of this lady: now the soul is nothing more than that!"

The old preacher's time came for reply. He answered argument after argument in a masterly manner. Finally he alluded to this figure of the vinaigrette. He said: "Our friend has asserted that the soul is



nothing more than a smelling bottle. He has quoted Scripture in proof of his position. Let us see how his theory will work. In the Scriptures it is said: 'And the Lord God formed man of the dust of the ground, and breathed into his nostrils the breath of life; and man became a living *smelling bottle*.'—How beautiful is the thought contained in Jacob's remark to his father: 'Arise, I pray thee, sit and eat of my venison, that thy *smelling bottle* may bless me!' By this time the crowd were thoroughly aroused to the situation, and the infidel began to show signs of wincing. The preacher continued: "What complacency must Jacob have felt in his possessions! for it is said: 'All the *smelling bottles* of his sons and his daughters were thirty and three.' And again: 'All the *smelling bottles* that came with Jacob into Egypt, which came out of his loins, besides Jacob's sons' wives, all the *smelling bottles* were threescore and six.'"—By this time the crowd had lost all control of themselves, and were roaring with laughter. But the old preacher went on with his quotations: "'Bless the Lord, O my *smelling bottle*! and all that is within me, bless his holy name!'" At this his antagonist, completely routed, rose to leave, but the preacher said: "Just one word more: 'Why art thou cast down, O my *smelling bottle*? and why art thou disquieted within me? hope in God: for I shall yet praise him, who is the health of my countenance, and my God.'" And thereupon the infidel fled from the field.

Mrs. Lamar's selection of Covington as a residence had been brought about by the recommendation of Mr. Harmong Lamar, a half uncle of her late husband. This gentleman was a very wealthy planter from Alabama, who had moved to Covington for the purpose of educating his sons. He was a devoted Christian, and was widely known for his kindness and generosity to the poor. After some years he returned to Alabama, but meanwhile his hand had something to do with directing the life of the young nephew.

About the year 1838 the labor school was converted into Emory College, at Oxford, some two or three miles from Covington. Mrs. Lamar and Mr. Harmong Lamar disposed of their respective properties in the latter place and erected handsome residences in the former. Mrs. Lamar's premises were large and attractive. There was a two-story frame house, with all the conveniences and adjuncts then used and a beautiful flower garden at the front. Here she remained for a number of years, educating her boys at the college, and taking a few student boarders to help defray her expenses. Many of the letters found among the correspondence of the Justice refer in tender and grateful terms to her kindness to, and her ennobling influence over, the writers while they were youths at school.

Here it was mainly that Lucius received the early bent which impart-

ed a devotional strain to all his after life. The mother was a typical Georgia lady, in the possession of those qualities of shrewd, practical, and strong common sense for which the people of that State, as a class, are noted. Her generous hospitality, her agreeable personality, and her enthusiastic Methodism, made her home the rendezvous for the Methodist clergy of that time, and "Sister Lamar" was known far abroad. Thus Lucius' early life was subjected, in the most agreeable and fruitful way, to the eloquence, the fervid piety, and all of the fascinating influences of the able clergy of that period. He loved to listen to the words of wisdom that fell from the lips of such men as Sam Anthony, James Evans, Lovick Pierce, and many others of the great preachers whose names are now historic in the Church; and the memory of their kindling and powerful utterances formed a treasury of reminiscence and delight from which he drew largely until the day of his death.

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In August of the year 1841 Lucius Lamar entered the freshman class of Emory College at Oxford, Ga. He graduated in July, 1845. This institution had been chartered in 1837, and in 1841 its first class graduated. The social, religious, and educational advantages were exceptionally fine. Under the auspices of the Methodist Church, its President was then the Rev. A. B. Longstreet, eminent as a lawyer, judge, polemic, educator, and divine.

During the first year of his college course Lucius manifested no special ability in his classes. Nor did he ever do so; but after his advancement to the sophomore class there was a marked improvement in studiousness and scholarship. His grade was highest in the classics and lowest in mathematics. This, however, was the result, not of any incapacity to deal with mathematics, but of a distaste for it which led to a comparative neglect. Here again his ability as a speaker was manifested. He was a member of the Phi Gamma Society, and its records show that he was the leader in its debates. On every occasion throughout his college course he was awarded a speaker's place.

In later days, in a Commencement address delivered at Emory College in July, 1870, he said this of his college life: that it was "bright and happy;" and then:

No spot on earth has so helped to form and make me what I am as this town of Oxford. It was here, in the church which stands a little farther up the street, that I became fully impressed with the value and peril of my soul, and was led to pour out my contrite confessions. It was in yonder building, which now seems so deserted, that I became conscious of power. It was here, in the Phi Gamma Society, that I received my training as a debater. I see before me now many who wrestled with me then in the arena of debate. There sits a man who was one of the first (he was the second) to suggest that I had powers within me to stir men's hearts and to convince their reason. Wesley Hughes was the first. I know not where he is, but I send to him my greetings wherever he may be. There sits the venerable man who, when I delivered

my graduating speech, in approval of its sentiments, placed his hand upon my head and gave me his blessing. There is another old man (Dr. Means) who sat at the very fountain head of my mind, and with loving hand directed the channel into which it was required to flow, and who, when I arrived at manhood, gave me my betrothed bride, who has ever since held the choicest place in my affections and made my life one constant song of joy.

Many of those whom I then knew have disappeared. There was Prof. George W. Lane, who unlocked for us the pure springs of Grecian literature, shedding over them all the rich light of his holy precepts and example; long since he went to his reward. There was also Lucius Whitie, the eloquent speaker, the ripe scholar, the refined gentleman, who in a few years followed Lane to the grave. And many younger have passed away. Robert Goodloe Harper, to whose soul my own was knit as was David to Jonathan, has gone. My two brothers and a host of the Emory students, who fell in defense of the noblest earthly cause that ever dawned upon humanity, now fill soldiers' graves.

Many years later, on May 13, 1887, while he was Secretary of the Interior, Mr. Lamar wrote to Rev. Edward Thomson, of Los Angeles, Cal.:

The obligation I am under to your sainted father (Bishop E. Thomson) through his writings is very great, and the sense of it grows in intensity and force the longer I live. . . . Much of my practical success in life among men is due to the principles I imbibed from the speeches of your father when he was President of a Western college which I read during the formative state of my intellect and character. Those speeches were published in a magazine entitled the *Ladies' Repository*, and my attention was called to them by my widowed mother, who was at a Methodist college in the South educating her sons.

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The fact that Mr. Lamar was educated at Emory College, and was so educated at the particular period during which he attended that institution, is one most noteworthy. All are aware of the formative effects upon an ingenuous and noble youth of his college life. Mr. Lamar's life at Emory doubtless contributed largely to produce in him those sentiments and opinions anent the question of slavery and its relation to the political frame of the Federal Government which made him shortly afterwards a conspicuous and aggressive leader in Southern politics.

It must be remembered that Mr. Lamar's mother and his uncle were Methodists so ardent that the location of the Methodist schools determined their places of residence; also that Emory College was the exponent and the center of Georgia Methodism, while Georgia Methodism in turn was nearly or quite the center of that of the South. Again, the period was that of 1841 to 1845, which was that of the intensest agitation of the slavery question within the Church, and of the final rupture, on that issue, of that great denomination into its present Northern and Southern branches. At the General Conference at Cincinnati in 1836 there had been agitation by the abolitionist wing within the Church, whereby it was sought to so alter the book of Discipline as to bring the Church as a whole more into line with the movement for abolition, and to free it "from the evil of slavery"; but the Conference refused to

take any action in that direction, and resolved that it was "decidedly opposed to modern abolitionism," and disclaimed any right, wish, or intention to interfere in the civil and political relation between master and slave as it existed in the slaveholding States of the Union.

Nevertheless the agitation was continued, especially in the New England States; and "extraordinary preambles and resolutions," in spite of the efforts of the bishops to prevent it, "were thrust upon the Annual and Quarterly Conferences. Some of these resolutions censured the acts and attitude of other Annual Conferences, especially in the South; unchristianized a large proportion of American Methodists; reflected seriously upon the administration; and pronounced harsh judgment upon ministers and members in good standing in the Church who had not been arraigned."\* Repeated charges were brought, by two of the bishops and others, against some of the leaders in this excitement, of slander, defamation, etc., resulting in Church trials. The agitators claimed that no slaveholders should be admitted to membership in the Church; while on the other hand, in other quarters, even in the North, ministers were disciplined for attending abolition meetings and participating in them. The Wesleyan Methodist Church was established in 1842, and made nonslaveholding a condition of membership.

When the General Conference of 1844 met in New York a resolution was introduced requesting the resignation of Bishop James O. Andrew, of Georgia, because of his ownership of slaves, which led to an animated debate of several days' duration, culminating in the adoption of a resolution that Bishop Andrew desist from the exercise of his office so long as that impediment should exist. Thereupon, on June 5th, Dr. Longstreet, then the President of Emory College, "offered what is known as the 'Declaration of the Southern Delegates,'" to the effect that

The delegates of the Conferences in the slaveholding States take leave to declare to the General Conference of the Methodist Episcopal Church that the continued agitation on the subject of slavery and abolition in a portion of the Church, and the frequent action on that subject in the General Conference, and especially the extrajudicial proceedings against Bishop Andrew, which resulted, on Saturday last, in the virtual suspension of him from his office as Superintendent, must produce a state of things in the South which renders a continuance of the jurisdiction of this General Conference over those Conferences inconsistent with the success of the ministry in the slaveholding States.

On this declaration the "Plan of Separation" was adopted three days subsequently.\*

It may be easily imagined with what deep feelings and eager discussion all these agitations and their final consummation were watched from Emory College. The questions touched the Southern people, not only as citizens and property holders, but also as Christians. It so hap-

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\*"History of Methodism," McTyeire, pp. 601-637.

pened that the ultimate struggle came over the qualification as a Christian minister of a Georgia bishop, and the declaration for severance came from their own honored President. Inevitably such stirring events, with which they were brought into such close relation, must have produced in the students impressions deep and lasting. It was certainly so with Mr. Lamar, and with him those impressions remained throughout life firmly fixed.

Naturally it would happen that convictions thus acquired, and so burned in, as to the right of the Southern people to regulate their own domestic relations free from interference or dictation from the other portions of the Union, although coming through a religious controversy, should become metamorphosed into articles of political faith; and to a temperament such as Mr. Lamar's it was inevitable that such a political belief should, under the circumstances, reach the altitude and firmness of a religious dogma.

### CHAPTER III.

Legal Education and Admission to the Bar—Marriage—Judge Longstreet—Mrs. Longstreet—Mrs. Lamar and Mrs. Branham—"Influence of Women."

UPON his graduation, in the year 1845, Mr. Lamar began a study of the law. This work was prosecuted at Macon, in the office and under the direction of the Hon. Absalom H. Chappell, a lawyer of distinction who had married his youngest aunt, Loretto. After two years he was admitted to the bar at Vienna, in Dooly County, Judge Litt Warren presiding. After the admission, Judge Christopher B. Strong, long a Georgia judge for two different circuits, rose and openly congratulated young Lamar upon his examination, saying, amongst other things, that he was a friend and cotemporary of the deceased Judge Lamar.

Mr. Chappell then took young Lamar into partnership, and a firm of Chappell and Lamar was formed to practice at the Macon bar. This arrangement, however, lasted but a very short time. Mr. Chappell soon moved to Columbus, and Mr. Lamar offered for practice in Covington.

It is an interesting and noteworthy fact that the aunt whose amiable and accomplished husband gave her nephew his first training and start in business outlived the Justice, and yet resides in Columbus, Ga.

On the 15th of July, 1847, Mr. Lamar was married to Miss Virginia Lafayette Longstreet, daughter of the Rev. Augustus B. Longstreet, then President of Emory College. In his life many fortunate events befell him, but this was perhaps the most fortunate of all. We have his own testimony going very nearly to that extent. Years afterwards, when he was a member of Congress, in a large assemblage of Mississippi's brightest and noblest men and women, he was heard to say to a knot of university students: "Young gentlemen, I hope every one of you will get married, and that none of you will have more cause to regret it than I. For if I am worthy of the respect and confidence of my fellow-citizens, or ever shall be in the future, I want my wife to have full credit for it."

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This Longstreet family, into which Mr. Lamar married, became in the fullest sense his own family. With it he lived on the most intimate and affectionate terms so long as they all did live; and their love, encouragement, and assistance pervaded and greatly colored his subsequent history. It is therefore necessary, at some length, to consider them.

Judge Longstreet was descended, in the fourth remove, from Dirk Stoffels Langestraat, a Dutchman who in 1657 settled upon Long Island, then a part of the Dutch colony of New Netherlands. His parents,

William Longstreet and Hannah Randolph (formerly FitzRandolph), were natives of New Jersey; but he was born in Augusta, Ga., on the 22d of September, 1790.

Graduating at Yale College in 1813, he immediately entered the celebrated law school of Reeve & Gould, at Litchfield, Conn. In 1815 he was admitted to the bar, and in 1817 settled in Greensboro. He was successful, and quickly rose to eminence in his profession. In 1821 he was elected to the legislative assembly; and on the 8th of November, 1822, was commissioned judge of the Ocmulgee Circuit, than which there was then no higher judicial position in Georgia. He was the youngest practitioner, as, later, Judge Lamar was the youngest man, raised to that position in the State.

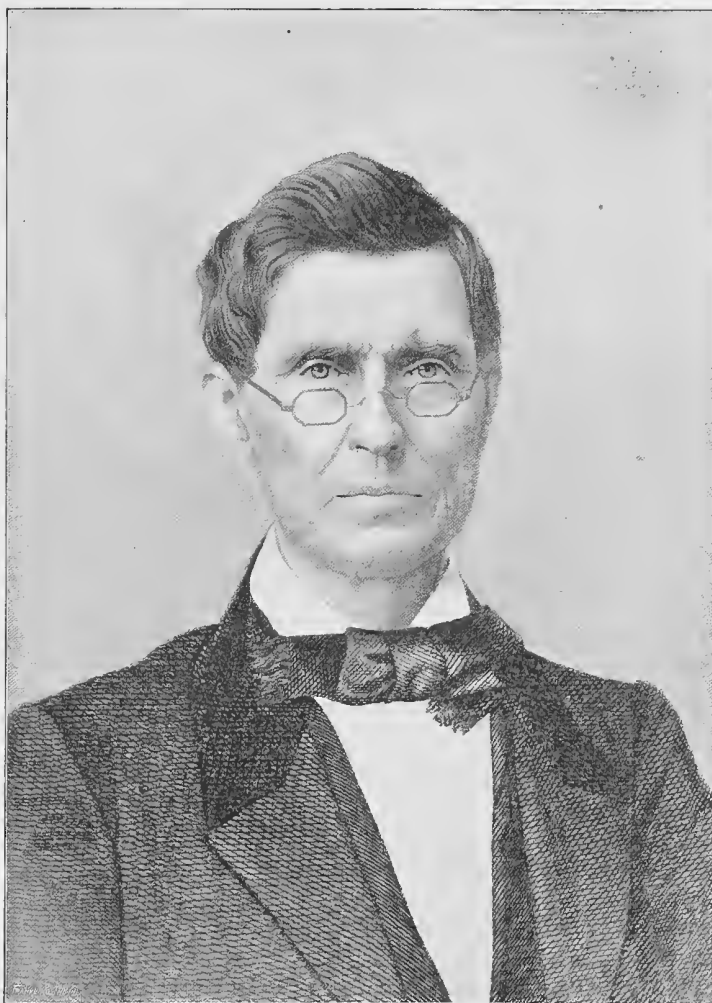
It was at this period of his life that he began that series of inimitable humorous sketches which have been since published to the world as the "Georgia Scenes."

In 1824 he was a candidate for Congress, with every prospect of success; but the death of his only son, to whom he was tenderly attached, following, as it did, closely upon the death of a beautiful little daughter, and that of his wife's mother, clipped the wings of his worldly ambition forever, and turned his thoughts heavenward. He withdrew from the congressional race, and he and his wife became earnest seekers and professors of religion.

About the year 1827 he moved to Augusta, and there continued the practice of his profession, with much success. But his mind was bent on other things, and in the very flood of success, during the year 1838, he became a minister of the gospel in the Methodist Church.

Judge Longstreet was an ardent politician, and was devoted to the cause of State rights and the Jeffersonian school of strict construction. His articles, over the signature of "Bob Short," in the days of nullification, exerted a powerful influence on the public mind. During that period of excitement he established and edited the *Augusta Sentinel*.

In the latter part of the year 1839 he was elected President of Emory College. Under his superintendence that institution greatly prospered, soon rivaling the State University in patronage and importance. Here he remained until July, 1848, when he resigned; and in February or March, 1849, was installed as President of the Centenary College (also a Methodist institution), at Jackson, La. In September, 1849, however, he was inaugurated as President of the University of Mississippi, located at Oxford, in that State, which position he resigned in 1856. Late in 1857 he was chosen President of the South Carolina College, and continued to occupy that position until the institution was deserted by the students in a body for the Confederate army on the breaking out of the Civil War. This closed his public career, and he lived quietly at home, at Oxford, Miss., except such interruption as was



REV. AUGUSTUS B. LONGSTREET.





caused by the war, until his death, which occurred on the 9th of July, 1870.

Judge Longstreet's figure was tall and spare, his carriage easy and quietly graceful. He had a fair complexion, with brown hair and blue eyes; mouth rather large and very flexible, with strong and perfect teeth, which never decayed, but were worn down by age. Abounding in physical vitality, in his younger days he was fond of athletic sports and exercises. With a pleasant and winning address, he was courteous and regardful of the feelings and rights of others. He had the power to draw friends strongly and to hold them firmly. He was a modest man, yet possessed a high sense of personal dignity, was sensitive to affront, and prompt to resent it; under all circumstances self-possessed; by no means quarrelsome, yet he was combative. His piety was deep and ever present. An enthusiastic Methodist, and devoted to all special interests of that denomination, he neither believed in any repression of individual opinions or compulsory conformity to arbitrary rules, nor entertained any narrow jealousies of other sects of Christians; he was thoroughly catholic. As a writer his style was fluent, limpid, precise, idiomatic, and fascinating; his letters especially were charming. He was a ready and attractive speaker, but was not a pulpit orator, since he studiously avoided in his sermons anything which might savor of intellectual pride rather than of the humility becoming to a minister of the gospel. His friends thought him overscrupulous in this respect.

He was very energetic and industrious. When over seventy-five years of age, in order that he might write an article on Biblical translation, he undertook a study of the Hebrew, and made some advancement in that difficult tongue. As a lawyer he was acute, learned, sympathetic, and generous. The best work of his life was done, however, as an educator, in which calling he displayed to greatest advantage all of his varied qualities and accomplishments, including a true pedagogical instinct and an unusual capacity for organization and administration; while his learning without pedantry and his unquestionable genius gave him a strong hold upon the fancy of his pupils. He was gifted with both a ready and sparkling wit and a shrewd and rollicking humor, both of which were kindly, true, spontaneous, and apparently inexhaustible; while also he was an accomplished mimic. The rendition of one of his own "Scenes" by himself was a thing not soon to be forgotten by any who heard it.

Finally, he was shrewd, systematic, and orderly in business; very thrifty, yet always capable of generous expenditures and large charities. No man was ever a kinder or more indulgent husband and father, or a kindlier counselor to any who were in trouble.

Such was the man under whose influence Mr. Lamar came so intimately at the plastic age of twenty-two. While there were many points

of dissimilarity between the two men, it cannot be doubted that the mental and moral qualities of the father-in-law, for whom he had always the highest respect and love, contributed largely to the establishment of his own character. In 1859 Mr. Lamar wrote to him thus: "I am indebted to you for ennobling influences from my boyhood up to middle age. I have doubtless often pained you, but for many years I have loved you as few sons love a father. And many a time in moments of temptation your influence, the desire of your love and approbation, have served me when my virtue might have failed. No applause of the public delights me so much as your declaration that I am unspeakably dear to you."

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Mrs. Frances Eliza Longstreet, daughter of Emsley Parke and Mary Hawkins, was born in Randolph County, N. C., on the 5th of March, 1799. By the will of her grandfather, followed by the death of her only brother, she became possessed of an estate quite considerable, considering the times and the locality. She was educated at Warrenton, Ga., and was married to Mr. Longstreet on the 2d of March, 1817. This couple lived together in mutual esteem and tenderest love for fifty-one years.

She was of a delicate constitution, and suffered much; but the crowning sorrow of her weakness was the frailty of her children, of whom she lost all in their infancy except two daughters. She herself died on the 13th of November, 1868.

Mrs. Longstreet was a typical Southern lady. Her life and her home were illustrated by every charm, and they were powers in the communities in which she lived. The following exquisite pictures—the one by Dr. Wightman, of Washington City, the other by Justice Lamar himself—contributed to the "Life of Judge Longstreet" by Bishop Fitzgerald—are reproduced here because of their tender and truthful portrayal of this lovely woman.

Dr. Wightman says:

Between President Longstreet and his lovely wife there was a striking contrast. He was tall, bent, scarred—an oak among men; she was small, graceful, with a sweet face—a flower. She had entwined herself into all his labors, and it would be a question which influenced the college boys more, the President or his charming lady. Her power was not seen, but felt. Her husband could not have attained the same greatness had he not possessed a better Eve, capable of guiding his house and of influencing his profound thoughts. He was keenly alive to passing influences, and his nature was susceptible of vivid impressions. On that nature she impressed the convictions of her own mind. His large and dependent heart gladly responded to the thoughts so pure and lovely, and made him share with her the responsibilities of his high position. She nobly accepted the loving charge and linked herself in sympathy to her husband's loftiest aspirations for a higher life and breathed into them the inspiration that comes only from a pious heart.

There was a charm about the house. The table smiled. The quiet atmosphere

was redolent of love. The lady was a queen in manners. Nothing was commanded, yet every one owned the supremacy of a subtle power. The servants caught the spirit. Even the President was glad to acknowledge himself the loyal subject of an accomplished wife, who dutifully studied every responsibility of his life.

There flowed in her conversation a rhythm of delight. She was familiar with the English classics; Milton, Shakespeare, Longfellow, and Keats were her companions. She put them in her memory, and the sublime passages of these masters of poetry rolled from her bewitching tongue in colloquial eloquence. She played on a better than a Syrian harp. The President drank from these wells of pure English, and sweetened the tone of his literature from the poetic lips of his wife.

It was a Christian home—no wine nor noisy show, no hollow flattery nor nodding plumes hiding the worm that was gnawing at the heart, no gilded vanity and smooth and facile courtesy and sarcastic epigram; but a home of real joy and substantial love, lit up with hope, where a Christian wife inspired her husband with the noblest sentiments of conjugal fidelity.

Somehow there crept out from that little woman a commanding, motherly power that held three hundred young men loyal to the college. The President sat at her feet; and the boys, at his. This home was a shelter from the storm, and far above the darkness he saw one star that shed a soft and heavenly light on his troubled spirit. Nor was this a house of idleness. Those delicious biscuits and smoking rolls and the aromatic coffee told the story of a dutiful housewife. The table was hospitable, and from that board went food into the mouths of the poor, and at the footway of that mansion stood one whose hands had become the unwearied instruments of dispensing to the needy.

Her charity was large, her faith was simple. She was a Methodist woman. Her Bible was marked with devotion; and could the walls of her chamber repeat the burden of her prayers, they would become witnesses of her fidelity to God. Here was the secret of her power. She lived with God; she loved him; all was his.

Justice Lamar said:

Mrs. Longstreet was the mother of my wife; and she was in love, tenderness, and goodness *my* mother. It is, therefore, hardly possible for me either to think or speak of her as if in the perspective. She was a true type of a true Southern woman; and when I say that I mean that she embodied that indescribable charm, that spirit of love, that subtle effluence of refinement, that piety and culture of character, which rarely failed to be wrought into the nature of a woman reared under a Southern roof, with its sacred environments and clustering joys.

To an eye not accustomed to analyze the indications of female character she might appear too reserved, and even retiring, to possess those qualities that make up a heroine in the conflicts of life. But her modesty, which, like a sensitive plant, shrank from rude familiarities, was sustained by a courage that never shrank from hardship, trial, and self-denial. The war did not subdue her spirit. She came from its desolations undismayed by the poverty which it entailed upon herself and the dear ones of her own family. She visited the homes of the poor and turned her own into a hospital, and did not hesitate to bathe her gentle hand in blood that she might bind the wounds of the dying.

The gentleness of her manners, the grace of her motion, the reserve of her dignity, only served the better to set off the brightness that shone in her conversation and to disclose an intelligence that threw a charm over the modesty of her nature. Full of warmth and tenderness and depth of feeling, confiding, trustworthy, a lover of home, a true wife and mother, her hand touched and beautified and sanctified all domestic relations.

She was nurtured amid an elegant hospitality and made familiar with all the du-

ties and delicate relations of social life, which strengthened her character and unconsciously prepared her to glide into the higher powers of mistress over a numerous body of domestics and dependents, and to govern a Southern patriarchal home. The profound and long-abiding attachment between the mistress and her old servants, including the descendants of the old negro nurse who rocked her in the cradle and the dusky maids with whom she played "house" in childhood, was not shaken by the war; but it lingers even to this day, and illustrates the substantial and lasting influences of the old home life.

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Both Mrs. Lamar and her elder sister, Mrs. Dr. Branham, were such ladies as such a home and such parents would be expected to produce. They were much alike in general appearance, rather above medium height, with slender, though not thin, figures; quite small heads, very small and delicately cut and pleasing features (Mrs. Branham's being more like those of their father in outline), with remarkably fair complexions, black hair, and blue-gray eyes. In them were gathered all of those attractive qualities, both of mind and soul, which Justice Lamar so tenderly portrays as possessed by their mother. Both had been finely educated and accomplished. Notable housewives, they had all of the arts which go to make home delightful and to crown the lives of their families with a perfect happiness. Each had inherited a large measure of the special graces and powers of their parents, yet with a difference. Mrs. Branham had her father's wit, bright, sparkling, and pungent, but tempered by the kindest feeling; while Mrs. Lamar had her father's abounding and perennial humor, with his rare powers of mimicry, to which she occasionally gave rein in the retirement of her own home, to the great amusement of her friends.

Both had the cheerful disposition of their father. Mrs. Lamar, even while engaged in her household duties, effervesced and exhilarated like champagne. Her lively chatting from room to room with the various members of the family or with the servants, her audible little soliloquies, the mild hectoring in which the diligent but gentle and vivacious housewife indulged, were inspiriting and often most amusing; and the whole was shot with snatches of song, now gay and again devout. Mrs. Branham's cheerfulness, on the other hand, was of a more tranquil character, being modified by somewhat of the gentle pensiveness of their mother; and she was much more given to serious and introspective musing than was her sister. Both had the courage and endurance of their parents. In all of his checkered life, when her husband was often in serious peril, either in person or in political fortunes, Mrs. Lamar was never harassed by anxieties about possible ills. She rested secure in the confidence that "Lucius," as she called her husband, would come through unscathed and triumphant. Nor was this a want of sensibility, for she possessed that quality in a high degree, and to all the varying fortunes of the family she immediately adjusted herself with a ready

and a cheerful acquiescence. Her heart was simply an unfailing spring of bright waters, and her brave eyes refused to fall before the glare of troubles, but gave dull care on all occasions and everywhere the cut direct. Mrs. Branham had a soberer and more apprehensive temper. The trials which her sister ignored she anticipated, recognized, brooded over, and either endured or conquered.

The sisters were inseparable companions; in fact, were never during their lives separated, except for brief periods. They and their parents, their husbands and children, afforded a beautiful example of family unity and harmony. They all lived together much as one family, frequently in the same residence for long periods, and their children grew up calling each other "brother" and "sister."

So it was that Mr. Lamar during nearly the whole of his life, and during all of the critical part of it, had the singular good fortune that he could draw without stint upon two so royally gifted, womanly, and Christian souls. Their influence thrilled through his life like a strain of exquisite song in which each singer carries a different part, yet there is perfect accord and perfect unison, with a constant recurrence to one elevating and inspiring *motif*.

So complex and wayward are the influences which control the moods of men that into the life of every man of genius and deep feeling, no matter how strong he may be or how fortunate and successful, come hours like anchorets, arrayed in somber garb and set from others apart; hours in which a troubled heart and a faltering spirit cry out for the healing and strengthening touch of another's sympathy and love. At such periods—indeed, at all periods, but especially then—there is no blessing so great as a wife such as was Mrs. Lamar. And how greatly is that blessing increased when the wife, so rarely endowed, carries also into her husband's life the added boon of a sister, her equal and perfect complement in social, mental, and spiritual graces, and differing in love only as the devotion of a sister differs from that of a wife! Frequently and freely did Mr. Lamar profit by that sisterly affection. He was infinitely tender toward his wife and thoughtful of her happiness. Her bright spirit was a sustaining power to his own soul, and he had the wisdom to know its value. Often when somber moods would come upon him, with a perfect assurance of his wife's ability and anxious readiness to leave the sunny skies of her own spiritual flight and share the darkness of his groping, he still would shrink, because of his own loving unwillingness, from placing that burden upon her; or, again, in different humor, he would find solace and relief not only in her quick sympathies and loving faith, but also in a wider communion. In any event and whatever his state of feeling, besides the tender wife, there was nearly always the resource of a solemn and encouraging talk with "Sister Fannie," from which he would often come forth both

with renewed strength for life's hard combats, with renewed zest for brighter walks, and without any remorseful thought that he had laid upon either ministering spirit the weight of a melancholy beyond its strength to bear.

This sounds like a sketch of romance, but it is the simple statement of a truth, a feeble description of the personal relations for nearly forty years of three loving, noble, and loyal souls. Mr. Lamar himself recognized these influences without doubt. In a pocket note-book kept by him while Secretary of the Interior, which contains a queer jumble of sentimental, legal, political, social, and business notes, is to be found this passage, which no one who knew him well can read without a confident assurance that he penned it with his thoughts fixed upon the women who had been the good genii to him:

It is to the influence of woman that all man's greatness or his viciousness may be traced. No man (or history is false), no man has ever won the world's applause for noble deeds, for self-sacrificing efforts, around whose infant brow a mother's hands have not placed the chaplet of virtue and honor, or upon whose heart her love or the affections of a sister or the attachment of a wife have not impressed the indelible lineaments of true greatness. The influence of woman—it can hush the harsh and discordant notes of passion; in the cause of affection or duty it has a charm that can arrest the murderer's hand and stay the tide of vengeance. And that influence is working in our midst. There is not a heart that has not been molded or that will not be directed by the same potent spell. As irresistibly as the beautiful moon sways the ocean tides, bidding them to ebb and flow, so does the light of woman's smile compel the currents of man's heart to flow on until they cover the barren rocks of selfishness, the desert spots of crime, making the glad soil rejoice and blossom. And so also can the cloud of woman's frown drive back the genial tide until that heart will be once more as sterile as the rocks of Petra or as Sahara's arid sands.

It is no shame to us men that we are the subjects of so gentle a scepter. As well might the cold earth complain that the genial influences of the springtime or the blessings of the rain or the dew compel it to bring forth the blooming flower or the fruitful vine; for neither spring nor rain nor dew ever brought a greater blessing upon earth than the sweet influence which man's fair companion has bestowed upon his sterner mold.

Nor was this recognition of women as a potent factor in the shaping of men and their lives a mere theory or sentiment with him. It is remembered that while he was Confederate Commissioner to Russia, a celebrated French lady, prominent at the court of the Emperor Napoleon, remarked of him that he was apparently the only diplomatist at that court who fully recognized, and endeavored to utilize, the power of the women there.

## CHAPTER IV.

Removal to Oxford, Miss.—Admitted to the Mississippi Bar—Elected to an Adjunct Professorship in the University of Mississippi—*Début* as a Political Speaker—The Compromise Measures of 1850—Debate with Foote over the Compromise.

WHEN Judge Longstreet went to Mississippi, in September, 1849, to take charge of the State University, he addressed to Mr. Lamar, then living in Covington, Ga., a letter which induced him also to remove to Oxford, Miss., for the purpose of practicing law. That village was the county site of a large and prosperous county in the northern part of the State, in a region, embracing about two-fifths of the State's entire area, which had been ceded by the Indians to the whites only about fifteen to eighteen years before; and it, therefore, was a new country. There was a great and rapid immigration. Mr. Lamar's trip was made overland in a rockaway and two wagons, carrying his wife, infant daughter, and servants. The travelers reached Oxford about the middle of November, the Branhams following in the next year.

Under date of May 14, 1850, Mr. Lamar wrote as follows to Mr. Chapell:

*Dear Sir:* I received a few weeks since your letter accompanying the commission from the Governor of Georgia, which you were kind enough to obtain for me. I postponed my reply until I could get qualified. Inclosed you have the certificate of the judge, which you will oblige me by sending to the Governor. I thank you, my dear sir, for the sentiments of friendship and regard which you express for me; my heart responds to it all. The knowledge that I possess your esteem will always incite me to deserve it; and should I live to realize your flattering hopes of me, my chief pleasure will be in the belief that it gratifies such friends as you and my aunt, at the bare mention of whose name my heart beats with a sacred impulse. And I hope I shall be pardoned for repeating here what upon every fit occasion I delight to say to yourselves and others, that after my own immediate family there is no being on earth for whom I entertain an affection so devoted and abiding as that which I cherish for my Aunt Loretto. The year I lived with you was fraught with benefits to my character of incalculable value, and from you in particular I have received impressions which I shall carry with me to my grave. I can never reciprocate these kindnesses, but should the time unfortunately ever come when your children may need a friend (and what may not happen in this whirligig world?), they will have one in me, firm and true.

This is a magnificent country for planters. There are men here who left Newton County poor and in debt eight and ten years ago, who now have a good plantation and fifteen to twenty hands, and are buying more every year.

There will be, a month or two hence, an election of two additional tutors for this university; and as the duties of one of them will not be so onerous as to draw my attention from my profession, I shall apply for it. My motive for this step is to provide myself with ready money until I get a practice, but more particularly to extricate my mother from some pecuniary embarrassments in which she has become in-



volved, rather by untoward circumstances than by her own mismanagement. . . . It is my duty, and it will be my pleasure, to avail myself of this opportunity to relieve a mother whose whole widowhood has been a history of self-sacrifices for her children. . . .

On the 1st of June, 1850, Mr. Lamar was licensed, on examination, by the Hon. Hugh R. Miller, to practice "as an attorney and counselor at law and solicitor in chancery in all the courts of law and equity" in the State. In July of the same year he was elected adjunct professor of mathematics in the university, the principal professorship being held by Dr. Albert T. Bledsoe, later distinguished as an author and as the editor of the *Southern Review*. Mr. Lamar at once endeavored to qualify himself to manage his department most advantageously, and, amongst other preparations, corresponded with the teacher of mathematics at Emory College in respect to his methods and experiences.

In the latter part of this year, also, he began to make political speeches, and they were favorably received. Indeed, they seem to have made him a local reputation somewhat unusual for a neophyte. It was in the autumn of 1851, however, that he was first pitted against a formidable foe, and won his spurs. In order that this incident may be understood, it will be necessary to make a brief historical digression.

In the year 1851 there was intense excitement and profound agitation in the slaveholding States of this Union. Nowhere was that excitement more intense or the agitation more profound than in Mississippi. The direct cause of it was certain legislation which had been indulged in by the preceding Congress, which bore upon the question of slavery, but especially the admission of the State of California with an anti-slavery constitution and, it was claimed, in a grossly irregular manner.

From the formation of the Federal Union there existed between the North and the South a jealousy of political power, which was pregnant with immense issues and dire results. That jealousy was the life of the subsequent great struggle over slavery as a domestic institution. Except as a political force, it is more than doubtful whether that particular struggle would ever have been. The possession of slaves was not only a unifying agency for the South, but it was also understood to be a source of political power to each State, inasmuch as under the constitution the representation of each State in Congress was fixed at the sum of its white citizens and of three-fifths of all its slaves; and that provision was generally, although erroneously, understood to have been adopted as a representation of property. In the North, therefore, the political and the moral questions conspired to produce an intense opposition to any increase of the slave States; while in the South the political question, and the anxiety to secure a vested property interest, conspired to produce a desire equally intense to make such an increase.

The first great contest over this issue was on the admission of Mis-

souri. In that region were already many slaves, and in 1819 the territory applied for admission under a constitution which recognized slavery. The application failed by a disagreement between the two houses of Congress; the House refusing assent unless a clause abolishing slavery should be inserted in the constitution, while the Senate held that such a requirement would be violative of the Constitution of the United States. In 1820 the application of Missouri was renewed. After a protracted and bitter controversy a compromise, known to history as the "Missouri Compromise," was agreed on, the substance of which was that the State should be admitted with a proslavery constitution, but with a prohibition in the act of admission against slavery in all of the territory north and west of Missouri, down to the parallel of thirty-six degrees and thirty minutes.

Then came, in time, the annexation of Texas, the Mexican War, and the acquisition from Mexico of vast territories reaching to the Pacific Ocean. This straightway opened a new question. The antislavery party began to declare that, notwithstanding the Missouri Compromise, slavery should not be introduced into any newly acquired territory—not even below the line of thirty-six thirty—that the compromise was limited to such territory as was embraced in the old province of Louisiana. In August, 1846, when the President requested an appropriation to enable him to negotiate a treaty of peace with Mexico, based on a cession of territory, a Democratic member from Pennsylvania offered a proviso to the appropriation bill, called after him the "Wilmot Proviso," to the effect that as an express and indispensable condition to the acquisition, slavery should never be allowed therein. This proviso was passed by the House, but was rejected by the Senate. The territory subsequently ceded by Mexico was acquired free from its operation. But its introduction, its advocacy, and its almost success, were regarded by the State rights party as a practical repudiation of the Missouri Compromise, and accordingly were deeply resented and bitterly denounced.

In February, 1847, Mr. Calhoun presented in the Senate a set of resolutions to the effect that, inasmuch as the territories were the common property of all the States, Congress had no constitutional power whatever to exclude from them slaves, the legal property of so many of the citizens of the States of the Union; and in the South the opinion rapidly crystallized that the only just or constitutional course for Congress to adopt was one of absolute nonintervention. The South demanded "simply not to be denied equal rights in settling and colonizing the common public domain;" and that when territories should be formed into States their people "might be permitted to act as they pleased upon the subject of the *status* of the negro race amongst them, as upon all other subjects of internal policy, when they came to form their constitutions."

In April, 1849, Gen. Bennett Riley was, by the United States Government, appointed military governor of the newly acquired province of California; and in June, by the initiative of President Taylor, who had been elected by the Whig party, he called a convention to meet at Monterey for the purpose of forming a State constitution. This convention adopted such a constitution, antislavery in character, on the 13th of October, which was ratified by a vote of the people. In December a Governor was elected under this constitution, and application was made to Congress for admission. A proposition was made to continue the line of the Missouri Compromise through the newly acquired territories to the Pacific. This measure was defeated in the Senate by a vote of thirty-two nays to twenty-four yeas. All of the affirmative votes were cast by Southern Senators; and all of the negative votes, except two from Missouri and Kentucky, by Northern Senators, Delaware being then counted as a Northern State. The pacification effected by the Missouri Compromise, and which had endured for thirty years, was now ended. There was a furious struggle between the two sections. It was, in fact, a struggle for the control of Congress. The North had controlled the House from the foundation of the government, at first by the exclusion of two-fifths of the negro population in the count for apportionment of representation, and later by its superiority in population; but the attitude of the Senate was different. There a system of admitting States practically in pairs, a Northern and a Southern State together, had long been established; so that when the question of the admission of California arose the North and the South were equal in strength in the Senate, and the admission of California with an antislavery constitution meant that the North should control both Houses. The opposition urged that the organization of California into a State without any enabling act of Congress was illegal and revolutionary; that the refusal to extend the compromise line to the Pacific, whereby two States might in time be formed, one of each class, as theretofore, proceeded from a purpose to admit California as a State, rightly or wrongly, with an antislavery constitution, in denial of the constitutional and equitable rights of the South to have equal practical benefit with the North in the territories acquired by their common expenditure of treasure, suffering, heroism, and blood. They did not deny the abstract proposition that each new State should determine for itself what form of constitution it would adopt; but they charged that the requisite population did not yet exist in California, such as it had being mainly composed of Mexicans, South Americans, and adventurers, drawn thither temporarily by the "gold fever," and that the pretended vote on which the constitution was based was cast by persons not enfranchised by any competent authority, while the region itself was largely under the control of military organizations from New York, sent thither during the

Mexican War, and disbanded in California on the restoration of peace; that the powers of the Federal Government were in fact unfairly and unconstitutionally used to trammel and defeat the popular will if it was favorable to slavery, and they denied that the proposed new State was practically allowed to determine the matter for itself.

This conflict led to the adoption of the celebrated "Compromise Measures of 1850," which, in effect, were as follows: California was admitted with her free constitution; the remainder of the Mexican cession was organized into territories without any provisions as to slavery, thus leaving its establishment therein, or exclusion therefrom, to the choice of the settlers; certain territory claimed by Texas was purchased from her and annexed to New Mexico; the domestic slave trade in the District of Columbia was abolished, but a pledge given not to interfere elsewhere with slavery or the internal slave trade; and the South was conceded a fugitive slave law more efficient than the one passed in 1793. The last item of the compromise was advanced as the real compensation to the South for the other unacceptable measures. Under the act of 1793 it was the duty of the Federal Government to return fugitive slaves to their owners whenever they had escaped into States other than those in which they were held. The Legislatures of thirteen of the nonslaveholding States, however, had passed statutes which forbade the State officials to cooperate in such cases (such cooperation being a part of the scheme of the act of 1793), and in many instances riots and bloodshed had followed upon attempts of slaveowners to recover their property. The act of 1850, therefore, provided for a prompter and more effective execution by the Federal Government of its obligation in this respect. Most of the Southern people, however, believed not in the efficacy of the act of 1850. They regarded it as a snare. They had no faith that in the communities whose sentiment was such as to produce the results indicated above the Federal officers would carry out, or would be permitted to carry out, the new act of Congress any more than had been done under the previous act of Congress. They felt that they were offered the shadow for the substance.

However, notwithstanding these objections and recalcitrations, the act admitting California and the Fugitive Slave Law were passed, California being admitted in September, 1850.

It will readily be conceived that pending these controversies the South was not dormant. In October, 1849, a convention was held in Jackson by which resolutions were adopted asserting the equal right of the South in and to the free use and enjoyment of the new territories, and by which also a convention of delegates from the Southern States was called to meet at Nashville in June, 1850, for the purpose of concerting measures for the securing of those rights, and others similar in nature.

On the 21st of January, 1850, Senators Davis and Foote, and the four

Representatives from Mississippi, addressed a letter to Gov. Quitman, in which they notified him, and through him their common constituents, that California would be admitted; that their individual opinions had undergone no change; that they regarded such action, under all the circumstances of her application, as an attempt to pass the Wilmot Proviso in another form. They said, further, that they desired, through the Governor, to submit to the people and the Legislature the single fact that California would most likely be admitted with an antislavery constitution, and that they should be greatly pleased to have such expression of opinion by the Legislature, the Governor, and, if practicable, by the people, as should clearly indicate the course which Mississippi would deem it her duty to pursue "in this new emergency."

This letter was by the Governor submitted to the Legislature, and that body on the 5th of March adopted a series of resolutions upon the subject, setting forth its view of the situation and particularly that the policy theretofore pursued by the government in refusing to provide a territorial government for California had been and was eminently calculated to promote, and was about to effect indirectly, the cherished object of the abolitionists, which could not be accomplished by direct legislation without a palpable violation of the Constitution; that the admission of California under the circumstances would be an act of fraud and oppression on the rights of the slaveholding States, and that it was the sense of the Legislature that the Senators and Representatives should to the extent of their ability resist it by all honorable and constitutional means.

Notwithstanding these resolutions, based on the letter calling for them, Mr. Foote finally voted for the admission of California, being induced to do so by the compromise measures detailed above. Thereupon, at an extra session of the Legislature convened in November, a resolution was adopted which set forth the above letter and the above resolutions and indorsed the action of Mr. Davis and of the Representatives, but disapproved the action of Senator Foote and declared that "this Legislature does not consider the interests of the State of Mississippi committed to his charge safe in his keeping."

The same Legislature passed an act providing for a convention of the people, to be held in Jackson in November, 1851, to express their will upon the legislation in Congress of the session under consideration and especially "to devise and carry into effect the best means of redress for the past and obtain certain security for the future, and to adopt such measures for vindicating the sovereignty of the State and the protection of its institutions as shall appear to them to be demanded."

Of course these stirring events created a great commotion in the State. There was much difference of opinion upon the efficiency and propriety of the compromise measures, but that difference did not pro-

ceed upon the old party lines. The old parties were disrupted and new combinations were formed. Senator Foote did not resign, but showed fight. His supporters, calling themselves the "Union party," were composed in large measure of the old Whigs, reënforced by a considerable contingent of Democrats, and they placed him in nomination for Governor. He was opposed by ex-Gov. Quitman as the standard bearer of the State Rights party. Each party had its candidates for delegates to the convention and for members of the Legislature. The canvass was very bitter and exciting. The election for delegates came off in September, and the Union party was triumphant by a majority of about seven thousand. This disastrous result caused Gov. Quitman to relinquish his candidacy, and his party then called upon Mr. Davis to assume his place as candidate for Governor. This Mr. Davis consented to do, resigning his seat in the Senate for that purpose. The condition of his health was such, however, as to prevent his participating in the canvass to a great extent, and he was defeated at the November election by a majority of less than one thousand.

The convention met in November, and after being in session a week or ten days adjourned *sine die*, after declaring its unalterable fealty to the Union.

It was in this canvass that Prof. Lamar encountered Mr. Foote. The Senator, flushed with the triumph of the September election, was appointed to speak at Oxford. The State Rights party were without a champion. They appealed to Lamar to represent them. Notwithstanding the fact that the call was unexpected and on only a few hours' notice, he consented. It was a great compliment to him, a young man of only twenty-six, but it was also a fierce ordeal. He had had no practice in polemical discussions, and was without experience in practical politics. His antagonist was an experienced and trained politician of the highest official position, who had been driven to bay and was now exulting in victory, whose adroitness and pugnacity were unmatched in the State, whose hot temper and personal courage were proverbial, and whose tongue was untiring and vitriolic.

Of Prof. Lamar's speech on that occasion nothing now remains, apparently, except a few pages of his own manuscript, containing a number of hurried and fragmentary notes. So far as they go, his line of argument was as follows:

He felt keenly his own incompetency to encounter one who was so greatly his own superior in age, position, abilities, and experience; one who was practiced as a debater on every field from the hustings to the Senate chamber; one who, hear of him where you will at home, is speaking; and who, hear of him when you will, is demolishing every one who meets him on the stump; and who is said to have spoken on a single clause of a bill seventeen times from seventeen different seats, showing himself as expert on the wing as at rest. The gentleman came not only equipped with his own great abilities, native and acquired, but also panoplied in the armor furnished

to him by his Northern allies in the battle against the South recently fought at the capital and now renewed before his constituents. Even so, however, the discussion would not be so unequal as it is if only the gentleman drew his facts from sources accessible to both; but he will tell you of his expectations, founded upon reports picked up during his pilgrimages to the North or gathered from his numerous correspondents, of whom the speaker never heard and of whom you know he has many, whose disclosures he publishes or keeps to himself, as shall best serve his purposes.

But the speaker did not consider himself at liberty to consult his own reputation or interests. The State was entitled to all that he was, be it little or much; and have it she should, whether her summons is to the lecture room, the hustings, the field, or the gibbet, if it be treason to obey her call against the Senator's particular friends, Clay, Cass, and Webster—*par nobile fratrum*.

The gentleman appears before you in a singular attitude. He presents himself as the prosecutor of his constituents. He has discovered many egregious sins in the late action of the Legislature of his State, and has visited upon them a punishment which, in his estimation, doubtless is equal to their transgression: the weight of his senatorial condemnation. The speaker did think that the case of the *State vs. Foote* stood upon the docket before that of *Foote vs. the State*. There were grave charges against the gentleman which he must clear up before he could animadvert upon his constituency. We protest against his discussing any other questions until he shall have placed himself *rectus in curia*, until he shall have answered the charges against himself. He is charged, and the speaker pledges himself to prove those charges to be true, with knowingly and willfully misrepresenting the sentiments of the people of his State as made known to him through her only constitutional organ of communication; with doing what he knew that his State Legislature did not wish him to do—nay, with doing what it positively forbade him to do—nay, with doing what he *requested* it to instruct him not to do—and at the same time with abandoning the cherished principles and friends of the South, leaguings with her enemies on matters vital to the South's prosperity and honor, exerting his acknowledged abilities against the recognition of her most earnest and righteous demands, committing in the meantime every variety of gross inconsistency.

The gentleman's motives are not impugned. He says that they were good, and says, furthermore, that his efforts have been beneficial to his section. He has certainly been performing before the country some very remarkable evolutions, beginning with his displays at the opening of the last Congress. His political friends and foes alike have been dazzled and confounded by his gyrations. He began the session by indulging in fiery ultraism, which shocked his conservative free-soil friends at the North and caused them to hold up their pious hands in holy horror at his savage talk. But he finished by assisting to fasten upon us the very wrongs which he denounced, and declaring that there is no aggression upon the South and that she has nothing to complain of. It has been said that when the English were in China one of the stratagems to which they resorted to frighten the poor Celestials out of their wits was to tie skyrockets to their heels at night and turn somersaults in full view of the enemy's camp. The result is said to have been amazingly successful, and it may be that the gentleman has attempted to steal their thunder. At all events he has exhibited some very remarkable specimens of ground and lofty tumbling at Washington. But alas! instead of frightening the enemy, he has turned a somersault into their camp, and now attempts to speak his old friends into the delusion that he has taken the whole force prisoners of war. The South, says he, gets everything; the North, those wily old politicians, Cass, Webster, Fillmore, have all been hoodwinked. We have met the enemy, and they are ours! So much for his first fight. Having whipped the North, he now begins to whip the South. The speaker, for one, will not

decline the fight, hoping from his heart that the Senator will gain over him just such a victory as he gained over the North.

With his usual and characteristic positiveness the Senator asserts that the only issue before you is union or disunion. We are prepared to meet that issue when it comes from the proper authority, and at the proper time; but it is not before you on this occasion, nor has the gentleman the right to force it before you. He promised at Washington to present to the people a very different issue, and the only one he is competent to discuss before them—viz., do they, or do they not, approve of the mis-called compromise measures. Listen to his own language in the Senate chamber (reading from Mr. Foote's speech). These words were hardly cold before he received from his constituents, in terms of direct censure, their reprobation of these measures and of his agency in the adoption of them, through the resolutions of the Legislature, for the passage of which he is responsible. Instead of resigning his place upon this intimation, with no precedent for his conduct but that set by Thomas H. Benton (whom he has himself denounced), he holds on to his post, and appeals to the people of his State to sustain him in his course. Now what do the people say? Let us see what the organ of the Union party (the gentleman's own organ) says (reading): . . . Now has the gentleman redeemed his pledge to resign if all he has said be not approved? No; but he appears before you, and in order to divert your minds from the grave offenses with which he is charged he proclaims, with an authority which seems to admit of no denial, that the only issue is union or disunion.

Whatever differences may exist among the people with regard to the remedies for the injuries of which we complain, whether they shall deem it best to correct these evils by means of the ballot box, or by means of disunion, one thing is certain, or else the speaker has mistaken the high-hearted freemen of Mississippi—they will never again listen to the counsels of one who assisted their enemies in fastening such measures upon them; they will brook no dictation from such a quarter. Even the Union men of this State shall be convinced that Mr. Foote is not the man whose leadership even they should acknowledge; and that, for the plain reason that his being a Union man to-day is no guaranty that he will not be a fire eater to-morrow, what he advises and promises to-day he will repudiate to-morrow, what he espouses to-day he will denounce to-morrow, whom he hails as friends to-day he will count as enemies to-morrow, whom he attacks as enemies to-day he will colleague with to-morrow. That this is true the speaker now proceeds to prove.

A few things must be premised. It is unnecessary to point out the clauses of the Constitution which protect slavery. It needs not to tell you that but for those clauses the Southern States would never have come into the Confederacy. All this you know. The Northern States ratified that instrument with a full knowledge of its terms, and thereby incurred the most solemn obligation that can be imposed upon a nation honestly and faithfully to maintain it in all its stipulations. How has that obligation been fulfilled? Hear Mr. Foote's answer to that question, given in company with many Southern men whom he has since deserted: "It has been fulfilled by hostile acts on the part of the Northern States intended to render it of noneffect, and with so much success," etc. (See address of the Southern Congressmen.) So spoke the gentleman in the days of his Southernism. What has changed his tone? "Why at that time the fugitive slave bill was not passed." But a slave bill had then been passed under which a hundred negroes have been reclaimed for one that has been reclaimed under the late bill. What have we gained by this bill? The gentleman's complaint was of hostile enactments. Have they been repealed? The complaint was that those enactments rendered the Constitution inoperative; can a statute disarm them of a power which overcame the Constitution? Those infamous enactments all stand unrepealed; and nine hundred and forty abolition clubs are still working out, with a more terrific enginery, their infernal schemes. Every one knows that a Southern man



cannot go into the North for the purpose of recovering his slave without encountering resistance, from hostile legislation, from officers of the law, and from mobs of both colors: The efficacy of the late bill has been tried in a few cases, and those who went, under its panoply, to recover their property, were insulted, prosecuted, imprisoned, and subjected to every kind of pecuniary loss. You hear of no claims made under it in these days, and I doubt whether you will ever hear of another in Massachusetts, or ten more in all the free States put together. The old law, according to Mr. Webster, was less favorable to the fugitive than the present one. Under its operation we did save a few slaves, and it was never resisted by an armed mob in open court. Claims under both have ceased as worthless. The gentleman, who was so rampant at the disrespect shown to the first, is so well satisfied with the last that he is willing to be kicked out of California, abandon 36:30, and carve out of Texas a very respectable State for the free-soilers, simply for the pure gratification which it affords him. Under its comforting securities, he visits the North, partakes of her festivities, speaks of course—and what did he say? Did he brand them to their faces as recreants, lost to honor until they should blot out from their statute books their unconstitutional laws? No; but he glorified the Union.

But let us look seriously at the gentleman's explanation. It is this: that all of these objections were to the admission of California *as a separate measure*, and that he was always willing that she should come in *under a general scheme of compromise*. Now, fellow-citizens, he said that that admission of California was the Wilmot Proviso in another form—nay, *worse* than the Wilmot Proviso. I put the question to you, and I wish you to think well upon it, could any scheme of compromise justify your Senator in fastening the Wilmot Proviso upon you? How, then, can such a scheme justify him in fastening upon you a measure worse than that proviso?

Unfortunately for the gentleman, the only time that he spoke of the admission of California as part of a compromise scheme he specified what that compromise should be. Here is his language: "If all other questions connected with the subject of slavery can be satisfactorily adjusted, I see no objection to admitting all California above the line of 36:30 into the Union, provided another new slave State can be laid off within the present limits of Texas, so as to keep up the present equiponderance between the slave and the free States of the Union; and provided, further, that all this is done by way of compromise, and in order to save the Union—as dear to me as to any man living." Here the gentleman lays down that general scheme of compromise which alone would reconcile him to the admission of California—namely, that her southern boundary should be 36:30, and that another slave State should be admitted with 36:30 as her boundary, and this to be considered only as an extreme concession, made in order to save the Union.

In passing it will not be improper to show what different and opposite reasons the gentleman gives for his conduct at different times. While he acted with the Southern party he gave as a reason for not offering this scheme of compromise that the aggressive spirit of the North determined him to offer no more compromises. But when he left his old Southern associates, so anxious is he to throw odium upon them that he relieves the North of all the blame of his withholding the plan just mentioned, and throws it upon Mr. Calhoun and the Southern Senators.

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Here the notes stop abruptly. It is to be regretted that they are so meager, and deal almost exclusively with the more personal portions of the speech; for this debate with Mr. Foote is understood to have been the foundation of Mr. Lamar's subsequent political advancement. It was the flood which led on to fame, albeit not to fortune. His success

was considered phenomenal. The college students, especially, were wild with excitement and pride, and bore him away from the hustings upon their shoulders. Judge C. P. Smith, then upon the bench of the High Court of Errors and Appeals, was present, and he enthusiastically related in Jackson, to auditors somewhat incredulous, the powers of the young orator who had appeared in Lafayette County.

It is a striking and curious thing to find Mr. Lamar in this debate pressing Mr. Foote about his disregard of the legislative instructions. The latter was then in the zenith of his fame and power in Mississippi; the former, at his dawning. It is believed to be the only time they ever met in joint discussion. It was at the crisis of Mr. Foote's career. Thirty years later the same question, as shall be seen, confronted Mr. Lamar in the very crisis of his fate and in the fullness of his political career—of which, however, in its proper place.

## CHAPTER V.

Religious Impressions—Hon. Jacob Thompson—Prof. Albert T. Bledsoe—Return to Covington, Ga.—In the Georgia Legislature—Moves to Macon, Ga.—Candidate for Congress from Third District—Returns to Mississippi—"Solitude"—Practices Law—C. H. Mott—James L. Autrey—Congressman or Professor?

ALTHOUGH Mr. Lamar was busy about the duties of his professorship and his law practice, and although he made occasional excursions into the field of politics, those topics did not engross his attention. At this period his thoughts hovered much over the subject of religion. The impressions on that subject received at Emory College continued. His correspondence with his sister, Mrs. Wiggins, dealt with them; and in it he expressed the most orthodox views, declaring himself to be "a firm and unwavering believer in the truths of the Bible." She, however, admonished him that to be such a believer his opinions must influence his conduct and govern his life. Dr. John N. Waddel, then a professor in the university (afterwards Chancellor), in his "Academic Memorials," says:

I remember a casual conversation I held with him during his first years in Oxford, in which, as we spoke of his future, he remarked that he would not be surprised if he should end his life work in the ministry of the Methodist Church. My reply was: "No, sir; you will surely pass your life in the world of politics." My own impression is that Mr. Lamar had from his earlier manhood kept steadily in view the career of statesmanship.

He had not united himself with any church, but had it in serious contemplation.

This life continued for two years. In the summer of 1852 he resigned his connection with the university and returned to Covington, Ga., in order to engage in the practice of law in partnership with Mr. Robert G. Harper, the man of whom he said in the address at Emory College in 1870, quoted in a previous chapter: "To whom my own soul was knit as was David to Jonathan." Mr. Harper had been corresponding with Prof. Lamar with a view to this partnership for more than a year; and his letters bear the strongest evidence of intense personal devotion to Mr. Lamar, of high aspirations in his profession, and of an inflexible determination to achieve its best possibilities.

Two things which have not yet been touched on should be noted in connection with Mr. Lamar's stay at the University of Mississippi. It was there and then that he met the Hon. Jacob Thompson, for whom he entertained always the highest regard, and whose kindness to himself and encouraging attentions he ever held in grateful remembrance.

Mr. Thompson was then a member of Congress, and also a trustee of the university. Years afterwards, on the occasion of Mr. Thompson's death, Mr. Lamar wrote to a niece a letter of sympathy, saying, among other things:

He was one of the few men whose presence in this world invested my own life with much of its own interest. I first met him in 1849. I was then a youth only twenty-four years of age, while he was near the zenith of his high honors and intellectual powers. I had then, as I am now aware, many faults of high temper and impatient aspirations; but he was on all occasions kind, considerate, and sympathetic to me, when on some he might well have been austere and reserved. My first nomination to Congress was due largely to Mr. Thompson's influence, openly exerted in my behalf against very distinguished and powerful men in the district. From that time to the day of his death our friendship, personal and political, has been unbroken.

The second fact to be observed, as remarked above, was the effect of Mr. Lamar's association for two years with Dr. Albert T. Bledsoe, his professor in chief. The relations between the two men were most cordial. The Doctor was gifted with a massive and vigorous intellect, trained to the most acute and logical processes of reasoning. He was not a mathematician merely, but a philosopher also, and was deeply learned in both political and theological science. In after years he was fond of saying that he "taught Lucius how to think." It is remembered that on one occasion after Mr. Lamar went into the Senate this remark was repeated to him. He smiled a little, pondered awhile, and then remarked: "Well, there is a good deal in it." His bearing and comment were such as to indicate that while he thought the Doctor's claim rather too sweeping, yet he acknowledged a debt to him for great service in mental training. He certainly held the Doctor in the highest esteem during the remainder of his life.

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Mr. Lamar prospered in Covington. In the autumn of 1853, notwithstanding the facts that he was a Democrat and that in Newton County the Whigs were in an immense majority, he was elected to the Legislature. He had not been in the House more than a month before he came to the front as a leader.

During the session there were so many motions to suspend the rules to take up business out of its order that a resolution was adopted requiring a two-thirds vote to suspend the rules. In a day or two thereafter a resolution was offered to suspend the rules to bring on some important election, probably that of a Senator, and fixing a day for it. The Democrats, having a majority, would be able to elect their candidate. The Whigs opposed the motion to suspend the rules, and Mr. Thomas Hardeman, the member from Bibb, led in the opposition. He made a speech against it, and on a vote being taken, the Democrats, only having some twelve or fifteen majority, failed to carry it by a two-thirds vote, upon which there was consternation on the Democratic side and rejoicing on the Whig side. The Democrats felt that they were caught in the trap, and many were the anxious faces on the part of the majority. The next day, on a motion to reconsider, Mr. Lamar made his first speech. He was then

young, not more than twenty-seven, with a handsome face, a full head of dark hair, brilliant eyes, in figure rather below the medium height, handsomely dressed, with fine, musical voice. He at once attracted the attention of the House. In a short speech of not more than thirty minutes he captured the whole assembly. I remember how he scathed the motives of those who would thus seek to defeat an election that under the law and constitution had been devolved upon the General Assembly.

Such an excitement as was produced by his speech I never saw in that body. When he finished no one sought to reply. A vote was taken, and a large majority reconsidered the action of the House of the preceding day, and the resolution passed with almost a unanimous vote.

His speech was a remarkable exhibition of the power of the orator and logician, and his appeal to his opponents to step manfully and patriotically forward to discharge their duty was so overwhelming that all party spirit was subdued, even in the breast of the most bitter partisan, and none even ventured a reply.\*

In the summer of 1854, the health of Mr. Harper having failed, and desiring a larger field, Mr. Lamar moved to the town of Macon, offering there for a practice. He soon had a respectable business, albeit a small one, placed into his hands. In the autumn of that year, however, a correspondence began between himself and Judge Longstreet, the immediate result of which was that he carried his negroes out to Mississippi to work a farm jointly with the Judge, and under his general supervision; but which later contributed to more important results. On the 7th of March, 1855, he writes from Macon to Judge Longstreet thus:

Judge Stark said to me that I must make up my mind to run for Congress this year; that I am the unanimous choice of my district—of the Democracy. Col. Chappell says that I must not think of anything else but going. It is thought by my friends that I can get one hundred votes in Bibb over any one else. I have been spoken to from all quarters about it, and the public sentiment of my own party seems pretty well fixed on me as the next nominee. If I let my name go before the convention, I shall certainly be nominated, unless the convention is packed so as to nominate some other aspirant, which it is very easy to do under the district system. Now what do you think? Stick to my profession and try to make something, or go to Congress if I can and be in the fight against the free-soilers? The next Congress will be an exciting one, you know.

At this period Macon was in the Third Congressional District, the representative of which in Congress was the Hon. David J. Bailey. The Whig party had been disorganized by the death of Henry Clay, and in the year previous (1854) the Know-nothing party had come to the front, sweeping several Northern States, including New York. In Georgia the Know-nothings were in the majority in the towns and cities, and the Third District was favorable to them. It was doubted whether Mr. Bailey would make the race in the election then approaching, and Mr. Lamar's name was brought prominently forward as the Democratic candidate. Later, however, it was ascertained that Mr. Bailey would run for the office, whereupon Mr. Lamar, in order to preserve the har-

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\* From article by W. B. Hill, Esq., in *The Green Bag* of April, 1893.

mony of the party, published an open letter desiring that his claims should not be urged before the approaching convention.

The friends of Mr. Lamar, however, refused to recognize his withdrawal. When the nominating convention met at Forsyth on the 22d of May, the delegation from Bibb, led by Edward D. Tracey, made a most gallant fight for his nomination. The two-thirds rule was adopted, but without specifying whether the vote to elect should be two-thirds of those voting or of those entitled to vote. After a severe struggle, amidst great confusion (for the Bailey men seem to have been disposed to unruliness, even to the point of threatening to bolt), the eleventh ballot was taken, several of the friends of Col. Bailey refusing to vote. Lamar received eighteen votes to Bailey's nine, and his friends claimed that he was nominated—as, indeed, he was, by well-settled rules of parliamentary law; but the Chair refused to so hold, and referred the question to the convention, which decided by a majority vote that there had been no nomination. This decision produced more excitement, resulting in a deadlock. The upshot of it all was that James M. Smith, Esq., was finally put before the convention, and was nominated on the next following ballot.

However, this disappointment may not have made much real difference. The Democratic ticket was defeated in the following election; and whether the belief of his friends that Mr. Lamar could have carried the election would have been justified by the event had he been nominated, there is, of course, no way to determine. He took an active part in the campaign, making speeches against the Know-nothing party.

In October, 1855, Mr. Lamar returned to Mississippi, and this time, as the event proved, finally. Possibly disappointment about his Congressional aspirations and chagrin over the ascendancy of Know-nothingism in his vicinity, may have been contributing causes to this step, although the correspondence of the family discloses nothing of such sentiments. There were other reasons, of themselves sufficient. His professional income from his practice in Macon was not satisfactory. He and his wife owned a number of slaves whose services could not be by him made profitable in Georgia, and who had, therefore, as has been stated, been sent out to Mississippi to be employed under the direction of Judge Longstreet; it was desirable that the Judge should be relieved of that burden to some extent. Then there was constant apprehension as to the healthfulness of Macon. Moreover (and in all likelihood the most powerful motive of all), there was the longing to reunite the broken family circle.

Of this move, one of Mr. Lamar's correspondents wrote from Covington: "Your friends seem to regret much your resolution again to leave the State, and some of them express this feeling and their surprise in language more forcible than elegant."

Mr. Lamar, upon returning to Mississippi, did not take a residence in Oxford as before. He purchased a plantation, which he called "Solitude." It embraced about eleven hundred acres, and lay one mile east of the railroad (now the Illinois Central), then just building, on the southern bank of the Tallahatchee River, which curved partly around it. The place was well timbered with cypress and several varieties of oak. There was an excellent dwelling with four rooms, and there were quite a number of cabins for the negroes, with all the usual outhouses. Here he lived during the year 1856 and part of 1857. The Branhams were with him during most of the time, the Doctor being interested with him in the cultivation of the farm. The crops were good, and the lands enhanced in value.

The family have many traditions about the stay at "Solitude." It was the life of the Southern farmer of the highest type. Surrounded by his slaves, to whom he was at once master, guardian, and friend, loved and petted by his women folk and his children, visited by cultivated and attractive friends for days and even weeks, and visiting them in turn; the summers were devoted to the growing of cotton and corn, while the winters were occupied in killing hogs, curing bacon sides and delicious hams, making sausages, and trying out snowy lard. Over these latter functions his wife, as was customary with even the most refined Southern ladies, presided. An ice house, which was a great curiosity in that neighborhood, and the stored treasures of which were a singular luxury at that period of slow transportation, had also to be filled.

Of the life of the Southern planter Mr. Lamar spoke eloquently thirty-two years later in his great oration on Mr. Calhoun. In that fine passage he manifestly spoke not only from his observation, but also from personal experience. He said:

Would that I had the power to portray a Southern planter's home! The sweet and noble associations; the pure, refining, and elevating atmosphere of a household presided over by a Southern matron; the tranquil yet active occupations of a large land owner, full of interest and high moral responsibilities; the alliance between man's intellect and nature's laws of production; the hospitality, heartfelt, simple, and generous. The Southern planter was far from being the self-indulgent, indolent, coarse, and overbearing person that he has sometimes been pictured. He was, in general, careful, patient, provident, industrious, forbearing, and yet firm and determined. These were the qualities which enabled him to take a race of untamed savages, with habits that could only inspire disgust, with no arts, no single tradition of civilization, and out of such a people to make the finest body of agricultural and domestic laborers that the world has ever seen; and, indeed, to elevate them in the scale of rational existence to such a height as to cause them to be deemed fit for admission into the charmed circle of American freedom, and to be clothed with the rights and duties of American citizenship.

In the communion with himself, in the opportunities for continued study, and in the daily and yearly provision for a numerous body of dependents, for all of whom

he felt himself responsible, about whom his anxieties were ever alive, whose tasks he apportioned, and whose labors he directed, he was educated in those faculties and personal qualities which enabled him to emerge from his solitude and preside in the County Court or become a member of his State Legislature, to discharge the duties of local magistracy or to take his place in the national councils.

The solution of the enigma of the so-called slave power may be sought here. Its basis lay in that cool, vigorous judgment and unerring sense applicable to the ordinary affairs and intercourse of men which the Southern mode of life engendered and fostered. The habits of industry, firmness of purpose, fidelity to dependents, self-reliance, and the sentiment of justice in all the various relations of life which were necessary to the management of a well-ordered plantation fitted men to guide Legislatures and command armies.

But the duties of the plantation did not chiefly engage Mr. Lamar's attention or enlist his interest. Those eighteen months were mainly devoted to study. There was a small office, remote from the house and withdrawn from the noises and little daily excitements of the family, in which he passed most of his time at work with his books of law, politics, and philosophy—in the summer, under a mosquito bar spread like a tent in the middle of the room. He used to say that the hardest and most profitable study of his life was done at "Solitude."

It was at this time, also, and while he lived at "Solitude," that he formed a partnership for the practice of law with Christopher H. Mott and James L. Autrey. The firm of Lamar, Mott & Autrey kept their office in Holly Springs, and it endured until dissolved by the Civil War, albeit each member of the firm was occasionally absent for long periods on other pursuits.

Here we must pause to consider the lives and characters of the two gentlemen with whom Mr. Lamar came into so intimate a relation. Of the two, his favorite and more intimate friend was Mr. Mott—a man to whose memory he was devoted during the whole of his after life. We have seen that he declared that his attachment in his earlier manhood, and in Georgia, to Hon. Robert G. Harper was that of David to Jonathan. In Mr. Mott we find the friend of a later period for whom his love was of equal strength and from whose admiration and support he derived as great benefit and drew as much of encouragement in his moments of despondency.

Christopher Haynes Mott was born in Livingston County, Ky., on the 22d of June, 1826. At a very early age he was brought by his parents to Mississippi, where they settled in the beautiful and polished little city of Holly Springs. His early education was received at St. Thomas' Hall, a school founded by the celebrated Episcopalian divine, Dr. Francis L. Hawkes; and he completed his studies at the Transylvania University, in Lexington, Ky. He studied law under the gifted Roger Barton. Hardly had he been called to the bar when the Mexican war broke out. Burning with the martial ardor of a born soldier, he entered service as a lieutenant in the Marshall Guards, a company of



the celebrated First Mississippi Regiment, then commanded by Col. Jefferson Davis. At the battles of Monterey and Buena Vista he won distinction for general good conduct and for gallantry. The war over, he returned to the practice of law; was sent by the county to the State Legislature; later was elevated to the position of Probate Judge. While occupying this position he was appointed by the United States Government on a special mission to California to inquire into certain alleged abuses in the service in that region, which duty he discharged in the most thorough, intelligent, and satisfactory manner. When the Civil War began he was among the earliest in the field. The Secession Convention made him a brigadier general of the army of the State, but he resigned that post in order to accept employment in the regular army, when he was made Colonel of the Nineteenth Mississippi Regiment, raised by his own exertions, and the first Mississippi regiment organized for service during the whole period of the war.

Col. Mott was a man after Mr. Lamar's own heart; a faithful and diligent lawyer, an upright and sympathetic judge, a gallant and intrepid soldier, a chivalric and generous gentleman; modest but firm, charitable, tender of heart yet quick to perceive a slight and prompt to punish an injury, a friend to love and a foe to fear; through all his eventful and sparkling life there yet ran a vein of sadness, the result of a temperament somewhat melancholy acting upon a body not wholly strong. Besides the attraction of their mutual sympathies there was another tie between the two men: that of friendship and love existing between their wives, inherited from a former generation of Longstreets and Govans.

James L. Autrey was born in 1830, it is thought in Jackson, Tenn. His father was one of the immortal band of heroes who offered their lives at the Alamo in the cause of Texan independence. His widowed mother removed to Holly Springs, and there he was educated at St. Thomas' Hall. In early youth he gave promise of superior talents, unusual readiness in repartee, and a sparkling wit, which made him a most interesting child. He soon manifested both taste and capacity for politics. At the age of twenty-two he was sent to the State Legislature, and served in that body continuously for a number of terms. In the session of 1858-59 he was elected Speaker of the House, and was notable as the youngest man ever honored with that position. He was a Democrat of the strictest and a politician of the best type. He was ambitious, but generous and true—in every respect a noble man. Upon the outbreak of the war he also was among the first to throw himself into the front, and was soon elevated to the rank of lieutenant colonel.

Mott and Autrey both sealed with their blood their devotion to the cause which they espoused. The former fell at Williamsburg, the latter at Murfreesboro; and the sign of Lamar, Mott & Autrey, torn from

its fastenings in the peaceful interior village by invading hosts, was afterwards picked up in the Mississippi River, a derelict on its way to the gulf.

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But this is both a digression and an anticipation. We shall return to Mr. Lamar at "Solitude."

Judge Longstreet, who, it may be remembered, had resigned the presidency of the State University in 1856, was living in the village of Abbeville, only two miles away. This agreeable life was ended in the latter part of the year 1857 by the election of the Judge to the presidency of the South Carolina College, and by the election of Mr. Lamar to Congress.

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Lafayette County was in the First Congressional District, which at that time embraced the northern fifth of the State. On the 3d of March, 1857, the term of the Hon. Daniel B. Wright, the representative in Congress for that district, expired, and of course it became necessary to elect his successor. On the 16th of that month a communication appeared in the *Memphis Appeal*, then the most popular and influential newspaper taken in that section of the country, proposing Mr. Lamar as the Democratic candidate for Congress. He himself had in some way obtained information that such a communication had been sent to the paper, and wrote to the editor to withhold it from publication, since it might place him in an unpleasant attitude toward other aspirants. To that letter the editor, Mr. B. F. Dill, replied that he was one day too late; that the communication could do him no harm, and that Mr. Lamar could command his services. Throughout the whole of his public career this paper was Mr. Lamar's stanch and unfaltering friend.

Another movement was in progress at the same time in respect to Mr. Lamar. In May he was approached through William F. Stearns, Esq., the Professor of Law, anent his acceptance of the chair of Metaphysics in the university. Prof. Stearns wrote, presenting strongly the desirable features of the proposed arrangement, its offering a comfortable support, its adaptation to his own cast of mind and habit of thought, the anxiety of the Faculty to include him amongst their number, and urging that he, "without question, would be happier here than at the bar." This proposition was seriously entertained, and would doubtless have been finally accepted but for the action of the congressional nominating convention.

## CHAPTER VI.

The Kansas-Nebraska Bill—The Struggle for Kansas—The Nicaragua Affair—Elected to Congress from First District—Correspondence on Questions of the Day—First Speech in Congress—Rozell Letter—The Keitt-Grow Fight—The Vallandigham-Campbell Contest—A Professorship Contemplated—Dr. Barnard's Letter—Speech at Jackson on Douglas—Eulogy on Harris—Speech on the Tariff.

WE have now reached that period in the life of Mr. Lamar when he entered the arena of national politics as an actor in its conflicts, its defeats, and its victories. The stage of preparation is past; that of vigorous work begins. He commenced his public career at a most interesting and dramatic era—when the struggle over slavery was drawing to its crisis; when the rising of a new political supremacy was kindling the horizon into a lurid dawn which foreboded a terrible tempest.

The intense opposition of Mr. Lamar and of those with whom he was in sympathy to the compromise measures of 1850 has been narrated in a previous chapter; but the appeals to the people by the elections of 1851 showed that a majority of the Southern people favored those measures, and settled that question. Acquiescence in the compromise, and in its fulfillment, became the settled political policy. So entirely was this true that, in their national conventions of 1852, both the Whigs and the Democrats expressly indorsed the compromise and pledged themselves to maintain it. Notwithstanding this, however, great opposition was manifested North to the practical enforcement of the new fugitive slave law, which was one of its features; and the Southern people complained bitterly that its operation was defeated, and the law itself in effect nullified.

At the session of Congress of 18<sup>50</sup>~~43~~<sup>51</sup> a bill was introduced for the organization of Nebraska Territory. The Committee on Territories, of which Mr. Douglas, of Illinois, was chairman, reported favorably. The bill provided that "the said Territory, or any portion of the same, shall be received into the Union with or without slavery, as their constitution may prescribe at the time of their admission," which terms were copied literally from the Utah and New Mexican bills of 1850. The committee's report referred to the compromise measures of 1850, and justified that provision by those measures. It said that

In the judgment of your committee those measures were intended to have a far more comprehensive and enduring effect than the mere adjustment of the difficulties arising out of the recent acquisition of Mexican territory. They were designed to establish certain great principles which would not only furnish adequate remedies for existing evils, but, in all time to come, avoid the perils of a similar agitation by with-

drawing the question of slavery from the halls of Congress and the political arena, and committing it to the arbitrament of those who were immediately interested in it, and alone responsible for its consequences.

Here again arose a great and bitter controversy. The opponents of the bill declared that the compromise of 1850 had no relation to any territory except that acquired from Mexico, and that the effort to extend it to the Louisiana purchase was a violation of the Missouri Compromise, and was a breach of faith on the part of the proslavery party; while the supporters of the measure declared that the compromise of 1850 was intended to cover all controversies, merged all previous disputes, and had itself already repealed the restrictive provisions of the Missouri Compromise by necessary implication. The bill passed. The test vote in the Senate showed, by States, twenty-one for it, seven against it, and three divided. Amongst those States voting yea were New Hampshire, Pennsylvania, Illinois, Indiana, Michigan, Iowa, Delaware, and California. The divided votes were those of Connecticut, Tennessee, and Texas. But passed as the bill was, and although not on a sectional vote, it aroused an immense opposition; and again hot blood and hot words became the order of the day.

Before the bill was passed it was so amended as to provide for the organization of Kansas Territory also, thereby becoming designated as the "Kansas-Nebraska bill." So soon as it became a law a strenuous struggle began between some of the advocates of slavery extension and some of its opponents for the possession of the Territory, whereby its status as a free or a slave Territory should be determined according to the provisions of the organizing act. There was a rush across the border from Missouri of proslavery settlers, and a few weeks later, under the auspices of emigrant aid societies in Massachusetts, of antislavery settlers from New England. Then ensued a great turmoil, which was finally pushed to the extreme of midnight butchery and civil war. Each side charged the other with beginning the career of violence; each charged the other with fraudulent voting at the first general election. A census taken in February, 1855, showed 1,670 registered voters from Southern States, 1,018 from the North, and 217 from other countries; but at the election in March over six thousand votes were cast, the excessive poll being caused, to a considerable extent at least, by a large fraudulent vote from Missouri. The proslavery party carried the day and organized the first territorial government, the Legislature consisting of twenty-eight proslavery and eleven antislavery members. This Legislature was recognized by the Federal Government, and entered upon its work. It adopted a strong slavery code. The antislavery people in Kansas, however, repudiated the territorial government, and carried their opposition to it to the very verge of war against it as such. They denounced it as an illegal, usurping, and bogus concern; they im-

ported supplies of Sharpe's rifles and organized companies, avowing their determination, if need be, to put down the lawful government by force; they held conventions, by one of which a general convention was called to meet at Topeka in October, 1855, for the purpose of forming a State constitution and applying for admission into the Union. The delegates to this general convention received in the aggregate 2,710 votes, but the supporters of the territorial government looked upon the whole proceeding as a farce, and did not vote. The Topeka convention, so called, adopted an antislavery constitution, with a feature excluding negroes from the State; and this constitution was ratified by a vote of 1,731 to 46—the supporters of the territorial government again refusing to take any part. A State government was elected, consisting of a Governor and other officers, and members of the Legislature; but this government, while approaching the very extreme of a revolutionary one, stopped short of actual interference with the territorial government recognized by the Federal administration. The Topeka Constitution was presented to Congress, where it formed the subject of heated discussions, but neither it nor the government formed under it was recognized. The proslavery government, formed as it was according to law, maintained the control. Civil war raged. Large companies of armed men were introduced into the Territory by both sides, by far the larger part coming from the North. A reign of terror was established.

The presidential election of 1856, resulting in the choice of Mr. Buchanan, led to a change of Federal policy in regard to Kansan affairs. In May, 1857, Robert J. Walker, a prominent statesman from Mississippi (a Pennsylvanian by birth), was appointed Governor of the Territory, and it seems was authorized to make some concessions to the antislavery party. Meanwhile the territorial Legislature had, in turn, called a constitutional convention; and a census, preliminary to the election therefor, was taken. It was a very defective census, for which fact the antislavery party, as is now admitted even by its apologists, was partly responsible. The election passed off quietly, less than one-fourth of the registered voters taking part in it. The antislavery party permitted it to go by default, not appearing at the polls.

Meanwhile Gov. Walker made certain speeches, in which he spoke of the climate of Kansas and its want of adaptation to slave labor; also he declared that if the coming constitutional convention should decline to submit the proposed new constitution to the people for ratification he would oppose its acceptance by Congress, and expressed confidence, that the President would do likewise. These speeches were deeply resented in the South: first, and mainly, because they were regarded as a violation of the principle of nonintervention by the Federal Government; and secondly, and more particularly in Mississippi, because they came from Mr. Walker, whose political honors had been derived from that State,

the political interests and rights of which—in common with those of her sister Southern States—he was charged with thereby betraying.

The constitutional convention met at Lecompton; and in November, 1857, adopted a constitution which provided for the establishment of slavery. The convention determined not to submit it to a popular vote for ratification as a whole, but to submit only the article on slavery—ballots might be cast for “constitution with slavery,” or “constitution without slavery.” This submission was made on the 21st of December, resulting in an almost unanimous vote for the “constitution with slavery”—the antislavery people again staying away from the polls.

Meanwhile, in the elections of October, the antislavery party had captured the Legislature; and this Legislature, assembling at Lecompton on December 7, ordered a further and unreserved submission of the constitution to the people on the 4th of January, 1858, providing for a ballot “against the constitution formed at Lecompton.” At this election over ten thousand adverse votes were cast, with less than two hundred favorable.

On the 8th of December, 1857, the President submitted by his annual message the Kansas affairs to the attention of Congress; and on the 2d of February following, by a special message, he transmitted the Lecompton constitution to that body, recommending that Kansas be speedily admitted to the Union, although the instrument had not been fully submitted to the people, and declaring the antislavery party to be in rebellion against the government. The debate upon these messages was immensely protracted (it fills more than nine hundred pages of the *Congressional Globe*), and resulted in a reference of the constitution back to the people, where it was ultimately rejected. It is not uncommon for writers on these exciting subjects to denounce the effort to pass the Lecompton constitution as a monstrous fraud, or in similar terms; but there are certain considerations which may cause a dispassionate reader to take a more moderate view. Prof. Spring, whose sympathies are all against the instrument, yet makes this admission:

For the constitution there was a single tenable line of defense: that it was the work of a legitimate convention which had observed all indispensable formalities. The constitution dates back to the first territorial Legislature which submitted to the people the question of calling a constitutional convention. Fifteen months afterwards—an ample period for mature consideration—they respond favorably at the polls. After a lapse of three months the question reaches the second territorial Legislature, which “bows to the will of the people and provides for the election of delegates.” Then between the legislative sanction and the election of delegates four months intervene. Before the delegates meet and enter upon their duties a further delay of three months occurs. They submit a single but vital article of the constitution to the people for acceptance or rejection December 21, and they ratify it almost unanimously.\*

Nor is that all. What opposition there was to the constitution was

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\* Kansas (American Commonwealths), p. 293.

not expressed at the polls, the only forum in our system for the determination of such questions. Persistently, systematically, and with arms in hands, the antislavery people had refused to recognize the legal government, had set up an illegal organization in opposition, barely stopping short of revolution, and had refused to vote. Could such recusancy be wisely or lawfully taken to outweigh the will of the people as expressed through the ballot cast? To ask the question is to answer it. Still again: the constitution was in fact submitted on the only point of serious controversy, which was the question of slavery; and had it not been submitted on any point whatever, the step would have been no novelty in American constitution making.\*

Finally, had the constitution as presented not in fact truly represented the wishes of the people, it could at any time have been altered by the people, and in very short order. Such a thing as a constitution unalterable is unknown to our system.

During this contest a serious breach occurred within the ranks of the Democratic party. The Kansas-Nebraska bill declared it to be the "true intent and meaning" of the 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." This declaration that "the people thereof" should be "perfectly free to form and regulate their domestic institutions in their own way" contained an ambiguity which proved fatal to the unity of the party. In

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\* Jameson, in his book "The Constitutional Convention," enumerates one hundred and eighteen conventions, and says: "Of these, seventy-eight have submitted the fruit of their labors to the people, and forty have not." Jameson's work, however, is not reliable on this point. Amongst the seventy-eight submissions enumerated by him are the following: Ohio, 1802; Missouri, 1820; Mississippi, 1817; Mississippi, 1832; Tennessee, 1796; Alabama, 1819; Arkansas, 1836; Illinois, 1818; Indiana, 1816; Kentucky, 1792; Louisiana, 1812. During the discussion of these questions, apropos of the Kansas constitution, newspapers of that day asserted that none of those constitutions had been referred to the people. It is quite certain that the following were not: Missouri, 1820; Mississippi, 1817; Mississippi, 1832; Alabama, 1819; Kentucky, 1792. And Poore, in the compilation of "Constitutions and Charters" (a government publication), says that those of Ohio, 1802, and Tennessee, 1796, were not. On the other hand, Poore is not reliable on that point, either; for he says that the Mississippi constitutions of 1817 and 1832 were so referred, while it is certain that they were not. Poore and Jameson contradict each other in several particulars.—In denouncing the Southern constitutions of 1865 with a view to a justification of the reconstruction laws of Congress adopted in 1867 Mr. Blaine, in his work "Twenty Years of Congress" (Vol. II., p. 87), says: They did not even stop to submit these changes to the popular vote, but assumed for their own assemblage of oligarchs the full power to modify the organic laws of their States—an assumption *without precedent and without repetition in the history of State constitutions in this country, and utterly subversive of the fundamental idea of republican government.*" In this dogmatical statement Mr. Blaine shows himself to be uninformed about the history of American constitutions. Not only had many of the States been admitted into the Union, prior to 1865, on constitutions not submitted, but also "the power to modify the organic laws" without reference to the people had been exercised in several instances—without considering the ten "secession" constitutions of 1861—in South Carolina, 1777 and 1790; in Pennsylvania, 1789; in Delaware, 1792 and 1831; in Georgia, 1795 and 1798; in Kentucky, 1799; in New York, 1801; in Mississippi, 1832—one of these instances being in Mr. Blaine's native State.—In Mississippi, in fact, there have been six constitutions and revisions; those of 1817, 1832, 1861, 1865, 1869, and 1890. Only one of them was ever submitted to the people for ratification, which was that of 1869, the Reconstruction Constitution dictated by Congress, and the submission of which was a mockery.

connection with it Mr. Douglas, who was the leader of the Northern Democrats, and whose course theretofore in connection with the slavery controversy had placed him high in the good graces of the Southern wing of that party, enunciated his doctrine of "squatter sovereignty," which was, in effect, that such persons as should live in a territory could, by their territorial Legislature, and before organization as a State, regulate the question of slavery; and, if they saw proper, exclude it altogether. But this the Southern party denied. They held that the right of any citizen to carry his slave property into the territories of the United States was secured to him by the Federal Constitution; that even Congress could not deny that right; that the territorial Legislatures were only instrumentalities or agents of Congress for the provisional government of the Territories; and that, since an agent's power cannot exceed that of the principal, the territorial Legislature might not do what Congress could not—in short, that not until the territory was clothed with the sovereignty of a State could any citizen's right to hold slave property within its limits be denied. This difference of view caused Mr. Douglas and those whom he led to refuse to cooperate with the remainder of the party in their effort to admit Kansas at once into the Union on the Lecompton Constitution; and because of that refusal, although the Democrats were in the majority in both Houses, that effort failed. By many of the Southern Democrats this course of Mr. Douglas was regarded as a betrayal of the party in the interest of his presidential aspirations, and he was denounced as worse than a "black Republican." It all led to the rupture of 1860 in the party, and the consequent election of Mr. Lincoln.

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Another, and a different, episode needs attention here. In the year 1855, one William Walker, a Tennessean, recently resident in California, left that State at the head of a band of adventurers for Nicaragua, which he entered in the character of ally to one of the factions habitually disputing the mastery of that country. So long as he acted under color of the authority of the chiefs of the faction which he supported he was generally successful. He captured the city of Grenada, which was deemed the stronghold of the adverse faction, and then assumed the title of General. Later he took upon himself the title of President of Nicaragua (or was chosen to that office, as he claimed), and promulgated a decree reëstablishing slavery in that country. He aroused the jealousy of the natives and weakened himself by various imprudences. Yet he maintained an unequal contest for about two years, succumbing at last to a coalition of the Central American States, and surrendering at Rivas. He returned to this country (or, as he claimed, was brought thither against his will), and immediately commenced at New Orleans the fitting out of a new military expedition to Nicaragua.



He was arrested and compelled to give bond to desist from unlawful enterprises; but he very soon left New Orleans on a steamboat freighted with armed men and military stores, ostensibly for Mobile, but in fact for Nicaragua, where he and his followers landed at Punta Arenas on November 25, 1857. Here Commodore Paulding, of our navy, compelled him to surrender with some of his followers, bringing him to New York as a prisoner. The President, by a special message to Congress, January 7, 1858, condemned Walker's expedition, but also condemned the Commodore for violating the sovereignty of a foreign country in assuming to make any arrests within it, and declined to hold Walker as a prisoner.\* This message produced a discussion in Congress, this expedition and others like it being viewed with great dislike in the North as of proslavery tendency.

We are now prepared to resume the consideration of the attitude of Mr. Lamar toward these stirring questions.

Of course his candidacy for Congress was not free from opposition within the party. The objection most strongly urged against him was his connection by marriage with Hon. Howell Cobb, a member of Mr. Buchanan's cabinet, who was known to have great influence with the President. It was remembered that this gentleman, as Speaker of the House, had advocated and had materially assisted in the adoption of the compromise measures of 1850; and that, when assailed at home because of his course, he had afterwards canvassed the State of Georgia as a candidate for Governor on the Union ticket, and had been triumphantly elected. Resenting the course of Gov. Walker in Kansas, as the State Rights party did, and understanding that the President was committed to support him in that course, there was an attitude of growing hostility to the administration, albeit a Democratic administration. It was thought, or at all events urged, that the kinship of Mr. Lamar to Secretary Cobb, and their long friendship, would bring the former under the influence of the latter to such an extent as to impair his effectiveness as the champion of the party.

But this objection, and all others, failed to defeat the movement in Mr. Lamar's favor. In the month of June, 1857, there was a meeting in Oxford of Democratic citizens of Lafayette County, at which Mr. Lamar was present. He submitted resolutions condemnatory of Gov. Walker's course, and made a strong speech in their support. The resolutions were adopted, and Mr. Lamar was nominated for the Lower House of the State Legislature.

The Democratic congressional nominating convention met in Holly Springs early in July. Before that body were placed the names of Mr.

\* The "American Conflict;" Greeley, Vol. I., p. 276. Files of *Weekly Mississippian* for January, 1858.

Clapp, of Marshall; Mr. Cushman, of Lafayette; and Mr. Jackson, of Tippah. This brought about a deadlock. All candidates were finally dropped, and Mr. Wright, of Tippah, and Mr. Lamar were placed before the convention. After the sixtieth ballot of the meeting Mr. Lamar was nominated by acclamation.

The fact that the convention met in Holly Springs was fortunate for him. Long afterwards (in 1879) he said in a speech made there:

The first political speech I ever made which attracted general public attention in Mississippi I made here. Near twenty years ago I was nominated as a candidate for Congress by a convention assembled here, and I attribute that result largely to the manifestation of local attachment by the people here. What I said upon that occasion has long since passed from my memory, but the kindness and support which I then received and have ever since received from you I never can forget. I know that public professions are easily made and are counted cheap, but as circumstances have prevented me from addressing you of late years you must permit me to depart from my usual reserve and to say that there is no community in Mississippi or in the country to which I am more attached than to this. I not only esteem and respect it for the intelligence, refinement, and public spirit of its citizens; for the enterprise of its business men; for the devoted piety and eloquence of its ministers of the gospel; for the ability and honor of its bar, which I consider second to none in the State—but I also love this community for many personal reasons. Your city is in my affections consecrated by thronging memories, in which joys and sorrows are strangely intermingled. Some of the best and most cherished friendships of my mature manhood were formed here. I have in some way conceived the idea that I am better understood and more generously regarded here than anywhere else. I hope it is not vanity in me to feel and say this, for it has been and will ever be a consolation to me in many a dark hour of depression and gloom.

Upon Mr. Lamar's nomination he immediately made arrangements for a thorough canvass of the district. It was announced that Col. James L. Alcorn, of Coahoma County, would enter the lists as the candidate of the opposition, composed of Whigs and Know-nothings, and arrangements were made for a joint canvass. This canvass excited very general interest throughout the State. Mr. Thomas Walton, writing from Jackson under date of September 25, said to him:

Now that I have got at it I must write you what I have heard at Jackson. I only heard what convinced me that you have much to do to sustain your reputation. Every man was asking about you, every man remarking that Mr. Alcorn, it was said, would be most egregiously disappointed if he expected an easy passage through this campaign, for that you were going to prove a more unmanageable character than any other he could have found in the State. However, they do not set you against Mr. Alcorn. They all talk of what you are going to do for the credit of the State when you reach Washington. I tell you what, my friend, you have, in plantation parlance, a hard row to weed. As German Lester said to me last evening, you have more reputation than any other man in the State, considering that you have never been here and that it is all built on hearsay.

The following extract is from a letter written to Mr. Lamar by his brother Thompson, of date August 17, and will help to illustrate the temper and views of the Southern people at this time:

I am afraid that if you are elected this time you will not be able to hold your seat—that is, if Jeff writes that which is correct. He says that you will probably assume an attitude of hostility to the administration on account of Gov. Walker's position. I shall be sorry if it proves to be the case. Opposition to the administration will necessarily drive you into a sectional party. The Northern Democrats will sustain it and will act with those at the South who do. You will be defeated whenever you have a national Democrat for a competitor. Although I disapprove of Mr. Walker's threats, I must say that I think the convention ought, under the circumstances, to submit the constitution it may form to a vote of ratification. Whom the administration thinks should be entitled to vote on the adoption of the constitution will appear from the inclosed slip, cut from the *Washington Union*. No fair man, I think, should object to the views there set forth. It is idle to say that Mr. Walker can effect anything either for or against the establishment of slavery in Kansas. That question was settled against us long before Mr. Walker went to that Territory—not by the action of any government official, but by the immense influx of Northern immigrants. All reliable accounts agree in stating that the proslavery party are vastly in the minority in Kansas. I would prefer that her people should at once adopt a free-state constitution, rather than that the free-soilers should stand aloof and permit a constitution recognizing slavery to be formed and then in a few years abolish it. I consider it a foregone conclusion that a vast majority in Kansas are against us, and can settle the matter when they choose to act in conformity to law. My confidence in the Northern Democracy and Mr. Buchanan continues unabated. The entire unanimity with which the former have approved and defended the decision of the Supreme Court in the Dred Scott case, with their avowals of willingness to admit other slave States into the Union, seems to me sufficient to satisfy the most exacting. There is one view of the case which alone would prevent me from denouncing Mr. Buchanan for not removing Walker. The latter proposed that all the inhabitants of Kansas should vote upon the adoption of the constitution under which they are to be governed. I myself think the convention should provide for that, since not more than a third of the voters are represented by delegates. But Walker goes farther: he threatens a rejection by Congress of the application for admission as a State, and his own individual opposition if his views are not adopted. The latter I consider his offense. Not the course he dictates, but the dictation. Now, if he were removed from office, it would be almost impossible to get the Northern mind to perceive the distinction. The opponents of Democracy would urge, with a good deal of plausibility, that Mr. Walker was removed for advocating the claims of each and all of the citizens of Kansas to take part in forming the government under which they were to live, for endeavoring to carry out in good faith the principle of the Kansas-Nebraska bill. Their denunciation of the South for a breach of faith in this case would have a far greater effect than when hurled at her for violating the Missouri Compromise. My convictions are fixed and unwavering that if Mr. Walker be removed and Kansas be admitted as a slave State, without submitting the constitution to a vote of the people, in 1861 a black Republican President and Congress will be installed in office. For the foregoing reasons I can see cause why the President can retain Walker in office without being a "traitor to the South." But enough of politics.

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Mr. Lamar was elected, and repaired to Washington about the 1st of December, 1857, to take his seat in the Thirty-fifth Congress. On his arrival he found, of course, that the Nicaraguan expedition and the Kansas question were creating great excitement and discussion. Having been admitted to his seat, he made his first speech in Congress on

the 13th of January, 1858. In it he dealt with both of the questions of the day, and the speech is given in full in the "Appendix" as No. 1. It will be observed that he touched but lightly on the Nicaraguan question. In his opinion it seems to have been of small importance.

Mr. Lamar's speech was most enthusiastically received, both in the Congress and at the South. It gave him at once prominence in the House, and secured even from those opposed to him a recognition for eloquence, "impetuous, scholarly, and defiant." It gave him great prestige in Mississippi.

About this time Mr. B. S. Rozell, a prominent citizen of his district, addressed to Mr. Lamar a letter in which, amongst other things, he urged the necessity for taking immediate action for the protection of Southern interests in case the Congress should refuse to accept the Lecompton constitution. The following is Mr. Lamar's reply:

WASHINGTON, D. C., March 8, 1858.

*My Dear Sir:* Your letter of the 20th ult. came duly to hand. It sets forth in an exceedingly able manner views which every true Southern man should be proud to entertain.

With regard to my own course I can readily make it clear to you, as I would have done to all the voters of your locality could I have had an opportunity of addressing them last autumn.

I have never been one of those who run ahead of the issue, who create evils in order that they may destroy them. I have preferred always a peaceable settlement of political questions. But I hold to the old motto: "In peace prepare for war." I can see too plainly the clouds that are hanging over us. I can hear and interpret too well the mutterings of an approaching storm. I have measured the extent of that danger which we must, sooner or later, look resistently in the face.

I believe with you, and with what I trust will soon be the unanimous South, that the refusal of Congress to admit any Territory into this Union merely because that Territory should present a proslavery constitution would be at once and forever an abrogation of political equality. Should that time come, I may deprecate, but would not prevent, the fearful consequences. Dissolution cannot take place quietly; the vast and complicated machinery of this government cannot be divided without general tumult and, it may be, ruin. When the sun of the Union sets it will go down in blood. Should we not, then, have our camp prepared, our leaders chosen, our ranks marshaled, and our sentinels at their posts?

If I act with caution in this matter, it is because I am in earnest. If I am slow in deliberation, it is because I shall be rapid in action.

I believe and hope, however, that we will pass the Lecompton constitution. The administration is acting in good faith; and, unless the Southern Know-nothings in Congress should take the responsibility of deserting their section, we may be able to avert the threatened evil for the present.

To the ambition of New England we may trace the rise of this whole abolition movement. She was the great manufacturing agent of the country; she saw in the South the great producing agent. She sought to reverse the law of nature, and make produce the slave of manufactures. In the "alien and sedition laws," and the spirit of the Hartford Convention, we see the first declaration of inequality between persons and classes. From this position the step was easy to an inequality between communities and States.

Should the South ever submit to one invasion of her rights, the white line might be distinctly drawn around her, and a servile government constituted to rule, not protect, her. Such was the dream of Puritanism—New England the nation, the other States her colonies.

What has she left undone in pursuance of this scheme? She has scattered gold like water. Her abolitionists have gone into the churches, creating feuds and schisms in the hearts of pious men, and upon the altar of the most high God they have poured forth their blasphemies against the South. They have laid their filthy hands upon poetry and romance, and their literature comes to us teeming with insult and infection. Is it not time to whip into submission these wolves that have banded together for the destruction of nobler things? . . .

The Keitt-Grow fight, which caused a great deal of comment and some ill feeling, occurred at this session, on the night of February 5-6, about one o'clock.

The House of Representatives was in a furious struggle as to whether the President's message on the Lecompton constitution should be referred to the Democratic Committee on Territories or to a select committee of fifteen. It was an all-night session. Congressmen lay asleep on sofas while a few prolonged the debate. Sometime before two o'clock in the morning Mr. Grow, a Republican member from Pennsylvania, whom Mr. Cox characterizes as "saucy in bravado toward his opponents" \* had gone over to the desk of Mr. Cox, on the Democratic side. While there, Mr. Quitman, of Mississippi, requested permission of the House to make some explanation. Mr. Grow objected. This angered Mr. Keitt, of South Carolina, whom also Mr. Cox describes as addicted to "swaggering bravado," and he asked Mr. Grow why he didn't go over to his own side of the house if he wanted to object. Of what followed a correspondent of the *New Orleans Picayune* gave this rather amusing account:

Mr. Grow replied that it was a free hall, and that he would object from any point in it which he pleased. The parties exchanged angry words—Keitt calling Grow a black Republican puppy, and the latter retorting that he would not allow any nigger driver to crack whips around his ears.

This is the substance of the phrases as related by parties who were near. Mr. Keitt caught Grow by the throat, but they were separated by Mr. Reuben Davis, of Mississippi, who had followed Keitt for the purpose of restraining him and keeping the peace. Immediately afterwards, however, he broke loose and again seized Mr. Grow, when the latter (as he himself says) struck him a severe blow, which felled him to the floor. Mr. Keitt denied that he fell from the effects of a blow, but asserts that he stumbled. By this time quite a number of gentlemen (among whom were Barksdale of Mississippi, Craig of North Carolina, and others) rushed forward, some probably for the purpose of getting a better sight of "the ring," and others to separate the contestants. This all occurred on the Democratic side of the chamber; but when the Republicans saw so many rushing toward Grow they thought he was to be badly handled, and quick as thought started *en masse* for the scene of conflict. Potter, of Wisconsin, a stout fellow with a fist like an ox, was foremost, and bounded into the

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\* "Three Decades of Federal Legislation," S. S. Cox, pp. 74-76.

fray like a maddened tiger. Just then Barksdale had hold of Grow, with a view of leading him out of the *mêlée*. Potter, mistaking his purpose, planted a "sockdologer" between Barksdale's eyes, which only had the effect of rousing his grit. Looking around, the first man he saw was Elihu Washburne, of Illinois. Supposing it was he who struck him, Barksdale sprang gallantly at him, and they exchanged a handsome little match in less than no time. Potter meantime was striking right and left at Barksdale or anybody else. Cadwalader Washburn also came to the rescue of his brother and attacked Barksdale, who defended himself with coolness, vigor, and skill, saving his face from bruise or scratch.

It was a jolly row, and no bones broken. The Speaker cried in vain for order. The Sergeant at Arms made arrests, but the fight was over, and the choler exploded in a broad guffaw in a very short time as soon as the ludicrous points in the affair presented themselves. It was evident that nobody, unless Keitt, intended to fight in the beginning; but even Lamar, of Mississippi, and Parson Owen Lovejoy had a little set-to in the course of the passing gust. ["They probably fought for ten minutes," says another correspondent, "neither gaining any particular advantage, and both getting pretty well pounded."] Bocock, of Virginia, was threatened with a knockdown by Montgomery, of Pennsylvania, whom he proposed to restrain from taking part in the row. John Covode seized a gigantic spittoon of stoneware with which to brain somebody, but fortunately happened to see no one at the instant who seemed to deserve braining, and so a homicide was doubtless avoided. McQueen, of South Carolina, was somewhere in the ring, for he looked not a little troubled when the affair was over; and Barksdale—than whom no man had a bigger or better share of the fun—came out right side up, but with his wig wrong side front. It was pleasant to witness the good nature of all parties after the fight was over. Nobody was hurt much, and they had nothing to do but apologize. Gentlemen who got acquainted for the first time in the midst of the "shindy" shook hands over the mutual assurance that they went into the fight only to prevent a fight, and in half an hour the house was quieter than ever.

Mr. Cox, however, seems to have regarded this "shindy" with a more serious eye than did the correspondent of the *Picayune*. He says of it:

The passions of the time are incarnate in that Congress and at that hour. See the fierce clutch and glaring eye, and the struggle between those heady champions! Now, after nearly three decades, the author sees trooping down the aisle of memory, as then there came trooping down the aisle of the house, the belligerent members, with Washburne, of Illinois, and Potter, of Wisconsin, leading the one extreme, and Barksdale and Lamar, of Mississippi, leading the other; then comes the *mêlée*—the struggle, the pale face of the Speaker calling to order, the Sergeant at Arms rushing into the area before the clerk's desk, with the mace as his symbol of authority. Its silver eagle moves up and down on the wave of passion and conflict. Then there is a dead hush of the hot heart, and the glare of defiance across the hall! As this scene is revived, looking at it through the red storm of the war, there is epitomized all that has made that war bloody and desperate.

The reader who shall remember that this scene is an almost exact reproduction of a similar occurrence in the British House of Commons only two or three years ago may comfort himself with the hope that, after all, the passions which brought it about were not so violent or implacable as they seemed to Mr. Cox, and that the *Picayune's* designation of it as a "shindy" was nearer to the truth.

It must not be imagined that because Mr. Lamar took part in this combat he was one of the bullies of the House, or was so regarded.

It may be noted that the correspondent says "*even Lamar*" had a set-to. The suggestion of that expression is carried out by a notice in the *North American*, of Philadelphia, of date January 25, 1893, in which Mr. Lamar's humor and bearing as a member of Congress at that period were described:

As a member of the House prior to the Civil War he won considerable notice as a conservative Southern man, eloquent in debate, and a power when fully aroused. But his indolence gave him the appearance of sluggishness to a casual looker-on. He was not sluggish, however. He was always on the alert and fully cognizant of the stirring scenes almost daily enacted in the House. Much of the wrangling disgusted him as puerile and without object. He was a peacemaker oftener than a peacebreaker. As jealous of the rights and claims of the South as other and more boisterous members, his methods were free from much that rendered the more fiery representatives of the oligarchy offensive both as respected manners and language.

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Mr. Lamar took a prominent part in the Vallandigham-Campbell contest over the seat in the House as member from the Third District of Ohio. The question turned mainly upon the reception of negro votes. Mr. Vallandigham unseated Mr. Campbell after a long contest. Mr. Lamar was a member of the Committee on Elections, and strongly advocated the claim of the contestant. His speech, made May 22, was a very effective one; but being upon questions local and now wholly obsolete and almost purely legal in character, it is not given. He wrote to his wife that "the papers from Ohio come loaded with complimentary notices of my speech."

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Mr. Lamar was not particularly pleased with life in Washington. Under date of May 4, he writes his mother-in-law, Mrs. Longstreet:

Washington is now a most beautiful place, and the Capitol Hill is the most splendid and picturesque scene my eye ever rested upon. But I am ready and willing to leave the city forever. The center of all my enjoyments is the home wherein are my wife and children, and I have no wish to wander out from that home in pursuit of any pleasures that the world presents.

To his wife, at the same time, he wrote:

I have not yet made up my mind what to do about running a second time. Your pa's views will have great weight with me, but he is mistaken about the importance of men of talent here from the South. They can do but little good for their section in Congress.

So deeply was he impressed with the ideas expressed in those extracts that he was in active correspondence with the authorities of the University of Mississippi for appointment to the chair of Mental and Moral Philosophy. He had obtained indorsements from Mr. Cox, Hon. Jacob Thompson, Senator A. G. Brown, and others, all of which were of the most flattering nature. The movement, however, was energetically protested against by many influential friends, on the ground that his

work was more important in the field of politics. The following extract from a letter from Dr. F. A. P. Barnard, then Chancellor of the university, shows the line of argument used on this point, as well as other matter of interest:

UNIVERSITY OF MISSISSIPPI, March 25, 1858.

*My Dear Friend:* Your letter of the 15th, received yesterday, afforded me unmingled gratification. I had been led, by outgivings of your friends, to believe that you would not persevere in your choice to leave the more conspicuous position in which you are placed for our dull obscurity; and while I felt that the change of your previously understood purpose would be, to myself personally, a severe misfortune, and to the University of Mississippi no slight calamity, yet I could not find it in my conscience to disapprove the determination to which, as I understood the matter, you were likely to come. I have said to you before, and I say to you again, that I believe the country has need of such men as you in precisely such positions as that which you hold, and those to which, in the course of time, I should expect to see you advanced. In saying this I do not mean to allude to any sectional questions between the North and the South; nor do I mean to say merely that you are needed as a champion of Southern rights. As Mr. Seward says, the battle is substantially over—or, if it is not over as a fight, it is over as a struggle for mastery. The strength is in the hands of our opponents. What becomes of the Kansas question is really a matter of little moment. It *would* be of little moment, even if the question were not incumbered with complications which must render its decision either way meaningless. It would be of little moment if presented in the simplest form possible, for it could not prevent that numerical preponderance of the North, which is now incontestable, and which will leave it entirely in the power of Northern men to say how Southern rights shall be regarded. Suppose, then, that by the use of all those appliances by which power and party tactics often control a doubtful decision in a nearly balanced House, suppose that in this way the victory in this exciting contest should be secured to the South, what would it be, and what *could* it be, but a barren victory? The result would be either a just exponent of the views and intentions of the Northern majority, or it would not be. If it would not be, what benefit are we to reap from it? If it would be, why is it only to be won by such desperate expedients?

Mr. Seward is right. There *has* been of late years a disposition in our Federal Government to favor the equality of the South, under the constitution, with her restless sister of the North. It has not been successful. Its last remnant of conservative power in reference to this matter is, at this moment, undergoing the process for which Mr. Cushing invented the felicitous expression, "to be crushed out." Henceforth, the constitution is only to be a constitution if the North so please.

Therefore (to bring this digression to a conclusion), I do not mean to say that the South has special need of you in Washington to fight for the South. I do not know that there will be, for many years longer, a common Washington for the South and North. The future is all dark before me, and the spirit of prophecy fails. But the thing which I do know is that, whatever becomes of our present political organization, whatever fate may befall a Union which has been from my earliest consciousness so dear to me that I could not feel that a country would remain to me without it, it is a social necessity that we should have a government; and it is a matter of the deepest interest to us all that our government should be in able and honest hands. Now, sincerity, singleness, and honesty of purpose, patriotism unqualified by selfishness, and integrity superior to all temptation, are qualities not so abundant among men in political life as to reduce them to the grade of common and everyday virtues. What if it is true that *every* man, politician or not, but especially every politician, *should* be sincere and honest and patriotic and incorruptible? How many are there, after all,



in any walk of life in this world, who are what they ought to be; who are not guilty of doing many things which they ought not to have done, and leaving many things undone which they ought to have done? And how often must the two or three right-minded men in the National Legislature (if there be so many there) have felt disposed, in the midst of the intrigue and the corruption and the misrepresentation and distortion of the truth constantly going on around them, to follow up the confession, and say: "There is no health in us!" Now while I believe that, among the admirers of your genius and intellectual strength, no one of all your friends can take precedence of me, it is not so much that the country might profit by your talents, as that it might reap the benefit of your inflexible rectitude of purpose, that I should delight to see you permanently devoted to public life. Yet, at the same time, I must confess that without the talents the honesty would be of comparatively little avail; since it is of small moment to the world that a humble individual is virtuous in a quiet corner by himself; and if he would make his virtue of public value, he must have power (and what power like that of intellect?) to compel others to be virtuous also. I confess again that there are hard cases enough, in Congress and out, whom no compulsion could make virtuous—hard-shelled sinners, through whose impervious exterior no moral hydraulic press could be found of power enough to force the feeblest infusion of righteousness—but even such can be obliged to pay to moral principle the ordinary, though reluctant, homage of hypocrisy, and to "assume a virtue if they have it not."

In short, it is my opinion that what the country wants at present, most of all, is men of genuine, unselfish patriotism, of spotless probity and unbending integrity of principle; and one such man, at least, I have believed that she has found in you. Your entrance into public life, therefore, I viewed with great gratification; and your retirement from it I cannot observe without some emotions of regret. Do not, however, for one moment believe that I do not, for my own sake and that of the university, most heartily rejoice that a decision to which I did not feel it right urgently to press you has been arrived at by yourself, in the exercise of your own independent judgment. Since you want to come, you cannot but know that all of us here want to have you; and chiefest of all, myself. I look forward with delight to the pleasant hours of social and intellectual enjoyment which I am sure are before us; and I hail with the highest satisfaction the accession of strength which your election will bring us, in the effort to build this university up into the great university of the Southwest.

In regard to the event, you perceive that I speak of it as a thing settled. Testimonials were not in the least needed in your case. I could count on my fingers the votes that would elect you the day it should only be known that you were a candidate for election. The men whom I count are men who have, in my eyes, the double merit of being sure to vote for you if here, and of being sure to be here to vote for you. Three of these votes will be given with an ill grace, because they will be given by your constituents.

The project discussed in Dr. Barnard's letter came to nothing for the time being. Mr. Lamar remained in political life. The press of the State was very complimentary to him. On the 3d of November, noticing his presence in Jackson, the *Weekly Mississippi State Gazette* said that "the whole State has witnessed with pride the successful Congressional debut of this rising young statesman, and a general desire is expressed to hear his views upon the important topics of the day." This notice followed upon an invitation by the Legislature, "irrespective of party," that he should address them; and this he did on the evening of the 3d. He was introduced to a large and brilliant audience by Chief

Justice C. P. Smith. The *Gazette* reported his speech, in short, with the following notice:

We have given but a hurried and imperfect synopsis of his speech, which, in all its parts, we have never heard excelled in earnestness of eloquence, richness of diction, brilliant antithesis, and all the elements which make up a powerful production, from a mind "rich with the spoils of time." Well may the First District, "the mighty North," feel proud of her gallant young representative.

The address, as reported, will be found in the Appendix.\*

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At the short session of the Thirty-fifth Congress, on the 17th of January, 1859, Mr. Lamar delivered an address in memory of Hon. T. L. Harris, member from the Sixth Congressional District of Illinois, lately deceased. This address, also, was received with the most flattering commendations. It was spoken of commonly as "*the* speech of the day," "universally pronounced one of the finest obituary addresses ever delivered on the floor."

Following closely upon this address was his tariff speech, of February 21, in opposition to a proposition made by Mr. Stanton, of Ohio, to meet a threatened deficit in the treasury by so changing the existing tariff law as to impose specific duties (as distinguished from *ad valorem* duties) "with discriminations for the protection of certain classes of American industries."

These speeches are not presented to the reader, for the reason that the lapse of time and the changes of condition have deprived that on the tariff of the interest and importance which it then possessed, while the eulogy is surpassed in beauty and interest by later productions; and because, further, the space is needed for other discourses of wider and more permanent importance. The curious reader may easily find them in the *Congressional Globe* of the proper date.

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\* See Appendix, No. 2.

## CHAPTER VII.

Thirty-sixth Congress; Reëlected—Speech at Jackson—Speech on Election of Speaker—Letter to Barnard—Speech on Southern Slavery—Charleston Convention—Letter to Mott—Baltimore Convention—Accepts Professorship in University—Speech at Columbus.

**I**N June, 1859, Mr. Lamar was unanimously renominated as the Democratic candidate for Congress, and, after an active canvass of the district, was reëlected in October, without any opposition candidate appearing in the field.

On the 11th of November following he delivered, at the request of the Legislature, then in session, an elaborate address before that body on the subject of the State's federal relations. Of this address, the *Vicksburg Whig*, a paper devoted to the interests of the opposing party, and one of the ablest in the State, said this:

For two hours he held his audience, if not spell-bound, at least most agreeably entertained. Col. Lamar has many of the external graces and qualities that characterize the orator; but besides and beyond these he possesses a rich fountain of thought, ready at his will to be poured out in a stream of choicest words, adorned with the happiest figures. . . . The ablest speech, as we have heard stated on all hands, delivered in that hall for years, in defense of Democratic men and Democratic principles. . . . Mr. Lamar believed in the manifest destiny of this republic. Territorial expansion is, with him, proof of a prosperous nation; he favored the acquisition of Mexico, Central America, and the Antilles. He is, however, not a filibuster; all that is wrong. He sustains the neutrality laws, and demands their enforcement. He pointed out our condition *in* the Union as pitiful enough. Powerless, oppressed, trampled on, threatened, doomed, no hope around, no hope ahead. But Col. Lamar is not a disunionist *per se*.

When Congress convened there was a protracted and bitter struggle over the election of the Speaker. The Republicans had placed in nomination Mr. Sherman, of Ohio, and this nomination precipitated the debate.

One Helper, of Missouri, had published a book called "The Impending Crisis," which was very notorious in its day, and was a great offense to the Southern people and their sympathizers. It dealt with the slavery question, and, amongst other things, advised the slaves to rise and obtain their freedom by forcible means, if they could not do so peaceably. A circular had been issued, recommending the book; and that circular had been signed by sixty-five members of the Congress, amongst others by Mr. Sherman. His nomination for the speakership was, therefore, a firebrand thrown into the House.

On the 6th of December Mr. Sherman made a speech to the effect that, although his name was signed to the circular, he did not remember

that he had signed it; that he certainly had never read the book; that he did not intend to come in conflict with any rights of Southern citizens, etc.

Many speeches were made; amongst them one by Mr. Lamar, on the 7th, which was delivered on the impulse of the moment and without any preparation, but also "with electrical effect."\*

Especial attention is called to that portion of his speech in which he speaks of his attitude toward the question of secession, saying: "For one, I am no disunionist *per se*. I am devoted to the constitution of this Union, and as long as this republic is a great tolerant republic, throwing its loving arms around both sections of the country, I, for one, will bestow every talent which God has given me for its promotion and its glory." It was at this time, too, that he wrote to Dr. Barnard thus:

The sectional war rages with unabated violence. No one started out with more of honest indignation than I felt. But I begin to hope that there exists a mutual misunderstanding between the two sections, brought about by ultra party leaders and deluded fanatics. I think I can see, through all the rancor and madness of this struggle, the slow evolution of right principles. What is now the greatest need is some one man, one *true* man, who will present the whole controversy in its true light—who, rising above the passions and prejudices of the times, will speak to both sections in a spirit at once tolerant, just, generous, humane, and national. No one has shown himself to be that man yet. I think I know one (a friend of yours and mine) who might do it. I think he has clear perceptions of his duty, high and noble sentiment, and a heart big with pure and holy affection for his whole country; but his love for repose, shrinking from the uproar and confusion of party strife, will, I fear, cause him to be, what he has always been, wanting in the energy and courage to execute what his reason designs, his conscience approves, or his duty dictates.

On the 21st of February, 1860, the House being in committee of the whole on the state of the Union, and having under consideration the President's annual message, Mr. Lamar delivered his reply to Mr. Ferry, of Connecticut, who had spoken on the never-ending subject of Southern slavery.† Mr. Lamar's speech treated slavery *per se*, in its divine and sociological aspects; Southern slavery specifically, from the legal, social, and humanitarian points of view; and the Southern planter and Southern nonslaveholders as men and as classes. It was warmly received at the South, and greatly added to his reputation and popularity in that region; nor did it go without a flattering and apparently appreciative recognition in the North.

Under date of March 15 he writes to Judge Longstreet, then President of South Carolina College, thus:

My position here is a far higher one than I ever expected to attain. The praises which I receive are so extravagant that I sometimes fear it is flattery. The President has sent for me two or three times to consult with me upon his message which he contemplates sending in. He told me not to mention it, as there are men who would resent his not consulting with them.

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\* See Appendix, No. 3. † See Appendix, No. 4.

I do assure you, though, that *your* opinion of my speech, and your gratification at my success, is the richest and dearest reward of my public life. You never have known how deeply your approval of anything I do sinks into my heart and sweetens my life. I have hardly a hope or a fear that does not connect itself with you. No son ever loved a father more, and no one (except your wife) ever loved, honored, and *tried* to obey you more faithfully.

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We have now reached that fateful period when the passions which had been gathering and intensifying for so long a time disrupted all previous affiliations—when, especially, the Democratic party, which for sixty years had borne on the nation to a height of prosperity and glory not dreamed of by its founders, was rent in twain, and, through its ruin, the nation was hurled into the incarnadine sea of a civil war.

The Democratic convention assembled in Charleston, S. C., on the 23d of April, 1860, for the purpose of nominating the party candidates for the Presidency and Vice Presidency. It was the first occasion on which the Northern and the Southern wings of the party had met in convention since the celebrated “defection” of Mr. Douglas on the Kansas controversy. No great political sagacity was needed to see that the convention, notwithstanding that many Southern Democrats still believed in Mr. Douglas as a stanch party man, would be divided into two great factions: those who favored the presidential candidacy of Mr. Douglas, and those who opposed it. Accordingly, upon the organization of that body a resolution was introduced for the purpose of declaring the most important item, or “plank,” of the proposed platform, relating to slavery in the Territories. It was as follows:

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 all their property in the Territory without their rights, either of person or property, being destroyed or impaired by Congressional or territorial legislation.

The only particular in which this resolution substantially differed from the platform of 1856 consisted in the introduction of the concluding words, “or territorial legislation.” The object of this addition was manifestly to exclude the “squatter sovereignty” doctrine of Mr. Douglas, and to conform the platform expressly to the views of those who held that only sovereign States could prohibit the introduction of slaves within their limits. Of course an eager and rancorous contest followed. The resolution was rejected; whereupon quite a number of the delegates withdrew from the convention, and, after organizing themselves into a separate body, called another convention to meet at Richmond, Va., on the second Monday of June. The remaining delegates of the Charleston Convention then, without transacting any further business, adjourned to meet again on the 18th of June, in the city of Baltimore, requesting the several States to supply the vacancies caused by the withdrawal of their delegates.

It may readily be imagined that these proceedings caused a great excitement in all the States. Throughout those States, particularly, whose delegates had withdrawn, in whole or in part, there was agitation for meetings of the "National Old Line Democrats," favorable to the continuance of the "Union Democracy," in order to send delegates to the Baltimore Convention. In Mississippi, immediately after the rupture, Mr. Davis (who was regarded as a Presidential possibility) and others issued an Address to the Public, advising that the bolting delegates return to the Baltimore Convention.

Mr. Lamar was a member of the Charleston Convention, and made a speech there, which was commonly pronounced one of the best of the occasion. Although more conservative in his views than the extremists, he still withdrew with them. The following letter, written to C. H. Mott, Esq. (his partner), under the date of May 29, 1860, will cast a light upon his own motives and position, and on the general situation as he then regarded it:

You will have seen ere this that I signed with Jeff Davis the address which advises the return of the delegates to Baltimore. Davis had signed it, and I was determined that his name should not go unsupported by any of the delegation. It was in obedience to his wish that I went to Charleston. He wrote to Barry,\* telling him that I was fully possessed of his views. He did not wish the Southern delegates to secede on the platform, because he knew that we could achieve a more solid and enduring triumph by remaining in and defeating Douglas. I urged his views to the delegates, and insisted that if they could get a living, practical representative of our principle it would be better than to go out upon a mere verbal symbol. But there was no holding back such men as Gen. Clark, Thompson, Mathews, and Judge Gholson. They forced Alabama to stand to their instructions, and then stood by her.

Their position (whatever may have been the policy of it) is certainly based upon high grounds, and was prompted by the purest devotion to the rights of the South. It deserves the indorsement and approval of the people of Mississippi. I have linked my future with it, for weal or for woe. I do not know that their course was not even the best policy. To divide the South is a most deplorable result just at this time, but the Northern men give us no other alternative.

That Northern wing is rife with the elements of bitter sectionalism; and if we yield to their mandate, all is lost. If the South would only unite, she could secure all her rights; but there is so little of unity—so much of discord, jealousies, and distrust—between the most patriotic of our men, that I am oppressed with emotions of the profoundest and most hopeless sadness. I endured, in beholding its exhibition at Charleston (and that, too, in the face of a compact and hostile sectional organization), a mental torture that allowed me no relief except the thought that it could not be otherwise. O, will the noble spirits of the South become ever a band of brothers, before the chain of the oppressors unites them?

Mr. Lamar, notwithstanding the tone of his letter to Mott, was not, apparently, without serious misgivings as to the policy of the action of the Southern delegates at the Charleston Convention. The following

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\*Hon. William S. Barry, a member of the convention, formerly a member of Congress and Speaker of the House in the Mississippi Legislature, afterwards President of the Secession Convention, etc.

extract is from a letter of Mr. Justice John A. Campbell, of date June 12, in reply to a letter of Mr. Lamar's on this subject :

I received your penitential letter of the 7th inst. yesterday. If I had the powers of a Turkish *cadi*, I should condemn all the Southern actors in that scene to wear veils for four years. Their faces should not be seen among Democrats. I am not sure but what my sentence would comprise certain *bastinadoes* for all those from whom something better should have come. In that case, you and your friends, Cable and Jackson, would have carried sore feet for a long time.

The convention which had been called to meet in Richmond was postponed, and appointed to meet in Baltimore at the same time with the regular organization. Upon the assembling of the two conventions, another withdrawal took place from the regular organization, led by Mr. Caleb Cushing and Mr. Benjamin F. Butler, of Massachusetts; and these members joined the new organization. The rupture of the party was complete. Each convention made its nominations—one declaring for Mr. Douglas, and the other for John C. Breckinridge, of Kentucky. It would seem a singular coincidence that the candidate of the new convention should be taken from the great State whose motto was: "United we stand, divided we fall." Did any think of it, and read in it a warning?

While all this was going on Mr. Lamar was preparing to abandon practical politics altogether. It has been shown that he had always a longing for the quiet of a domestic life, and that he deemed the times unfavorable for any good results to the South by continuing in Congress. So it was that when the trustees of the University of Mississippi, in the latter part of June, offered him the chair of Ethics and Metaphysics, he accepted it. The election was announced in the *Oxford Intelligencer* in these terms :

Hon. L. Q. C. Lamar, of this county, who takes the chair of Ethics and Metaphysics, is too well and widely and favorably known, abroad as well as at home, to justify us in pronouncing upon him the eulogium he deserves. It is agreed on all hands that he possesses a peculiar fitness for his chair. . . . Prof. Lamar will serve out his full term as a member of Congress, but this will involve his absence from the university only for the period of three months during the next session.

The *Vicksburg Whig*, the leading opposition paper in the State, said editorially:

We see it stated that Col. Lamar intends resigning his seat in Congress, to accept a position in the University of Mississippi. We sincerely trust that this report is not true. . . . In our judgment Mr. Lamar is the ablest man in either branch of Congress from this State, and far ahead of the generality of Congressmen from the Southwest. There is hardly a question of governmental policy on which we do not differ materially with him; but, if his side is to have the Congressmen, we at least feel a sort of state pride that such a man as L. Q. C. Lamar is made the recipient of the honors of his party.

But, although "Prof." Lamar had decided to retire to the academic shades, it was not his intention to abandon the ship during the gale. He took an active part in the Presidential campaign, speaking with great effect at numerous places. Col. Young, of Waverly, one of the

typical Southern gentlemen of the old school, who embodied all of their charms without any of the blemishes sometimes found in them, wrote to Judge Longstreet October 26 :

We have just had the largest mass meeting in Columbus ever known in this State. Davis spoke in the forenoon. Pettus was to follow in the afternoon, but the country people were so importunate for Lamar that he was forced up immediately after dinner. . . . The universal opinion was that it was the most statesmanlike speech which had been heard.

Pettus spoke at night; then Barksdale, of Jackson. And yet, when so late, the cry burst forth for Lamar; and for one hour and thirty minutes he transported his audience, and covered himself all over with glory. The Bell men followed and serenaded him. His appeal to them subdued all hearts, and made patriots of partisans. . . . Saturday we take him to Aberdeen, to speak there. They sent up for him to go to Mobile. . . . Lamar is carried away with Columbus, where he was feasted and lionized not a little.



## CHAPTER VIII.

Election of Lincoln—Conference of Congressmen—Speech at Brandon—Legislature of 1860—Resigns Seat in Congress—Liddell Letter—Member of Secession Convention—Passage of Ordinance—Lamar's Views on Secession—Blaine on Lamar and Secession.

THE election of Mr. Lincoln brought the South face to face with a most tremendous question. For the first time in the history of the nation the executive and the legislative branches of the government (with the consequent power to organize the judiciary) had both fallen into the hands of a party established on a sectional issue, sustained by a purely sectional vote, and inflexibly bent on the enforcement of a sectionally hostile policy. What was to be done about it—submission and union, or resistance and disunion? That was the question. The world knows the fateful decision.

That decision, however, was by no means unanimous. When the sound of marching squadrons came from the North all sprang to arms with a unanimity and ardor never surpassed, and rarely equaled, and proved themselves "confederate" to the heart's core; but in the antecedent deliberations there were many minds. Some were for immediate and unconditional secession, others for secession upon conditions, others for union still; and yet others were lost in a wilderness of doubts and fears.

On the 13th of November, 1860, Mr. Lamar wrote to Judge Longstreet :

The election of Lincoln has diffused a general feeling of dissatisfaction throughout the State. Some are anxious and dejected (myself among them), others confident and hopeful of resistance, a large mass for awaiting the overt act, a few had men rejoiced at the overthrow of the Democracy by any means, and ready to hang and quarter the secessionists.

If South Carolina will only have the courage to go out, all will be well. We will have a Southern Republic, or an amended Federal Constitution that will place our institutions beyond all attack in the future.

Immediately upon the ascertainment of the result of the election, Gov. Pettus, by proclamation, called upon the Legislature to meet at Jackson, on the 26th of November, to consider what steps should be taken to meet the emergency; and on the 12th he issued an invitation to the members of Congress from this State, including the Senators, to convene at the same place, on the 22d, in order to take counsel among themselves and with the State Government on the same subject, and especially with regard to the matter of his message to the Legislature. This meeting was held accordingly, all being present except Mr. McRae.



MISSISSIPPI SENATORS AND CONGRESSMEN AT THE TIME OF SECESSION



There was an animated and protracted discussion over the questions, in substance: Should Mississippi, "as soon as her convention can meet, pass an ordinance of secession, thus placing herself by the side of South Carolina, regardless of the action of other States? or shall she endeavor to hold South Carolina in check, and delay action herself, until other States can get ready, through their conventions, to unite with them; and then, on a given day, and at a given hour, by concert of action, all the States willing to do so secede in a body?"

Upon one side it was argued that South Carolina could not be induced to delay action a single moment beyond the meeting of her convention, and that our fate should be hers, and to delay action would be to have her crushed by the Federal Government; whereas by the earliest action possible we might be able to avert this calamity. On the other side it was contended that delay might bring the Federal Government to consider the emergency of the case, and perhaps a compromise could be effected; but if not, then the proposed concert of action would at least give dignity to the movement, and present an undivided Southern front.\*

These questions were raised by a resolution offered by Congressman Reuben Davis, to the effect that "the Governor insert in his message to the Legislature a recommendation that they call a convention for the purpose of seceding the State of Mississippi by separate State action."

A vote was taken upon the resolution under consideration, Singleton, Barksdale, and R. Davis voting for, and Jeff Davis, Brown, and Lamar against it. Gov. Pettus gave the casting vote in favor of the resolution, and it was adopted, the vote being made unanimous. I thought then, as I believe now, that the only point of difference was one of expediency, not of principle. I am sure that so far as principles were concerned we were all fully united. . . . After the adoption of the resolution above referred to, Gov. Pettus read to the committee a telegram which he had received the day before from the Governor of South Carolina, asking his advice whether the South Carolina ordinance of secession should be made to take effect instantly, or upon the 4th of March. A resolution was then introduced by R. Davis, to the effect that Gov. Pettus should advise the Governor of South Carolina to cause the ordinance to take effect from and after its passage. This resolution was opposed by Jeff Davis, Brown, and Lamar, and supported by Singleton, Barksdale, and R. Davis, Gov. Pettus again giving the casting vote in favor of the resolution; in accordance with which a reply was next day sent to the Governor of South Carolina.†

On the next day after this meeting Mr. Lamar delivered a public address, in the town of Brandon, which is thus reported in the newspapers of the day:

His speech was an earnest, dispassionate appeal to the people of the South to arouse from their lethargy, and arm for resisting Black Republican domination. He pictured in vivid colors the aggressions of the North upon the South since the enactment of the Compromise measures of 1850. Those measures were adopted by both sections as a final settlement of the slavery question, each agreeing that they would be carried out in good faith. Yet we to-day see upon the statute books of fourteen Northern States enactments nullifying the Fugitive Slave Law, which law was the only advantage or concession that the South gained in the Compromise measures.

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\*O. R. Singleton, in Davis' "Rise and Fall of the Confederate Government," Vol. I., p. 58.

†Reuben Davis, in the *Weekly Clarion*, June 5, 1878.

He was unwilling to enter into any more compromises, or accept guaranties from a people who had so flagrantly violated former agreements of that kind.

After giving at length the design of the Black Republican party, through Mr. Lincoln, upon the institution of slavery, he declared that secession was the only remedy now left for the Southern people to save themselves from a doom similar to that of the former white people of San Domingo.

He submitted a plan by which the people of the Southern States, or so many of them as may choose to do so, might secede from the Union in a few days' time, and resume all the functions of government. The plan was, in substance, for the people of the South to meet together in convention, at their several State capitals, and appoint commissioners to another convention of all these States; that convention to pass ordinances, declaring the State absolved from all further allegiance to the Government of the United States of North America; adopt the old constitution, without the crossing of a *t* or the dotting of an *i*; adopt the present Federal laws; elect new Electors, to choose a President and Vice President; and, in short, to readopt for the United States South all the laws, rules, and regulations now prevailing for the United States. This could all be done in a very few days, and there would be no anarchy, no bloodshed, or anything extraordinary to disturb the peace and quiet of the people.

The Legislature assembled on the 26th, as called; and to that body Gov. Pettus addressed an annual message, from which the following extract is taken:

Can the lives, liberty, and property of the people of Mississippi be safely intrusted to the keeping of that sectional majority which must hereafter administer the Federal Government?

I think they cannot, for the following reasons:

They have exhibited a low selfishness in seizing all the Territories, which are the common property of all the States. They have deliberately attempted to, and have succeeded in educating a generation to hate the South. They have sworn to support the Federal constitution, and deliberately passed laws with the palpable intent to violate one of the plainest provisions of that compact. They have sent large sums of money to Congress, for the purpose of bribing the members of that body to pass laws to advance their private interests. They have attempted to degrade us in the estimation of other nations, by denouncing us as barbarians, pirates, and robbers—unfit associates for Christian or civilized men. They have excited our slaves to insurrection, advised them to burn our property and murder our people, and have furnished them with arms and ammunition to aid them in their bloody work. They have murdered Southern men in the lawful pursuit of their fugitive slaves, and failed to punish their citizens for these flagrant violations of the laws of God and man. They have furnished money and arms for the invasion of a slaveholding State, and when the punishment awarded to treason and murder by all civilized nations overtook the invaders, they threatened the dastardly revenge of midnight incendiaries, tolled bells in honor of traitors and murderers, and rewarded the family of the chief traitor as never was rewarded that of any soldier who fell in defense of the country, and held him up as an example of heroic devotion to a just and glorious cause. Their press, pulpit, lecture room, and forum teem daily and nightly with exhortations to their people to press forward this war on our institutions, even to the drenching of Southern fields with the blood of her citizens. In view of all this long catalogue of insults and injuries, in view of the fact that this hostile section must continue to increase in power, I feel that I am warranted in saying that the Northern people have forfeited the confidence of the people of Mississippi; and that the lives, liberty, and property of ourselves—and our children after us—ought not to be intrusted to rulers elected by such a people.

To this message the Legislature responded by calling a convention, to meet on the 7th of January following, and by a resolution "that secession by the aggrieved States, for their grievances, is the remedy."

When the Thirty-sixth Congress convened in its second session, on the 3d of December, Mr. Lamar was present, as were all of the members from Mississippi, including the Senators. Early in the session measures were proposed, looking to a compromise and settlement of the differences between the parties; but they were delayed, and it became manifest to the Southern members that nothing would come of them. Mr. Lamar resigned his seat, and left Washington on the 12th of December, for the purpose of canvassing the State for the coming Secession Convention. On the day preceding he wrote to Judge Longstreet:

We are living in eventful times, and the only pleasure I have among the tremendous responsibilities upon me is the thought of those I love. . . . I send you a letter of mine by to-day's mail. You will doubtless deem it too subdued in tone. What I know will happen in the next year has taken all the "highfaluting" out of me. God bless you, my darling old father.

The letter alluded to in the foregoing epistle was that of date December 10, addressed to Hon. P. F. Liddell, of Carrollton, Miss.\* This letter will be found to give a full exposition of Mr. Lamar's views as to the proper steps needed most certainly and most easily to form the Southern Republic. Of it the *Vicksburg Whig*, the leading paper of that party in the State, said: "Mr. Lamar advances a plan for the formation of a Southern Confederacy. It is the first which has yet been promulgated having the least spark of practicability about it."

Before leaving Washington he witnessed a scene in the Senate chamber which made the profoundest impression upon him. In after years he often described it in his speeches before the people. It seemed to recur in various and frequent connections, like the haunting of a vivid dream.

It is given below, in his own words, as depicted in his speech of January 24, 1878, in the United States Senate:

I remember hearing on this floor the then distinguished Senator from New York (Mr. Seward) declare that the power had departed from the South; that the scepter was now taken from her hand; and that henceforth the great North, stronger in population and in the roll of sovereign States, would grasp the power of government and become responsible for its administration. I am aware that I listened to him with impatience, and, perhaps, with prejudice. For it seemed to me that he spoke in a spirit of exultation that scarcely realized the magnitude of the task about to devolve upon him and his associates. It struck me that he spoke in a spirit far removed from that sadness and solemnity which I think always weighs upon the mind and heart of a truly great man in the presence of a grave crisis of national life.

I remember the answer that was made to him by a South Carolina Senator, Gov. Hammond. . . . He was surrounded by a circle of Southern statesmen whom no future generation will see surpassed in ability or purity, be the glory of our growth, as I

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\*See Appendix, No. 5.

trust it will be, unrivaled in the history of nations. There was James M. Mason, the square and massive simplicity of whose character and purity stands monumental in our annals. There was his accomplished colleague, Robert M. T. Hunter, whose clear and broad statesmanship found fitting expression in a scholarly eloquence that drew friends and opponents into the same circle of admiring affection. There was Slidell, with his shrewd and practical wisdom; and near him J. P. Benjamin, whose astuteness and skill and eloquence and learning have since rebuilt his fame and his fortune in that Olympian field of mental conflict, the great courts of Westminster. There was Robert Toombs, who never spoke without striking at the heart of big thoughts and kindling the ideas of all who listened to him. There was Clement C. Clay, the cultured student whose heart was the sanctuary of lofty feeling and stern principle. There was Albert G. Brown, from my own State, who never had an aspiration not in sympathy with the wants and feelings of his own people; who yet was never overawed by their prejudices or swerved from his convictions by their passions. There was another—Jefferson Davis—one who has been the vicarious sufferer for his people, the solitude of whose punishment should lift him above the jibe and the jeer of popular passion, but whose words will stand forever upon the record of history; not in defiance, not in triumph, but as the sad and grand memoranda of the earnest spirit, the lofty motives of the mighty struggle, which, however mistaken in its ends and disastrous in its results, was inaugurated by those who believed it to be in the interest of representative liberty and constitutional government.

Among these, and surrounded by others like them, the Senator from South Carolina, with that noble presence which lives in the memory of all who ever saw him, addressed to his Northern associates on this floor the words which I have never seen in print from that day to this, but which I can never forget; and which, if the Senate will permit me, I will here repeat: "Sir, what the Senator says is true. The power has passed from our hands into yours; but do not forget it, it cannot be forgotten, it is written upon the brightest page of history, that we, the slaveholders of the South, took our country in her infancy, and, after ruling her for near sixty out of the seventy years of her existence, we return her to you without a spot upon her honor, matchless in her splendor, incalculable in her power, the pride and admiration of the world. Time will show what you will do with her, but no time can dim our glory or diminish your responsibility."

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Mr. Lamar, on his return to Mississippi, was elected as one of the two delegates from Lafayette County to the convention. Before that body convened it was well known that the efforts making at Washington in the way of a compromise and adjustment of the differences between the sections were futile. On the 17th of December, Mr. Reuben Davis, one of Mr. Lamar's colleagues in the House, who had been placed as the representative of Mississippi upon the House Committee of Thirty-three, on grievances and the state of the country, wrote to Mr. Lamar:

I withdrew to-day from the Committee of Thirty-three. The Northern members, with H. Winter Davis, by vote forced upon us the consideration of a modification of the fugitive slave law, with the statement that they would hereafter let us know whether they would grant any concessions. All the members from the North, pretty much, have said in speeches that they had fought the recent battle upon the principle that property could not exist in a slave—nonextension of slavery, no admission of, another slave State, etc.—and that they would not surrender the principle.

On the 31st of December the Senate Committee of Thirteen, on the same matters, reported that they could arrive at no satisfactory conclusion.

The Mississippi Convention met at Jackson on the 7th of January, 1861, in accordance with the act of the Legislature. It was composed of two parties: the unconditional secessionists, who numbered two-thirds of the body; and the coöperationists, or those who favored secession only upon condition that the Southern border States should coöperate in the movement.

Hon. William S. Barry, of Lowndes County, was elected President. Immediately after the organization Mr. Lamar offered a resolution, which was passed, that a committee of fifteen be appointed by the President to prepare and report, as speedily as possible, an ordinance for the withdrawal of the State from the Federal Union, with a view to the establishment of a new Confederacy, to be composed of the seceding States. The committee was accordingly appointed, and consisted of the mover as Chairman, and fourteen others.

On the 9th Mr. Lamar, for the committee, reported the ordinance, which had been drafted by himself, and was as follows:

An ordinance to dissolve the union between the State of Mississippi and other States united with her under the compact entitled "The Constitution of the United States of America."

The people of Mississippi, in convention assembled, do ordain and declare, and it is hereby ordained and declared, as follows, to wit:

Section 1. That all the laws and ordinances by which the said State of Mississippi became a member of the Federal Union of the United States of America be, and the same are hereby, repealed, and that all obligations on the part of said State, or the people thereof, be withdrawn, and that the said State doth hereby resume all the rights, functions, and powers which, by any of said laws and ordinances, were conveyed to the Government of the said United States, and is absolved from all the obligations, restraints, and duties incurred to the said Federal Union, and shall henceforth be a free, sovereign, and independent State.

Sec. 2. That so much of the first section of the Seventh Article of the Constitution of this State as requires members of the Legislature and all officers, both legislative and judicial, to take an oath to support the Constitution of the United States be, and the same is hereby abrogated and annulled.

Sec. 3. That all rights acquired and vested under the Constitution of the United States, or under any act of Congress passed in pursuance thereof, or under any law of this State, and not incompatible with this ordinance, shall remain in force and have the same effect as if the ordinance had not been passed.

Sec. 4. That the people of the State of Mississippi hereby 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.

On the 9th, also, in the afternoon, the ordinance was called up on the question of its final passage. The galleries and the floor of the Hall were crowded with spectators of the solemn scene. The yeas and nays were ordered. The Secretary called the roll slowly. As each member



responded in tones vibrant with intense feeling suppressed, the murmur of conversation and the rustle of movement ceased, and a stillness as of death held the great assembly. As the roll call made it manifest that the result would be largely in favor of the adoption of the ordinance, tears gathered into the eyes of nearly every actor and spectator. When the call was completed, and the President, rising, announced the result—ayes, eighty-four; noes, fifteen—a profound silence for some time prevailed. Then a silent wave of the President's hand, and the Rev. Whitfield Harrington stood by his side. Members and spectators arose, and with bowed heads united in the prayer of the eloquent divine for God's blessing on the momentous step just taken. All, by a subtle communion of thought, felt that they were leaving the old home which they had long loved well; that they were turning their backs upon the house every stone of which was baptized by the blood of their fathers and by their mothers' tears; that the old flag which their fathers and themselves had borne from glory to glory was from henceforth to be alien and possibly hostile. For these people loved the Union. They, however, believed in their principles and their methods. If they were mistaken in the one and wrong in the other (questions not necessary to discuss here), none the less did they feel compelled to go; but even amongst those who so felt there were very few who went without many a longing and lingering backward look.

Then there was a booming of cannon and a ringing of rejoicing bells, unwittingly ringing out the institution which had kept the nation in a turmoil for thirty years, and presaging the method of its destruction—the dread decision of battle. A fire bell, from an engine house in the capitol yard, first announced the tidings. Within three years the torches of Grant's and Sherman's armies had so laid the city in ashes that it became known, partly in derision and partly in wrath, as "Chimneyville."

Mr. Lamar's views upon the political philosophy of secession—its character as a general movement of the Southern people—are fully set forth in a letter written by him to Mr. West, in 1883, introduced in another connection.\* As he said therein, it was not a conspiracy of individuals. "On the contrary, it was the culmination of a great dynastical struggle, an 'irrepressible conflict' between two antagonistic societies, a culmination which had been foreseen and predicted by the wisest statesmen of the nation. . . . This culmination was a result of the operation of political forces which it was not within the power of any individual man or set of men to prevent or postpone." As to Mr. Lamar's personal sentiments upon the matter, it is well to say a few words. Mr. Blaine has seen proper, in his work, "Twenty Years in Congress," to say of him that

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See Chap. XXVIII.

His reason, his faith, his hope, all led him to believe in the necessity of preserving the union of the States; but he persuaded himself that fidelity to a constituency which had honored him, personal ties with friends from whom he could not part, the maintenance of an institution which he was pledged to defend, called upon him to stand with the secession leaders in the revolt of 1861. He was thus ensnared in the toils of his own reasoning. His very strength became his weakness. He could not escape from his self-imposed thralldom, and he ended by following a cause whose success could bring no peace, instead of maintaining a cause whose righteousness was the assurance of victory.

This passage is purely imaginative. There is no warrant for it in fact. Mr. Lamar was never in any such condition of thralldom to sentiment as opposed to his reason and faith; nor was he dragged reluctantly along by his sense of fidelity to his constituency. He was possessed, in a high degree, of the sentiments attributed to him. No man felt them more deeply, or more seriously esteemed their demands. But they were not his captors in that great emergency. He also entertained a great veneration for the Union, and love of it. When secession seemed to him necessary, it was a necessity most painful. Could any securities have been obtained which would fairly have promised to obviate that necessity, he would have welcomed them most joyfully. In this he was by no means alone; it was the prevailing feeling. But, also, Mr. Lamar most firmly believed that, in the condition into which affairs had fallen, it was impossible any longer to preserve the dignity, sovereignty, and institutional self-government which the States had sedulously reserved in the formation of the Union, and the reservation of which all Southern and many Northern statesmen believed to have been indisputably a *conditio sine qua non* to the acceptance of that bond. He, therefore, logically believed, also, that there were but two courses open. One was to submit ignominiously to a denial, within the Union, of the rights guaranteed by the constitution (rights regarded as sacred, and as the very consideration for the formation of the federative compact); tamely to continue within a Union whose constitution should be, as Dr. Barnard expressed it in his letter, a constitution only if the North so pleased. The other was to preserve the rights and dignity of the Southern States by a peaceable withdrawal from a broken compact. The conclusion of his mind was a reluctant one, but it was the conclusion of his own reason and of his political faith. Nor did he regard the South as responsible for the existence of the momentous dilemma.

Mr. Blaine, himself, does Mr. Lamar better justice when he says, in that other paragraph of his work, that

He stood firmly by his State, in accordance with the political creed in which he had been reared; but looked back with tender regret to the Union whose destiny he had wished to share, and under the protection of whose broader nationality he had hoped to live and die.

## CHAPTER IX.

Appointed to Confederate Congress—Lieutenant Colonel of Nineteenth Mississippi Regiment—Speech in Richmond—Military Service—Battle of Williamsburg—Honorable Mention—Official Report—Illness—Resignation—Death of Jefferson M. Lamar.

ON the 26th of January the Secession Convention passed resolutions providing for the representation of the State in the Congress of a Southern Confederacy. Senators Davis and Brown were appointed to the Senate; and Messrs. Reuben Davis, Lamar, Singleton, Barksdale, and McRae to the Lower House—thus returning the representation which had existed in the Congress of the United States. But this plan was never effectuated. On February 4 a *convention* of States met at Montgomery, to which the Mississippi Convention had appointed seven delegates; and this convention, after electing Mr. Davis as Provisional President, and adopting a constitution, resolved itself into a Provisional Congress. It was this body which first legislated for the Confederacy.

The Secession Convention also took measures to organize the army of the State, in case it should be needed. Mr. Davis was made major general, and four brigadiers were appointed: Earl VanDorn, Charles Clark, J. L. Alcorn, and C. H. Mott.

It soon became apparent, however, that there was to be an army of the Confederate States. Gen. Mott then resigned his State command, and undertook, by a special authority from the Confederate Government, to raise a regiment for service "during the war." Mr. Lamar, who had been considering the question of taking a staff appointment, abandoned that idea, and cooperated with Gen. Mott in this work. Offers of companies poured in from all quarters; and the regiment, so far as its roster was concerned, was completed by the middle of May, although not sufficiently supplied with either tents or arms. Mott was elected colonel, and Lamar lieutenant colonel. Lieut. Col. Lamar then resigned his professorship in the university, and was on the 14th of May in Montgomery, offering his regiment to the Confederate War Department. This regiment was the first from its State raised for service "during the war," and it was numbered the Nineteenth of Mississippi.

From Montgomery Mr. Lamar seems not to have returned to Mississippi, but to have gone on with his regiment to Richmond. To that city the Provisional Confederate Congress, by its resolution of May 21, had removed the seat of government. Col. Lamar was with Mr. Davis, in Richmond, on the 1st of June, at the Spottswood Hotel. Mr. Davis was there serenaded by the citizens of the city, and made an address

from the balcony of the hotel. Gov. Wise, of Virginia, was then called on, and spoke; and then Mr. Lamar was called out, and made the closing address of the occasion, from which the following extracts are taken:

*Gentlemen:* It affords me pleasure to respond to your call. But I feel conscious of my inability to address you in a strain worthy of the interest inspired by the great events now so rapidly hurrying to their consummation. Indeed, it would be almost impossible to give adequate expression to the feelings with which all patriotic minds are now agitated. Fortunately, however, the time has come when the people need the aid neither of argument nor of exciting appeal. The time has arrived when they are satisfied that the deliverance of this fair State depends not upon argument, not upon eloquence, not upon statesmanship; but upon the fighting manhood of the people of this country [cheers], upon the courage which dares to strike a braver blow for the right than the enemy dare strike for the wrong.

The people of these Confederate States have, by a solemn appeal to the ballot box, after exhausting every effort to live at peace with their neighbors, proclaimed their determination to take their place and maintain it among the nationalities of the earth; and the charter of their new nationality, which was written with the pen of our revolutionary fathers, and adopted at Montgomery, shall, if a sacrament be needed, be subscribed with the blood of patriotism.

Fellow-citizens, if this continent is to be the theater of internecine strife, history will acquit these Confederate States of all responsibility for its calamities. The very first act of the Confederate Government was to send commissioners to Washington to make terms of peace, and to establish relations of amity between the two sections. . . . If that people had not been blinded by passion, maddened by fanaticism, and excited by the loss of power; had they consented to a peaceful separation of these two sections into two republics, each pursuing its destiny in accordance with its own choice, it would have afforded the strongest evidence of the capacity of man for self-government ever presented to the world. But they did not do it. They proclaimed war and subjugation. They have called upon you to abandon your right of self-government, to surrender your civil liberty.

Right here Virginia steps forward, and, among all the rich materials she has hitherto contributed to the history of the country, there are none so rich as those contributed in this contest; for, in the moment the Federal Government raised an arm against her Southern sisters Virginia sprang forward to catch the blow. Grand, glorious old commonwealth! Proud, free empress! Mother of States, themselves free, standing here in robes of steel, raising a majestic arm to press back the foe that dare attempt to force her daughters into an unnatural and unwilling union! And now war is denounced against her! an infuriate mob is upon her borders! But the sentiment of Virginia is the sentiment of the South. Rather let the pillars of the new republic crumble to their foundations; rather let its lofty battlements be overwhelmed with the last hope of liberty than that its people should quail in this hour of trial, or refuse to tread with her the bloodiest path that may be marked out for her to follow. The sentiment of the entire South is with her; men from every rank and class of society are rushing to arms, begging the government to put any kind of weapons into their hands, and to allow them to march to the battlefields of Virginia. I tell you, in our State, the little State of Mississippi, the number of men who are ready to fight, I fully believe, is above our voting population. Even the walls of our universities stand to-day mute and deserted, while our young students have marched upon the soil of Virginia, to mingle the dash of patriotic youth with the courage of disciplined manhood, and teach the vainglorious foe the invincibility of Southern arms and the inviolability of Virginia soil. Fellow-citizens, I shall not detain you longer. [Cries of "Go on."]

We may not know what will be the nature or result of this contest. It may be that much suffering is before us. It may be that our towns and cities will be sacked. It may be that our fields will be desolated. It may be—for it is well to look at the worst attitude of affairs—that our South shall yet emerge from the contest exhausted, pallid, her garments dripping with blood [loud cries of “No! No!”]; but for all that, she will survive, and her glorious constitution, fresh with vigor, will be instinct with immortal life.

This very night I look forward to the day when this beloved country of ours—for, thank God! we have a country at last—will be a country to live for, to pray for, to fight for, and if necessary, to die for. [A voice: “Yes, I am willing to die for it a hundred times over.”]

Cheers, amid which the windows were closed, and the crowd slowly dispersed.

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From Richmond Col. Lamar went immediately into camp with his regiment. Soldiering was not congenial to him. The camp life, with its isolation from intellectual circles, with its daily drill, its hourly demand of small details of police, equipment, and organization, was exceedingly irksome. Removed at once from all those pursuits which had filled his life, transplanted into a condition wholly strange, the compensations which partly consoled many others whose lives were equally revolutionized did not appeal to him. Whether he would have succeeded as a military officer cannot now be told. His great personal courage, his invincible coolness in times of danger, his fixed resolution to achieve his objects if achievement were possible, his urbanity coupled with an inflexible firmness, were all on his side; while his inability to understand tactics, which he declared to be “the puzzle of his life,” was against him. The course of events growing out of failing health, as will be seen, prevented the supreme and final test.

Before the regiment left Richmond Col. Lamar had the first attack of a physical infirmity, which pursued him during the whole of his after life, which hung over him always, a veritable sword of Damocles. It was a violent vertigo, something like an apoplexy, accompanied by unconsciousness more or less prolonged, and followed by more or less of paralysis of one side. Sometimes even his speech was affected.

This attack, which was about the 1st of July, prevented his going to the front with the regiment, although not so severe as some others of later date. It caused his friends great alarm, and his wife was telegraphed for from Mississippi.

On the 11th of July Col. Mott, who seems not then to have understood fully the serious nature of his illness, wrote to him from the front:

Our regiment seems to be ready and eager for the conflict, but I trust it will not be forced upon us till we can have your assistance. We may need that sort of *vim* and *propelling power* which you possess in a greater degree than any man I ever saw, and which the Major and I are very deficient in.

Improving somewhat, the Colonel was sent home to Oxford, Miss., about the middle of July. There he remained, hoping for recovery,

longing to rejoin his command and participate in their dangers and glorious exploits, consuming his heart with rebellion and impatience, raging against the enemy who waged "a war so cruel and iniquitous." Frequent "slight rushes of blood to the head" continued, and caused the physician to abound in serious warning.

About the 1st of November he returned to Richmond, dragging a lame left leg, but unable to resist the impulse to get again to work. On the 9th Col. Mott writes to him from the camp near Centerville:

Inquire at the clothing department in Richmond with a view to procuring overcoats for the men. It is almost indispensable that they should be supplied with overcoats for the winter. . . . Our tents are made of such poor material that the winds and weather will soon render them worthless, and we must begin to look after the health and comfort of the men before the winter is upon us. In my anxiety to preserve your tent, I have not had it used for a long time, sending it to Manassas with our extra baggage; and now it is said to be entirely rotted. My tent still holds together, and is large enough for both of us. Our regiment has suffered severely from sickness; had improved greatly until out on picket in bad weather without tents or fires, the number of sick increased again. There have been three deaths within the last thirty-six hours.

On the 22d of November he wrote his wife, from Richmond:

I shall probably start next Monday for General Johnston's headquarters, and will keep you pretty well posted about army matters. There is some ill feeling between the Potomac generals and the President. I fear that cousin James Longstreet is taking sides against the administration. He will certainly commit a grave error if he does. I hope to be able to disabuse his mind, as well as that of Gen. Johnston, of some wrong impressions. . . . I hope I am nearly cured of my sickness. I can manage to get along with a stick, though my leg is quite weak and uncertain in its movements. My vertigo comes upon me very rarely, and then in a very modified form. . . . The President seems more attached to me than ever. Everybody says that it is well known that he loves me. If we ever have peace, I expect I shall be sent as Minister to Spain or Sardinia. . . . If I were well enough off, I should give up public life and devote myself to social duties; but as it is not possible to do that yet, I will do all I can to improve the condition of my family. I have now no other earthly object in life.

During this winter, whilst the army was in winter quarters around Centerville, Gen. Johnston offered to Lieut. Col. Lamar to recommend him for promotion to the rank of brigadier general. The Colonel thanked him, but said immediately: "Gen. Johnston, I shall never consent to receive promotion over the head of my friend, Col. Mott. He deserves it, and I request that you recommend him instead." This was done, and Col. Mott would have been commissioned but for his untimely death.

From this period forth Col. Lamar was with his regiment at the front. In April they were in the lines near Yorktown, confronting McClellan and awaiting his attack. Here there was a continuous firing, with shells and balls flying, numerous "skirmishes of little importance and significant of nothing," as he wrote; and here he cheered his men occasionally

by making them a speech. He suffered much from the exposure; and as the spring opened, serious symptoms of vertigo again appeared.

On the 5th of May the battle of Williamsburg occurred. In this hotly contested field he took a distinguished part, being complimented by three brigadiers, including his own, and by Gen. Longstreet, in their reports. But he had the great grief to lose his friend, Col. Mott, who fell gallantly leading his men.

This battle was the first serious engagement of the great Peninsular Campaign. On the night of the 3d of May the Confederates abandoned their position at Yorktown and began a retrograde movement toward Richmond. The Federal army pursued closely, and Gen. Longstreet determined to repel that pursuit. A line of fortifications had been thrown up about two miles east of Williamsburg, and it was occupied by a portion of Longstreet's Corps. Thus he fronted eastwardly toward the pursuing Federals, with his right flank toward James River; and on the right, a dense forest.

Orders were given to Gen. Anderson to organize columns of attack upon the Federal position and batteries, using the brigades of Wilcox (in which was Col. Lamar's regiment) and of A. P. Hill, supported by that of Pickett. The attacking columns were well arranged, and were gallantly led by Gen. Anderson. Leaving the fortifications behind them, the Confederate line pressed eagerly forward, and drove back that portion of Hooker's Division which confronted them. As the forces advanced the battle broadened, and the brigades of Pryor, Jenkins, Early, and Colston, successively, became engaged. On the right flank of the Confederates they were successful in holding their gained ground; but on the left flank, on which Gen. Hancock had appeared late in the afternoon with a heavy assailing force, they were not so fortunate, and they failed to drive him back. The battle lasted during the day, and was inconclusive, each side claiming the advantage.

The brigade of Wilcox, which was first in the field, was ordered to occupy the forest. The Nineteenth Mississippi was the center regiment of the brigade, the Ninth Alabama being to its left, and the Tenth Alabama to its right. The wood was entered. It was so dense that a colonel could not see his whole regiment when in line of battle. When the skirmish line had penetrated the wood something under two hundred yards, it encountered a brisk fire from the Federal skirmishers. The Federal line of battle was then developed about two hundred yards to the front, almost parallel with that of the Confederates, protected partly by a rail fence, partly by felled trees, and partly by low and boggy ground. Its left flank extended beyond the Confederate right.

Gen. Pryor then came up with about seven hundred men of his brigade, and was placed on the right of Wilcox. The order to forward was now given. The line advanced boldly, and almost instantly became en-

gaged in a close musketry fight. A heavy fire was concentrated on the Tenth Alabama, both in front and from its right flank; it was thrown into some confusion and gave way, but quickly reformed and returned to the attack with cheers.

At this time Gen. A. P. Hill came up with his brigade. It was ordered into action, covering Pryor's troops and the Tenth Alabama. A small regiment (the First Virginia) was placed in position to the rear of the Ninth Alabama, with orders to follow and support that regiment; and another regiment of this brigade (the Twenty-eighth Virginia) was directed to support the Nineteenth Mississippi. Pickett's Brigade soon arrived, and was posted to the right of Hill. The musketry was now incessant and heavy, and extended along the whole front, continuing from this time (11 A.M.), with but little intermission, until near dark.

The Nineteenth Mississippi had met the enemy, compactly formed, under cover, and in rear of a fence and piled-up logs. Led by the gallant Mott, after a few minutes of close musketry, at a distance of less than thirty yards, it charged, and a stubborn fight ensued. The Federals were forced to yield, leaving the ground thickly strewn with the dead and the wounded. Driven from that position, the Federal line attempted to form to the rear; but it was again forced back, and sought refuge in the fallen timber.

It was directly in front of the fence that Col. Mott fell, shot through the breast with a minie ball.

The Nineteenth Mississippi (says Gen. Wilcox in his report), after the fall of its highly esteemed and brave colonel, was commanded during the remainder of the day by its lieutenant colonel, L. Q. C. Lamar. This officer, suddenly called to the command of his regiment, acquitted himself creditably throughout this long and stubbornly contested musketry fight, proving himself in all respects a competent, daring, and skillful officer.

Col. Lamar's personal adventures, and those of his regiment, are more fully told in a report of the battle, made by himself to his brigade headquarters, from which the following extracts are taken:

HEADQUARTERS NINETEENTH REGIMENT MISSISSIPPI VOLUNTEERS, }  
NEAR LONG BRIDGE, VA., May 13, 1862.

*Sir:* I have the honor to submit the following report of the operations of my command during the action of the 5th inst.:

At about 8.30 A.M. Col. C. H. Mott, then commanding our regiment, was ordered by Gen. Wilcox to make a sortie from the second redoubt, on the right of Fort Magruder, through a field into the forest supposed to be occupied by the enemy in large force. . . .

In consequence of the dense undergrowth and uneven ground Col. Mott had placed the right wing of the regiment under my command, and directed me to operate with it according to my own discretion. At the command of our colonel the men advanced with great spirit and steadiness. A destructive fire was at once opened upon us by the enemy. In the first volley, as I was afterwards informed, Col. Mott fell, shot through the body while cheering on his men. The fight became at once general along our whole line. The men under my command pressed on to the attack with the utmost eagerness, and yet with perfect coolness, keeping our line as unbroken as the nature



of the ground would allow, and firing with deliberation and telling effect. The enemy, partially protected by the fence behind which they were posted, contested the ground most stubbornly. The opposing lines could not have been more than thirty yards apart, and for a time I expected a hand to hand conflict with the bayonet; but at last, wavering before the impetuosity and undaunted resolution of our men, the enemy began to yield the ground, continuing to fire as they retired.

Just as we reached the fence above alluded to, the [First] Virginia Regiment came upon our right companies, having been sent as reënforcements. They continued with us, two companies fighting in line with my regiment, the others in the rear acting as a support. Passing the fence, where, in evidence of the precision of our fire, the enemy lay slain in large numbers, my men continued to drive the enemy before them until they reached an open place of felled timber, which formed an abatis for the enemy. Being on open ground, I deemed it proper to halt my command in order to connect it with the left wing, so that the unity and organization of the regiment could be preserved, and the whole put under the command of its colonel.

The operations of the left wing of the regiment up to this time I cannot report from personal observation; but from Maj. John Mullins and other reliable sources I learn that the companies of which it was composed moved with the most perfect order, in line with the right wing, until the first position of the enemy was carried; that here, coming upon the abatis of felled trees, the progress of the extreme left companies was impeded; that, owing to a severe fire from their left, supposed by them to have come from our own troops through mistake, they were thrown into some confusion, which was increased by an order to fall back and reform; but that, though to some extent scattered, they fought on eagerly, and the list of their killed and wounded shows them to have been in the thickest of the fight.

Unable to find my left wing, and discovering that troops of other brigades were on both flanks of my command, I ordered it to advance. Our reënforcements had pressed on, and now occupied the front, and were most hotly engaged. I drew up my men within supporting distance, ready to advance and take the front at a moment's notice.

For an hour we were exposed to a galling fire, which was borne with the same firmness that marked the conduct of the men in their first successful attack.

While in this position I was joined by Capt. W. G. Martin, of Company B, and learned from him for the first time of the fate of Col. Mott, and the position of our left companies. . . . The [First] Regiment, which was on my left and somewhat in front, had now expended its ammunition, and moved from its position by filing to the rear by the right. I threw my regiment forward to the position thus vacated, and applied in person to Brig. Gen. A. P. Hill, commanding (with his brigade) that portion of our line, for permission to hold it with my regiment as a part of his brigade, and received his consent. At this juncture the fire slackened on my new position, but, growing exceedingly severe to my right, I was ordered by Gen. Hill to throw my regiment in that direction, to support the troops thus hotly engaged. In the execution of this order I encountered Brig. Gen. Pryor, with one of his regiments, very closely engaged with the enemy. Gen. Pryor at once ordered me to throw two of my companies to the right, to arrest an apprehended flank movement of the enemy. The remaining portion of the regiment was held in reserve. The enemy here ceased his attack, and in this position I remained until near 8 p.m., when, pursuant to orders, I moved my regiment from the field. From the time the order to advance was given until the conflict terminated this regiment was under fire, and through it all both officers and men bore themselves with an intrepidity which merits the highest commendation.

I append herewith a list of the casualties in this regiment, from which it appears that our loss amounts to 100 killed and wounded. In consequence of heavy details and sickness among our recruits, we carried into the field only 501 men.

Not only did Col. Lamar's handling of his regiment in this battle receive the complimentary notice from Gen. Wilcox quoted above; but, also, Gen. A. P. Hill, in his report, mentioned him in these terms:

Lieut. Col. Lamar, of the Nineteenth Mississippi, volunteered to serve under my orders, having become separated from his brigade, and was eager to bear his part in the day's fray, nobly seconded by the right wing of his regiment. He rendered me most efficient service.

Gen. Pryor, also, said of him this:

At this moment Lieut. Col. Lamar, of the Nineteenth Mississippi, just issuing from a severe but successful struggle, came up with his regiment, and reported that he had been sent to my assistance. Two of his companies I threw to my right, to arrest a reported flank movement of the enemy; the balance I held in reserve.

And Gen. Longstreet said:

Col. Kemper . . . and Lieut. Col. Lamar (favorably mentioned by three of the brigadier generals) discharged their difficult duties with marked skill and fearlessness.\*

To the regiment itself, because of its gallantry, Gen. Johnston granted the honor of the right to inscribe "Williamsburg" on its standard.

Although Col. Lamar's bearing at Williamsburg met such ample and flattering recognition, he never plumed himself on his military career. He had no conceit of his own capacity as a military leader. Albeit no one had a greater admiration for and love of a gallant soldier, his own ambitions lay entirely apart from that career. In later years he was wont, at home and in the lobbies of the Senate chamber, in *coteries* of his friends (which embraced many of the most distinguished officers of both sides), to make his adventures at Williamsburg the subject of burlesque narratives, and the text of humorous dissertations on the cheapness of military glory, whereby he would seek, in jest, to lessen the pride of the "generals."

Well was it for him that his ambition lay in other directions; for about the 15th of May, as he was reviewing his regiment, his vertigo returned suddenly, and in a most violent form. He fell as if he had been shot. The soldiers raised him upon a litter, covered him with the regimental flag, and carried him to his tent. From thence an ambulance conveyed him to friends in Richmond. His connection with the line was over.

Again for months there was the same slow and uncertain recovery. In June he went home, and from thence, in July, with his family, to Macon, Ga., where he enjoyed the solace of the society of his mother and sister.

In September of this year he had the great misfortune to lose his younger brother, Jefferson M., to whom he was most tenderly attached. Jefferson was the lieutenant colonel of Cobb's (Georgia) Legion, and fell while leading a charge at Crampton's Gap, in the Blue Ridge, in

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\* "War of the Rebellion," Series I., Vol. XI., Part I., pp. 567, 579, 588, 589, 597.

Maryland. In that desperate and bloody fight he was ordered to protect a small gap to the right of the field. Upon reaching the spot, he ordered a charge over a stone fence. He scaled it himself, in his saddle; but his horse was immediately shot, and fell under him. He promptly raised his cap, and, waving it, cheered on his men, calling upon them to follow him; but he was immediately pierced by a number of bullets from the enemy, who were in great force in front and on both sides. He still kept the field, refusing to be removed. Stretched out upon the ground, with his hand supporting his head, while his elbow rested upon the earth, he could still watch and encourage his men. When any faltering was apparent in their thinned ranks he would check it by simply saying to those in front, "If you fall back, you will tread on my body;" and to those in the rear, "If you retreat, you will leave me here." Hours passed away in an unequal contest. All that remained of Cobb's Legion were taken prisoners, clustering about their dying colonel's form. He survived only a few days. His loss was a terrible blow to the family, for he was their Benjamin and their Joseph in one. He had been married less than a year before to a lovely cousin, a niece of Mrs. Howell Cobb's. The family had dreamed of a great future for "Jeffey," regarding him as the most highly gifted of the three brothers. Twenty-three years later Col. Lamar wrote of this lost brother: "I never knew a more perfect being, from the time of his childhood up to the day of his death. I never heard a word fall from his lips that could not have been uttered in the presence of his mother and sisters. His success was of exceptional brilliancy, and his death was an irreparable loss to Georgia."

Col. John B. Lamar, a cousin, was also mortally wounded in the same engagement, dying on the next day.

In October, Col. Lamar, owing to continued bad health, resigned his colonelcy of the regiment, in order to accept other employment. When the regiment received intelligence of his resignation, a meeting of officers and men was called, and resolutions were adopted expressing regret for his resignation, and requesting him to recall it and to resume command after his health should have been restored. To this he replied that his absence would necessarily be a prolonged one, and, while greatly appreciating the compliment paid to himself, and regretting to sever his connection with the regiment, he felt that it would be a grave injustice to the other officers who must command in the field and who deserved promotion, if he should consent to adopt that course. Col. N. H. Harris (afterwards brigadier general), who succeeded to the colonelcy thus vacated, is authority for the statement that the soldiers of the regiment regarded him as a heroic leader and felt deep sorrow at his resignation; that great and lasting mutual affection existed between the men and himself.

## CHAPTER X.

Envoy to Russia—Special Letter of Instructions—Trip to England—Official Dispatches—Mission Terminated—Anecdote of Thackeray—Anecdote of Disraeli—Speech in England—Return to the Confederacy—Speech at Atlanta—Death of Thompson B. Lamar—Judge Advocate of Third Corps—Speech in Lines—Surrender.

A TRANSITION from the dullness, the monotony, and the privations of army life in the beleaguered Confederacy to the vivacities, the multiform interests, and the luxuries of the largest and gayest capitals of Europe was a great one; but just this is what came next to Col. Lamar.

On the 19th of November, 1862, he was appointed Special Commissioner of the Confederate States to the Empire of Russia. In addition to his commission and his special passport he was furnished with a letter from President Davis to the Czar, a letter from the Secretary of State to the Russian Minister of Foreign Affairs, letters of instruction from the Secretary of State, and copies of the letters of instruction theretofore given to Messrs. Mason and Slidell.\* Of these papers the following is set forth in the text, as showing most clearly the views and policy of the administration in respect to this mission:

CONFEDERATE STATES OF AMERICA, DEPARTMENT OF STATE, }  
RICHMOND, November 19, 1862.

LUCIUS Q. C. LAMAR, ESQ., Commissioner to Russia,

*Str:* When several of the independent States which had formerly been members of the confederation known as the "United States of America" determined to withdraw from the Union and to associate themselves in a new confederation under the name of the "Confederate States of America," it was natural and proper that they should communicate this fact to the other nations of the earth. The usages of international intercourse require official communication of all organic changes in the constitutions of States, and there was obvious propriety in giving prompt assurance of our desire to continue the most amicable relations with all mankind.

Actuated by these considerations, one of the first cares of the government was to send to Europe commissioners charged with the duty of visiting the capitals of the different powers and making preliminary arrangements for the opening of more formal diplomatic intercourse. Prior, however, to the arrival of the commissioners the United States had declared war against the Confederacy, and had in its communications to the different cabinets of Europe assumed the attitude of being sovereign over the Confederacy, alleging that these independent States were in *rebellion* against other States with which they had theretofore been acknowledged *confederates* on a footing of perfect equality. To the extreme surprise of this government, this absurd pretension was considered by the cabinets of Great Britain and France as affording a valid reason for declining to entertain relations with the Confederate States, or even to recognize the

continued existence of these States as independent sovereignties. It soon became apparent that, in consequence of the delegation of power formerly granted by these States to the Federal Government to represent them in foreign intercourse, the nations of Europe had been led into the grave error of supposing that the separate sovereignty and independence of these States had been merged into one common sovereignty, and had thus ceased to exist. All attempts to dispel so grave an error by argument and appeal to historic facts were found unavailing, and the cabinets of Versailles and St. James intimated their determination to confine themselves to recognizing the self-evident fact of the existence of a war; to treat us as belligerents; and to postpone any decision of the question of *right* until that of *might* was made clear.

This result of our offers to enter into amicable relations with the two great powers of Europe whose proximity caused them to be first visited by our commissioners naturally created some hesitancy in approaching his Imperial Majesty, Alexander II. Due self-respect forbade our assuming an attitude which could possibly be construed into a supplication for favor as inferiors, instead of a tender of friendly intercourse as equals. Nor is it improper to add that a communication to which extensive publicity was given, addressed by the cabinet of St. Petersburg to that of Washington, justified the inference of the existence in that city of the same views as those which were avowed at London and at Paris.

Under these circumstances this government abstained from further obtruding on European powers any propositions for commercial or other amicable relations, and accepted, with stern determination, the arbitrament to which all civilized nations seemed to invite it. The result has become matter of history, and I have only made these prefatory remarks that you may understand, and be able to explain, the causes which prevented this government from making, eighteen months ago, the same advances to his Imperial Majesty which were made to two of the other great European powers.

The time has now arrived when, in the judgment of the President, he may, without hazard of misconstruction, tender to the Emperor of Russia the assurances of the sincere desire of this people to entertain with him the most cordial relations of friendship and commercial intercourse, and the President has chosen you to represent this government in conveying such assurances.

In opening your communications on this subject with the cabinet of St. Petersburg, it is not deemed necessary that you resort to argument to maintain the right of these States to secede from the United States any further than may be embraced in the statement above given of the reasons which have caused delay in approaching that government on the subject. You will, of course, not refuse any explanations on this point which may seem to be invited, but we now place our demand for recognition and admission into the family of nations on the result of the test to which Europe, by common understanding, submitted our rights. We have conquered our position by the sword. We are ready and able to maintain it against the utmost efforts of our enemies in the future, as we have already done in the past. We were independent States before secession; we have been independent ever since, in spite of an invasion by armaments far exceeding in magnitude that immense host which, to Russia's immortal honor, she overwhelmed with disaster by the voluntary sacrifice of her capital. Nearly a million of armed men, aided by numerous fleets possessing unquestioned control over the waters of our coasts, have, in a war now far advanced into the second year, utterly failed to make any progress in the insane effort to subjugate this Confederacy, whose territory covers nearly half a continent, and whose population exceeds ten millions of inhabitants.

According to the Code of International Law, a nation which, with such elements of grandeur, also presents itself with an organized government and an obedient people, with institutions created in past generations by the free will of the citizens, and

still cherished; a nation defended by numerous armies, that crush all attempts of a most powerful foe to subjugate it; a nation which is aiming at no conquest, seeking no advantages, and using its sword for the sole purpose of defending its inherent right of self-government—such a nation may well insist on its claim to recognition from those who may expect hereafter to maintain with it relations of mutual advantage in the exchange of good offices and the freedom of commercial intercourse.

It is not deemed necessary to dwell on the many considerations which plainly indicate the benefits that must result to both nations from the establishment of friendly relations and unrestricted commerce. No rival interests exist to impede the creation or disturb the continuance of such relations; but the people of each country have everything to gain from a free interchange of the commodities which the other produces in excess of its own wants. Each, pursuing its own career in the development of its own resources, would be regarded by the other as supplying new aliment for an intercourse mutually advantageous, and additional motives for cherishing the most cordial amity.

On the subject of the recognition of the Confederacy you will not fail to represent to the government of his Imperial Majesty that, while the war which now ravages this continent and afflicts mankind was due, in some measure, to the determination of Europe to leave the decision of the questions which have arisen between the Northern and the Southern States of North America to the arbitrament of war, rather than by friendly intervention to promote their amicable adjustment; the adherence of those governments at the present time to a line of policy purely passive is the sole cause of the continuance of hostilities. Desperate as the United States now know the attempt to be, they can scarcely be expected to abandon their avowed purpose of subjugating the South in the absence of some expression on the part of the great powers of Europe justifying such abandonment. The people of the North, knowing that the right of the Confederacy to recognition is dependent solely upon its ability to defend itself against conquest by its enemies, cannot interpret the failure of Europe to accord that recognition on any other ground than the conviction that the North is able to subjugate the South. The unprecedented silence of European cabinets, after the abundant evidence afforded by the events of the past eighteen months of the power of the Confederacy to defend itself, is scarcely less effective in stimulating the United States to continue its present atrocious warfare than language of direct encouragement. The President is well aware that such can, by no possibility, be the intention of the humane and enlightened ruler who now presides over the destinies of Russia, but he is also well satisfied that such are the views attributed to neutral powers by the United States as being fairly deducible from the hesitation hitherto evinced in yielding to the just demand of this government for the recognition of its independent nationality.

If your efforts to open negotiations with the Russian Cabinet on the basis of our recognition shall prove successful, you will be expected to continue your residence near that court as Envoy Extraordinary and Minister Plenipotentiary, and to that end you will receive herewith your commission as such, together with letters of credence to his Imperial Majesty.

It is desirable that you seek occasion to confer with Mr. Mason or Mr. Slidell, or both, on the way to the seat of your mission, in order to inform yourself fully of the condition of affairs in Europe at the time of your arrival, and if any important change shall have occurred rendering your compliance with any part of your present instructions impolitic or unadvisable, you may exercise your own discretion after conference with one or both of these gentlemen, in postponing the execution of them until further instructions from Richmond.

I am, sir, your obedient servant,

J. P. BENJAMIN, *Secretary of State.*

Mr. Lamar started upon his mission about the 1st of December. At first he designed to go by way of Mobile, taking passage on the war vessel "Florida;" but the uncertainty of her departure caused him to abandon this plan and go by way of Mexico. He spent five days in Vicksburg, where he was pleasantly entertained at the hospitable home of Walker Brooke, Esq. From thence he took passage for Alexandria, La., in the steamboat "T. W. Roberts," reaching Alexandria on the night of the 19th.

On the 24th of December he wrote to his wife from Niblett's Bluff:

I have just this moment arrived at this place. It is on the Sabine River, one hundred and twenty-five miles from Houston, Tex. We got to Alexandria last Saturday. It took us three and a half days to get here in a hack. The country we have come through is one long stretch of pine barrens interspersed with patches of prairie. The settlers are not in ten miles of each other, and so far as I can judge, have no means of support. I shall leave to-night on the boat for Houston.

He left San Antonio on the 3d of January, 1863; and Matamoras on the 25th of January, on the French vessel "Malabar," bound for Havana. At the mouth of the Rio Grande they passed two French war vessels and one English. After a stormy passage he reached Havana on the evening of the 3d of February. From Havana he found his way to Saint Thomas, in the Virgin Islands; and thence to England, reaching London on the night of March 1.

On the 19th he wrote to his wife from the Burlington Hotel:

I reached London on the night of the 1st of March, and have been much occupied ever since in receiving company and going to dinners. I have seen many of the notabilities, and have witnessed the grandest pageant, I presume, that has appeared in London for many years.\* Longstreet † and I had a splendid chance of seeing the prince and princess. The latter personage is very handsome and graceful. We have been to see the National Gallery of paintings, the Zoological Gardens, the Whitehall, Parliament House, Richmond, and other places tedious to mention. You know I do not enjoy sight-seeing much, but my interest has been kept alive here all the time, everything is so grand and so hoary with antiquity. . . . I have been with Mr. Mason a good deal. He is very popular here. Mr. Adams, the United States Minister, has complained that *he* was only treated with civility, while Mr. Mason was treated with cordiality. I have met several members of Parliament. They seem very anxious to learn all about our affairs, of which they are becoming much better informed. I dine Tuesday next with Hon. Mr. and Mrs. Pocke (parliamentary folks). I expect to meet some of the rulers there, as the invitation was very ceremonious. The dress of a gentleman at these dinners is a full suit of black, white kid gloves, and white cravat.

On the next day, the 20th of March, Mr. Lamar sent to Mr. Benjamin the following dispatch:

LONDON, March 20, 1863.

HON. J. P. BENJAMIN, Secretary of State, Confederate States of America,

Sir: Learning that Mr. Beverly Tucker will start for Richmond to-morrow, I seize the occasion to send you a few notes which may possibly be of interest. Though

\* Manifestly in honor of the marriage of the Prince of Wales, which took place on the 10th of March, 1863.

† His wife's young nephew, whom he took with him.

I have been in London but a little more than two weeks, I have had, through the kindness of Mr. Mason, unexpected opportunities of obtaining information in regard to the state of public opinion here and throughout Europe touching American affairs. In this country the leading contestants for power in both parties, Conservatives and Whigs, supported by the great body of their respective adherents, are favorable to the success of the South. Many causes, however, operate to prevent this partiality from yielding any practical result. Not only the government party, but even the Conservative leaders, are exceedingly timid in regard to any movement which might give umbrage to the United States. They seem to consider that a war with that country would be the greatest calamity that could befall Great Britain; and they have the impression that the United States would not regret the occurrence of a contingency which would justify them in declaring war. This belief has made a deep impression upon the mind of England, and though it has increased the willingness to witness the dismemberment of a hostile power and diffused in a wider circle the sympathy for the South, yet it has also had a powerful influence in holding the government to the policy of "neutrality" (so called) in which it has taken refuge.

Another cause lies in the peculiar composition of parties in both Houses of Parliament. You are aware that neither of the two great parties have such a working majority as will insure their continuance in power. The Whigs can at any moment be ousted, but are equally able, in turn, to eject their successors. This gives to the Radicals, under Bright and others, the balance of power. Although weak in numbers (in Parliament), this last-named party has become necessary to the maintenance of either party in power. At least their united opposition would be fatal to any government which might be organized. These men are the warm partisans of the United States, and have of late made a series of striking demonstrations by public meetings, speeches, etc. It is well understood, so I am told, that United States gold has been freely used in getting up these spectacles; and although they have been participated in by but few men of any note or consideration, yet they have been sufficiently formidable to exercise a powerful influence upon the policy of both the leading parties. It was this that elicited Lord Derby's remarkable speech. If the nation were divided solely upon the American question, the overwhelming force of public opinion would be on the side of the South; but inasmuch as it is an issue subordinate to many questions, both of domestic and foreign policy, and the two parties contesting for power are nearly equal in strength, the Radicals really control the action of the government in regard to American affairs. I do not see any causes now at work to change this state of things. At the same time no one can anticipate the policy of the government on this subject. The events of a day may reverse it entirely, as the following fact will illustrate.\*

These abrupt changes are brought about by a cause which it is difficult for American statesmen to appreciate. The nations of Europe constitute a federative league, a commonwealth of nations which, though it has no central head, is so intimate and elaborate as to subject the action, and sometimes even the internal affairs, of each to surveillance and intervention on the part of all the others. No government, therefore, can enter upon a policy exclusively its own; and its action in reference to foreign matters is consequently liable to constant modification. Lord Palmerston is far

*\*In cipher in the original.*

States the declaration of a leading member of the Government party (the intimate, confidential friend of Lord P.) that the Confederacy would be recognized in a few days and that he would be the appointed Minister to the Confederate States of America. All the names given in the original. This took place in September last. Only a few days after, the same distinguished personage said to my informant: "The game is up. We have to take another tack."

My informant (name given), also unquestionable.



more deeply engrossed with the conferences, jealousies, and rivalries between the leading powers of Europe than with the fate of constitutional government in America. To thwart Louis Napoleon's policy in Greece, or to prevent his ascendancy in European affairs, is of far greater importance than to pursue any policy at all with reference to America, which is considered on both sides of the Potomac an alien in European politics. In my opinion whenever this government has entertained the proposition of recognizing the Southern Confederacy, it was a result due to influences brought to bear in Europe.

Notwithstanding the present troubled state of German politics, I am satisfied that much service to our cause would be done by your sending a commissioner to the Governments of Austria and Prussia. An intelligent gentleman residing in Berlin has assured me that the government and the army are extremely favorable to the cause of the South, and that the success of the South is not more sincerely desired at any other court than that of Austria; and the same feeling exists among the higher classes of that nation. Under proper management these two German courts would at least throw the weight of their favor upon any movement which might be inaugurated elsewhere in behalf of Southern recognition. An additional reason for having a commissioner at these courts may be found in the fact that the United States Government has its agents throughout Germany enlisting "laborers" to take the place of those who are gone into the army. They profess that they only want them for this purpose. They give a free passage with promise of high pay on their arrival in America. They have been successful in finding men willing to emigrate on these favorable terms; and, as you know, a great number of them have enlisted in the United States army. This, with other causes, has made the lower and a large majority of the middle classes of Germany warm partisans of the North. The Government of the United States has made strong efforts to control public opinion there, many of the leading newspapers being in its pay.

I am here waiting for Mr. Fearn, but have sought in various quarters information respecting the probable success of my mission to Russia; and am glad to say that whilst the Government of Russia is inclined to favor the cause of the United States, there does not exist any feeling of hostility toward the South. I have some reason to think, from remarks made by a member of the Russian Legation here, that when the true nature and causes of the present war shall have been made known, and especially when the emperor is made to see that it is not a rebellion, but a lawful assertion of sovereignty, we may reasonably expect his more active coöperation with the views of the French Emperor. There is no party in Russia absolutely hostile to the South. The avidity with which the Confederate loan has been taken up, both here and on the Continent, has caused great rejoicing among our friends; and it is claimed by them to be a financial recognition of the Confederacy.

I am your obedient servant,

L. Q. C. LAMAR.

Twenty-four years later (in 1887) Mr. Lamar was interviewed by Col. Donn Piatt in respect to his knowledge of the views of the French Court at this important juncture, and said:

I know very well that Louis Napoleon was not only in favor of interfering in our behalf, but warmly so. He received me kindly, and spoke with the utmost frankness upon the subject. There were two obstacles in his way. One was the fact of our slaveholding, that would make intervention in our behalf unpopular among the masses of the French people. The other was the need of a naval power like England or Russia to join in the movement. The Count de Morney, the emperor's confidential adviser, opened his mind to me yet more freely, and gave assurances that made us hope with reason for the intervention of the Imperial Government of France. On one occasion I was shown a note from the emperor, in which he gave a positive order that,

had it not been revoked, would have brought on the intervention which we so earnestly sought.

As the struggle went on in its first stage, when the Confederate cause had so many great victories to its credit, the emperor was induced to believe that we could win without outside assistance. When the tide began to turn through the exhaustion of our resources, the emperor became deeply interested, so that there was more danger to the Federal Government when we were losing than when we were successful. At any time before the cause grew utterly desperate the way was open to an alliance with France. So, had Hood defeated Thomas, and won his way to the Ohio, it would have had an appreciative influence in bringing about intervention.

The motive for this course on the part of the emperor was not altogether a sentiment.

In the blockade of the Southern ports France suffered as England suffered, only in a less degree, from a cotton famine. Perhaps the French Government felt it more deeply than the English, because in France the laboring classes had been taught and trained to look to the government for subsistence. When this failed the government was imperiled. Now, President Lincoln's navy had not only established a blockade, but his friends in Congress had enacted a high protective tariff that was a threat of an irritating sort at the very time when Mr. Seward was courting favors from European governments; and when the news spread abroad that the Government of the North, failing to perfect its blockade, was sinking ships loaded with stone in the channels, so as to destroy our harbors, the indignation of the European press was very great.

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In July Mr. Lamar received from the Secretary of State a dispatch, informing him that the Confederate Senate had refused to confirm his appointment as Commissioner, and giving the reasons therefor, to which he replied as follows:

LONDON, July 22, 1863.

HON. J. P. BENJAMIN, Secretary of State, Confederate States of America,

*Sir*: I have the honor to acknowledge the receipt of your dispatch No. 2, advising me that, the Senate having failed to ratify my nomination as Commissioner to Russia, the President desires that I consider the official information of the fact as terminating my mission. I have to thank you for the regret you express, on the part of the President and yourself, at this decision of the Senate; but, while I cannot free myself altogether from a feeling of disappointment in the expectation of finding a career of usefulness, it is my duty to state that the reasons which you inform me actuated the Senate are fully confirmed by my own observations of the conditions of European politics. Shortly after my arrival here I became convinced that the state of things supposed to promise useful results from diplomatic representations at the court of St. Petersburg had been essentially altered. Not only did there appear no evidence that the influence of France was in the ascendant in the councils of Russia, but it was very apparent that a growing coldness existed between the two governments, caused by the attitude which the French Government had assumed in relation to Poland. The progress of the insurrection, and the increasing manifestation of French sympathy with its success, have still farther widened the breach, until at present all Europe is greatly alarmed at the imminent risk of a hostile collision of the two empires.

These considerations induced me, after frequent consultation with Messrs. Mason and Slidell, to delay my departure for my post; and, as latterly the prospect of a restoration of cordial relations became more remote, I had almost reached the determination of recommending to you that I should be released from my duties, or, at least, that they should be directed to another field. Although it could not be expected that

the Government of Austria or Prussia would be prepared to take the initiative in recognition, there was yet good reason to believe that either or both these powers could be so far influenced as to lend their moral weight to the efforts which are made in England and France. I cannot say that the grounds for this belief were sufficiently specific to be urged successfully against the decision of the Senate, and I acquiesce in it the more readily since, in one respect at least, it anticipates by a few days the conclusion that I was about to communicate to you. I trust, however, that you will not consider me as going out of my way when I urge that the principle which has governed this decision will not be extended to the withdrawal of diplomatic representation at London and Paris, as the proceeding in the House of Representatives and the tone of the press lead me to apprehend. The presence of these gentlemen at their respective posts is imperiously demanded by exigences of the public service, even though the main object of their mission may not for some time to come be carried out against the prejudiced obstinacy of the English Foreign Office, or the languor which has recently characterized the imperial policy on American affairs.

In terminating my official relations with your department, permit me to express the hope that my brief residence in Europe has not been wholly fruitless. In the endeavor to secure for my mission a favorable reception at St. Petersburg, I have necessarily made the acquaintance of many persons in high official and social position, as well in England as in France. Opportunities for putting to work influences in our favor have not been wanting, and I have not knowingly neglected any that have presented themselves.

I have the honor to be, sir, very respectfully, your obedient servant,

L. Q. C. LAMAR.

Mr. Lamar's mission being thus abruptly terminated, he began at once to consider his return to the Confederacy, although still not entirely recovered from his last illness. His left leg was still disabled partially. On the 1st of August he wrote to his wife:

If nothing prevents, I start home on the 1st of September. . . . If you were here, I would remain much longer, as it is necessary for my health. But I suppose it is my duty to go home and help the fighting. I only wish that our people knew how they are admired all over Europe. It would nerve their souls to go through with the increasing troubles that threaten them. There are many Confederates here—too many, indeed, of those who ought to be at home fighting. . . . If I should be captured by the Federals, do not be alarmed. They will only place me in confinement, if they do that. Well, I can stand anything that they can inflict. *They can't break my spirit,* and I will be restored to you sometime or other.

It so happens that all of the documents given above are dated from London, but Mr. Lamar spent much of his time at Paris as well. There he saw much of the French court, and did quite the same work which he did in London. He acquired some familiarity with the French tongue, and took lessons in the art of fencing.

It was at one of the semiofficial dinners alluded to in the foregoing correspondence that he met Mr. Thackeray. This distinguished gentleman seems to have taken quite a fancy to the "rebel colonel." On one occasion Mr. Lamar was telling a party of gentlemen about a visit that he had made to the church of the great Baptist minister, Mr. Spurgeon, and of the eloquent sermon which he had heard. Mr. Thackeray

was a member of the Established Church, and had never heard Mr. Spurgeon. He expressed disbelief in his powers, and said that he believed him to be overrated. Whereupon Mr. Lamar undertook to rehearse the sermon which he had heard; and, doing so with the remarkable faculty which he had for reproducing the longest speeches or sermons with the greatest fidelity, if only they had interested him, and with his animated and impressive manner, he delighted Mr. Thackeray very much; "but," said he, "Mr. Lamar, that is your sermon, and not Spurgeon's. I believe that you can beat him preaching."

During his stay in England Col. Lamar witnessed a scene in the House of Commons, which he afterwards described in a literary address, to illustrate the value of courage and perseverance in the face of formidable difficulties. The incident is narrated in his own words:

Many years ago a singular scene was enacted in the English House of Commons. A very important subject was under discussion, and a young member who had never claimed the attention of the House before arose to address them upon it. His style of oratory ill accorded with the notion of that exacting assembly. His swelling and pretentious periods, his bizarre and unique diction, resembling the rich but fantastic mosaic of Oriental halls, excited their ridicule, and his voice was drowned by groans and hoots, hisses, and tumultuous cries of "Down! sit down!" from every part of the floor. For a time the unfortunate speaker struggled resolutely with this overwhelming derision; but finally, when his voice was completely lost in the storm, he seized upon a momentary lull to exclaim: "I have many a time encountered great difficulties, and have overcome them; obstacles far greater than this have presented themselves before me, and I have removed them. I yield to you now; I relinquish the floor, but mark my words: the time shall yet come when this House *shall* hear me."

Years afterwards, in 1863, one of those weighty questions which constitute epochs in the political history of England arose. The public mind was agitated to its very depths, and the House of Commons filled the eyes of the statesmen of the world. I was present when the great debate occurred. The hall was crowded to suffocation. Thousands turned back disappointed from the unenterable doors. The beauty and the wit, the nobility and the intellect, of the world were there—either as participants or as witnesses. For years no such assembly had gathered, even in that place of great assemblages. As the eye toiled over the imposing throng the mind was irresistibly led back to that other scene, so graphically described by Macaulay, where the fiery Burke hurled the denunciation of his country at Hastings; and that tremendous pageant seemed to have arisen into a second existence. Again was England faced by an almost unsupported man; but this man was the herald and champion, not the victim, of a new order of things. The thrilling interest of the occasion was intensified by his well-known history, for this was the hissed and derided speaker of years before. So far from yielding to that crushing defeat, he had toiled on yet more earnestly. He had studied the temper and measured the mind of that peculiar body. He had reformed his style of expression; he had treasured up large stores of knowledge, both of men and things; and now he arises to redeem, in the face of the breathless world, the pledge of his early manhood. That redemption was complete. His voice rolled over the mighty throng, soft as the tones of a harp swept by an angel's hand, and as irresistible as the arm of Michael. The breath which fluttered from thousands of parted lips was checked lest an accent be lost, and the echoes which fell from the studded galleries were buried in thousands of trembling hearts. He concluded, and the shout which arose from the reeling hall swept over the tumult of London like a

pæan of old Rome. He had plucked his laurels from the grasp of an opposing nation, and with them had bound, in a brotherhood of immortal renown, the might of an unconquerable resolution and the name of Benjamin Disraeli.

Mr. Lamar's departure for the Confederacy was delayed until about the 1st of December. Meanwhile the following extract is given from a contemporary newspaper, as illustrative of his method of speaking to the people of England about the interests of the South. He had run over from Paris.

A SOUTHERNER IN ENGLAND.

Col. L. Q. C. Lamar, who was recently on a visit to his English friends, was entertained at one of those agricultural dinners at which the noblemen who best represent that interest and the better order of farmers mingle in convivial intercourse, and from whom emanate those real English opinions that best express the sense of the country in its conservative views. Mr. Lamar was invited to partake of the festivities at the annual dinner of the Chertsy Agricultural Society, on the 16th of November, at which Mr. W. S. Lindsay presided. On Mr. Lamar's health being proposed, he addressed the meeting in a speech in which full justice was done to the cause of the South:

With a full and distinct understanding of the diversity of opinion that existed between his hearers and himself as to some of the institutions to which he referred, he asserted in the face of that company, and before the world, that the statements which had been made against the South were calumnious and untrue; and that the white race in the South had been the guardians, the protectors, the benefactors of the black man; that they had elevated him in the scale of rational existence, and that they had Christianized him to a state to which he has never before attained. He only desired Englishmen to listen not to opinions, nor to misrepresentations, but to facts. When the American Continent was discovered and occupied by the European race, that race came into contact with two savage races. One was the noble Indian race, the ancient occupiers of the continent, and the highest type of savage manhood; the other was a race brought there not by the agency of the Southern people, but by agencies which he would not then discuss. It was the African race, which all philosophers and historians pronounce to be the lowest type of natural man. It was a race without a God, without rational ideas, cannibals, not attaining even to the civilization of the fig leaf. ["Hear!" and a laugh.]

What had been the history of the two races he had described? The Indian, the noble race, incapable of domestic life, incapable of anything but its wild and nomadic existence, had been driven back into continually narrowing circles, with constantly diminishing means of subsistence, and was in danger of complete extinction by the advancing wave of civilization. But the other race, the negro, with all its foulness and barbarity, being naturally a servile race, had become domesticated; and, in spite of the institution of slavery if they pleased, but still with slavery, had risen higher and higher in the rational scale, until now it furnished heroes and heroines for modern romances, themes for modern songs, and had even been invited by some statesmen within the charmed circle of social and political equality. ["Hear! hear!"] An institution that has done so much for that race must be considered carefully. He might be told that, having brought the slave up to that point, the South owed it to Christendom to emancipate him. ["Hear!"] In answer he would refer to the opinions of British statesmen, British travelers, and British philosophers, who were united in the opinion that the emancipation of that race at this time, and especially in the manner proposed by the rulers of the North, would be a curse to both races. ["Hear!"]

But he could safely say that so many and so great were the boons which the South

had already conferred on the negro race, that the world had ample guaranty that if the time should ever come for the South to believe that liberty would be a boon, and not a curse, then she would be prepared to confer that boon upon them. [Cheers.] And he might add that if that time should ever come, they would be capable of asserting their own claims; and the whites could not, if they would, withhold the boon. ["Hear! hear!"] Misrepresentation had been constantly made to the English people upon the subject, and it had been said that in the South the negro was treated only as property, and was deprived of all the rights of human beings. This he pronounced false. The laws of every Southern State, in short, regarded the negro as a man, threw around him the guarantees of personal security and legal protection, and allowed him as much personal liberty as he is capable of enjoying in his present intellectual and moral condition. They all awarded the penalty of death for the murder of a slave, and imprisonment in the penitentiary was the punishment for maiming. ["Hear!"]

Returning at last to the Confederacy, Mr. Lamar pursued a different route from that by which he went. He sailed first from Liverpool to Halifax, by the "Asia." From Halifax he went to Hamilton, on the island of Bermuda; and thence he took the "Ceres," to run the blockade into Wilmington, N. C. In these voyages he was accompanied by Mr. Walker Fearn, his former Secretary, and by Mr. Charles A. L. Lamar, his cousin. As the "Ceres" was nearing the Carolina coast she was sighted and pursued by a Federal ship, and in her flight was stranded. The vessel had to be abandoned, and recourse had to boats. Mr. Lamar was enabled to save but little of his luggage, losing nearly all the effects he was endeavoring to bring to his family; and what he saved was drenched with sea water. However, he got in safely.

From the 9th to the 31st of January, 1864, he was in Richmond, having his accounts audited.

On the 15th of March he made at Milledgeville his great speech on "The State of the Country." Before the people was not only the question of the foreign relations of the Confederacy, but also a question of the gravest moment in regard to its internal affairs. The government had, as a war measure, suspended the use of the writ of *habeas corpus*. Gov. Brown, of Georgia, in a message to the State Legislature, had inveighed in the severest terms against this step. Mr. Lamar's Milledgeville speech, therefore, dealt with the diplomatic question, and then passed to a defense of the action of the government on the *habeas corpus*. A contemporary Milledgeville newspaper said of it that

There was something peculiarly impressive in the circumstances under which this distinguished son of Georgia appeared, to address these burning words of counsel to our people. He was near the spot of his birth, and stood in the very spot where his honored father had received the highest judicial functions known to our laws. These influences seemed to give inspiration to his powers, and he held his large auditory spellbound for nearly two hours.

Substantially the same speech Mr. Lamar made again at Columbus, Ga., about the 20th of March. Afterwards, a speech by Vice President

Stephens, taking the same position as Gov. Brown, and defending his message, having appeared, Mr. Lamar repeated his Milledgeville address at Atlanta on the 14th of April, with such alterations as were necessary to answer Mr. Stephens, as well as Gov. Brown. It is the Atlanta speech which is given in the Appendix.\*

The address was received with the greatest enthusiasm. The newspapers circulated it widely, and commented upon it freely. The *Columbus Enquirer*, of the 25th of March, said:

It has long been the fashion of our public speakers in this country to devote themselves in their harangues as much to the amusement of fools as to the edification of men of sense. The first office is that of a demagogue; the last, that of the statesman; and the Hon. L. Q. C. Lamar is certainly no demagogue. His observations in Europe seem to have been very general, or, perhaps more properly to speak, generally minute; and the result, as related in the flowing sentences of his own eloquent style, was well calculated to disabuse the Southern mind of much of the bitter prejudice that has been ranking in it for two years past against Great Britain. The address was well calculated to send his hearers home happy. It was better calculated still to give moral stamina to the confidence which is springing up anew in the hearts of our people at home in our capacity to ultimately triumph; and, best of all, it was calculated to send along the line of battle arrayed under the Confederate flag at the front a thrill of exulting joy, the exhibition of which must redouble the strength of our own invincible hosts, and rapidly enhance the demoralization of the foe.

We predict [said the Atlanta paper] that new luster has been added to the historic name of Lamar by the grand effort spoken of. The speech was one of the ablest and most effective we have ever heard, and never have we seen an audience carried so irresistibly with every conclusion of the speaker, as was the case on this occasion.

Mr. Lamar [said the Milledgeville paper] addressed himself to the task of undermining the ingenious defense of Gov. Brown's position contained in that speech (of Mr. Stephens'). That he performs the work undertaken with thorough and perfect success, the reader shall see in a day or two. He does it, too, in such a manner that we are left in doubt whether most to admire the massive power of his argument or the excellent temper in which it is set forth.

Numerous other papers eulogized, in similar strain.

During the year 1864, owing to his infirm health, Mr. Lamar was not in the military service; and he passed his time in Georgia, between the towns of Oxford and Macon.

At this period he was called to mourn the death of his elder, and only surviving, brother—Thompson B., colonel of the Fifth Florida, who was killed in battle near Petersburg. And this brother was one whom to mourn was to mourn indeed. A braver man or nobler gentleman, it was universally said, did not live. He was modest by nature, a lover of justice, impartial, a shrewd observer, highly cultivated in mind, liberal and kind in feeling, and possessed of the greatest probity of character;

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\* Appendix, No. 7.

he would have adorned any station. He commanded a company in the First Florida, at Pensacola; was made lieutenant colonel of the Fifth, and went with it to Virginia; was wounded at Sharpsburg (Antietam) while gallantly rescuing with his own hands the standard of his regiment; served as adjutant to Gen. Joseph E. Johnston; and was made colonel of the Fifth, in which station he fell, universally lamented.

On the 1st of December Mr. Lamar had returned to Richmond. He was at once appointed Judge Advocate of the military court in the Third Army Corps (A. P. Hill's), with the rank of Colonel of Cavalry. The work of this office was arduous, and was, as he wrote, "the most unpleasant duty I ever had to perform in my life." In the discharge of its functions he manifested "a kind heart, which would yield to nothing save a sense of duty."

It was about the 20th of January, 1865, that, at their special invitation, he made a speech in the lines to Harris' Brigade, which included his old regiment. "Never," writes Gen. Harris, "shall I forget that scene: the earnest faces and torn and tattered uniforms of officers and men as shown by the flickering torchlights, the rattle of the musketry on the skirmish line, the heavy detonation of the enemy's constant artillery fire, the eloquent and burning words of the speaker, and the wild cheers of the auditors, stirred to the innermost depths of their hearts by his patriotic words." He stood on a real stump, with the ragged veterans of Lee huddled close about him. Attracted by the cheering, the Federals shot at the noise. Col. Lamar went on with his speech, ducking his head to the right or the left as the bullets whizzed close by him. Finally the firing became so heavy, continuous, and accurate, making the splinters fly from the stump he was on, that he concluded his speech with this remark: "Those Yankees must have owl's eyes."

However, hopes fail. The speeches, the cheers, and the fighting came alike to naught; and soon the dramatic interview at Appomattox ended all. On the morning of the evacuation of Petersburg (April 3), a time when few men were unselfish enough to think of others, Col. Lamar went with his purse to a brother officer, and forced him to share it. When the surrender had taken place a knot of officers were bidding each other farewell. One of them spoke of leaving the country, and asked Col. Lamar what he proposed to do. With trembling voice and tears unrestrained (for it was a day when strong men wept without shame), he said: "I shall stay with my people, and share their fate. I feel it to be my duty to devote my life to the alleviation, so far as in my power lies, of the sufferings this day's disaster will entail upon them."

The following letter tells its own story:

APPOMATTOX C. H., VA., April 11, 1865.

*Dear Brother:* I send this letter to you by Col. Lamar, of Mississippi, with whom we served in Congress. I found him here in Lee's army, and he was included in the surrender. He is about starting home *via* Memphis, and will want to get out from that



point. I hope you will afford him every proper facility. We know him well enough to know he that will abuse no privilege extended to him. I only left home a week ago last night. I stayed with Gen. Grant last night, about seventeen miles from here, and arrived here about noon. The formal laying down of arms will take place this P.M. I shall start on my return for City Point to-morrow morning. All well at home when I left.

Very truly yours, etc.

E. B. WASHBURNE.

MAJ. GEN. C. C. WASHBURNE, Memphis, Tenn.

Col. Lamar did not avail himself of Gen. Washburne's letter, however, but remained in Richmond several weeks before setting out upon his return to Mississippi.

## CHAPTER XI.

Southern Sacrifices and Condition—Gen. Walthall—Settles at Coffeerville—Conditions of Law Practice—Abstains from Politics—B. N. Harrison—C. C. Clay—Southern Sufferings—Correspondence—Accepts Professorship of Metaphysics—Made Law Professor—Character and Methods as a Professor—Resigns Professorship—Address at University—Death of Judge Longstreet—Address at Emory College—Agricultural Address—Lee Letter—Letters to Reemelin—U. S. Marshal Pierce—Debate with Alcorn at Holly Springs.

THE surrender of Gen. Lee at Appomattox on the 9th of April was followed by that of Gen. Johnston to Gen. Sherman on the 26th at Raleigh, and by that of Gen. Dick Taylor to Canby at Citronelle, Ala., on the 4th of May; so that when Col. Lamar started home from Richmond, as he did about the 20th of May, the war was ended.

After the lapse of three decades the hopes and fears of that exciting period are now but fading memories. The fierce passions and hot hatreds engendered by the long struggle for political supremacy, and by the sterner issues of the battlefield, have passed away; and we may now contemplate this eventful episode in our national history with a philosophical and dispassionate calmness, which was not possible then.

Regarded in its broadest and most far-reaching results, the late Civil War can hardly be considered as a national, or even a sectional disaster. Hard as it bore upon the South especially, and much as it cost the whole nation in treasure, in passion, in tears, in blood, it would still seem that, as the world's history goes, the losses and sufferings endured were not an extravagant price to pay for the results achieved; for the assurance of an indestructible Union which promises untold national glory and human happiness for the future, and incidentally for the extirpation of the deplorable cancer of slavery. The great calamity was farther back. It consisted in the existence of those conditions which rendered possible the war and the controversies out of which it grew; in the failure of the constitution to fix more clearly the status of the slave population, the relations of the States to the Union, those of the States to the Territories; and especially in the existence of those mutual jealousies at the time of the formation of the constitution, which made indefiniteness in that instrument apparently expedient, and "compromises" imperative.

But however we may now regard these matters, then, and to the Southern people who had staked all and lost all, appeared no solace. From the Potomac to the Rio Grande the universal and despairing thought was: "*Vae victis!*" To them the memory of their happy and glorious past in

the Union had become a fountain of Mara. The present was a horror, and the future held little hope. Conquest is not conversion; and still, in their view, those principles which waited upon the formation of the Federal compact, and but for the recognition of which that compact would never have been made, had been betrayed; and the treachery had been crowned by the infamies of invasion in the name of liberty, and of subjugation in the names of equality and fraternity. During the long and bitter struggle for the principles which they cherished, a struggle in which they believed themselves to have acted always on the defensive, they had suffered so bravely and so much. The very women and children at home had gone hungry and ill-clad; all domestic happiness had been surrendered for years; all the able-bodied men from sixteen to sixty had been sent away to the hardships and dangers of the battlefields; all profitable industries had been renounced; private fortunes had been poured into the army chest; the very fields, for want of markets for their products, had been abandoned and desolated; the terrors of invading hosts had been endured; the homes and the cities had been given up to pillage and the torch; the names of a thousand bloody fields had been written upon their stricken hearts with indelible tears; in every household for years had been borne the daily torturing dread—a dread to be displaced only by the crowning sorrow of the fact—of the loss of the bravest and best beloved; the throne of the omnipotent God had been hourly besieged with groans and prayers—and all to what end? To this: that not only the humiliation of conquest awaited them, the loss of fortune and of honorable estate in the councils of nations, but also that their honor was challenged; and while the decision of the sword, which so sternly settles facts, never yet in truth settled a question of right and wrong, either political or moral, they experienced the injustice that their failure to maintain their cause by the sword brought them under the imputation that they were “rebels” and “traitors.”

Perhaps no conquered people ever suffered so much; because no other people ever were conquered who had such lofty conceptions of personal and national liberty. In England a thousand years of sturdy contests had developed the highest ideals of political rights which the world had ever known. These ideals, denied to us in practical application by the British Crown, had produced our glorious revolution of '76. They had been embodied in the Federal Constitution, and our national life for ninety years had infused them in their largest and highest development into the lifeblood of every thoughtful American. In the march of American political progress Southern statesmen had been always in the van. It was a peculiar phase of Southern intellectual life that all ambitions and all higher culture led to statesmanship and to the political career. The very women were skilled in statecraft. And thus it



GEN. EDWARD C. WALTHALL.



was that when the South fell, and its theories of the political structure of the government and of the rights of the citizens of the several States were denied without appeal and by the armed hand, the Southern people felt that they had been stricken in the very citadel of their intellectual and political lives—as if the flower of their own labors, and of those of their fathers for centuries, had been trampled into the dust.

The country, moreover, was utterly impoverished. Not only were the slaves freed, but also land values were enormously reduced. The railroads had been torn up to a great extent, and were without rolling stock. Many of the cities were in ruins, and a large proportion of the dwellings both in town and country were destroyed; no cotton crops had been made for three years; all movables had been consumed by the war—farming utensils, wagons, and live stock. At one sweep the eleven Southern States, with a free population of five millions, had lost over two thousand millions of value; and of this immense loss nineteen hundred millions had fallen upon the six States of South Carolina, Georgia, Alabama, Mississippi, Louisiana, and Texas. Out of this wreck were to be met the debts incurred during the period of great prosperity, with five years' accumulation of interest. It was ruin, apparently irretrievable and hopeless.

Everything was to buy. Clothing was scarce, and so was food. Even the floors of the dwelling houses had been stripped, the carpets having been used in lieu of blankets; and many families of refinement and former wealth were without the commonest articles of household and table furniture. The grim specter of poverty sat at their firesides, and confronted them at table.

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When Mr. Lamar left Richmond on his return home he had recovered to some extent from the shock of the downfall of the Confederacy, and was in a frame of mind not at all morbid. He expressed himself as being hopeful of early pacification and a happy future for the South.

On his trip he traveled over part of the route with Gen. E. C. Walthall; and this meeting laid the foundation for a friendship which endured through his life, and was of a character so firm and true as to become almost proverbial in Mississippi. The relation between these men was so intimate, so cordial, so generous, and so helpful to each as to make indispensable here a notice of this friend.

Gen. Walthall was born in Richmond, Va., April 4, 1831. He was brought to Mississippi while still young, and was educated at the same celebrated high school attended by Mott and by Autrey—St. Thomas' Hall, in Holly Springs. Admitted to the bar, he settled in Coffeeville, and there offered for practice. He was early elected District Attorney (in 1856), and discharged the duties of that office with great success and credit. He was reelected, but resigned and entered the Confeder-

ate army as a lieutenant of the Fifteenth Mississippi Regiment, in 1861. His gallantry and military skill were so conspicuous that he was rapidly promoted. Made lieutenant colonel of his regiment in July, 1861, he commanded it at Fishing Creek. In the spring of 1862 he was made colonel of the Twenty-ninth, and in December of the same year brigadier general. In this capacity he achieved a brilliant reputation, and was made a major general in the Army of the West in 1864. At the battle of Missionary Ridge he served with great distinction. After the terrible defeat at Franklin he and Gen. Forrest "added greatly to their laurels. Forming the rear guard of the army, they protected it against the attack of the victors until a secure position was reached." Gen. J. E. Johnston said of him that, "if the Confederate War had lasted two years longer, Gen. Walthall would have risen to the command of all the Confederate armies." He served after the war four times as a delegate to the Democratic National Convention. He removed to Grenada in 1871. In 1885 he was appointed to succeed Mr. Lamar in the Senate, and was elected to that office by the Legislature in 1886; was reëlected in 1888 without a dissenting vote, and again in 1892 without being a candidate for the office. As a Senator his course has been marked by great firmness, wisdom, and conservatism. His unbending integrity, purity of morals and of life, high sense of honor and chivalric nature, accessibility, courtesy, vivacity, and personal magnetism have all united to make him a favorite of the people of Mississippi. Mr. Lamar admired and loved him exceedingly, and throughout all of his life, from this time forth, found in him an unflinching support for both mind and soul. In a letter of 1868 he wrote to Gen. Walthall: "Do you know that but for you I could not keep up? I would have given up long ago, and never made an effort."

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Mr. Lamar passed a few months at Oxford with the Longstreets. About the 1st of September, 1865, after some yearnings for a wider and more attractive field in the city of Memphis, he concluded a partnership with Gen. Walthall for a practice in Coffeetown, and by the last of the month he had established himself and his family in that village. Here he led an uneventful life for a year, laboring at his profession.

At this period, and for some years after, Col. Lamar's belief was that his political career was over. Not only was he disfranchised and proscribed, but also the fate of the Confederacy and the outcome of the movement for secession weighed heavily upon him. By nature distrustful of his own powers—a fact which attracted frequent observation when he was a younger man—he now considered himself discredited as a public leader. In the latter part of 1870, anticipating that he would be forced to enter upon a political discussion, he sketched the outline of a speech, from which the following extract is taken:

It is needless for me, my fellow-citizens, to assure you of the reluctance with which I enter upon a discussion of this character. You too well know the care with which I have for now many years abstained from any participation in political matters; and this abstinence has been the effect not of any disgust for such a career, but of a conviction of duty. When a nation has just emerged from the throes of a great civil warfare, where section was arrayed against section, class against class, two things are to be done: First, the work of reconstruction is to be effected; Secondly, a willingness for the proper acceptance of the issue's decision is to be created. The former is the labor of the victor, and of the victor alone; it is to be accomplished by the prescience of wisdom and the magnanimity of justice, by wise legislation leading to strong constitutional guarantees. The latter is the work of the vanquished, and can be effected only by a zealous advocacy of compromise measures. To none of these things can one who has been an ardent secessionist lay his hands actively. Wherever he might take his stand suspicion and distrust would spring up around him and choke him. Feared by all, any party with which he might seek to array himself would exclaim, "Save us from our friend!" and such an affiliation as would alone enable him to accomplish his purpose would be impossible.

Hence it is that for five or six years past I have deemed every duty to which man is subject—duty to himself, duty to his family, duty to his country—to dictate to such men silence; and by this I mean not to censure those whose convictions and acts are different from mine. I have thought, and still think, that all such a one can do, or should do, is not to uphold or approve, but quietly to acquiesce in, the result of the wager of battle. This have I sought to do, and happy am I if my example has inspired in a single other breast the desire which animates mine: the wish to be in the country one peaceable, law-abiding citizen.

Still, as an observer of political affairs, Col. Lamar was neither morose nor indifferent. Especially did he feel just then a keen interest in the fate and welfare of Mr. Davis and those intimately associated with him. On the 21st of November, 1865, he writes to Dr. Waddell, the Chancellor of the university, in respect to Mr. Burton N. Harrison, Mr. Davis' private secretary, who also had been imprisoned, as follows:

I shall write, this mail, to Sharkey. I have more hope, however, from Alcorn's energy than from Sharkey's influence. I will also write to Pinson and Reynolds, of the House, and West. The incarceration of young Harrison has weighed upon my spirits like a nightmare, and it gives me some relief to make an effort for his release. His continued imprisonment indicates a *purpose* on the part of the government which I am almost afraid will not yield to mere influence. It has some connection with the designs in reference to the President of the late Confederacy. Until those designs are accomplished or thwarted, there seems to me but little prospect for poor young Harrison's release from his confinement. But you may be assured that I will leave nothing untried, within the range of my influence, to effect his release. I feel his position the more, that I was the means of getting him the post which has resulted so disastrously to him.

The imprisonment of Hon. C. C. Clay also distressed him greatly. It was another of the closely personal matters, which, in conjunction with the hastening developments of public affairs, as administered by the Congress, pressed deeply upon him the sense of implacability in the Republican party. Mr. Clay had been a Senator from Alabama. He was a man of elegant and dignified manners, not robust, suave but co-



gent in elocution, firm and daring in policy. He had served also in the Confederate Senate. Toward the end of the war he had been sent on a confidential mission to Canada by the Confederate Government, intrusted with secret service money for the purpose of enlisting aid. When the Confederacy fell he voluntarily surrendered to the United States, although he was charged with complicity in the murder of President Lincoln. He was imprisoned at Fortress Monroe, but was released on parole, and was finally fully acquitted. He wrote to Mr. Lamar the following account of his experiences:

HUNTSVILLE, ALA., March 15, 1866.

*My Dear Lamar:* Your fraternal letter only reached me on yesterday. . . . I assure you it gave me great pleasure to hear from you and to read the generous sentiments of love and sympathy you felt. If my means were adequate to my will, I would fly to you, my dear friend, ere a month passed over us. But there are insuperable difficulties in my way. My parole confines me to this State unless my personal business absolutely requires me to leave it. My father is tottering to his grave under the accumulated weight of nearly fourscore years and many cares and sorrows. Since my mother's death, caused by grief for me, he has never left the lot; and, indeed, rarely gets out of the house. . . . Had I foreseen what I should suffer at the hands of those among whom I sought a sanctuary of justice to vindicate my character and that of my friends and the South from an atrocious calumny, I should not have surrendered, but have made my escape, as I might easily have done. I was treated as the vilest felon; crucified in body and soul; subjected to indignities and outrages more disgraceful to the United States Government than humiliating to me; and would have been murdered by the slow tortures, conceived in devilish malignity and Yankee ingenuity, but for the grace of God. It is too long and painful a tale of horrors to write to you. If we live, you will hear it or see it in print some day, I think. I have turned very gray, but look and feel as well as I have for many years. I shall probably continue to live in Alabama while it pleases God to let me live. I confess to you that my interest and my inclination both incline me to go elsewhere; but as I feel in some measure responsible for the sufferings of the people of this State, and as I have been honored by them beyond my deserts, I am persuaded that it is my duty to share their fate. I could be happier, I think, almost anywhere than here, the scene of so many departed joys, never to return, of so many sorrows never to be forgotten, of so many wrongs so hard to forgive. That command of Christ, "Love your enemies," so like a good God, and so unlike a wicked man, is kept constantly in memory here, to wound and reproach. The Tories are so much more despicable than the bloodiest Yankees.

I left our friend and chief in delicate, not bad, health. His beard is snowy white, his step not as firm and elastic as formerly, and his voice is stridulous. Guarded and goaded as he is, he cannot long survive. I trust that the guard will be removed from his prison before long; it is kept there, not for his security, but, I fear, to torture him. There is scarcely an officer in the Fortress besides the commandant (a Massachusetts Radical and *protégé* of Wilson's), who does not regard his treatment as cruel and unmagnanimous and mean.

This letter is a sigh from the depths of suffering. It is an epitome of the sorrows of the South. Here are some other extracts from old letters, showing a different phase of trouble and anxiety. They are from J. W. M. Harris and N. H. Harris, of Vicksburg, the latter of

whom was the brigadier general of the brigade to which Mr. Lamar's old regiment belonged.

We are hard at it now. When our senior returned he found his home shattered in pieces. . . . Our office furniture consisted of one desk, two chairs, and one book: the Code of 1857. This was our start. We have now a neatly furnished office, some two or three hundred books, and are little more than paying expenses. . . . If any man twelve months ago had told either of us this when, despondent and gloomy, the one borrowed fifty dollars in gold from a little Jew friend, a fellow-Mason, to come from Eufaula on; the other had returned from the army with seven dollars in greenbacks (the remnants of the sale of a dearly loved old warhorse) and one suit of clothes, then I say we would have thought that man crazy. Our eyes were gazing out on the wide world for some other home, Colonel. But God helped us. 'Twas he that aided us.

From his mother, Mrs. Troutman, to Mr. Lamar, under date March 23d, 1866, from Macon, Ga.:

Our people here are very despondent. Gen. Cobb and others say that we have not yet seen the "bottom of our trouble." One of our papers, the *Telegraph*, says that there will be revolution before Christmas. The Federals are seizing all the cotton they can get hold of, upon the plea of its being subscribed to the Confederate Government. Georgia is anxious to be at peace. The people are yielding, and submit as well as they may to compulsion. Everything is quiet and still. The people earnestly desire to do right, and are well pleased with President Johnson. There is great destitution among many of our people: those who have been accustomed to even the luxuries of life. In Calhoun, where I went with your sister two weeks ago, there were such striking evidences of poverty as to make it painful to imagine. Mrs. J——, a granddaughter of Mrs. C—— (relatives), does her own washing, cooking, and all her other work, assisted by a girl ten years old. The village is in a ruinous condition. Many of the houses burned, and no repairs going on. I was told that persons who had been rich have now barely the necessities of life. It was a sad thing to witness. Your sister could not collect a cent of money. . . . Are you heavily taxed in Mississippi? Every silver spoon, fork—indeed, everything that we are not compelled to have—is taxed by the United States. We are old, and it will not take much for us the balance of our lives. . . . Write soon, dear son, and tell me you have courage to meet all the trials of life with cheerfulness, and that you are contented to commence life again with renewed hope and confidence in your final success. May God aid you in all your efforts.

From the same to the same, September 4, 1866:

People here are hard run, and considerable talk of repudiating all debts by a convention of the people of the State, if the Legislature does not act to meet the wishes of the people. It is earnestly to be hoped that it may not be carried out. Some of the wealthiest men in Jasper and Jones are reduced to the bare necessities of life. I firmly believe that it is all right and best for us all. God cannot err.

Good when he gives, supremely good; nor less when he denies.

E'en crosses, from his sovereign hand, are blessings in disguise.

Why should we doubt a Father's love, so constant and so kind?

If we could truly realize this, how many of the sorrows and afflictions of life would lose their poignancy, and a sweet feeling of implicit trust and love would fill our hearts with happiness. I trust, dearest Lucius, that, in some degree, you feel this blessed assurance, and can trust your God for the future. Be encouraged. God opens your way before you, and when an avenue of usefulness is closed he leads you gently on,

his redeemed child, into ways you have not known. And thus he will ever do; only put your unflinching trust in him.

Mrs. Lamar, from Coffeeville, February 16, 1866, to her mother, Mrs. Longstreet:

Perhaps it will all turn out right in the end. I try to take this view of everything which happens, and be thankful for the portion of this world's goods which is left to us. True, the times are very much changed, but they might be worse. We keep no man servant now about the lot. Lucius has been working about the fences and gates and locks to his outhouses all the morning. He feeds his cows and helps cut the wood and does a great deal of work. If he can only have good health, I feel as if we would be happy under almost any circumstances.

From Col. Lamar to Mrs. Longstreet, July 26, 1866:

I feel sometimes pretty blue about the future. How I am to get along I can't see now; but I hope to get some law practice in addition to my salary.

Col. Lamar was burdened not only by the general expenses of his family and the depression of the times, but also by debts which he had incurred before the war. They were not great when made, compared with his ability to pay at the time; but they were very onerous after the impoverishment described. Nevertheless, he labored courageously and faithfully to discharge them; and this he finally did, after years of self-denial, out of his earnings, meeting principal and interest, declining to admit of any rebates, or even reductions in interest. At the period now under consideration he was using even his jewelry to pay such debts as those articles would meet.

In June of this year Col. Lamar was again elected to the chair of Ethics and Metaphysics in the university, and accepted the position. He moved to Oxford, in order to enter upon the duties of his new work, in September. It was his intention, as it was his privilege, not to abandon the practice of law, but to accept such cases as should come to him while teaching. He had always a fancy for metaphysical study and investigation. It will be remembered that he had held the same chair for a short time in 1860-61.

During his first year at the university—that is, during the session of 1866-67—Prof. Lamar discharged, *ad interim*, the duties of Law Professor, the chair of Law not having been supplied. Consequently, although he was relieved of part of his own proper work for that time, his labors were very onerous. He conducted the classes in Psychology, in Logic, and in Law, besides composing written lectures. In January, 1867, however, he was relieved of this pressure to some extent. He was unanimously elected to fill the Law chair, which was thenceforward his exclusive work.

There was but one voice from those who came in contact with him, in regard to Prof. Lamar's efficiency. He was an enthusiast in his calling, whatever that might be; and that enthusiasm he carried into his professorial work. As a member of the faculty he was always wise

and prompt in counsel, temperate and considerate, although firm where occasion arose. To his pupils he was always accessible and kind, companionable, inspiring them all with commingled sentiments of profound respect and personal regard. He was devoted to their interests. He felt that, for the time, he was the representative of the true principles of the science which he taught, and that he was individually responsible for the results of his teaching. He possessed in a wonderful degree the faculty of infusing his own spirit into all who sat under his instruction. It was his lot to fill three of the least attractive chairs in the university—Mathematics, Metaphysics, and Law. Yet to each of them he gave a charm in the eyes of his pupils, alike unusual and beneficial. Many of those pupils treasured up his instructions, and bore away with them rich fruits of their association with him; and in the professional eminence which they attained proved themselves successful channels for the communication of the same benefits to others.

To a knowledge of the law coextensive with its range, he united a power of analysis, generalization, and elucidation which nearly divested it of all obscurity. His lectures upon the most intricate and obscure branches, such as conditions and limitations in deeds, executory devises, contingent remainders, and the exact boundaries between the law and equity, presented those troublesome subjects in entirely new lights, and gave to them a symmetry, consistency, and perspicuity equally admirable and unexpected. For his pupils he set daily lessons, upon which each pupil was subjected to a searching examination. The lesson ended, he took up the subject, and in a lecture which, it is said, never flagged in interest or tired in delivery, unfolded it in all its amplitude and modifications, anticipating and removing, so far as was possible, all the doubts and difficulties which might arise in the minds of the students. In the exercises of the law classes, a member of each class was now appointed, whose duty it became at the next meeting to deliver a lecture on what was taught at the preceding recitation. This he did under the criticism of the whole class, any member of which was privileged to object to the lecture that it omitted something important or contained something incorrect. This exercise was deemed valuable in several respects. It constrained the sustained attention of the class to the recitation and the professor's lecture. It trained the lecturing student in the habit and art of appropriate style and manner of stating and unfolding legal propositions in a court of justice. If the lecturer were criticised, he was expected to defend his lecture if he thought fit, and thus debates among the students often arose on the scope and meaning of their recitations; all conducted orderly, under the supervision of the professor.

Moot courts were also held every week, upon the plan of a complete court of justice. Records were provided and neatly kept, with a clerk,

sheriff, bailiff, and juries. Cases for trial were devised by the professor, which were brought and defended by students appointed for the purpose, with all of the formalities and details. The records were kept with exactness. Each student was expected to serve in various capacities in his turn, and thus he received training in the special duties of the officials of the court.

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Many years later—indeed, after Mr. Lamar's death—Hon. C. E. Hooker, in a memorial address spoke of this portion of Mr. Lamar's life as follows:

The love and affection which he aroused in the hearts of young men was wonderful. I know of no criticism to which a professor can be subjected more to be dreaded than that of young men assembled from all portions of the State in the classes of a university. You will not find a graduate of that institution who was educated there during the period that Mr. Lamar acted as professor that does not feel for him and has not borne for him in all the changing stages of life that perfect affection and profound admiration that he inspired in the hearts of all young men who came in contact with him.

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In the month of November, 1868, the family with which Mr. Lamar was so thoroughly identified were deeply afflicted by the loss of the accomplished and angelic Mrs. Longstreet. A recurrence to his own tribute to her in a previous chapter will suggest the distress which this event caused to him as well as to the others of her loved and loving circle.

The year 1869 was distinguished by nothing of note in Mr. Lamar's history except the marriage, in May, of his oldest child—a daughter. In the fall of that year also he purchased a body of land, about thirty acres, in the northern part of the town of Oxford; and on this premises began the erection of a residence, which was completed in the following April. This home, the first of his own since he had left "Solitude" in 1857, was the slowly earned fruit of hard labor at his profession; for at this time his practice had so increased that he, with his moderate ideas in that particular, described it as "very large." For a year or two past he had associated with himself a junior partner, of whom he had become very fond—a Mr. Edward D. Clarke, who later married a niece of Gen. Walthall's.

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In the fall of 1869 occurred the election, under the authority of the United States Government (as will be more fully narrated in the following chapter), by which the State was reconstructed and "radicalized," as the phrase then was, and which led to his retirement from the faculty of the university. The new constitution was ratified. In 1870 the State was released from military rule, and turned over to the civil authorities of the new *régime*. All of the State officials and a large majority of the Legislature were Republicans of types most obnoxious to

the people of the State. The incoming party laid its hands on the board of trustees of the university, and infused into it a large element of their own kind. As the papers of the day put it, perhaps a little too strongly, the board was also "radicalized." There was general apprehension that the university would be assailed, that it would be made a training school for "radical" politics, and even that it would be converted into a mixed institution, for blacks as well as whites—a condition wholly repugnant to the feelings of the Southern people. The Governor of the State was *ex officio* President of the board, and his election Mr. Lamar had opposed strongly. Altogether he expected but little consideration from the new administration, and felt that his own self-respect demanded his resignation. This he transmitted to the June meeting, and thus severed finally his connection with the university. While leaving the institution, however, he left it gracefully. At the Commencement, on June 27, 1870, he delivered the address to the literary societies.

It was one of his ablest and most eloquent efforts. For one hour he held his vast audience as delighted listeners. The young men of our country who were not privileged to hear it should have its wholesome, timely counsels before them. His word painting of two events in the life of England's leading statesman (Disraeli) was equal to the grandest effort of even his distinguished subject, and was rich in encouragement for the young men who were about to step forth on the theater of life. . . . Col. Lamar was followed by Mr. Joseph A. Brown, the first honor man of the fourteen graduates of the law class, and valedictorian on this occasion. . . . His tribute to his law instructor (Col. Lamar) was beautiful and just, mingled with regret to many by the announcement that Col. Lamar had resigned his chair in the university. . . . On Mr. Brown's taking his seat, Col. Lamar arose, and with evident emotion thanked the young orator who had addressed him; and, turning to the law graduates, he said: "And now, young gentlemen, as you go home I pray that you may have prosperity and happiness through life, with just enough of sorrow to remind you that this earth is not your home."\*

This was the closing scene. —

At the same time, however, Col. Lamar did not wholly abandon the idea, just yet, of continuing to teach law. He opened a negotiation with the law firm of Nisbets & Jackson, of Macon, Ga., looking to an association with them; all of which will appear from the following extract from a letter, dated May 30, to Judge James Jackson:

The arrangement of the courts in this State by the recent legislation renders it almost impossible for a lawyer to leave home. I have just received from Gen. Walthall, the leading lawyer in North Mississippi, and second to none in the State, a letter turning all his business in the Federal court over to me, on account of his being unable to come to Oxford. . . . This will give you some idea of how our profession is disturbed in this State. The lawyers here, consisting mainly of old Whigs, whose exclusion from political honors made them more attentive to their profession, are a body of talented, high-toned men, who are deeply discontented with the shock which Alcorn and his Legislature have given to their interests, and many of the leading men

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\*Correspondence of the *Weekly Clarion*.

have gone to New Orleans and Memphis. The wound is an incurable one, and the state of things is permanent. The negroes have a large and increasing majority. I must take my property and family from the State. Jeff Davis approves my purpose, and says he sees nothing but sorrow and wrongs for Mississippians in the future. I shall most probably move to Macon. I would like much to practice with you. I prefer you to any living man. The fact that I would be also associated with the Nisbets is an additional attraction. If, however, that arrangement is made, I would so much like to move my law school to Macon, and have you all in it, the Judge to be the Chancellor. He would be delighted with it. The fresh young manhood of Georgia coming in contact with him, their bright hopes and budding aspirations, their reverential attachment to him as their preceptor, and the interest that they would take in his lectures, would enliven and illumine the evening of his life as nothing else of an earthly nature can. He would not find it difficult or irksome. I could take off his hands all the details. I have been very successful as a law professor. The Judge can take a second growth in this career.

However, these castles in Spain crumbled away. The Federal court was not removed from Oxford, as he expected it would be; and the established practice and the local attachments proved too strong to leave.

The foregoing letter, to one who can read between the lines, will give some disclosure of the pleasures which Mr. Lamar derived from his professorship, and the reluctance with which he gave it up.

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In July of this year the honored Judge Longstreet passed away, in his eightieth year. He died surrounded by the members of his family circle, Mr. Lamar and his wife being present. "The death scene was almost a demonstration of immortality. His mind was clear and his soul was calm, in the assurance of Christian hope. Placing his finger upon his wrist, he marked the beating of his failing pulse. Growing weaker, his hand dropped away, and the finger lost its place. Motioning that it should be replaced, it was done, and he resumed the count of his last heart beats, growing fainter and fainter."—"Look, Jennie, look!" exclaimed Mr. Lamar to his wife, as amongst the awe-struck bystanders, "he beheld a sudden illumination overspread the pale face of the dying man, with a look of wonder and joy in his eyes, and every feature expressing unearthly rapture. That was the end."\*

Mr. Lamar was not a man given to fancies, religious or other; but this scene of Judge Longstreet's death made upon him a most profound impression. If not exactly convinced of it, he was yet strongly persuaded that those dying eyes had, in very truth, beheld something of the glories of the other world. In his address made at the Commencement of Emory College, but a few days later, he spoke with great emphasis and impressiveness about what he had witnessed. He said, also, that the loss of Judge Longstreet had filled his heart with unutterable sadness.

This address at Emory College, in July, was the one from which quo-

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\*"Judge Longstreet," Bishop O. P. Fitzgerald, p. 192.

tation was made in the first chapter of this work. Here he was received with great cordiality. He was tendered the professorship of Belles Lettres and History, but declined it, having determined to remain in Mississippi.

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In the autumn of this year Mr. Lamar delivered an address before the Agricultural and Mechanical Association of Carroll and Choctaw Counties, upon the needed changes in our agricultural system, and the relation of government to agriculture. In brief outline his speech was to this effect:

The emancipation of the slaves had revolutionized Southern farming. It had converted what before was capital into a never-failing and clamorous claimant for profits. The planter must therefore capitalize his own manhood and intelligence. This he could do in three principal ways: by diversification and rotation of crops, by the use of labor-saving machinery, and by the higher culture of fewer acres. By diversifying crops a most appalling waste of values would be prevented. The crop of 1870 was estimated at four million bales of cotton. This great quantity depresses prices one-half. Two million bales at twenty-five cents per pound would bring as much money as four million at twelve and one-half cents. If this be true, or approximately so, we get absolutely nothing for the third and the fourth millions. We suffer a clear loss of the labor, outlay, and exhaustion of lands expended in making them. That expenditure would have produced one hundred million bushels of corn. What is true of the people as a whole is true of individuals. Those who raise cotton exclusively grow poor; those who raise cotton, corn, meat, potatoes, etc., grow in wealth, and work no harder.

After dwelling for a time upon the next topics of machinery and intense culture, Mr. Lamar turned to the governmental relation to agriculture. Government can contribute to the aggregate wealth of its citizens no direct and positive increment. It does its good by a negative influence, by preventing injustice and crime, by securing property from invasion, and thus by affording to its citizens an opportunity to enrich themselves. Government resembles the fences which surround our fields. They are a needful protection, but produce neither harvests nor fruits. A law cannot create capital. If it could, there would be an end to labor. If government makes a man or a section rich, it is by wronging other men or other sections.

The speaker then considered the evils of class legislation, of excessive and partial taxation, of lavish and discriminating expenditures, at length, including a discussion of the operation upon agricultural communities of the existing tariff. He showed how the North was prospering under the existing management, and the South suffering. This finished, the speaker continued:



We are told that we are under a new *régime*, that the past of the South was marked by great intellectuality, that her leaders were great and pure; but that while they were engaged in tracing and enforcing the principles of constitutional government, the North with more practical wisdom was using the government as an instrument for its own enrichment. We are told that the South must imitate the North in this respect, that her people must give up their character for virtue, intellectual and moral dignity, and become treasury-eaters side by side with those Northerners who are willing upon such terms not only to grant us an act of amnesty, but also to permit us for a time to share their plunder. And all this to a certain extent is true.

The speaker then discussed at some length the proud records of the South in standing by her political principles and her convictions of right without balancing them against calculations of profit, and concluded:

Choose you then. Will you have honor? Then adhere to the practices and principles of your fathers; stand for the rights of the people and for an honest government economically administered. Will you have profit? Then cast in your lot with those who administer the government for profit, who oppress the poor and the laborer; turn your backs on the faith of your fathers, and fall in with those whose practices, whatever they may signify to them, can mean nothing but reproach to you.

I want no response to these questions. I read it in your eyes. The pure spirit of patriotism illuminates your countenance. In vain will the harpies who prey upon our stricken land beckon to you to sell your birthright for a mess of pottage.

It was at this period also that Mr. Lamar wrote his celebrated "Lee Letter." This epistle was elicited by a proposition, after the death of Gen. R. E. Lee, to celebrate his birthday in Vicksburg, and by an invitation extended to Col. Lamar to deliver the memorial address. It is a beautiful specimen of character analysis and of antithesis, besides presenting interestingly Mr. Lamar's conception of the characters of Lee and Washington, the two great Virginians.\*

On the 11th of September, 1870, Mr. Lamar wrote to Charles Reemelin, of Dent, O., a German gentleman whose writings in the *Commoner*, of Cincinnati, had arrested his attention and excited his admiration, as follows:

The country is in a deplorable state, and the people, with all their sacred convictions scattered to the winds, are absorbed in the prosaic details of making a living. Our public men have become bewildered in the wreck of all that they considered permanent and true, and know not what to do or advise. There is a perfect anarchy of opinion and purpose among us. If you will come down and see us, and show us some definite way of getting out of our present very *indefinite* condition, our gratitude will be unspeakable.

We feel that the fate of our section is not in our hands; that nothing we can *do* or *say* will affect the result.

In another letter to the same correspondent, written in the year 1871, he said:

I have nothing to do with politics. Some kind friend in Washington sends me the *Globe* occasionally, and I read the debates with interest. It makes me realize the

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\* Appendix, No. 8.

great revolution which has been wrought, both in the political institutions of the country and in the thoughts and phraseology of those who direct its affairs. It is fortunate for most of our Southern leaders that they are excluded from their former positions in the government. They could hardly sustain the high reputation acquired in the old arena. Toombs possibly might, he is so ardent in his temperament and so keenly alive to the influences of passing scenes and immediate events; but Mr. Davis, Hunter, and the others, would be at a great disadvantage in every encounter with the new men who, produced by the times, are up to its passions, its questions, its demands and resources.

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On the 22d of June, 1871, occurred an incident which gave Col. Lamar a great deal of annoyance at intervals during the remainder of his life.

The United States Government had instituted in the District Court at Oxford a number of prosecutions under the Kuklux law, and the town was filled with strangers: prisoners, witnesses, deputy marshals, and soldiers. It was a time of great bustle and no little excitement. Many of the persons attracted thither were desperate and reckless men, disreputable, and altogether dangerous, who were turbulent and aggressive, calculating on their "backing" by the United States authorities and the presence of the soldiery. One of these men was a witness for the government in one of the Kuklux cases—Whistler by name—about thirty years of age, illiterate, apparently addicted to liquor, and ill-looking.

Col. Lamar's law office opened on the same stairway and passage as the Federal court room. As he approached it on this occasion he found a scene of excitement and turbulence. Whistler was beating a citizen of the town named Kelly, an old man, poor, under the influence of liquor, and unable to defend himself. So great was the commotion that the court, which was engaged in hearing a bankruptcy case, was disturbed, and the judge ordered a deputy marshal to arrest the parties and turn them over to the Mayor of the town, who had police powers. In the meantime Kelly had appealed to Col. Lamar for protection, to which Whistler replied by swearing *at* the Colonel. The latter applied to the Mayor, whose office was in the same passageway, to have the man arrested, and passed on; but the arrest was not made.

When the deputy marshal reached the scene Whistler had his pistol out, and seemed to be trying to shoot Kelly. The deputy arrested both parties and carried them before the Mayor. He then started to return to the court room, where he was needed; but hearing the noise renewed, he saw Whistler violently struggling to draw his pistol again. The deputy then turned back toward the scene of violence, but Whistler's pistol was taken from him by a man named Roberts, and he went off with a party of soldiers. The deputy then returned to the court room.

In the afternoon the prosecution against some of the alleged Kuklux

prisoners was taken up. Col. Lamar was in the court room, and seeing the deputy, asked of him the name of the man whom he had arrested, and what had been done with him. He was told the name, also that Whistler was there as a witness for the United States; that he had been delivered up to the Mayor, but that he had walked off before the Mayor's face with some soldiers. The Colonel then said that the deputy should have held him in custody, for he had himself seen him insulting and threatening peaceable citizens. The deputy answered that he would arrest him again, and give him up to the town marshal. The Colonel replied: "No; the town authorities seem powerless in presence of the soldiers. I will speak to Judge Hill about it."

About this time Whistler came into the court room and took a seat on the steps leading up to the dais occupied by the judge, and consequently within the space reserved for the members of the bar, officers of the court, jury, etc. At this time Col. Lamar and Marshal Pierce were engaged in a whispered jocular conversation. There was a cessation of proceedings before the court, and the Colonel, seeing Whistler, arose. He made a motion, *ore tenus*, that the court have Whistler arrested and placed under a peace bond. He proceeded to give his reasons, stating the facts in the case, and was saying that Whistler was evidently a violent, turbulent man, who should be placed under restraint, when Whistler arose. He approached the Colonel. He was armed with a large pistol, which was in a scabbard attached to a belt around the waist; and as he approached he was trying to draw the weapon. The Colonel was not armed. He said to the judge: "I ask your Honor to make this man take his seat and keep it until I finish my statement." Then he seized a chair and raised it, saying: "If the Court won't make you, I will." Whistler jumped backward, and the Colonel put the chair down. The Court commanded order. Various officials scattered about the room shouted out, "Arrest Col. Lamar! arrest Col. Lamar!" and one of them said to some soldiers present as guards to the prisoners, "By virtue of the authority of the United States I order you to arrest that man" (pointing to the Colonel); to which one of them replied, "We are not under your orders."

The Colonel protested that he had done nothing to justify arrest. The deputy approached him for the purpose of quieting matters, and was about to place his hands upon him when the Colonel waved him aside without touching him, saying: "I am committing no disorder." Marshal Pierce then came running up, followed by other persons. He jumped in between the Colonel and Whistler, and seized both, turning his face toward Whistler. His purpose was pacific; but the Colonel neither recognized him nor knew of his purpose, and struck him with his fist a quick, severe blow upon the jaw, which dislocated the jaw, and sent him sprawling. Then there was a great excitement. The United States

Attorney demanded that the Colonel be arrested. No one paid any attention, however, to Whistler. Mr. Emory, the foreman of the grand jury, rushed out and returned in a very short time on the double-quick with another squad of soldiers, with guns in hand, one of whom advanced within the bar. The judge continued calling upon the Colonel to observe order, and threatening his arrest. When the soldiers came in the confusion became greatly intensified. Two gentlemen who were armed—E. O. Sykes, an attorney from Aberdeen, one of the Colonel's former law students, and Maj. Thomas Walton, a Republican, afterwards United States Attorney—sprang to his side, pistols in hand, to defend him or fall with him. Matters assumed a most dangerous appearance; the ominous click of the military rifles sounded through the room, and had the soldiers not behaved with great discretion bloodshed might have followed. Meanwhile the Colonel had become greatly exasperated. He continued to address the Court, saying in substance that he had seen Whistler commit the assault, and that he would not sit quietly by and see an unoffending citizen struck down without raising his voice. He denounced the parading of soldiery in the courts in times of profound peace. When the Court threatened to have him arrested he said at first that he might be sent to jail, but that he regarded the jail now as a more suitable place for gentlemen than most others. After the soldiers were brought in and their guns were cocked, becoming much incensed, standing on his tiptoes with his clinched fists shaking over his head, and his face blazing with wrath, he declared that if they undertook to put him in jail the streets should "swim in blood." The citizens of the town, having gotten news of the occurrence, began to run in. Gen. Featherstone and Col. Manning, friends of the Colonel, here requested him to desist from speaking and to go with them into an adjoining room. This he did at once, catching himself short up as he often did in his passions. After a very short absence he returned, made some pacific remarks, and apologized to the Court for his part in the disturbance. When he had taken his seat Marshal Pierce came forward and said: "I ask the Court to place Col. Lamar under arrest for striking me in open court." The Colonel sprang to his feet and said: "I am sure the Court will not make that order. I did not strike him until he tried to arrest me unlawfully." The marshal replied: "I did not approach you for the purpose of arresting you; I only wanted to give you friendly counsel." "Then," said the Colonel, "I regret very much that I struck you. I hope you are not hurt," stating, besides, that he did not know at the time that it was the marshal. The two men entered at once into an amicable explanation, and Col. Lamar repeated his apology to the Court. The soldiers afterwards discussed the matter with some of the citizens. Their sergeant said: "We didn't want to hurt him; we never saw a better fight or heard a better speech. He hadn't broken any law."

Col. Lamar's apologies were accepted by the judge, and the incident was supposed to be terminated; but on the next day, without notice to him, the following order was entered upon the minutes:

Whereas a most unfortunate and much to be regretted difficulty occurred in the presence of the Court on yesterday, in which Col. L. Q. C. Lamar, a member of the bar of this court, was a party; and whereas soon thereafter the said Lamar made an apology to the Court which was satisfactory to the judge of the court as an individual, yet, being the judicial representative of the United States for the time being, the judge of the court deems it necessary for the vindication of the court and the government that the name of said L. Q. C. Lamar be stricken from the roll of attorneys thereof, and that he be prohibited from practicing as an attorney and counselor therein.

This action on the part of the Court excited great surprise and no little indignation amongst the members of the bar. The newspapers, which contained accounts of the fracas, made emphatic comments upon it; the *Clarion*, for instance, saying that "It will detract nothing from his fame as a lawyer and as a high-toned, chivalric gentleman, in the highest sense of the term." The attorneys of the court bestirred themselves to memorialize the Court for his reinstatement; but he forbade them to do so, maintaining that he had done nothing but what was his right in protecting himself in a very moderate manner from a murderous assault, in the first instance, and from an unlawful and oppressive arrest, as he deemed it, in the second. He declined to be placed in the attitude of a petitioner for pardon. After a few days of cooling time, however, the district attorney of his own motion moved the rescission of the order, which motion was promptly granted, and amicable relations restored.

The affair, however, was much distorted and misrepresented. The radical papers made much ado over it. The versions varied, but all depicted a scene of great and unprovoked violence. The university students were asserted to have rushed into the bar, and to have joined in the row; the Kuklux prisoners were depicted as vaulting over the railing of the bar, with cheers, to take part, etc.—of all of which not a word was true. The matter was even exploited in the Kuklux report of Congress as in some sort a Kuklux performance, and as connecting the Colonel with the Klan in some undefined manner.

During his later career this affair was occasionally made the text of assaults upon the Colonel by his political enemies. When in the Senate, he had reason to expect that Mr. Blaine would recur to it in one of their controversies, and he prepared himself to meet the charge with evidences of such character that he regretted that the point was not made. When he was named for Secretary of the Interior the matter was revived; and again, in a general assault upon him by the *Tribune*, of New York, when he was nominated for the Supreme Bench. On the latter occasion Col. Pierce, the ex-marshal, gave him a written statement

of the whole affair, from which the main features of the foregoing narrative were taken, and which closed with the following paragraphs:

I was appointed Marshal of the United States for the Northern District of Mississippi during June, 1870 (reappointed June, 1874), and had my office at Oxford, the home of Col. Lamar, whose acquaintance I soon had the pleasure of making, and whom I afterwards knew well. Our relations, officially and personally, were always most pleasant, as also were his with the other officers of the court.

I had known that it was mainly due to his efforts and personal influence that a riot was averted at Oxford, at an election held during November, 1869; and from intercourse with him I knew him to be conservative, law-abiding, and considerate of the views of other men. Knowing his great ability, his extensive knowledge of our institutions, and his conservative tendencies, and believing that he could best represent the people of that district, I favored his election to Congress, and voted for him.

This, be it remembered, when the Republicans had a candidate in the field.

On the same occasion Judge Hill, in a letter of July 5, 1887, said:

I was shown, a day or two since, by a friend of you and myself, a copy of the *Tribune*, in which there is an allusion to a difficulty which occurred in the court at Oxford, regretted by no one more than yourself, the allusion to which is regretted by no one more than myself. I trust that it will not be alluded to again. If so, and it becomes necessary, I will do all in my power to render it harmless to you, as well as to myself. It occurred under most extraordinary circumstances, its disposition was at the time satisfactory to all concerned, and it ought to be buried in the sea of forgetfulness.

In the autumn of this year (1871) the county officers and members of the State Legislature were to be elected. An active canvass was made by the Democratic-Conservative party, one of the features of which was a series of joint discussions between Gov. Alcorn and Hon. Robert Lowry. They met at Holly Springs on the 9th of October. Col. Lamar happened to be in the town on business connected with his profession. There was a discussion in the morning between the two canvassers, and a second bout was projected for the evening. Gen. Lowry, however, was taken sick; and Col. Lamar, who was in the audience, was called upon—mainly through the instrumentality of his former young partner, Mr. E. D. Clarke—to represent the Democratic champion in this emergency.

“Imagine my consternation,” writes the Colonel afterwards to a friend. “I had not made a political speech in ten years, and was almost ignorant of the current campaign politics. I had heard Alcorn’s speech in the morning, but not with any view to controverting its positions. I had not a document to verify my statements, nor a note with which to refresh my memory. But my friends would hear to no refusal; so I rose and opened the debate. I replied to Alcorn’s morning speech, but my remarks took a very different range from what had got to be called ‘the issues of the canvass.’ But I had good reason to flatter myself that, while I did not meet the natural anticipations of what the occasion required, my speech answered more to the hidden thought and to the hearts of my audience than if I had followed the established

lines. It certainly disconcerted Alcorn so much that he was unable to get along in his reply, though usually a most irrepressible 'slangwhanger.'"

Certainly the speech was a successful one. The newspapers of the day gave it very complimentary notices. Mr. Clarke writes him, under date of the 13th of October:

With the general approbation that your speech has elicited, the complimentary things that Alcorn said of you, and the opportunity that you had of being a little magnanimous toward him, I think that it was altogether a field day for you; and, as you say that I pushed you into it, I am in hopes that you will think that there is no occasion to blame me for it.

We have now reached the period at which Col. Lamar, after his long retirement from political life, was drawn back, more by the force of circumstances than by his own will, into that heated arena. The special significance of his later career was his agency in the rehabilitation of his desolated section, and the reconciliation of the alienated North and South each to the other. In order to present properly the conditions of this second phase of his political life—the objects which he set himself to accomplish, and the obstacles which needed surmounting—a review must be taken, as short as the case will admit, of the reconstruction of the Southern States.

It is not a pleasant task to recall those old wrongs and quarrels; better far that they should be buried in oblivion than that they should be remembered in any spirit of sectionalism or partisanship. But by those who love their country and its people, who have a firm faith in their generous nature and its glowing future, these topics may be considered with tolerance and respect for all honest differences which sprang from most extraordinary circumstances, even if also with stern reprobation of all unworthy partisanship.

## CHAPTER XII.

Reconstruction: President Lincoln's Plan—Southern States; In or Out?—President Johnson's Plan—Provisional Governments—Southern Constitutional Conventions—Temper of Southern People—Temper of Congress—Howe and Stevens—Gloomier Days—Reconstruction Legislation—Military Rule—Demoralization—Carpetbaggers—Reconstruction Constitutions—Three Delayed States—Radical Rule—Freedman's Bureau—The Negro Problem—Southern Sentiment.

**E**VEN before the surrender at Appomattox, President Lincoln had begun a process of reconstruction. By his proclamation of December 8, 1863, he had offered to the people of the Confederate States, with exception of certain enumerated classes, amnesty, with restoration of all rights of property, except as to slaves, upon the condition of taking and keeping an oath to support the Federal Constitution and the Union of the States thereunder, and also to support the acts of Congress passed during the rebellion, unless they should be held void by Congress or by the Supreme Court. The President's plan of reconstruction was that, whenever in any rebellious State a number of persons, qualified under the proclamation and under the general laws of the State itself, as those laws existed before the secession, equal to one-tenth of the vote cast at the Presidential election of 1860, should reestablish a republican government, it would be recognized; saving to Congress, however, its right to determine, in each House, whether it would receive any representation therefrom.

This plan the President communicated to Congress in his message of December 8, 1863. Thereupon, after some delay, a bill was passed on the subject. The bill so passed conformed, in the main, to the President's plan; but it differed in some respects which he considered important. Meanwhile, and during the pendency of that bill before Congress, in Louisiana and Arkansas constitutions had been reformed and officers elected by loyal citizens, conformably to the President's proclamation. But the reconstruction bill, as passed, would have undone this work, as it prescribed conditions which had not been met. For this reason, and also because he did not altogether approve of its policy, the President withheld his signature from the bill, and it failed to become a law. His proclamation of July 8, 1864, however, declared that he approved, in the main, the principles of the bill, and that he would, in conformity with its spirit, appoint Provisional Governors in the rebellious States in case the people thereof should desire to return to their allegiance.

This action of the President excited a strong protest and much opposition from some of the leading Republicans.



In the winter of 1864-65 ineffectual efforts were made to pass reconstruction bills through Congress, with features regulating suffrage and recognizing the provisional governments of Arkansas and Louisiana. In July, 1865, a joint resolution passed, whereby the rebellious States were excluded from representation in the electoral college; and applications made later in the session, by Louisiana, Virginia, Arkansas, and Tennessee, for recognition of their provisional governments organized by the loyalists, were postponed until the next meeting of Congress.

On the 11th of April, 1865, only four days before his assassination, Mr. Lincoln said, in a speech, that "we, the loyal people, differ among ourselves as to the mode, manner, and means of reconstruction"; and he spoke of censure to which he was subjected because of his course in that matter. The trouble about the new constitution of Louisiana, and apparently as to the others, was that they did not enfranchise the negroes.

This was now made a serious objection by many. When the proclamation was issued public opinion had not advanced far enough to sustain a measure so radical as negro suffrage; but, as the sectional struggle drew to a close, and after the colored men had borne their part in it, the sentiment in favor of their political equality with white men—or, at least, Southern white men—grew stronger in the Republican party. Thus, while the people of the Northern States were not yet quite ready to grant political equality even to the best-educated colored men within their own borders, the radical representatives in Washington were intent on bestowing universal suffrage upon the utterly illiterate negroes of the South.\*

Another question which now came to the front was whether the seceding States were in the Union or out of it. The advanced Radical leaders now claimed that, while the States had neither the right nor the power to secede, still their rebellion had put them out of the Union, either by reducing them to the status of Territories, or by suspending the Federal laws within their borders; and that before their ancient Federal relations could be resumed the consent of Congress had to be given. Meanwhile, that they were not to be taken into consideration as States, even on the question of the adoption of amendments to the Constitution by a three-fourths vote of all the States. President Lincoln did not accede to these positions, and in this particular the radical leaders made further complaint of him.

Such was the situation when the surrender of the Confederate armies came, and the dire calamity of the murder of Mr. Lincoln. President Johnson undertook to carry out the reconstruction policy of his predecessor, with some modification in the way of a larger exclusion from the benefits of the amnesty. The change from the agency of Mr. Lincoln to that of Mr. Johnson in this particular was unfortunate for the South. Independently of the exasperation which naturally arose from the President's murder, and which gravely complicated the situation, the one man

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\* "Three Decades of Federal Legislation," Cox, p. 843.

was much less qualified—both by position and by nature—to befriend the South effectually, than the other. Mr. Lincoln was a manager of men, while Mr. Johnson undertook to drive them. Mr. Lincoln was most firmly established in the confidence of the Northern people, while Mr. Johnson was not. The Northern people were accustomed to Mr. Lincoln's leadership, even outside of the limits of the constitution, and to an extent which bore the appearance of autocracy; but no habit of deference led them to submit to Mr. Johnson. In short, it is more than doubtful if the advocacy of President Johnson did not work the South more trouble than good.

His amnesty proclamation was issued on May 29. On the same day he declared his policy of reconstruction by another proclamation appointing William W. Holden as Provisional Governor of North Carolina, placing his right to act in the premises upon the constitutional provisions that "the United States shall guarantee to every State in the Union a republican form of government, and shall protect each of them against invasion and domestic violence," and that it shall be President's duty "to take care that the laws be faithfully executed."

So, also, in quick succession Provisional Governors were appointed for the States of Mississippi, Georgia, Texas, Alabama, South Carolina, and Florida. These Governors were all directed to call conventions in their respective States for the purpose of altering or amending the State constitutions. The delegates were to be chosen by the loyal people, who were defined as those already qualified to vote and not excluded by the amnesty proclamations, and who should take an oath to support the Federal Constitution and to uphold the acts of Congress and the executive proclamations regarding slavery. The Governors were also invested with such powers as were necessary and proper to enable the loyal people to restore the States to their proper constitutional relations with the Union.

The President's proclamation further directed that the various members of the cabinet and the Federal judges should put the functions of their respective departments into operation in the seceding States.

About the same time the President also recognized the loyal governments established in the States of Virginia, Tennessee, Arkansas, and Louisiana.

The conventions provided for in the President's proclamations were held in all of the States, except Texas, in the summer and autumn. They all declared the ordinance of secession void. They all abolished slavery. All, except South Carolina, repudiated the debts incurred in aid of the rebellion: a measure demanded by the President.

The Southern people now considered that they had done all that was demanded of them by the Federal authorities. They had met every requirement of the President's proclamations, and the policy of those

proclamations had been disclosed since December, 1863, without any denial by Congress or the Northern people, albeit there was some objection from ultra radicals. They expected confidently that their acceptance of the terms imposed for their rehabilitation would meet its due recognition, and that the States would be restored to their Federal relations and to their self-government.

Their action had been not only prompt, but loyal as well. When the crash came, although devoted to the Confederacy and overwhelmed by its fall, they perceived the path of duty open to them. The conqueror was entitled to their allegiance; they would give it freely and unreservedly. They were a faithful and true people wherever they acknowledged allegiance. Never was there in history a more generous effort on the part of a conquered people to submit with propriety and decorum. No repining, no sullenness, no covert hostility. Their work was done, their cause had failed, and they acquiesced. They were fully aware that it was best for themselves that good feeling should be restored. Already, before the expiration of the year, they had begun to

Forecast the years  
And find in loss a gain to match;  
(To) reach a hand through time to catch  
The far-off interest of tears.

They had begun to comfort themselves with the reflections (and the leading newspapers abounded with editorials presenting that view) that the war, even in its result of discomforture, would work out good to their children: in the removal of tendencies toward seclusion from the world, and the establishment of a more catholic national life; in the extinguishment of the domestic tendency to withdraw to the isolation of large plantations, and the consequent introduction of wider social relations; in the development of manufacturing enterprises, to follow upon a change in the nature of labor; in a fuller development of the agricultural resources by diversification of crops and a more intense cultivation, etc.

In December the *New York Post*, a radical paper, apropos of a recent bitter political speech made by Mr. Colfax, said:

The Southern people claim that it is their intention to keep this oath, and they add that they do it cheerfully. Their leading men exhort them to attend to their private affairs and to submit honestly to their defeat. Now, to ask more of them at present, to ask them that they shall be glad and proud of their defeat, is to forget the nature of men's minds and hearts; it is to demand impossibilities.

In November Gen. Grant had gone South on a tour of inspection connected with a question of the distribution of troops. In a report to the President, he said:

I am satisfied that the mass of the thinking men of the South accept the present situation of affairs in good faith. The questions which have hitherto divided the sentiments of the people of the two sections, slavery and State rights, or the right of

a State to secede from the Union, they regard as having been settled forever by the highest tribunal that man can resort to.

This report the President, in his special message of December 18, submitted to Congress; and in that message he said:

The people of North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Arkansas, and Tennessee have recognized their respective State governments, and are yielding obedience to the laws and government of the United States with more willingness and greater promptitude than, under the circumstances, could have been reasonably anticipated. . . . The people throughout the entire South evince a laudable desire to renew their allegiance to the government, and to repair the devastation of the war by a prompt and cheerful return to peaceful pursuits.

This message was at once violently assailed in the Senate. Mr. Sumner denounced it as a "whitewashing message." For the measures of President Johnson were far from giving satisfaction to the radical wing of the Republican party. Congress had no sooner met than there was a caucus of the Republicans on the question of the admission of the Southern Senators and Representatives chosen from and accredited by the reconstructed States. It was agreed to exclude these members from the preliminary roll; and in advance of the President's message, on the first day, in both Houses numerous bills were introduced, looking to a reversal of the President's policy of reconstruction. The *New York Herald* commented on these proceedings thus:

These proceedings in both Houses clearly indicate an ultra radical and revolutionary system of Southern reconstruction as the policy resolved upon by the radical leaders of the Republican majority of this Congress. However improbable and visionary we may have been inclined heretofore to consider the remorseless propositions for Southern reconstruction of such fanatical leaders as Stevens of the House and Sumner of the Senate, we are now brought face to face with the danger of their enforcement.

The opening proceedings of the Lower House of this Congress foreshadow the practical reduction of the excluded Southern States to the status of Territories conquered from a foreign enemy, and still in a state of revolt. Coercion! There is nothing here but coercion. The radical leaders of this Congress seem to be enraged at the conciliatory sentiments of restoration adopted by President Johnson, and which, in preparing the minds of the Southern people for the great change which has come upon them, have been attended with most wonderful success. His patient and patriotic labors, in view of the earliest possible restoration of the South to law and order, industry, prosperity, and political harmony with the North, excite apparently no consideration among the majority in either House of Congress.

The Southern people regarded these developments with the greatest interest and with a growing anxiety. Their State organizations had been recognized by the President as prepared for local government without further Federal intervention. They had chosen Senators and Representatives, in accordance with the President's programme. These officials had been carefully selected from those citizens who had opposed secession, and were qualified as loyal under the tests prescribed in the President's proclamation. Whatever might be the legal attitude of the individuals who had participated in the rebellion, and however

numerous those individuals might be, it was self-evident that, as the President said in his annual message, "States cannot commit treason." This was a question of the State's representation and status.

The Southern people were versed in the lore of politics, and were thoroughly acquainted with the theories on which the United States, through every department of the government (executive, legislative, and judicial) had justified, under the constitution, its armed resistance to their secession. They knew that these theories were that the ordinances adopted by the several States in their attempt to secede were utterly null and void, wholly without operation or effect; that the citizens of the States remained citizens of the United States; and that the States, as such, did not either cease to exist (because they were indestructible), or get out of the Union (because that was indissoluble). They knew that the only claim ever made by the extremest Unionists rested still upon the constitution; by the constitution the Union had been formed, and the constitution was the ligament which bound the States together in the Union. To them it seemed the simplest and most unanswerable proposition that, the claim of the Union upon the States being *through* the constitution, it must be asserted in conformity to that instrument. They knew, also, that in the constitution was found no word which authorized or contemplated either the holding of indestructible States in subjection, or the forfeiture by those States of their rights in the Union.

They knew, also, and held in mind the Crittenden resolutions of 1861—adopted in the House with but two dissenting votes, and in the Senate by a vote of thirty to five, and by which the national faith was pledged that "This war is not prosecuted on our part in any spirit of oppression, nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights and established institutions of those States, but to maintain the supremacy of the constitution and all laws made in pursuance thereof, and to preserve the Union with all the *dignity, equality*, and rights of the several States *unimpaired*; that as soon as these objects are accomplished the war ought to cease"—on which pledge the war party in the North had received the earnest and efficient support of all its people and of many of the people of the Southern border States.

They felt, moreover, what the President's message also stated, that the policy and action of the administration, accepted and acted upon by them, even to the extent of the emancipation of their slaves—or at least the ratification of that emancipation while there were doubts of its constitutionality—"implied an invitation to those States, by renewing their allegiance to the United States, to resume their functions as States in the Union." They had renewed their allegiance, and renewed it in good faith. They therefore expected to resume their interrupted

“functions as States in the Union.” When, however, they saw that Congress, instead of receiving their Representatives and Senators, excluded them with courtesy of the scantest; when they found that hostilities were, in fact, so far from being over that they were merely transferred from the battlefields to the legislative halls, they were disappointed and disgusted beyond measure. They began to conceive a profound conviction that, instead of confronting a great and magnanimous people, who, although flushed by victory, would still because of their victory be reasonable and generous in their demands, they were opposed by a faction drunk with power and the lust of it, ready to claim everything and dare anything, within the constitution or out of it, to perpetuate their imperial dominance over the whole nation—a dominance given by the accidents and exigencies of civil war, and which could be continued into times of peace only by new disturbances and new animosities. It was not the people of the North, it was not even the Republican party; but it was the radicals—bold, grasping, reckless, and remorseless.

The South saw Senator Howe rise in the Senate, reject the whole theory of the indestructibility of the States, declare that “it is poetical license (and not political science) which talks of” their immortality, and maintain that the seceded States had become reduced to the mere condition of Territories, to be governed at the will of Congress. It saw Mr. Stevens, in the House, repudiate the doctrine and the pledge of the Crittenden resolutions, and deny the dignity, equality, and rights of the Southern States; saw him repudiate the dogma of an indestructible Union, and assert that “the future condition of the conquered power depends on the will of the conqueror;” saw him forsake the great charter of the constitution, and appeal to principles of international law, in order to uphold the heresy of States in subjection to the Union, avowing that “they must come in as *new* States, or remain as conquered provinces.” Is it to be wondered at, that the suggestion of Virginia—the mother of statesmen and of States, the cradle of Patrick Henry and of Washington—as a conquered province of this Union was regarded in the South as a monstrosity, and filled every heart with indignation and a sense of outrage?

But these inconsistencies and heresies were not all. The Southern people felt also, and felt deeply, the imputations freely made against their truth, their patriotism, and their honor. It was not upon inattentive ears, nor into indifferent minds, that the words of Mr. Stevens and his coadjutors fell. Said he, speaking of the former slave States: “They will at the very first election take possession of the White House and the halls of Congress. I need not depict the ruin that would follow. Assumption of the rebel debt or repudiation of the Federal debt would be sure to follow. The oppression of the freedmen, the reamend-

ment of their State constitutions, and the reestablishment of slavery would be the inevitable result." Their disquiet and sense of outrage at such imputations were not lessened, it is needless to say, by the proposition (which they regarded as the key to the whole situation), in the next breath, that "If they should grant the right of suffrage to persons of color, I think that there would always be Union white men enough in the South, aided by the blacks, to divide the representation, and thus"—what? continue freedom and equality to the negroes, and the integrity of the Union? by no means; but—"continue *the Republican ascendancy.*"

Such statesmanship as this was winning the day, and people who had until then accepted the situation in good temper and faithfully, who were endeavoring to discharge their whole duty and heal the wounds of strife, despaired. They became embittered. They apprehended a disposition to humiliate and degrade them. Even Mr. Stevens' Union men spoke with indignation. It was not for this they had bargained. They had predicted a generous responsiveness from the North, and they were twitted with their overconfidence.

The months rolled by with matters in this very unsettled, unsatisfactory, and trying condition. The State governments organized by the Federal administration were in full operation, but their Federal rights continued to be withheld by the Federal Legislature. Things grew worse instead of improving. The Freedman's Bureau, established by the Act of March 3, 1865, was in power all over the South, and was fast arraying the negroes solidly against their former owners in all political matters, and in many localities was causing great industrial trouble. President Johnson, who had in the prosecution of his independent reconstruction measures arrayed the radical leaders against him, was making unfortunate and violent speeches throughout the country, "ascribing to the leaders of Congress disloyal and even criminal motives," and thus further inflaming their opposition to himself and their hostility to the South. A joint committee of fifteen, which had been appointed by Congress to inquire into the condition of the seceding States, and to advise Congress in respect to the admission of Southern members, made a report of the most inflammatory character—admirably adapted and probably intended for a campaign document in the approaching Congressional election—wherein the most one-sided and unjust charges were made against the Southern people, and the conclusion of which was that "it was essential to the preservation of the Union that the Southern States should not be reinstated in their former privileges until they should have given substantial pledges of loyalty and submission." The Tenure of Office act was passed, by which was taken away from the President (so far as an act of Congress would avail to strip him of his constitutional rights in that respect) the power

of removing Federal officers from office without the consent of the Senate, a power which had been exercised throughout the whole national history. A Civil Rights bill of stringent character was passed over the President's veto—based on doubts both of its wisdom and its constitutionality—whereby it was declared that “all persons born in the United States, and not subject to any foreign power,” should be citizens of the United States; penalties were denounced “against all interference with the civil rights of any classes of citizens,” and officers of the United States were given the right “to prosecute, and the Federal courts alone the right to try all such offenses,” its object being to make the negroes equal with the whites in all civil and political matters. A fourteenth amendment to the Constitution was proposed to the States, which “made all persons born or naturalized in the United States, and subject to the jurisdiction thereof, citizens both of the United States and of the several States of their residence; provided for a reduction of the congressional representation of any State that should withhold the elective franchise from any male citizens of the voting age; excluded from all offices, Federal and State, all persons who as State or Federal officers had taken an oath to support the Federal Constitution, and had afterwards engaged in the rebellion, or given aid or comfort to those engaged in it, until Congress should pardon them; invalidated all Confederate war debts, and prohibited any questioning of the United States war debt, including pensions and bounties. This amendment at once swept away the President's amnesty, and incorporated into the organic law of the Union, by an enforced *ex post facto* legislation, a principle hateful to all English-speaking people from time immemorial—the principle of the bill of attainder—theretofore expressly prohibited by the constitution itself, to Congress and the States alike. Now, however, the acceptance of it, with all its proscriptive features of their best and most intelligent people, by the Southern States was made an indispensable condition to their recognition by Congress. But those States, one after the other, rejected it—as, indeed, in honor they could do nothing else.

These measures, however, unprecedented and revolutionary though they were, were still but the preliminaries to others more extraordinary and ruthless. Mr. Stevens, in his celebrated speech of December 18, 1865, had said of the Southern reconstruction measures of President Johnson this: “That they [the Southern States] would disregard and scorn their present constitutions, forced upon them in the midst of martial law, would be both natural and just. No one who has any regard for freedom of elections can look upon these governments, forced upon them in duress, with any favor.” Yet now, in 1867, the faction of which he was the most potent leader, in order to force upon those States such constitutions as Congress should approve, and in order to



perpetuate the essential features of those constitutions by an equally enforced amendment to the Constitution of the United States, enacted and proceeded to enforce the reconstruction laws, whose only intended result Mr. Stevens had himself already expressly condemned.

Those acts were three, passed on the 2d and the 23d of March and the 19th of July. The ten Southern States were divided into five military districts, under the command of officers of the army, to be assigned thereto by the President. Each of these commanders was to have under his control troops enough to enforce his authority. The powers conferred upon them within their districts were almost unlimited. Subject only to the approval of the general of the army, they could remove any officer whose authority was derived from the local government of the States; and it was provided that "no district commander or member of the Board of Registration or any of the officers or appointees acting under them shall be bound in his action by any opinion of any civil officer of the United States." This was civil law absolutely subordinated to the military; and the general of the army, not the President, given supreme control. The commanders were themselves to conduct the process of reconstruction. "They were to enroll in each State, upon a test oath, all the male citizens of one year's residence not disqualified to vote by reason of felony, or excluded under the terms of the proposed fourteenth amendment; and they were then to hold an election in each State for delegates to a State convention, in which only registered voters should be permitted to vote or to stand as candidates, the number of delegates to be chosen being apportioned according to the registered vote in each precinct. These conventions were to be directed to frame constitutions extending the franchise to all classes of citizens who had been permitted to vote for delegates; the constitutions so framed were to be submitted to the same body of voters for ratification, and if adopted were to be sent to Congress, through the President, for its approval. When its constitution should have been approved by Congress, each of the reconstructed States was to be readmitted to representation, so soon as its new Legislature had ratified the fourteenth amendment. Meanwhile, its government was to be deemed provisional only, and in all respects subject to the paramount authority of the United States at any time to abolish, control, or supersede the same." \* These bills were passed, of course, over the President's veto. In his message upon them he thus characterized their provisions:

The power thus given to the commanding officers over all the people of each district is that of an absolute monarch. His mere will is to take the place of all law. . . . Such power has not been wielded by any monarch in England for more than five hundred years. In all that time no people who speak the English language have borne such servitude.

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\*"Division and Reunion," Wilson, p. 267.

But these acts did not only establish martial law in time of profound peace, did not only suspend the writ of *habeas corpus* and sweep away every vestige of republican government in ten States, did not only enact a bill of attainder against nine millions of people at once;\* they also invaded the recognized prerogative of the States, a prerogative recognized throughout the whole history of the Union, and recognized now, to determine upon whom the right of suffrage should be conferred; and while withdrawing that right from the great mass of the most intelligent and influential citizens contrary to the State laws and constitutions conferred it upon a million of ignorant and recently emancipated negroes, wholly unprepared by either traditions or education to act upon even the simplest political questions, and set those negroes to making constitutions which should not only dominate the fortunes and the liberties of the whites, but also establish themselves in power.

The military commanders entered at once upon the discharge of their duties. Their powers were dictatorial not only in political matters, but also in those appertaining to the ordinary business affairs of the community. They could abolish charters, extend franchises, stay the collection of debts, prohibit the foreclosure of mortgages, levy taxes, impose fines, inflict penalties, authorize the issuance of bonds and the contracting of State debts, set aside the decision of the courts, remove all officers, and fill all vacancies without the form of elections.

They issued general orders, differing in some respects, but generally to the effect that the laws of the States would be enforced; that officers engaged in the discharge of their duties would be continued except in cases where the commander should see proper to remove them for cause; and that the courts should continue to discharge their functions, subject, however, to the intervention of military commissions and inspectors at the discretion of the commander.

The practical operation of these measures was catastrophic. Shoals of unscrupulous adventurers appeared, few knew from whence. Loud in their professions of loyalty, they assumed the leadership of the inexperienced, credulous, and timid blacks, infusing into their minds the most extravagant ideas of private rights and public duties, inspiring them with dislike of their former owners, and organizing them into leagues of secret nature, but political use. An extraordinary carnival of crime and plunder was opened. Bribery, embezzlement, perjury, in all forms ruled the hour. In a few months negro majorities gained complete control of the State governments, and these majorities were implicitly obedient to their white manipulators, the "carpetbaggers." The ranks of these latter gentry were to some extent reënforced by native whites, who were even more detested by the Southern people under the name of "scalawags." Taxes were piled up and enormous debts were

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\*" Three Decades of Federal Legislation," Cox, p. 377.

accumulated, the proceeds of both of which went mainly into the pockets of these adventurers and the prominent negroes, their confederates. Happy indeed was that State whose credit was not good, for its disrepute was its only salvation. No civilized country ever before had presented such a scene.

One of the most distinguished and honored gentlemen in Mississippi \* said of these people in a public address delivered in 1875:

The Government of the United States "proceeded to sponge out the constitutions of eleven great commonwealths, to overturn their governments, to reverse their social systems, and in effect to prescribe new constitutions for them. Unfortunately the party which controlled it sought to exhibit it, and did exhibit it, only in its aspect of boundless authority. In their hands it seemed to have unlimited power to tear down and to wound, without the power to build up and to heal. Confronted by the most novel and formidable social and political problem ever presented to the statesmanship of any country, and which, God be praised, can never again be presented in this, they recklessly turned over the Southern States thus dislocated as so much food to the lowest grade of hungry partisans, leaving the adjustment of the grave difficulties involved in these great fundamental changes to the most ignorant, narrow-minded, and selfish class of men that ever bore sway in any country; men afflicted with what appears like moral idiocy, and to whom the sense of public duty is as color to the blind. It is not to be wondered at that these men at once formed a partnership with the newly enfranchised slave—a most unequal partnership as it has turned out—to capture and 'run' the State governments of the South. That which has followed might have been foreseen. . . . I assure you that the fact has become known at last to the American people that the only oppression in the South is the oppression of the whites by colored majorities led by radicals. To my mind it has now become clear as the noonday sun that the only intimidation here is the intimidation by a few hundred radical adventurers of the whole population. With unparalleled audacity they threaten the whites with the Federal bayonet, and assuming that they alone can secure Federal aid they threaten the colored people that they will desert them and take from them this protection, so that they will be turned over to the white people,

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\* Hon. Wiley P. Harris, a man of "purest ray serene," whose wide and varied culture, profound legal learning, exceeding mental power, phenomenal intellectual integrity, devoted and unselfish patriotism, matchless calmness and wisdom in counsel, pure morality, and unflinching courtesy gave him a unique place in the affections and honor of Mississippians. This speech will be found in full in "Lowry & McCardle's History of Mississippi." It was one of great conservatism. He was advocating the policy of cooperating with the liberal Republicans, led by Evarts, Schurz, and Adams. He urged that they were marked by the logic of the situation as the true reformers of the Union. Amongst other striking remarks, the following: "For one I long to see a government at Washington and a government here toward which I can feel a genuine sentiment of reverence and respect. It is a dreary life we lead here, with a national government ever suspicious and ever frowning, imperious, and hostile; and a home government feeble, furtive, false, and fraudulent. Under such influences the feeling of patriotism must die out amongst us, and this will accomplish the ruin of a noble population. You might as well destroy the sentiment of religion as the sentiment of patriotism, for human character is a deformity if either be wanting. . . . We are in a new world, we are moving on a new plane. It is better that we hang a millstone about our necks than cling to these old issues. To cling to them is to perpetuate sectional seclusion. Of all things it will not do to fall into a hypochondriacal condition in politics. I pity the man who in a great crisis says to himself: 'I can't go there, because there is the old Whig line; nor there, because that is the Republican line; nor there, because I will be compelled to cross the Democratic line.' It sometimes happens that a man gets himself into such a condition of mental delusion that old party lines or names are like running water to a witch. Under some mysterious law or eccentric antipathy he can't cross them. It matters not where duty commands him to go or on what mission of patriotism he may be proceeding, if he chances to find one of these lines in his path, he is brought to a dead halt, and must needs turn and retrace his steps."

who, as they falsely assert, will reduce them to a condition as bad as it was before emancipation. . . . The mass of blacks don't vote, but are literally voted. They are ridden and driven by a little nest of men who are alien to the State in feeling. I say in feeling because they habitually traduce the State when they go abroad. . . . But say our radical rulers: 'Look at the government of Mississippi and see if there be not this glimmer there'—*i. e.*, the glimmer of the light of honest or intelligent government. I confess that I don't see it. I have no great experience in government, but I have never conceived that anything like it was possible in a republic. Col. Lamar, whose word goes a long way, said the other day in his speech that it was the worst government on the face of the earth. The statesmanship of it has reached no higher than the levying of taxes, the issue of State warrants, and the funding thereof. This might be borne, but the taxation is ruinous, while the credit of the State is sinking under corrupt and wasteful expenditures. The people murmur and the world scoffs at it. True, Gov. Ames is pleased to say that these murmurs are a disgusting sham. 'I pay more taxes than these howling taxpayers.' When I read that part of his testimony in the Vicksburg case I was reminded of a passage in the book of Job. Job had been stripped of his wealth and of his children, and afflicted in many ways; and he cried out in his agony. His comforters said to him, 'You are a howler;' and Job replied, 'Does the wild ass bray when he hath grass? or loweth the ox over his fodder?' The office holders and fee-and-salary men don't howl; they have both grass and fodder.

"One more subject I will touch before concluding, and that is the charge brought against us of unfriendliness to people simply as Northern people, our disposition to ostracise them socially, and persecute them in every way. This is called *disloyalty*. There is a class of people in the United States who have made the art of manufacturing and spreading falsehoods, and public falsehoods at that, take rank amongst the great industries of this busy people. A distinguished man to whom I made this remark said: 'Yes, and you may say that there is a prodigious and highly cultivated talent for believing falsehoods which nourishes the industry.'

"On this matter of social ostracism I have this to say: If any two hundred Southern men backed by a Federal administration should go to Indianapolis, turn out the Indiana people, take possession of all the seats of power, honor, and profit, denounce the people at large as assassins and barbarians, introduce corruption in all the branches of the public administration, make government a curse instead of a blessing, league with the most ignorant class of society to make war on the enlightened, intelligent, and virtuous, what kind of social relations would such a state of things beget between Mr. Morton and his fellow-citizens and the intruders? When these people first flocked into the State they thought or assumed that they represented the majesty of an offended nation, and like the order of men to which they belong expected to act the part of public patrons, to be surrounded by clients, and to pass amongst us amid *salam*s and genuflections; but they were instantly undeceived.

"We have ever since the war prayed earnestly that the true representatives of the Northern people might come among us: their mechanics, their farmers, their professional men, the representatives of their industries. We got only the *chevalier d'industrie*, and we know him at sight. A gentleman (a Republican), visiting the South last winter to satisfy himself on this and other points, said: 'When I saw the great "ostracised," and reflected upon what they had done here, I said to myself: "These men would be ostracised anywhere."' They have diligently labored to create the belief that Northern men cannot live here without humiliation and without danger of violence. Now the class of men we want they don't want. That is clear. Their Commissioner of Immigration has, 'for agricultural and other purposes,' introduced three thousand colored men into the State, and not a single white man, unless it be some vagabond who wanted a free passage. They say to the Northern man, 'Beware of man traps and spring guns;' and to the negro, 'Come on, there is no danger.' Truly

there is none. Does it not stand to reason that if we can tolerate the class of Northern men we have here as rulers we can tolerate the Northern farmers or mechanics or professional men as neighbors?

"All this wretched and contemptible drivel passes now for nothing with the real men of the North. The radical coterie here but poorly represents the Northern people. They miserably misconceive them. The plain truth of the matter is, these men wish to disguise what it is that carries men to Virginia, Georgia, Tennessee, and the arid plains of Colorado, and prevents them coming to this fruitful land. It is just this: No sane man, being well out of Mississippi with his wife, children, and property, would trust them to the tender mercies of such a government as we have here. It is pretended that a narrative of the lives of these so-called persecuted men, if put into a book, would shelve Fox's 'Book of Martyrs.' Now let me ask if the most pronounced carpetbaggers and South haters here look like persecuted men? They grow so rapidly in sleekness and fatness that I have to be introduced to them over and over again—they do so improve out of my acquaintance. Minds at ease and consciences at rest is written in their 'placid' countenances. Yet they cry out like St. Paul: 'Verily, I die daily.' Good-natured fellows they are, too, in their way. There is an old adage which says that 'a man is good after being fed.'"

Such were the men to whom the South was delivered. It was such as they who in Virginia complained of the moderate administration of Gen. Stoneman, in that he did not make enough places for them to fill, that he did not appoint negroes to offices, that he did not make the people of the State sufficiently anxious to get back into the Union; and to appease and satisfy whom President Grant relieved the General from the command of the district.

Not only were they intrusted with the offices and all power for the time being, and with the creation of the organic law for the States which they had seized upon and reviled; but, also, arrangements were made for the continuance of their power, even after the removal of the bayonet rule. On March 11, 1868, an act of Congress was passed by which it was provided that the constitutional conventions might authorize the election of all the representatives in Congress and all the State officers provided for by the constitutions, by the voters already registered, and at the election to be held on the question of ratifying the constitutions themselves. Thus, although the new constitutions in some instances enfranchised those whom the reconstruction laws disfranchised, still this legislation "authorized the district commanders to cheat these classes out of their rights" by ordering the elections before they could qualify.\* Through this means the ratification of the fourteenth amendment by the required number of States was secured. This ratification, under the terms of the constitution of the United States, could not be done by the conventions then in session, pliant though they were, but only by the "Legislatures;" and thus were the Legislatures organized to that end, free from the obstructive influence of the recently reënf franchised whites.

By such processes constitutions were secured in all of the States ex-

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\*"Three Decades of Federal Legislation," Cox, p. 483.

cept Virginia, Mississippi, and Texas; and in the summer of 1868 they were readmitted to representation, and the military rule terminated shortly afterwards. For the three excepted States, however, further and harsher measures yet were necessary. Virginia had failed to ratify the constitution formed, the convention having omitted to make any provision for its submission to the people, because a split had taken place in the Republican ranks over its proscriptive provisions, and its defeat was feared. In Mississippi the same proscriptive provisions, notwithstanding the presence of the military in sixty different places through the State, had caused the rejection of the constitution in the election of 1868. In Texas the new constitution was not adopted until December, 1868, and was not ratified until November, 1869. For these three States, therefore, a joint resolution was adopted by Congress, in March, 1869, declaring that all offices held by persons who could not take the test oath of nonparticipation in the rebellion—even to the extent of giving aid or countenance to persons engaged in it, etc.—should be vacated, and should be filled by persons who could take the oath. This step, of course, swept out all of the few genuine Southern people who were yet in office in those States. There was even difficulty in finding carpetbaggers enough to fill all of the offices, and for months many vacancies continued in the retired counties. In Mississippi, during the spring of 1869, in certain counties licenses for marriage could not be obtained, and the clergymen who performed the ceremonies without them were liable to fines of one hundred dollars in each instance, although it is believed that such fines were never in fact imposed.

During the year 1869 the constitutions of the three delayed States were ratified, a separate submission of the objectionable franchise and test-oath features being made in Virginia and Mississippi, and those features being rejected. Early in 1870, therefore, those States also were readmitted to Congress. But it must not be imagined that, for this reason, the dark days of reconstruction were over. True, the Senators and Representatives were seated, and the military commanders were gone, but the carpetbaggers and all which they signified were still dominant in the land. Troops of soldiery were stationed all through the States, recognized to be so placed as *posses comitatus* for the civil authorities. Just in proportion as the white people were more disliked by the carpetbaggers than they had been by the army officers, did these troops now become a greater menace to their peace; and, on the other hand, just as the people had respected the army officers, and did despise the carpetbagger or scalawag sheriff or mayor, so now was that menace the more hateful to them, and the more provoking. They felt that so long as that condition should continue the equality and dignity of the States were not restored. It did continue, and those evil people did maintain their supremacy by the power of the army, in part, for a number of

years longer. It was only upon the installation of President Hayes, in 1877, that the troops were wholly withdrawn.

Grave as were all of these great political questions, and exasperating to the Southern people as was the manner in which they were dealt with by Congress, still a further irritant was the working in their midst of the Freedman's Bureau. This Bureau was not by any means a charitable institution merely. It was also, both in its structural capabilities and in its practical operation, a great political engine, and one felt by the South to be most pernicious to all true philanthropic and patriotic objects. Organized in the spring of 1865, for the purpose of aiding the freedmen by the allotment to them, on easy terms, of government lands, for the distribution of vast sums in largess, and for other forms of charity, its injudicious and prodigal expenditures fostered in the negroes a spirit of idleness and dependence to which already they were but too prone.\* Allotting to the freedmen, in forty-acre tracts, government lands by whatever tenure held, including in theory lands to be acquired by confiscation; in charge of a commissioner who recommended to the President that he should exact of every Southern man who should apply for a pardon a provision out of his lands for such freedmen as had been his slaves, as a condition to the grant of pardon; excluding all persons except freedmen and loyal refugees from the privilege of pre-empting or homesteading government lands, to the extent of three million acres—all produced in the minds of the negroes, under suggestion, it is to be feared, of agents of the Bureau, an idea that they were to be given the property of their former masters, and threatened serious troubles.† Introduced into every county, and placed exclusively under the management of either "carpetbaggers" or officers of the army, it became in the eyes of the freedmen a visible sign, everywhere and always, that the whites were deposed from authority. Backed by details of soldiery; empowered to act on all interests touching the blacks, even to the extent of nullifying judgments of the civil courts, and even on

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\* Gen. Grant, in his report to the President of December, 1865, already quoted, said: "Conversations with officers connected with the Bureau led me to think . . . that the belief widely spread among the freedmen of the Southern States that the lands of their former owners will, in part at least, be divided amongst them, has come from the agents of this Bureau. This belief is seriously interfering with the willingness of the freedmen to make contracts for the coming year. . . . In some cases, I am sorry to say, the freedman's mind does not seem to be disabused of the idea that the freedman has the right to live without provision for the future. The effect of the belief in the division of the land is idleness and accumulations in camps, towns, and cities. In such cases I think it will be found that vice and disease will lead to the extermination or great destruction of the colored race."

† In December, 1865, there was a stampede of the people from the country in Warren County, Miss., to the city of Vicksburg for protection; the negroes were reported as arming and demanding lands by Christmas, else they would take them by force. Two years later Gov. Humphreys, on the suggestion of Gen. Ord, District Commander, issued a proclamation, calling attention to the fact that widespread and well-voiced reports were current of conspiracies amongst the blacks, instigated by white men, to seize lands, even if it precipitated a war; and warning the blacks that they would receive no support from the United States in such conduct, and enjoining upon the whites to treat the negroes kindly and justly.

matters so simple and unpolitical as the collection of wages and debts; and doing its work not by the due process of law, but by a military order or by a court martial—its tendency was to create in the minds of the blacks both a suspicion of the laws of the State and a belief that they were outside of and superior to those laws.\* Filled, as its offices principally were, with men who were adventurers, bargainers, blackmailers, seekers after office, the negroes were banded into clubs and leagues needless for any legitimate purpose, taught to parade the streets in military array with arms and drums, were massed to be voted, and so were taught to regard the Southern whites as their political enemies by nature; while, on the other hand, the whites themselves were inspired with disgust for the Bureau and contempt for its work, and also with a despair of ever reaching the reason of the negroes in political matters by any argument or appeal.

It would be difficult to place a refined and honorable people in a situation more cruel than was produced by all of those combinations of affairs. Not only had they been utterly impoverished, not only had they seen swept away, as they believed, the last vestige of the doctrine of State sovereignty (a doctrine which they had been reared to consider the palladium of their civil liberties); but also, in the very fact of their double disaster, they were brought face to face with a Gorgonian problem which had frowned upon the nation for nearly a century.

What could five millions of whites do with over four millions of newly and suddenly emancipated slaves, who were not only ignorant, but also were of the almost hopeless African race? How were the molds of nature to be altered, and a people whose racial characteristics were want of personal ambition and absence of either personal or national initiative, whose veins were filled with indolent tropical blood, freed from the domination of their masters, and tempted by the soft climate of the South to pass their lives in uncontrolled idleness, to be energized and elevated into the life of the Anglo-Saxon? How was the leopard to be made to change his spots, and the Ethiopian his skin? Seventy-seven years before, Jefferson, the great founder and leader of the State Rights school of politics, the author of the Declaration of Independence, himself an ardent abolitionist, had dismissed the question of emancipation from his mind in despair of any solution of these problems, saying that "nothing is more certainly written in the book of fate than that these people are to be free; nor is it less certain that the two races, equally free, cannot live in the same government." His

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\* In General Order No. 31, of August 16, 1863, from Vicksburg, Gen. Wood declared that "information has been received at these headquarters that in various parts of this State parties engaged in planting, since the termination of the active work of making the crops, are discharging the freed people whom they hired for the year, without settling fully with them for their previous labor. . . . The commission of such outrages on the rights of the freed people will not be permitted in this department, and in such portions of the State as it may be reported to occur a military force will be stationed to prevent it."



first proposition had proven a prophecy, although the Constitution of the United States was against it; could the latter be falsified?

It soon became clear that the problem which had dismayed Mr. Jefferson was much overmatched by that which was now presented to the South; for besides all the difficulties inherent in the nature of the case, certain others, unnecessary and very grave, had been created by the Federal Government, by the reconstruction laws, and by the working of the Freedman's Bureau. The good faith and honesty of the South in dealing with the question were denied *in limine*; the experience and special knowledge of her people touching the capabilities and needs of the negroes, arising from two hundred years of most intimate and affectionate relations, were cast aside; suspicion and distrust of the whites, as such, were inspired into the breasts of the colored people, and they were marshaled into adverse affiliations on the basis of their color; and finally, and worst of all, the influence and controlling power of the Southern people were nullified, and the administration of all public affairs was practically placed in the hands of the negroes themselves, for the avowed purpose that they might protect themselves against white "aggressions." Thus, while by the facts of the case and by the laws of nature a state of vigilant and wise tutelage was imperatively demanded, the fiat of party as imperatively decreed that a full and unchallenged equality of all public-social, and political rights should be extended, at once and without reserve. This unwise demand, which substituted idealistic theories for inflexible facts, and required of the South that she should stake her whole future upon the experiment, was decreed in terms so stern that there was no avoiding it. It was useless to inquire of the hand at the helm: What can you do if we refuse to obey your orders? All things were felt to be possible in the way of coercion, since that was done which had been done. Threats were heard from every quarter that if reconstruction, on the plan prescribed, were not effected, and effected speedily, by the white vote, it would be without; and suggestions were not wanting from those high in power and place that if more were needed confiscations and banishments would follow.

It would be a task ungracious and unprofitable indeed, and one of great labor besides, to detail all of the irritations and wounds from which the South suffered during that unhappy decade. The half of them has never been told, and probably never will be; but enough has been set forth to indicate their general nature and extent. The result of it all was that as the months passed away and the South saw that the repose which it so greatly needed and had expected came not, nor would be permitted to come except under conditions which it regarded as needless, humiliating, and dangerous, the conviction became general and deeply seated that what was desired and intended by the

party in power was not a restored Union of equal States, but a subjected South, a dominant North, and a radical faction ruling all. The painful and exasperating belief gained ground daily that nothing which the Southern people could say or do, no vote which they might cast or withhold, would avail anything to change the course of their destiny; that the rights of American citizens and the Constitution of the United States were to be to them never a shield, but always a flaming sword. No palliating faith in the patriotism, the law-abiding spirit, or the philanthropy of their rulers existed. The whole history of the struggles between the North and the South had generated in the minds of the Southern people a profound skepticism in respect to the existence of the one and the others. Distrust of the Northern spirit and hostility to the Northern people, such as all the fortunes of war and all the bitterness of surrender had failed to arouse, began to stir in the South; and her people began to look upon their brethren of the North as possessed by a cruel hatred which rejoiced to believe evil, and by a malignancy which would stop at no wrongs or oppressions.

However, in course of time this deplorable condition of feeling became somewhat relieved. When the dust and turmoil of the impeachment of the President and of the reconstruction had somewhat subsided, leading Southern statesmen (the very persons whom the radicals denounced and disfranchised), men of acute instincts and broad political vision, saw that by no means all of the Northern people, nor even a majority of them, were really inimical to the South, but, on the contrary, were truly anxious for a full and equal restoration of all the States and the prompt resumption of normal relations; that the harsh and oppressive measures to which the Southern people had been subjected did not spring from a universal desire to humiliate and suppress, but from a conviction, honestly if even mistakenly entertained, that those measures were the quickest and surest way to accomplish those desirable ends, and to secure at the same time what were regarded as the legitimate results of the war. The moderate wing of the Republican party, led by such men as Schurz, Evarts, and Adams, came to be kindly regarded and their utterances received with favorable ears. But in this softening of the sterner mood there was no moral amnesty toward the leading radicals. For them, for those who under the guidance of Mr. Stevens and Mr. Morton waved the "bloody shirt," the Southern mind has never had aught but a judgment of the sternest reprehension. They are not believed to have been moved by any lofty, or even pardonable, motives in their institution of the coercive measures of 1867, but only by party zeal and the determination to control the patronage and revenues of the nation at all hazards and all costs.

## CHAPTER XIII.

Reconstruction in Mississippi—Ejection of Gov. Clarke—Constitutional Convention of 1865—Gov. Humphreys—Col. Lamar on the Situation in 1866—Legislation of 1865 and 1867 about Freedmen—Rejection of Fourteenth Amendment—The Fourth Reconstruction District—Participation or No?—Constitution of 1868-69—Removal of Gov. Humphreys—Adelbert Ames, Military Governor—Louis Dent and Election of 1869—Gov. Alcorn—The KuKlux Prosecutions—Col. Lamar in Retirement—The New Outlook.

THE ills consequent upon the war and attending the process of reconstruction bore with full weight upon the State of Mississippi. But through all of their troubled political history during this period her people deported themselves with great moderation and dignity.

On the 22d of May, 1865, and shortly after the surrender of Gen. Taylor, the Governor, Charles Clarke, was ejected from his office in the most summary manner by the Federal officials, and incarcerated in Fort Pulaski. His last official act was the appointment of a commission to proceed at once to Washington for the purpose of securing from the President, if possible, terms favorable to the peace and welfare of the State. One member of this commission was Judge Sharkey, whom the President afterwards appointed Provisional Governor.

The proclamation by which Gov. Sharkey convened the convention of 1865 closed with these words:

The business of improving our government, if it should be found to need it, and of promoting reconciliation between the Northern and the Southern people are now prominent duties before us, so that we may hereafter live in a more secure and perfect enjoyment of the great patrimony left us by our fathers, and so that those who are to come after us may long enjoy, in their fullest functions, the inestimable blessing of civil liberty, the best birthright and noblest inheritance of mankind.

A study of the composition of the convention by one familiar with the personalities of the previous political history of Mississippi discloses, in a most striking manner, the temper of the people in respect to their future course. It may be safely asserted that no deliberative body ever assembled in the State composed of men whose abilities were greater, whose social position and influence were higher, or whose political views and counsel were more respected. But their presence in this convention indicated a recognition by the people of the necessity for a new departure in their policy. The leading members were in full accord with the sentiments of Gov. Sharkey. Of the ninety-eight delegates, seventy were Whigs, or members of the old Constitutional-Union party. There were only thirteen whose politics had been in sympathy with the movement for secession. Its President was the Hon. J. Shall Yerger, universally loved and honored through the State, an ardent

and most efficient leader of the Whigs, and one of the fifteen who, in the Secession Convention, had voted against the ordinance. Immediately upon its organization Gen. W. T. Martin, formerly a distinguished officer of the Confederate army, introduced a resolution, which was unanimously adopted, tendering to Gen. Osterhaus, commandant of the district, the freedom of the House, remarking jocularly that he felt more pacifically disposed than formerly. This courtesy Gen. Osterhaus duly acknowledged as a "friendly invitation," from which he experienced a "justifiable pride and pleasure."

Of this convention Mr. Cox says that it "did some notable work. It did enough to disarm even the radicals, if the latter had not been determined to make the South the stronghold of their party."\* It declared the ordinance of secession null and void, abolished slavery, and repealed all laws passed in aid of the rebellion.

An election was held under the amended constitution for Governor and other State officers, Congressmen, and members of the State Legislature. By the common consent of both of the old parties Benjamin G. Humphreys was chosen for Governor. This gentleman, although he had served in the Confederate army, and with such credit as to attain the rank of brigadier general, had been a consistent Old Line Whig and an earnest opponent of secession. He was, as his memory is to-day, most highly esteemed throughout the State for his many sterling qualities and his simple and courageous nature. In his inaugural address to the Legislature, which met on the 16th of October, 1865, he said:

I have always believed that no one or more States could constitutionally sever the ties that unite the people of the several States into one people. Yet I am not unmindful that a different doctrine was taught in the early stages of our government, and was maintained by some of the brightest intellects and most illustrious patriots that adorn our political history.

The South, having ventured all on the arbitrament of the sword, has lost all save her honor; and now accepts the result in good faith. It is our duty to address ourselves to the promotion of peace and order: to the restoration of law, the faith of the constitution, and the stability and prosperity of the Union; to cultivate amicable relations with our sister States, and establish our agricultural and commercial prosperity upon more durable foundations.

In June, 1866, is heard the first expression from Col. Lamar of his views as to the political situation; and that is at the Commencement of the university, in presenting prize medals to the successful declaimers of the sophomore class. He made "one of the happiest efforts of his life." His speech was "most eloquent and impressive. In alluding to the condition of the country and her future prospects, the Colonel seemed to be not quite so hopeful of the situation as the orator who had preceded him. He did not think that there was even the shadow of the doctrine of State rights left, and he deemed it cruel to delude the people

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\*"Three Decades," p. 392.

with false views as to our present status, and with false hopes as to the future. He could see no liberty when a political line is drawn with *right* on the one side and on the other *power*. He was of the opinion that all that is left for the South is the moral and intellectual culture of her people, and these were worthy of her highest efforts." \* After this utterance, which was wholly informal and impromptu, at a purely literary festival, Col. Lamar gave no further public expression of his political ideas until the year 1871; but maintained an unbroken silence in the seclusion of his professorial and professional life.

Meanwhile events progressed. The second session (called) of the Legislature convened in October, 1866. In his message to that body Gov. Humphreys congratulated the people of the State upon the withdrawal of the negro troops from the State, and upon the transfer of the business of the Freedman's Bureau to the control of officers of the regular army, from which facts he hoped for better things; beyond them, however, he saw but little in the political horizon to cheer the patriot or excite the hopes of our citizens. The proposed amendments to the constitution, "which, if adopted, will destroy the rights of the States and of the people and centralize all the powers of government in the Federal head," were pressed by the radical Congress. Then the Governor said:

As the chief magistrate of the State I have sedulously avoided all collision with the Federal power, and have yielded obedient acquiescence in every case of usurpation and wrong inflicted upon our citizens by Federal authority. Our people are wearied of war, its desolation, its vandalism. They have returned to their allegiance to the Constitution of the United States. They now seek for peace, its quiet, and security, by submission to its power.

This Legislature, at its previous session in 1865, had passed such laws as it conceived were needed to provide for the changes in social and industrial conditions flowing from the emancipation. It accordingly enacted three or four statutes, which, together with similar acts adopted by the Legislatures of other Southern States, became known as the *Black Codes*. Those enactments placed the negroes far in advance of their civil condition as slaves, but by no means gave them full equality in all respects with the whites. The most important discriminations were those whereby colored persons were left disqualified to acquire real estate, except in towns under certain conditions; whereby they could be arrested as deserters by their employers and carried back to their work, in case they should have made binding contracts for service during definite terms and should quit such service without good cause (right of appeal to the courts being carefully secured); and whereby certain more stringent definitions of, and punishment for, crimes of certain classes committed by negroes against the persons and property of whites, were retained in force.

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\* Correspondence of the *Clarion*.

These discriminations proved most unfortunate in their political results. The radicals seized upon them as proofs that the Southern people were intent on violating the principle of liberty, while yielding its name; and, in the absence of those interpreting and modifying lights which only a thorough knowledge of Southern social conditions and of the temper of the Southern people toward the negroes could supply, the masses of the Northern people accepted for the time being that uncharitable and sinister theory, and the harshness of the reconstruction measures became possible.

It does not enter into the scope of this work to comment upon or explain those acts. They are susceptible of explanation wholly consistent with Southern honor and generosity. They were well meant. If the situation had been disembarassed of the supervision, suspicion, and dictation of Congress, they would not have been so ill contrived, if administered in a humane and liberal manner, to accomplish the ends designed. The conditions were altogether anomalous and unprecedented. Human experience furnished no guides. Any legislation must have been, as this was, altogether tentative; but a special misfortune of this legislation was that, while it was designed to be tentative toward a larger liberty, Congress chose to construe it as being tentative toward a resumption, in effect, of bondage. It will be for the calmer thought of later philosophical historians to determine how far it was justifiable or excusable, under the circumstances. Meanwhile Congress neither admitted justification nor allowed excuse, and the South suffered.

In respect to those statutes Gov. Humphreys, in his message of October, 1866, said to the Legislature:

Immediately after your adjournment, in December, 1865, I appointed Hon. William Yerger, of Hinds County, and Hon. J. M. Acker, of Monroe County, commissioners to visit Washington City and lay these laws before the President, and to request him to indicate which of them the military authorities in the State would be permitted to nullify.

The President, in his reply, gave them full assurance that none of them should be nullified except by the civil courts of the land. . . . While the Civil Rights Bill cannot be received as a rule for your guidance, the interests of the white race will be subserved by the relaxation of the rigidity of our laws, which, in order to guard society against threatening evils, was rendered necessary. Public justice to both races demands the admission of negro testimony in all cases brought before the civil and criminal courts. And, now that the negro has shown a confiding and friendly disposition toward the white race, and a desire to engage in the pursuits of honest labor, justice and honor demand of us full protection to his person and property, real and personal.

Accordingly the Legislature, in February, 1867, repealed all of the discriminating features of the laws, except that which required negroes to fulfill their term contracts for service, the retention of which was deemed imperatively demanded by the peculiar nature of the cotton crop and of the contracts (involving large advances to irresponsible labor) under which it was produced. This action was taken prior to the

passage of the reconstruction laws; nor was it produced by apprehension of those laws, for the same Legislature, in January, by a joint resolution unanimously refused to ratify the fourteenth amendment.

The reasons for that action were set forth in a learned and statesman-like document, submitted by a joint committee, of which the Chairman was Hon. H. F. Simrall, a distinguished lawyer (later a judge of the supreme court), an old Whig, who soon afterwards affiliated with the moderate wing of the Republican party. The points made by the report were these: The danger of disturbances in the working of the Federal system, arising from the sudden introduction of new elements so vast and untried, upon the mere suggestion of theories, and in the absence of any experience showing the need of such action; that the amendment attempts to force upon the States new rules in respect to the elective franchise, the object being to compel the acceptance of negro suffrage, while suffrage itself is not a natural right, and is withheld from many persons more intelligent, and while the subject-matter has always been committed to State control; that the amendment degraded and disfranchised the most intelligent, useful, and respectable class of Southern citizens, in a form most odious and tyrannical, by *ex post facto* law; that the Federal Constitution itself prescribed the mode of its amendment, and this amendment was not constitutionally submitted to the Legislatures for their adoption, since it had been passed by a Congress from which the Senators and Representatives of eleven States were compulsorily excluded, at the same time that Congress was estopped by the whole course of the legislative, administrative, and judicial history of the United States since the outbreak of the war (which was elaborately reviewed) to assert that those States were not members of the Union.

This able report embraced, as one of its opening paragraphs, the following clear and unequivocal statement of its position as to the existing status:

The Civil War has closed with two facts indisputably established, universally accepted, and recognized by the people of the South: First, that slavery is forever abolished; second, that the Federal Union is indissolvable.

The Legislature had hardly adjourned when the reconstruction law, or Military Bill, as it was then called, was passed by Congress, and was put into operation by the administration. Mississippi, with Arkansas, was established as the fourth district, and Gen. E. O. C. Ord placed in command. The important question immediately arose as to the course to be adopted by the people of the State in respect to those measures. Should they turn their faces toward the future wholly, and, submitting with as good grace as they could muster to the ungracious inevitable, take active part in the reorganization of the State government? or should they decline to take any part whatever in these revolutionary proceedings, and leave the matter wholly to the Federal au-

thorities, to make or mar as they might through the agency of the negro votes? The newspapers instituted a symposium upon these vital questions, to which many of the most prominent men of the State contributed open letters. Their opinion, to which the papers generally acceded, was in favor of adopting the former course. Public opinion formed, with wonderful rapidity, in favor of acquiescence and an active and patriotic participation. Many who, in the first impulse of resentment at the rigors of the law, had declared their opposition to any reconstruction upon the basis projected, on more mature reflection renounced their position; and multitudes who had halted between two opinions finally took stand openly in favor of reconstruction—not through approval of the scheme, but as a choice between two evils. Public meetings were held, with the usual accessories of barbecues, speaking, etc., in the interest of “participation.” To the committee for one of those meetings Judge Harris said in an open letter, in June, 1867:

It will be a source of lasting regret that we—the white and the colored people of the State—were not left free to work out this problem for ourselves, and the considerations of a common country, a common interest, and a common destiny permitted by their natural and inevitable influence to draw the two races together; and I fear that it will be the source of many calamities to both that now, when the power of the ballot is placed in the hands of the colored people, the exigencies of a party in the United States should lead to an attempt to incite them to regard their countrymen and neighbors as enemies, and to separate themselves from the white people in devising and maturing the measures which a common interest and destiny demand at this time. We cannot live here as enemies of each other. If we begin in enmity, we will surely end in disaster and ruin. All measures, therefore, which look to the establishment of trust and confidence between the two races ought, by all means, to be encouraged.

As the summer drew on, however, and the election of delegates to the Reconstruction Convention approached, this conciliatory and wise temper was disturbed by the arrogance and hostility of the administration, both national and local. The “participators” lost ground rapidly. Hon. D. C. Glenn, one of the most highly gifted and generous of Mississippians, wrote to Mr. Lamar, under date of September 22, that

My long trip through the North and West has sent me home utterly *unreconstructed*. I am cured of that. My opinion now is that all should register who can, and vote *against* a convention. Let the South hold herself ever free to war on these strap bills.

From such influences so great a coldness arose toward the new order that when the election was held many voters remained away from the polls. In consequence of this fact, perhaps, it resulted that the question of the convention was carried, and also the delegates elected were almost wholly radicals and negroes.

The convention convened on the 7th of January, 1868. Its membership and temper was such as to make it utterly obnoxious to the people of the State. It plundered the treasury. It insulted the people and



the State in every debate. It grasped at supreme power. It not only derided the sorrows of the stricken State, but also jeered at its protests. "A committee was appointed to prepare a memorial to Congress, asking for power to remove the State officials appointed or elected under the provisional government, and to appoint others in their stead. A protest against this memorial, repelling the charge that the provisional government was in the hands of the rebels, and that the lives and property of loyal men were insecure, was signed by fifteen members; but it was not allowed to be entered on the journal. The convention, by a vote of fifty to nineteen, ordered the protest to be 'wrapped in brown paper and returned to its author.'"\*

The constitution proposed by this convention was proscriptive in the extreme in its franchise features. It was placed before the people for ratification. At the same time measures were taken for the election of State and county officers, to serve under the new constitution if it should be ratified.

The error of the preceding year was not to be repeated. An active canvass was made by the whites in opposition to the ratification, and a full Democratic ticket was put into the field, which was headed by Gov. Humphreys, as a candidate for reelection. The radical candidate was B. B. Eggleston, the late President of the convention—"Buz-zard" Eggleston, he was called. The election, held on the 22d and 23d of June, resulted in the rejection of the constitution and the election of Humphreys over Eggleston by a majority of about eight thousand votes, notwithstanding the fact that it was held under military direction and with troops scattered all over the State.

On the 4th of June, pending the canvass, Gen. Ord was displaced by Gen. Irwin McDowell. On the 15th Gen. McDowell issued an order removing from office Gov. Humphreys, whose utterances and conduct had been always of the most conservative and moderate character, as indicated in previous pages, as an impediment to reconstruction, and appointing Gen. Adelbert Ames, of Maine, in his place. At the same time Attorney-general Hooker was removed, and one Jasper Myers appointed instead. "Gov. Humphreys declined to vacate his office, regarding the order of Gen. McDowell as a 'usurpation of the civil government of Mississippi, unwarranted by and in violation of the Constitution of the United States.' Congress, however, sustained the order (notwithstanding President Johnson's disapproval of it), and a body of soldiers took possession of the Governor's office, ejecting the lawful incumbent at the point of the bayonet. The Governor's mansion was then demanded, and upon Gov. Humphreys' refusal to vacate it the bayonets of the soldiers were again brought into requisition.

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\*"Three Decades," Cox, p. 526.

After the rightful occupant had been ejected Gen. Ames took possession of the mansion and of all the public buildings and archives."\*

This summary ejection of the Governor, it is needless to say, was much resented by the people of the State. It was considered as done in the interest of Eggleston's candidacy, at his instigation, and it was understood to mean that Congress would not only not tolerate any opposition to its methods, but also none to its instruments, noble or ignoble. The appointment of Gen. Ames, who was an alien to the State, without part or lot in its fortunes or sympathy with its people, was regarded as no less worse than the removal of Humphreys. But the indignity of his appointment soon shrank into insignificance before the wrath kindled by his administration. No temperate terms will describe the humor with which the people of the State regarded him. His rule was deemed to be stupid and blundering, oppressive, lawless, and self-seeking.

The radicals did not acquiesce in the rejection of their constitution and the defeat of their ticket. On the contrary, encouraged by the election of Gen. Grant to the Presidency, and speculating on his support, they appointed a committee of sixteen to endeavor to induce Congress to declare the constitution ratified and the Eggleston ticket elected, by throwing out the returns from seven of the counties of the State, on the ground that the majorities returned therefrom were obtained by fraud and intimidation. To meet this movement ex-Senator A. G. Brown, Judge Simrall, and other gentlemen repaired to Washington. They were aided by certain of the moderate Republicans of the State, led by Judge Jeffords, of the High Court of Errors and Appeals. Their efforts succeeded. The President recommended that the constitution should be submitted anew, with the privilege of a separate vote on the proscriptive features. This action was induced by assurances that the people would accept the constitution without difficulty if such a course should be adopted. Accordingly, Congress so enacted, providing at the same time that full tickets of State officers and Congressmen should be voted for.

In their resistance to the committee of sixteen, a certain part of the Republican party of Mississippi had parted, or "bolted," from the radicals; and as the spring and summer of 1869 passed it became manifest that there was an irreparable breach. The more moderate Republicans effected a separate organization, taking the name of the National Union Republicans. At their State convention this party declined to make any nominations, for the time being, for a State ticket; and the leaders of the Democratic, or conservative, party began to discuss the advisability of coöperating with it in the approaching elections.

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\* "History of Mississippi," Duval, 213.

In their resistance to the committee of sixteen also, ex-Senator Brown and his associates had received in Washington quite material aid and comfort from Hon. Louis Dent, a Mississippian by adoption and brother-in-law of the President. They remembered his labors in their behalf gratefully; and when the political forces began to gather, Senator Brown, in an open letter, suggested Judge Dent as a man available to defeat the radicals. It was supposed that his relationship to the President would be influential in his favor. The National Union Republicans later nominated Judge Dent as their candidate; and gave recognition to the Democrats, or conservatives, by offering Gen. Robert Lowry as their candidate for Attorney-general, thus presenting a fusion ticket. This ticket received the support of the Democrats and conservatives.

The radicals placed a full ticket in the field, led by James L. Alcorn, of Coahoma County, as candidate for Governor. Judge Dent made a canvass of the State, holding joint discussions with Gen. Alcorn. The former in November paid a visit to Prof. Lamar in Oxford, and consulted him about his course; but except to advise, Mr. Lamar took no part in the campaign.

The expectation that the President would give moral support to the candidacy of Judge Dent was disappointed. The movement in favor of liberal Republicanism, as a shield against radicalism, won no enthusiasm. At the elections in December the constitution was ratified by an almost unanimous vote, and its proscriptive clauses were rejected in the same emphatic manner; but Alcorn was elected by a vote of 76,186, against Dent's 38,097, while the radicals also elected all of the Congressmen and three-fourths of the State Legislature.

The effect upon the State of the establishment in power by this election of the radicals, and the effect of the same misfortune upon Prof. Lamar's individual history, have been narrated in the preceding chapters. He resigned in June, 1870; and the Iliad of the State's woes was continued and made even more tragic.

Still a further trouble, and one deeply felt, indeed, grew out of the Kuklux prosecutions of 1871 and the following years.

The Kuklux Klan was an oath-bound, secret organization, first heard of in Tennessee in 1868. The society soon spread into other Southern States. Its avowed object was to break up the Loyal Leagues, which were oath-bound, secret organizations of the negroes made by the "carpetbaggers" for the purpose of keeping up, at fever heat, the sentiment of loyalty to the Republican party, and which were worked as political machines from the start. It was proposed in the beginning to effect this object by working on the superstitious fears of the negroes. Grotesque disguises were adopted, the most fantastic literature was employed, with ghostly apparitions, etc.; but later, as

was inevitable, resort was had to violence. The victims of violence were either negroes or whites who made themselves obnoxious by acts of oppression, or acts considered to be injurious to the local welfare. There was no concerted system. The disturbances were limited to a few localities. Their work and misdeeds were disapproved by the great body of the Southern people. They were, however, the natural and certain offspring of the oppressions of the reconstruction laws, and of the disturbed social conditions arising from their enforcement.

In April, 1871, Congress made these offenses punishable in the Federal courts, and authorized the President to suspend the writ of *habeas corpus* when necessary to the preservation of order. Troops were to be employed to enforce the law. Apart from the question of the constitutionality of the law itself, had these measures been wisely and humanely employed to suppress the evil, it would have been well enough; but the tremendous enginery put in operation was managed by the same reckless and unscrupulous class of aliens, "carpetbaggers and scalawags" already described. They perverted it from its just design. In many of the judicial districts, instead of using it for the maintenance of good order, it was used to rivet still further the shackles upon the people by establishing the radicals in power. It was distorted into an instrument for the gratifying of private enmities and grudges. It was prostituted into a money-making machine by hordes of profligate deputy marshals, who spied out the land and worked up prosecutions yielding enormous costs. Witnesses found out that the heavy *per diem* fees and the large mileage allowed realized pretty sums, and they were not lacking. It was not an unknown thing for witnesses to be summoned to the seat of a court from long distances under subpoenas which held them from term to term, even during the vacations; and so they were enabled to draw *per diem* compensation during the whole period, while at the same time hiring out for wages in the usual manner. The courts were thronged with poor people who had been dragged from their homes under groundless charges, with their women and children along as witnesses on expenses; and vacant lots in the court towns were frequently covered with the tents which sheltered them. What approval the good people of the State would have felt for a proper administration of the law was lost in a sense of outrage at beholding a widespread and relentless persecution, conducted to a great extent by men who were well known to be of the most desperate and lawless character, under pretense of loyalty to the government. It was commonly asserted, and was certainly believed, that much of the lawbreaking which was charged to the Kuklux was in fact done for political effect by the Loyal Leagues or their emissaries. No adequate description can now be given of the *diablerie* which was carried on by the rulers. The "carpetbaggers and scalawags" were beginning to quarrel amongst themselves over the

spoils; and their mutual criminations and recriminations, their vilifications of each other, quite equaled or exceeded in bitterness and magnitude anything which the Democrats had said.

The *Weekly Clarion*, of Jackson, the Democratic organ, had this editorial squib on the 7th of July, which illustrates the character of the times and the humor with which the Kuklux prosecutions were regarded:

It is thought strange that two-thirds of the jury organized to convict the citizens arrested by the Federal troops and detained at Oxford are composed of Loyal Leaguers. Never since the reign of judicial tyranny in the days of Jeffreys were such outrages practiced in the name of justice. The radical party has been fruitful in its invention of tortures for the people of the South since they in good faith accepted the terms of surrender.

Mr. Lamar wrote to a friend in Georgia: "We are grievously persecuted under the Kuklux law." —

In all of this but little has been seen of Col. Lamar; but the times, the events, and himself were slowly ripening for his work.

Meanwhile he was living through deep trouble. Although his personal affairs were in reasonably satisfactory condition, the state of the country weighed upon him most heavily.

North Street in Oxford is a pleasant little street which runs from the public square (and the courthouse in the center of it) northerly to the limit of the village, and merges into the Holly Springs road. Upon either side it is bordered by neat little yards with numerous cozy cottages, and occasionally a mansion of some pretension. Near the end of the street, on its eastern side, was the residence of Col. Lamar—a humble but attractive cottage of six rooms, withdrawn from the thoroughfare some two hundred yards, hidden by a tangle of cedars, *bois d'arc*, and pear trees, with a long and narrow lot giving entrance from the front.

At this period upon almost any clement evening, late, if one should follow the plank walk until the white picket fence which marked the premises of Col. Lamar should be reached, there he would be found; clad in a drab study-gown, somewhat frayed and stained with ink; resting against the fence, leaning as if wounded, with his strong arms flung carelessly over it for support, and his head drooping forward; his face long, massive, and sallow; bareheaded, with his long brown hair stirred by the breeze; his deep, mysterious eyes fixed upon the yellowing western sky, or watching dreamily the waving limbs of the avenue of water oaks across the way; abstracted, recognizing the salutations of the passers-by with a nod half courteous, half surly, and yet obviously unconscious of all identities; a countenance solemn, somber, and enigmatical. He was never one to give loud voice to the perturbations of his soul, but it needed no very skillful physiognomist to see that here was a great heart greatly suffering. In those darkening twilight hours when nature

gathers the wandering thoughts of men into the narrow circle of their inner selves, what mighty passions wafted him upon their currents! What inaudible threnodies of sorrow for those deeply loved and uselessly lost! What mocking, pale-faced visions of blooming hopes and vaulting ambitions, now death-stricken forever! What thrills of hot hatred, holy in its intense fire if there be such a paradox in the spiritual world as a hatred at once personal and sacred, for the vile vampires who were drawing the lifeblood from his prostrate State! What surging waves of contempt for those friends of old whose venal knees had bent before the golden calf of power or pelf, and what pangs in tearing out their friendships from his heart! What swirling vortices of passionate and generous self-reproach for the tragic past, the dreary present, and the frowning future! What agonized searching of the inscrutable mysteries of the coming years! What sickening despair as the tortured mind groped for clews that might lead out from this Stygian darkness into light! There were loving eyes which watched him narrowly then—eyes which seeing, yet seemed not to see—and loving hands diligently wove bonds of silk to draw him away from the perilous verge upon which he stood; for more than one anxious heart interpreted those volcanic moods, and trembled lest in some weaker hour a dreadful deed, born of fury and despair, should spring like a tiger from its lair, and ruin all.

However, no such calamity ever came, although, as told already, once very near. The natural humanity of his disposition, the unflinching charity which moved him even involuntarily to look for virtues and redeeming traits in those whom he most disliked, his profound respect for the law and its requirements of subordination, the humility and long-suffering of his Christian blood and training, all conspired to moderate the turbulent and fierce elements of his strangely complex character; and they produced, in time, their legitimate and necessary results. Through the stoicism induced by familiarity with painful conditions, through the unconscious hopefulness of his strong and resilient nature, the electrical and threatening glooms which overshadowed his life were, to a great extent, gradually dissipated, and he passed into a sunnier mood. But this brighter mood was by no means one of unclouded serenity. There was a large residuum—as indeed there remained in a lessening degree throughout his life—of troubled thought, of nervous apprehension, of formless dreads about his beloved South. The experience of that decade which followed the war left ineffaceable scars upon him, and he was never able to cast wholly off the fear of the disposition and power of the stalwart wing of the Republican party to resume stern measures with the people of that section.

Through a trial so fiery as was that of Col. Lamar no human soul ever passed unmodified. Either it is blackened and debased, or else it is

purified and ennobled. Mr. Lamar's sorrows mellowed and strengthened him. About this period Mr. Henry Craft, of Memphis, a lawyer of eminent ability, a gentleman of the most amiable and generous character, a man of singularly clear perceptions and philosophical thought, who had been a friend from those days when they slept together in the trundle-bed, wrote to him:

Do you know that your character has been greatly improved by what you have gone through: softened, rounded, made sympathetic? I think so, and congratulate you.

The enrichment of Col. Lamar's nature by the throes of those tenebrous years, interesting as it must be to the student of his life, was by no means their only result. He had descended into the shades a sectionalist; he emerged a nationalist. Like the Apocalyptic, he "saw a new heaven and a new earth: for the first heaven and the first earth were passed away." The South that was, proud, self-reliant, masterful, persuaded of her right and her power if need were to take place as a nation amongst nations, had fallen; all her political tenets had parted like ropes of sand; the fruitage of her ambitions had turned to ashes upon her lips. What remained? A future embarrassed and imperiled, but still rich in all glorious possibilities. A future, however, in which for her neither a separate existence nor a prospering sectionalism was any longer a possibility. A future in which reconciliation and oblivion were vital; and in which the wide gaze of the statesman could see everything for her in concord, in discord nothing. To him it became as clear as the sun that the one great want of the South was a great national aspiration nationally recognized. The very love he bore to his people, illuminating a generous and patriotic heart, a mind stored with traditions of statesmanship, gave him prescience and taught him wisdom. And so it was that through the darkness he caught gleams of a brighter day, and the poet's passionate cry became his prayer:

Harness the impatient years,  
O Time! and yoke them to thy imperial car;  
For through a mist of tears  
The brighter day appears,  
Whose early blushes tinge the hills afar.



LIBERAL REPUBLICAN LEADERS, 1870-75.

HORACE GREELEY BY PER. D. APPLETON & CO





## CHAPTER XIV.

The Liberal Republican Movement—Lamar's Letter on Greeley and Brown—Lamar for Congress in 1872—Nomination, Canvass, and Election—Letters—Removal of Political Disabilities—Illness—Deliberations, 1873—Democratic Party Disbanded—Supports Alcorn against Ames—Illustrative Letters of November, 1873—Enters Forty-third Congress—Letters to Judge Wharton on Grant—First Speeches: West Virginia Contested Election.

THE American people do not like malice nor cherish it. Any party which erects its political structure upon a foundation of ill-will engendered by events that are over and done with builds an unstable structure. All the genius, the dash, the cunning, and zeal of the Radical leaders could not long reconcile the Northern people to their proscriptive and reckless Southern policy, especially when the truth began to transpire about the chaotic and disgraceful administration of the Southern State governments under their patronage. The clear and cool common sense of the Northern mind could not long be deluded into the belief that the South was given over wholly to rebellion and hatred of the great republic, or that her people were bandits to be held in order by the bayonet alone, or her fair territories conquered provinces to be plundered at will. The reconstruction measures of 1867 had hardly been put into effective operation before a revulsion in the Northern opinions began, which was shortly to sweep the Republican party from its imperial place.

There had been an influential element in the Republican party from the first, which, although it had supported the party cordially for the sake of the Union, had given its support only provisionally, with a potential, if not an actual, independence of judgment. There was another element, too, of "War Democrats," whose allegiance was still looser, still more openly conditional. These elements, as well as a great many earnest, conservative men who accounted themselves without qualification stanch Republicans, were very soon seriously alienated from the party by its extreme measures of coercion in the South in support of the constitutional amendments, its constant military interference there, in spite of the principle of local self-government, the arrogant temper of mastery with which it insisted upon its aggressive policy, and the apparent indifference with which it viewed the administrative demoralization which so soon became manifest under Gen. Grant.

So early as 1870 these forces of reaction had produced a "liberal Republican" party in Missouri, which, by combining with the Democrats, presently gained complete control of the government of the State. By 1872 this "liberal Republican" movement had greatly spread, assuming even national importance. In May, 1872, a general mass meeting of the adherents of the new party gathered in Cincinnati, and, after adopting a thoroughly Democratic platform, was led by a singular combination of influences to nominate for the Presidency Mr. Horace Greeley, the able, erratic, stridently Republican editor of the *New York Tribune*; and for the Vice Presidency Mr. B. Gratz Brown, the Liberal Republican leader of Missouri. The Democratic nominating con-

vention accepted both the platform and the candidates of this meeting. But no Democrat could vote with real heartiness for the ticket.\*

In contemplation of this singular political movement, and only five days after Mr. Greeley's nomination by the liberal Republicans, Col. Lamar wrote as follows to Mr. Reemelin:

OXFORD, MISS., May 6, 1872.

. . . There is not much enthusiasm for Greeley and Brown. It will require a great deal of eloquence on the part of their advocates to get it up. Carl Schurz is the only genuinely popular man in the country. The people think him patriotic, disinterested, and intellectual. They pine for a true man; one true in his principles, lofty in his manners, and a real genius. Is Mr. Schurz all this? If he is, and if he has the physical strength to go through the country and make eloquent appeals to the people, they will elect his ticket *because it is his*. The people care nothing about Trumbull or Davis or Adams, and very little for Greeley or Brown. But Mr. Schurz has somehow touched their hearts.

The Democratic convention met at Baltimore in July, and accepted Greeley and Brown as the candidates of that party also, as told above. On the 15th Mr. Lamar wrote again to Mr. Reemelin:

Your objections to Greeley are incontrovertible. His election, if it should by possibility occur, will not, *per se*, be the triumph of a single great constitutional principle. He has ever been the living embodiment and concentration of all that we of the South and of the Democracy are accustomed to regard as unsound and pestilent in politics. I am curious to see the biography that his friends will put out. If it would only give a faithful account of the sects, schools, and parties with which the hero of the story has been connected during his forty years of active but feverish intellectual life, it would not be devoid of interest and value, however worthless it might prove as a campaign document. But it should be entitled "A History of the Aberrations of Human Reason, as Illustrated by the Life and Writings of an American Editor."

But the South—aye! the very *sanior pars* of its population—will support him; and you, my dear sir, must not judge them harshly for their course.

Our people are under the supreme necessity of getting into harmonious relations with the Federal Government. They can do nothing, they can say nothing that will effect this result with the present administration and the small politicians who seem to control every administration. Its grim despotism glares upon us at every point. Spies and secret detectives swarm through the country, dogging the footsteps of our best citizens, noting and perverting every chance word, following up with arrests, arbitrary searches, indefinite and unexplained imprisonments, trials before vindictive and partisan juries packed for the purpose of insuring convictions, and ending, of course, in verdicts of "guilty" and sentences of transportation to Northern prisons. Tortured to madness, the friends of the victims have sometimes, not often, resorted to secret conspiracies and bloody retaliations; which latter bring down upon our defenseless heads still more terrible bolts of Congressional wrath.

I fear, if this agony is prolonged without hope of relief at some period, the Southern people will feel that death is better than life; and then despair and Nemesis will rule the hour.

Such being the condition, the thought which presses upon every aching heart and head is not how to restore the constitutional faith of our fathers, but how to get rid of these creatures, defiled by blood, gorged with spoil, cruel, cowardly, faithless, who are now ruling the South for no purposes except those of oppression and plunder.

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\* "Division and Reunion," Wilson, 281.

It is believed—or rather we wish to believe—that there is a large majority of the Northern people, perhaps of the Republican party itself, which, though determined to secure the legitimate results of the war, are disposed to treat the South (as far as consistent with this purpose) with gentleness and justice, and even with magnanimity. Now, strange as it may seem, the South is ready to respond to the former, as she is to the latter phase of this sentiment. She was neither embittered nor humiliated by the result of the late war. Though vanquished, she was conscious that she had well attested the sincerity of her convictions by grand battles, numerous victories, and heroic sacrifices. With a sentiment of increased respect for the martial spirit and military power developed by the North in her vindication at the cannon's mouth of the integrity of the Union, the Southerners yielded in good faith and without any mental reservations. They laid down their arms. They submitted to the authority of the constitution with the North's interpretation of it. They abrogated the right of secession and wrote the abnegation in their fundamental laws. They acknowledged the extinction of slavery and also the political and civil equality of their late slaves with themselves. *They will never disturb the Union again.* Since the formal surrender of their armies *there has not been a single instance within the Southern States of an insurrection against the authority of the government,* although a part of the time the people have been without civil magistrates, and nearly all the time have been writhing under oppression, injustice, and violence.

And yet the administration of President Grant, regarding them as only vile traitors to be repressed by the strong hand, has never ceased to treat them with contemptuous distrust, severity, and vengeance.

Now that the offer comes from the North (in a strange quarter, true) “to clasp hands across the bloody chasm,” is it unnatural that our people accept with joy the prospect of peace, concord, and forbearance? Accustomed to confide in the moral and intellectual superiority of their political leaders, it does not occur to them to doubt the sincerity of the offer and the assurances with which it is accompanied. And even if they did doubt him (Greeley), they have confidence in the purpose of the party that will go into power with him to relieve them of their intolerable condition. In case of his defeat the movement will have brought to their support a body of new and valuable allies which they cannot afford to give up.

On the other hand, there exists among many high-strung men here a hopeless skepticism of anything sound or valuable in Mr. Greeley, a dislike of his character, and a determined adherence to their own political principles. These, however, are not active or stimulating motives, and show themselves rather in expressions of indifference to the result of the contest and a want of confidence in the success of the movement.

I have given you, as well as I can, the sentiment, or rather the impulse, which prompts our people to support Mr. Greeley. I myself have taken no part in any movement. The time has passed with me for looking to political parties, Democratic or Republican, as a means of improving public affairs.

I have not merely lost confidence in them. They fatigue my contempt. Believing that the South can do nothing which will change the tendency of things, I have had no advice to give our own people, except *to go to work* in restoring their material prosperity and establishing their institutions of education.

As for national politics, it has seemed to me that wisdom, as well as self-respect, should restrain those of us who aspired to statesmanship before the Southern overthrow from obtruding our counsels and views upon a crisis which we failed to control by arms. I remember that you protested against this position during your visit here. It made a decided impression upon me, and I have so far deferred to your judgment as to be ready to speak whenever any utterance of mine can be useful. . . . There is a strong movement in my district to send me to Washington. I give it no encourage-

ment. My aversion to reëntering public life increases. At this particular juncture it is especially great. I have been accustomed to regard my political principles with profound and even awful respect. While *they* are *down* and under the *ban*, I feel it to be a *misfortune* and a *snare* to accept promotion. I would much prefer to bide my time and wait for more auspicious days (even if they come not in my life), when the right will raise its honors from the deep and make the true and the brave sharers in its triumph. Besides, I have a practice growing every day more lucrative, and am loath to give it up. If there is a genuine and general desire of our people to have me go, I shall hardly know how to decline. In case I yield I must bespeak your counsels, and especially your generous indulgence to me as a public man. . . .

Mrs. Lamar sends her thanks and kind remembrances to you. We see no prospect of getting to see you for some time, so closely am I confined by my courts. But we hope to see you here. For we all like you. If I *do* go to Washington, won't you let one of your daughters spend one or more seasons there with us? I can commend Mrs. Lamar as one of the pleasantest and most popular chaperons I ever knew. Then besides, she will be with a family that has never had a "skeleton in the house." But I am playing the part of the milkmaid. Do write to me. I have no Northern correspondent.

The temper with which the Southern people regarded Mr. Greeley's nomination, the sentiments and hopes with which it inspired them, are thus clearly set forth in the intimacy of a private correspondence by one who knew every throb of the Southern heart. As an interesting side light upon the times, and as illustrative of the irritations to which the people were constantly exposed, and of their long-suffering under libelous and malicious detraction, ponder over the following extract from a letter written at that time by Col. Flournoy to the Republican State Committee and promptly given circulation in the newspapers, the writer being the same man whom his Democratic neighbors had defended in the year before from the Kuklux with guns and slaughter:

Alarm the country, for we are stepping over the glowing cinders of the rebellion, ready to burst again into a consuming fire. . . . A victory for the Democrats, through Mr. Greeley, means the repudiation of loyalty by punishing Gen. Grant. It means war with some foreign power, that the rebels may aid it upon the condition of guaranteeing to them a separate government.

The movement to send him back to Congress, of which Mr. Lamar spoke in the Reemelin letter, grew apace. It was helped on by the newspapers. Communications of the most complimentary nature appeared now and again, especially in the *Clarion*, the Democratic organ, published at the capital. The principal difficulty lay in the fact that under the provisions of the fourteenth amendment Col. Lamar was disqualified to hold office. In view of this obstacle there was much hesitation about his nomination, even on the part of men who otherwise would have been ardent supporters. Nevertheless, the wish for him was so strong, the confidence in his abilities and patriotism so great, that when the nominating convention met at Tupelo on 21st of August, after a number of ballots, extending over two days, in which many prominent gentlemen were voted for, he received the unanimous vote of the body.

To the last he hesitated about taking the final step. On the 2d of August, nineteen days before the convention met, he wrote to Mr. Reemelin:

In the struggles of my intellect after the truth, "I have trod the winepress alone." But in this thing I was wholly at fault. I know the Anglican character, even the German and the French, better than I do the Northern. You are of them enough to partake of their feelings and purposes, and are yet *outside* of them enough to see them in the perspective, and to view them as phenomena. . . . I also wanted your advice as to whether I should go back and get my mind saturated again with politics. I have a good practice, my family are happy as possible, and I have disciplined myself to bear final exclusion from official functions and holdings with a serene and self-sustaining mind. Do I really owe it to the South and Mississippi (excuse the limits; I have not yet learned to expand my sense of political duty) to go into public employments?

After his nomination Col. Lamar arranged for an active canvass of his district: the First. His principal opponents were two: Col. R. W. Flournoy, in the interest of the radical party, or Grantites, as they were called; and R. M. Brown, the editor and proprietor of the *Central*, a paper published at Water Valley, an independent. A joint canvass was appointed, which was carried out with some degree of exactness, and in which he made many speeches, described by those who heard them as most brilliant. A correspondent of the *Clarion* writes from Tupelo, under date October 7:

Col. Lamar is making a thorough canvass of the district. He is making the most powerful speeches that have been heard in this part of the State for many years. In fact, the people say the like was never heard before. He has large crowds to hear him, and he leaves a perfect blaze of enthusiasm behind him wherever he goes. He spoke to a large crowd at Fulton to-day. He speaks at Shannon to-morrow, at Chesterville next day, and the next day at Pontotoc. He will beat Flournoy, Brown, Adams, and any others that may come out in the interest of Grant or disorganization, three to one.

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During this period and in this canvass Col. Lamar was much troubled about his political disabilities. He was not only concerned about the matter of itself—accepting the nomination with many misgivings as to the wisdom of the step—but also the situation was urged by the independent candidate as an argument against his election. There was, moreover, an apprehension that if Congress should refuse to remove his disabilities, the operation of Section 15, Article 13, "of the Buzzard Eggleston constitution" would cause the seating of the minority candidate. The *Clarion* of September 10 had a leader controverting the soundness of this notion as a legal proposition, and denying the probability of such action under the Congressional precedents. Col. Flournoy acted handsomely in the matter. Amongst the old papers is a crumpled note in which he says, "Col Lamar, I wish to be understood

distinctly as saying I will not claim a seat should you resign. R. W. Flournoy."

The *Pilot*, the radical organ, published at Jackson, was less magnanimous. It assailed the Colonel fiercely, ending one of its articles with the statement that "he committed a great mistake when he decided to thrust his case upon Congress."

A report obtained currency to the effect that he had said in his speeches that he would make no direct personal application to Congress for relief; and this rumor he had to deny and counteract, since it threatened to alienate from him the Republican influence which he had gained in North Mississippi.

That Republican backing was one of the most striking facts of this portion of his history. Notwithstanding his unswerving Southern Democracy and his open and deep resentment of the "carpetbag" domination, his hostility was so open and manly, his recognition of any kind or honorable or patriotic act, even of those whom he opposed and disliked, was so prompt and generous, his bearing toward his antagonists was always so courteous, that most even of those whom he resisted publicly, if they knew him personally, liked and admired him in private, and were pleased to see him rise. Col. Pierce, the United States Marshal, supported him against Flournoy and voted for him. His application for the removal of his disabilities received the cordial support of Gov. Powers, who, of his own motion, prepared a memorial to Congress in that behalf, which was signed by all of the Federal officers at Oxford and Holly Springs, besides Republican judges and chancellors. The three Republican judges of the Supreme Court presented a similar document; and his cause was supported by Auditor Musgrove, by James Hill, the colored Secretary of State, and by O. C. French, the Chairman of the Republican State Committee. A letter from Judge R. A. Hill, of date December 1, says: "I have not met with any leading Republican in the northern part of the State who was not in favor of your relief specially."

His reëntrance into politics attracted attention in other States, and numerous congratulatory notices appeared in prominent Southern journals.

Prior to the election all of his competitors withdrew from the race, "except *Old Ossawatimie* Flournoy," as the papers called him. The Colonel was successful by a majority of nearly five thousand votes.

On the 4th of November he wrote to Mr. Reemelin:

You are somewhat responsible—more than any *one* person—for the position I am in. I was unanimously nominated for Congress, and shall probably be elected tomorrow. I have discussed "the condition of the country" with my political opponent all over the district. My speeches pleased the people far better than they did me. . . . You are aware that I am under disabilities, and that it will require a

vote of two-thirds to remove them before I can get my seat. The people would have me to represent them in spite of the disabilities. They meant no defiance to the government, but simply wished Congress to know that the man of their choice is proscribed. I think the Republicans of the State will favor the bill for my relief. . . . You may be assured of one thing: I am a patriot—that is, my heart beats with more fidelity to the interest and happiness of the American people, and to the principles of public and individual freedom, than it does to my own tranquillity. If elected tomorrow and sent to Congress, I will be in *one* sense a Representative according to the standard established in the purer days of the republic. Not a dollar will be spent, except for the printing of tickets, in my district. Such a thing as a *fund* or a committee to raise money for electioneering purposes is unknown within its limits. There will not be a vote bribed, either directly or indirectly; and no *personal influence* will, so far as I know, be brought to bear upon anybody. No money drawn from any source is applied to any purpose. What do you think of that?

To Judge Peyton, of the Supreme Court, he wrote at this time:

Should I be permitted to take my seat in Congress, my course will be marked by moderation and reserve. If I say or do anything, it will be to give to the North the assurance it wants that the South comprehends its own great necessities, and wishes to be no longer the agitating and agitated pendulum of American politics.

In December he repaired to Washington in order to press his application for relief. His petition, along with the memorial prepared by Gov. Powers, was introduced in the House by Mr. Dawes, of Massachusetts, on the 5th, and was at once referred to the Judiciary Committee. On the 9th Mr. Bingham, of Ohio, for the committee, reported a bill, and advised the House that it was unanimously recommended. He called special attention to the fact that the petition was favorably indorsed "by most of the United States officials in the State." Thereupon the bill was passed, under a suspension of the rules, by a vote of 111 to 13. On the next day its passage was reported to the Senate, and on the 11th that body referred it to the Select Committee on the Removal of Political Disabilities. On the same day Mr. Vickers, of Maryland, for the committee, reported it as unanimously approved, stating that a large number of Republicans had certified that the election at which Mr. Lamar was chosen was orderly and fair, and that there could be no objection to the removal of his disabilities. The bill was thereupon passed by unanimous consent.

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The anxieties and excitement caused by this episode came very near costing the Colonel his life. The infirmity to which he was subject seemed usually, when it visited him at all, to come immediately after the relaxation of some great nervous tension. The bill for his relief had no sooner passed than he was seized with a vertigo in its severest form. He was taken over to Baltimore, where, at the home of Dr. A. T. Bledsoe, his old chief at the university, he was most tenderly and carefully nursed through his illness. For several days it looked as if the end had come, but his strong constitution finally prevailed, and health



slowly returned. A few days later he was able to return home, although on crutches and very weak.

During all of the year 1873 he was pondering most carefully and anxiously over his future course in Congress. How could he best help onward the cause to which he had consecrated himself: the perfect reconciliation of the North and the South? That was the overwhelming problem. He corresponded on the subject with several of the leading conservative statesmen of the North—Hon. M. C. Kerr, of Indiana, and others—and the import of his letters was this: knowing the Northern mind as *you* know it, what would you do if you were in *my* place? He received many valuable suggestions; the principal value of which, however, consisted in their confirmation of his own conceptions, rather than in the marking out of any new lines of thought or policy.

In June a correspondence with Dr. Barnard, of Columbia College, which continued at intervals so long as the Doctor lived, was reopened by a letter from the Doctor, in which he said: "I have never ceased to think of you with affection, as one of the noblest of men and the most valued friend I ever knew."

Mississippi State politics assumed an interesting phase during this year. The "carpetbagger" was still abroad in the land: less imperious, perhaps, than in years just passed, and with a dawning perception of the fact that his title to the State was but a base fee after all, yet still with his Briarean hands everywhere. A division had occurred in the Republican party. The leaders of the two factions were Senators Alcorn and Ames. "The former, a man of high bearing, wealthy, full of courage, proud, and imperious, had a contempt for the pretensions of the latter, and asserted, in substance, on the floor of the Senate, that Ames was a fraud; that his poverty of intellect was only equaled by his arrogant assumption of unauthorized powers; that he was not, and never had been, a citizen of Mis-sissippi. Ames made the best reply he could, but was no match in debate for his opponent. The estrangement and breach between them culminated in both declaring themselves candidates for Governor of the State. A number of white Republicans advocated the election of Alcorn, while Ames was supported by the extreme Radicals, who controlled, in a great measure, the negroes."\* In this condition of affairs the Democratic State Convention, in September, resolved that "it is inexpedient in the approaching State election to nominate a State ticket." The adoption of this course left the race to the two Republicans. The Democrats, as a choice between the two, supported Alcorn, for the reason that he was an old citizen of the State, largely interested in its material development and welfare, and in every

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\* "History of Mississippi," Lowry and McCordle, p. 285.

respect preferable to his opponent, whom they regarded as the exponent of tyranny and lawless oppression.

On the 14th of October Col. Lamar wrote to his friend and quondam partner, E. D. Clarke, Esq., of Vicksburg:

As to politics, I think this is one of the most important elections, perhaps *the* most important, that we have had since reconstruction. I am for Alcorn, and perhaps it will surprise you to learn that I am as warmly in his favor at this time as I have been in times past opposed to him. In this, if I could talk to you instead of having to write, I think I could show that I am consistent in *purpose* and *principle*, though I have changed my relative position as to men and measures. This is true patriotism and statesmanship in my opinion. Consistency in your *end* and *aim*; variety, change, and adaptability in the use of your means.

Hitherto our gubernatorial contests for election have had *one* controlling purpose, which was somewhat different from that now in view. I mean that it was *totally* different. Heretofore the object has been to have an election that would secure for our people harmonious and *restored* relations with the Federal administration. It looked to the deliverance of the State from military thralldom, and to the reinvestiture of civil authority and *Federal* rights. Our nominations and our platforms were all made with a view to these Federal and *external* relations and exigencies. Hence, both parties indorsed the thirteenth and fourteenth amendments, and advocated the fifteenth amendment as proposed. Both sought to get the sympathy and good will of the Federal administration. The Conservatives nominated the brother-in-law of the President as an earnest of the good faith in which they proposed to abide and carry out the results of the war. The Radicals nominated Alcorn, a Southerner, but one whose party alignment with the *new citizens* (*Northern Radicals and freed negroes*) was presented as a surer guarantee of harmony with and support of the administration than the old slaveholders could give, even with the President's brother-in-law at their head.

The real object of both sides was to secure the good will of the power at Washington. The constituency to which they appealed, and whose ideas they consulted was, *not the people in Mississippi*, but the President and his cabinet at Washington. The internal administration of our affairs was in great measure overlooked in the contest; certainly very much subordinated.

Now, whilst I and you and such as we were willing to support Dent (at the head of the original citizens of Mississippi) and abide the amendments for the sake of obtaining restitution of Federal relations and freedom from military rule, I was opposed bitterly and uncompromisingly to reaching such a result through the intervention of the negroes and carpetbaggers headed by Alcorn. *I believed such a result to be fraught with more of injury to the State than a continuance of the military rule.* Subsequent events have confirmed my impression. Whether they have produced that belief in Alcorn's mind or not, is a matter of no question. Having accomplished the restoration of the State to her position as a member of the Union, with one or two other objects of a personal nature, he is satisfied *now* that the longer continuance of this Radical party headed by Ames in the possession of the power of the State government will be a terrible evil to the State which all good citizens should oppose with all their power.

I was opposed to the *introduction* of these people into the government of the State. I am ready to coöperate with him in their *expulsion*.

He has, from the aggressive and combative qualities of his character, combined with the prominence of his position and his senatorial collisions with Ames, assumed the leadership of the conservatives in this State. It has been almost forced upon him by the stress of events. Whatever may be his personal objects, the public ones, together with the bold and somewhat daring manner with which he has thrown him-

self into our leadership, entitle him, in my opinion, to that position, and to our cordial and *unstinted* support.

The reasons why he should be elected and Ames defeated now are much stronger than those which made us wish him defeated and Dent elected in the former contest; but I will not give them in this letter. . . .

The "old citizens," however, did not feel the importance of coöperation with Gov. Alcorn so deeply as did Mr. Lamar. They gave him but a lukewarm support. Ames was elected, and the carpetbag dominion given another, but a final, lease on life.

Here is a bit of literary *genre*, which is not without its significance and timely color: a letter from F. M. Goar, Esq., a lawyer of Tupelo, Miss., one of his law students of old:

Well, I am not married yet; and no hope. I am thinking some, though, of taking part in the Cuban war. If Grant still thinks we down here in the rebel country don't love the "old flag," if he will give us a fair showing, we will show him different. Of course I would not like to go into the army as a private soldier, unless it was absolutely necessary that I, together with other *gentlemen*, should go that way; but I am in earnest. If the government would give me a respectable position, I'd go in a minute, and fight like the devil too. I was thinking to-day that if the United States should go to war with Spain (which she ought to do) there is nothing that would sooner and more effectually allay the prejudices and bad blood between the North and the South than a prompt and liberal response to a call for troops from the South of the best and leading young men of the country. I am willing to go. Tell the President that if he will appoint me colonel I'll raise him a regiment of "the boys in gray."

We have a very interesting Circuit Court in session here. Col. Voorhees came tonight; the Francis Insurance case set for to-morrow.

This, also, from Mr. Voorhees to Hon. W. E. Niblack, of Indiana:

TUPELO, MISS., November 25, 1873.

. . . If war should be declared against Spain, the South will fight under the old flag in a way to command the admiration of the world. Of this there is no doubt. This is the expression on all hands, and the genuine tone of the press. There are three ex-Confederate officers now sitting by me, each with but one arm, and they would all fight now for the government in a just cause; and they consider the present a just one in behalf of the national honor.

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Mr. Lamar was promptly at hand in December to take his seat as a member, from Mississippi, of the Forty-third Congress. He found Congress to be a very different body from what it was before the war, and his place in it even more altered. Coming from a Southern State lately in armed hostility to the government, and never since the day of secession represented by a man of his political creed or antecedents, it will be difficult to conceive adequately of the embarrassment, the delicacy, and the gravity of his position and his duties. He found that sectional animosity was strong and bitter; that the purposes and aspirations of the Southern people were grossly misrepresented from many powerful quarters, and were generally most sadly misunderstood; that,

based upon such misrepresentations and misunderstandings, measures had been, and constantly were, introduced, which to him and his people appeared most hostile and deadly to their happiness, their prosperity, and their liberty.

He was appointed to the Committee on Elections. Soon after his arrival he made a short speech on a contested election case from West Virginia, which was regarded as "quite a hit," and received a good deal of complimentary notice from the press; but of which he wrote to his family:

The little speech I made attracted far more attention than it deserves. Its only merit consisted in presenting the truth of the case disengaged from the irrelevant points with which it had been confused.

A few days later he wrote to Hon. T. J. Wharton, of Jackson, Miss.:

WASHINGTON, D. C., 1418 F. Street, December 25, 1873.

HON. THOMAS J. WHARTON.

*My Dear Friend:* . . . There will be very little opportunity for me to say anything that will strike my own people impressively. I am on a hard-working committee, where I can be of some use, though not in an imposing way. It is well understood here that I have already contributed effective aid to our friends in defeating the project of putting in the Republicans from West Virginia. I think, too, I have won the confidence and respect of the members of my committee. The Chairman of it told me that he would rather agree with me in action upon the case than all the others. Probably this was flattery, but it shows a desire to secure my coöperation rather than to provoke antagonisms. But a truce to such egotisms. You want to know something about Federal politics, don't you?

Well, I have seen Grant once. I went with Stephens. We were carried into a reception room, and were told that the President would be in in a few moments. Very soon another person came in, whom I took to be one of the upper servants. He said: "Good morning, Mr. Stephens." Mr. Stephens, to my utter astonishment, replied: "Good morning, Mr. President. Allow me to introduce Col. Lamar, member of Congress from Mississippi." I had seen his pictures, and had heard A. G. Brown describe him, but I was taken by surprise. He is, at first sight, the most ordinary man I ever saw in prominent position. He is about the complexion and size of ——. After scanning him closely you see before you a very strong, self-contained man, full of purpose, resolute even to obstinacy, and of infinite *sang-froid*. He talked freely in a voice not very deep, but with a slight rasp in it, such as you sometimes observe in men who drink a great deal. He is by no means deficient in conversational power. He talked about Cuba, and what he said would have made a very good ten-minute speech in the House. He said that, whatever might be the real facts as to the "Virginius," she was *prima facie* an American vessel, and must be delivered up. "But," added he, "I have very much doubted whether the Spanish Government has the power to give effect to the concession to our demand, however anxious it may be to do so. The power of Castelar over Cuba is very slight, and hangs by a very uncertain tenure. I shall not be surprised if the Spanish party in Cuba refuses to comply with the order to deliver up the ship." "Then," said Mr. Stephens, "whenever this refusal is made known, I hope that you will recommend the repeal of the neutrality laws." "No," said he; "I shall not do that. I shall urge the recognition of Cuban independence." He then went on to talk about Cuba in a way to show that he had studied the question closely.

I judge him to be a man of rather a narrow range of ideas, but of clear *perception* within the range of his mental vision, close observation, and accustomed to forming

very decided opinions about men and things. He does not look at you when he converses. There is nothing furtive in his manner. He simply looks straight *by* you. Once he turned and looked at me very steadily and sharply all over, and then turned his eyes from me and began to talk very freely. I take him to be the most ambitious man that we have ever had. His schemes are startling. With the machinery of the Civil Rights bill transferring to the Federal Courts jurisdiction, civil and criminal, over the protection of persons, property, and liberty, in every State, against injuries committed on account of race; with the control of telegraph lines and railroads, which he is seeking to get; and with all the emissaries, spies, employees, and tools that his patronage gives him, there will be no limit to the despotic power which he is ever ready to use relentlessly and fearlessly for his own purposes: which purposes are the most arbitrary that have ever yet been cherished by a Federal Executive.

I have an idea, as yet vague, of making a speech on the relation of the Southern people (the original citizens) to the reconstruction policy of the government. It is a very delicate subject, and it is very difficult to determine what *not* to say. There is, however, one phase of it not yet fully understood, and that is the readiness of our Mississippi people to conform to the policy of the government, as evidenced in our offering to place our State government in the hands of a man not only devoted to the political and personal fortunes of the President, but also a member of his family.

There were some letters written by Barksdale, Harris, and yourself at that time, which I would like to read over. There is one sentence in Barksdale's letter, which, if I remember its import, will be as valuable as if every word were a diamond. It indicated that we of the South must settle the question of negro suffrage in a spirit of true regard to the rights, demands, and interests of the negro race; that such an adjustment, fair and honorable, we would have to make, *even if it were not forced upon us by Federal intervention*. If I could get those letters, I would refer to them, and I would quote the sentence in the Barksdale letter. I remember it more distinctly than the others because it accorded with my own preconceived convictions. Can't you get them and send them to me immediately? \*

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On the 22d of the following January (1874) the West Virginia case was again up for consideration, and Mr. Lamar made another speech upon the subject, much more elaborate than that of December, but not of any special interest now.

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\* Unfortunately the files of the *Clarion* had been destroyed by fire, and the letters could not be found.—E. M.

## CHAPTER XV.

The Eulogy on Sumner—Preparation—Letter to Reemelin—Mr. Sumner's Flag Resolution—Memorial Services in the Senate—In the House—Lamar's Oration—Its Delivery—Its Reception—Letter to Wife—Comments of the Press; Extracts—Anecdote of Thurman—Criticisms—Mr. Blaine on the Eulogy—Effects.

THE turning point of Mr. Lamar's political career was the Sumner eulogy. Indeed, that great speech is believed by his admirers and friends to have been the deathblow to sectional animosity, and by consequence the turning point of our *post bellum* national history. Through it, and through his subsequent labors in pursuance of the spirit which it evidenced and of the policy it inaugurated, many claim for him the enviable position of the most practically patriotic, the strongest, and the most useful man of our government since the Civil War.

The last three chapters of this work have been failures unless they have conveyed to the reader a clear conception of the fact that the course of political history after the war had caused between the masses of the North and those of the South a mutual distrust deeper and a hostility apparently greater than existed when the Confederacy fell; that the rivalry of arms which, although baptized in blood, was yet generous, had given place on the one side to suspicions, and on the other to sullen or fierce resentments, which augured but ill for the happiness, the tranquillity, and the glory of the republic. It was given to Mr. Lamar with a noble self-forgetfulness to dare the perilous task of throwing himself, like another Curtius, into the widening chasm and bidding it to close. With sympathetic hand he touched the freezing hearts of North and South, unlocking their latent stores of kindly and generous feeling, and kindling anew in them the fast-failing fires of love.

What he did was not the rash or impulsive act of an egotist seeking to seize a favorable and dramatic opportunity by which to achieve personal reputation and selfish power. Had it been so, he would have failed without doubt. Nor was his act the offspring of any cold (although impersonal) calculation of sectional policy; had it been so, then also had he doubtless failed, for in either case the talismanic power of a great love and patriotism had been wanting. His course was the achievement of a noble heart and a great mind capable of those broad and catholic sympathies which penetrate the veils of differing views, instinct with a wide patriotism, chastened by mighty and long-continued sorrow, and stirred to their profoundest depths by the realization of a tremendous national crisis.

Nor was this speech altogether the result of quick inspiration drawn from sudden opportunity. On the contrary, much of it was the flower of long-continued soul culture; and an occasion for the presentation of that part of it had been yearned after for years. In the Reemelin letter of July 15, 1872, quoted in part in the preceding chapter, he said:

As for national politics, it has seemed to me that wisdom, as well as self-respect, should restrain those of us who aspired to statesmanship before the Southern overthrow, from obtruding our counsels and views upon a crisis which we failed to control by arms. I remember that you protested against this position during your visit here. It made a decided impression on me, and I have so far deferred to your judgment as to be ready to speak whenever any utterance of mine can be useful.

But will the North listen to a Southern man with patience and respect? Is it possible for a secessionist from the South to convince a Northern audience that there is a common ground on which the two sections can stand and live in harmony? You know what would be the demands of such an audience when seeing a secessionist before them. Could such a man, with his mind pervaded by a deep sense of the importance, sanctity, and authority of his principles, which are under the ban of that audience, speak manfully and candidly, however kindly, and receive patient and considerate attention?

Remember that there are as many things to be wisely *not* said as to be said. For instance, the denunciations against Grant (many of them unjust, by the way), which Northern speakers launch from the hustings, your people would not brook from a Southerner. You know exactly what utterances he ought to make, and where he ought to be silent. But you are not Southern, although *we* would be proud to have you as our representative. I only know enough to observe that so far the utterances of Southern men, whether they be Jeff Davis or Toombs or Stephens on the one hand, or Lee on the other, not only fail to conciliate the popular heart of the North, but generally inflame their irritated feelings. And yet such conciliation has become indispensable to the security and tranquillity of Southern society. In my opinion the two sections are estranged simply because each is ignorant of the inner mind of the other, and it is the policy of the party in power to keep up and exaggerate the mutual misunderstanding. When, for instance, Morton proclaims in the Senate, "These men are cast in the mold of rebellion and cannot bend," the South, taking it as the sentiment of that party and of the people it represents, are embittered, and grow reckless and defiant. The North, seeing only the effect and accepting it as confirmation of the truth of Morton's allegations, allows Congress to go on in its mad career of ruthless legislation.

But is not this an appalling spectacle? On the one hand a brave, impulsive, but too sensitive people full of potent life and patriotic fire, ready—aye, eager—to abide with knightly honor the award of the bloody arbitrament to which they appealed; and yet, as if dumb, unable to speak intelligibly their thought and purpose. On the other hand a great and powerful section (I came near saying nation), flushed with victory and success, but full of generous and magnanimous feeling toward their vanquished brethren; and they too, as if under some malign spell, speaking only words of bitterness, hate, and threatenings.

He indeed would be a patriot and benefactor who could awake them from their profound egotism, and say to them with effectual command: "My countrymen, *know* one another." For then nature herself with her mighty voice would exclaim: "Love one another."

Here we have the first foreshadowing of the Sumner speech (so far as is known), nearly two years before it was made.



CHARLES SUMNER.





Possessed by the conviction expressed in that letter, and animated by such longing for full forgiveness and forgetfulness between alienated brethren, with what an infinitude of soothing must Mr. Sumner's famous resolution of 1872 have fallen upon him!

Whereas [it ran] the national unity and good will among fellow-citizens can be assured only through oblivion of past differences, and it is contrary to the usages of civilized nations to perpetuate the memory of civil war;

Therefore be it enacted, etc., that the names of battles with fellow-citizens shall not be contained in the army register or placed on the regimental colors of the United States.

Mr. Sumner died on the 11th of March, 1874. Being a member of the United States Senate, it was customary that appropriate recognition of the death should be made by both houses of Congress. The Massachusetts delegation in the House invited Mr. Lamar to second the usual resolutions in that body and to deliver a memorial address. Here was an opportunity to make his appeal for "peace between the sections," and he seized upon it. He seized upon it all the more gladly because his heart was full of kindly feeling toward Mr. Sumner, very much softened toward the great scholar and statesman who, at the other extreme of the Union, had felt the same generous impulses with himself, and had undertaken the same great labor of pacification. It was one of those golden and rare occasions when the most exalted feeling runs hand in hand with the subtlest worldly wisdom.

On the 27th of April the Senate suspended business in order that the friends and associates of Mr. Sumner might pay fitting tribute to his public and private virtues. Mr. Boutwell gave a comprehensive and discriminating analysis of his character and career, as also did Mr. Sherman; Mr. Thurman spoke with great exaltation of his personal character; Mr. Morrill, of Maine, and Mr. Anthony were very tender and noble in their eulogies, both of them possessing great felicity upon such occasions.

On the next day (the 28th) the action of the Senate was notified to the House. Hon. E. R. Hoar, of Massachusetts, then offered the following resolution:

*Resolved*, That as an additional mark of respect to the memory of Charles Sumner, long a Senator from Massachusetts, and in sympathy with the action of the Senate, business be now suspended in this House to allow fitting tributes to be paid to his public and private virtues.

In offering the resolution Mr. Hoar made an address of a lofty and appreciative strain. It then came the turn of Mr. Lamar to second the resolution.

It was an occasion thoroughly well calculated to excite public expectancy, incredulity, criticism. To the lot of Mr. Sumner almost beyond any other man it had fallen to antagonize all that the South stood for.

It was generally understood that her people regarded him as one of her most uncompromising enemies. At the very time of his demise he was pressing most earnestly the Civil Rights Bill, which placed the negro on the exact level with the white man in respect to all civil privileges; and almost his last words, addressed to Mr. Hoar, were: "Take care of my Civil Rights Bill." That a Mississippi Representative, a Southron of the Southrons, should pronounce a eulogy upon him was naturally regarded as a curious spectacle of questionable taste. Perhaps no one expected aught but a purely perfunctory performance, an unwilling tribute to a dead foe exacted by the good breeding of civilization; but the generosity of the Southern nature, its chivalric passion which concedes so much to honesty of purpose and to high-hearted devotion to sincere conviction, had not been taken into the account; and Mr. Lamar, who so thoroughly embodied the loftiest Southern sentiment, amazed the doubters. He said:

*Mr. Speaker:* In rising to second the resolutions just offered, I desire to add a few remarks which have occurred to me as appropriate to the occasion. I believe that they express a sentiment which pervades the hearts of all the people whose representatives are here assembled. Strange as, in looking back upon the past, the assertion may seem, impossible as it would have been ten years ago to make it, it is not the less true that to-day Mississippi regrets the death of Charles Sumner, and sincerely unites in paying honors to his memory. Not because of the splendor of his intellect, though in him was extinguished one of the brightest of the lights which have illustrated the councils of the government for nearly a quarter of a century; not because of the high culture, the elegant scholarship, and the varied learning which revealed themselves so clearly in all his public efforts as to justify the application to him of Johnson's felicitous expression, "He touched nothing which he did not adorn;" not this, though these are qualities by no means, it is to be feared, so common in public places as to make their disappearance, in even a single instance, a matter of indifference; but because of those peculiar and strongly marked moral traits of his character which gave the coloring to the whole tenor of his singularly dramatic public career; traits which made him for a long period to a large portion of his countrymen the object of as deep and passionate a hostility as to another he was one of enthusiastic admiration, and which are not the less the cause that now unites all these parties, ever so widely differing, in a common sorrow to-day over his lifeless remains.

It is of these high moral qualities which I wish to speak; for these have been the traits which in after years, as I have considered the successive acts and utterances of this remarkable man, fastened most strongly my attention, and impressed themselves most forcibly upon my imagination, my sensibilities, my heart. I leave to others to speak of his intellectual superiority, of those rare gifts with which nature had so lavishly endowed him, and of the power to use them which he had acquired by education. I say nothing of his vast and varied stores of historical knowledge, or of the wide extent of his reading in the elegant literature of ancient and modern times, or of his wonderful power of retaining what he had read, or of his readiness in drawing upon these fertile resources to illustrate his own arguments. I say nothing of his eloquence as an orator, of his skill as a logician, or of his powers of fascination in the unrestrained freedom of the social circle, which last it was my misfortune not to have experienced. These, indeed, were the qualities which gave him eminence not only in our country, but throughout the world; and which have made the name of Charles

Sumner an integral part of our nation's glory. They were the qualities which gave to those moral traits of which I have spoken the power to impress themselves upon the history of the age and of civilization itself; and without which those traits, however intensely developed, would have exerted no influence beyond the personal circle immediately surrounding their possessor. More eloquent tongues than mine will do them justice. Let me speak of the characteristics which brought the illustrious Senator who has just passed away into direct and bitter antagonism for years with my own State and her sister States of the South.

Charles Sumner was born with an instinctive love of freedom, and was educated from his earliest infancy to the belief that freedom is the natural and indefeasible right of every intelligent being having the outward form of man. In him, in fact, this creed seems to have been something more than a doctrine imbibed from teachers, or a result of education. To him it was a grand intuitive truth, inscribed in blazing letters upon the tablet of his inner consciousness, to deny which would have been for him to deny that he himself existed. And along with this all-controlling love of freedom he possessed a moral sensibility keenly intense and vivid, a conscientiousness which would never permit him to swerve by the breadth of a hair from what he pictured to himself as the path of duty. Thus were combined in him the characteristics which have in all ages given to religion her martyrs, and to patriotism her self-sacrificing heroes.

To a man thoroughly permeated and imbued with such a creed, and animated and constantly actuated by such a spirit of devotion, to behold a human being or a race of human beings restrained of their natural right to liberty, for no crime by him or them committed, was to feel all the belligerent instincts of his nature roused to combat. The fact was to him a wrong which no logic could justify. It mattered not how humble in the scale of rational existence the subject of this restraint might be, how dark his skin, or how dense his ignorance. Behind all that lay for him the great principle that liberty is the birthright of all humanity, and that every individual of every race who has a soul to save is entitled to the freedom which may enable him to work out his salvation. It mattered not that the slave might be contented with his lot; that his actual condition might be immeasurably more desirable than that from which it had transplanted him; that it gave him physical comfort, mental and moral elevation, and religious culture not possessed by his race in any other condition; that his bonds had not been placed upon his hands by the living generation; that the mixed social system of which he formed an element had been regarded by the fathers of the republic, and by the ablest statesmen who had risen up after them, as too complicated to be broken up without danger to society itself, or even to civilization; or, finally, that the actual state of things had been recognized and explicitly sanctioned by the very organic law of the republic. Weighty as these considerations might be, formidable as were the difficulties in the way of the practical enforcement of his great principle, he held none the less that it must sooner or later be enforced, though institutions and constitutions should have to give way alike before it. But here let me do this great man the justice which, amid the excitement of the struggle between the sections—now past—I may have been disposed to deny him. In this fiery zeal, and this earnest warfare against the wrong, as he viewed it, there entered no enduring personal animosity toward the men whose lot it was to be born to the system which he denounced.

It has been the kindness of the sympathy which in these later years he has displayed toward the impoverished and suffering people of the Southern States that has unveiled to me the generous and tender heart which beat beneath the bosom of the zealot, and has forced me to yield him the tribute of my respect—I might even say of my admiration. Nor in the manifestation of this has there been anything which a proud and sensitive people, smarting under a sense of recent discomfiture and present

suffering, might not frankly accept, or which would give them just cause to suspect its sincerity. For though he raised his voice, as soon as he believed the momentous issues of this great military conflict were decided, in behalf of amnesty to the vanquished; and though he stood forward, ready to welcome back as brothers, and to re-establish in their rights as citizens, those whose valor had nearly riven asunder the Union which he loved; yet he always insisted that the most ample protection and the largest safeguards should be thrown around the liberties of the newly enfranchised African race. Though he knew very well that of his conquered fellow-citizens of the South by far the larger portion, even those who most heartily acquiesced in and desired the abolition of slavery, seriously questioned the expediency of investing, in a single day, and without any preliminary tutelage, so vast a body of inexperienced and uninstructed men with the full rights of freemen and voters, he would tolerate no halfway measures upon a point to him so vital.

Indeed, immediately after the war, while other minds were occupying themselves with different theories of reconstruction, he did not hesitate to impress most emphatically upon the administration, not only in public, but in the confidence of private intercourse, his uncompromising resolution to oppose to the last any and every scheme which should fail to provide the surest guarantees for the personal freedom and political rights of the race which he had undertaken to protect. Whether his measures to secure this result showed him to be a practical statesman or a theoretical enthusiast, is a question on which any decision we may pronounce to-day must await the inevitable revision of posterity. The spirit of magnanimity, therefore, which breathes in his utterances and manifests itself in all his acts affecting the South during the last two years of his life, was as evidently honest as it was grateful to the feelings of those toward whom it was displayed.

It was certainly a gracious act toward the South—though unhappily it jarred upon the sensibilities of the people at the other extreme of the Union, and estranged from him the great body of his political friends—to propose to erase from the banners of the national army the mementos of the bloody internecine struggle, which might be regarded as assailing the pride or wounding the sensibilities of the Southern people. That proposal will never be forgotten by that people so long as the name of Charles Sumner lives in the memory of man. But, while it touched the heart of the South, and elicited her profound gratitude, her people would not have asked of the North such an act of self-renunciation.

Conscious that they themselves were animated by devotion to constitutional liberty, and that the brightest pages of history are replete with evidences of the depth and sincerity of that devotion, they cannot but cherish the recollections of sacrifices endured, the battles fought, and the victories won in defense of their hapless cause. And respecting, as all true and brave men must respect, the martial spirit with which the men of the North vindicated the integrity of the Union, and their devotion to the principles of human freedom, they do not ask, they do not wish the North to strike the mementos of her heroism and victory from either records or monuments or battle flags. They would rather that both sections should gather up the glories won by each section: not envious, but proud of each other, and regard them a common heritage of American valor.

Let us hope that future generations, when they remember the deeds of heroism and devotion done on both sides, will speak not of Northern prowess and Southern courage, but of the heroism, fortitude, and courage of Americans in a war of ideas; a war in which each section signalized its consecration to the principles, as each understood them, of American liberty and of the constitution received from their fathers.

It was my misfortune, perhaps my fault, personally never to have known this eminent philanthropist and statesman. The impulse was often strong upon me to go to him and offer him my hand, and my heart with it, and to express to him my thanks

for his kind and considerate course toward the people with whom I am identified. If I did not yield to that impulse, it was because the thought occurred that other days were coming in which such a demonstration might be more opportune, and less liable to misconstruction. Suddenly, and without premonition, a day has come at last to which, for such a purpose, there is no to-morrow. My regret is therefore intensified by the thought that I failed to speak to him out of the fullness of my heart while there was yet time.

How often is it that death thus brings unavailingly back to our remembrance opportunities unimproved: in which generous overtures, prompted by the heart, remain unoffered; frank avowals which rose to the lips remain unspoken; and the injustice and wrong of bitter resentments remain unrepaired! Charles Sumner, in life, believed that all occasion for strife and distrust between the North and South had passed away, and that there no longer remained any cause for continued estrangement between these two sections of our common country. Are there not many of us who believe the same thing? Is not that the common sentiment—or if it is not, ought it not to be—of the great mass of our people, North and South? Bound to each other by a common constitution, destined to live together under a common government, forming unitedly but a single member of the great family of nations, shall we not now at last endeavor to grow *toward* each other once more in heart, as we are already indissolubly linked to each other in fortunes? Shall we not, over the honored remains of this great champion of human liberty, this feeling sympathizer with human sorrow, this earnest pleader for the exercise of human tenderness and charity, lay aside the concealments which serve only to perpetuate misunderstandings and distrust, and frankly confess that on both sides we most earnestly desire to be one; one not merely in community of language and literature and traditions and country; but more, and better than all that, one also in feeling and in heart? Am I mistaken in this?

Do the concealments of which I speak still cover animosities which neither time nor reflection nor the march of events have yet sufficed to subdue? I cannot believe it. Since I have been here I have watched with anxious scrutiny your sentiments as expressed not merely in public debate, but in the *abandon* of personal confidence. I know well the sentiments of these, my Southern brothers, whose hearts are so infolded that the feeling of each is the feeling of all; and I see on both sides only the seeming of a constraint, which each apparently hesitates to dismiss. The South—prostrate, exhausted, drained of her lifeblood, as well as of her material resources, yet still honorable and true—accepts the bitter award of the bloody arbitration without reservation, resolutely determined to abide the result with chivalrous fidelity; yet, as if struck dumb by the magnitude of her reverses, she suffers on in silence. The North, exultant in her triumph, and elated by success, still cherishes, as we are assured, a heart full of magnanimous emotions toward her disarmed and discomfited antagonist; and yet, as if mastered by some mysterious spell, silencing her better impulses, her words and acts are the words and acts of suspicion and distrust.

Would that the spirit of the illustrious dead whom we lament to-day could speak from the grave to both parties to this deplorable discord in tones which should reach each and every heart throughout this broad territory: "My countrymen! *know* one another, and you will *love* one another."

When Mr. Lamar arose to deliver this address he confronted an audience of the most distinguished and intellectual men in the nation. The galleries were crowded with visitors, amongst whom were numbered members of brilliant diplomatic corps from all over the enlightened world. The House itself was thronged: on the one side friends, full of misgivings; on the other, opponents, cold, curious, critical. The

speaker was a "fire eater" of the long ago. The odor of "rebellion" hung about him. A secession Democrat, he yet stood there by a suffrage in which both negro and Republican votes participated. It was an epic in itself—his presence there, and on such an occasion. He was in the prime of life, full of vigor and physical power; but the illness of the year before had aged him somewhat in appearance. His dark, abundant hair was combed back from his broad, high forehead; his great gray eyes, with pupils so distended as to produce the impression of coal-blackness, burned with suppressed passion; his mouth was hidden by a long, brown, luxuriant mustache and goatee. His voice was full and clear—although it was evident that ill health had robbed it of some of its richer tones—well modulated, and pitched to suit the gravity of the occasion. He spoke simply, with but little use of the arts of the orator.

As he proceeded with the address, it was evident that something unusual was going on. The House became hushed and reverent. The faces of the members and of the vast auditory were turned, rapt and attentive, upon the speaker, as he stood, in an attitude of easy grace, in the first aisle beyond the center, on the left of the chamber. The stillness of the House and galleries became oppressive. The Speaker, Mr. Blaine, sat motionless, his face turned away, with tears stealing down his cheeks. On both sides of the House members wept. The scarred veterans of a hundred fields, and the callous actors in a hundred debates, Democrats and Republicans alike, melted into tears. Said one spectator afterwards: "Those who listened sometimes forgot to respect Sumner in respecting Lamar." When he closed all seemed to hold their breath, as if to prolong a spell; and then a spontaneous burst of applause broke out from all the floor and all the galleries, coming up heartily and warmly, especially from the Republican side. Such a thing as Democrats and Republicans uniting in a hearty and sympathetic applause of the same speech had never been heard of before; and the Speaker, gavel in hand, did not attempt to check it. "My God!" exclaimed Lyman Tremaine, of New York, rushing up to Mr. Kelly, of Pennsylvania, with tears in his eyes; "what a speech! and how it will ring through the country!"

And so it was that Mr. Lamar, before distinguished, now leaped into fame. On the next day he wrote to his wife:

I never in all my life opened my lips with a purpose more single to the interests of our Southern people than when I made this speech. I wanted to seize an opportunity, when universal attention could be arrested, and directed to what I was saying, to speak to the North in behalf of my own people. I succeeded fully, but not more fully than I anticipated. I will send you letters which will show you what a tremendous revolution of feeling it has wrought in Boston and New York toward the South. I did not aim at rhetorical or personal success, so earnest and engrossing was my other object; but the rhetorical triumph was as prodigious as it was unexpected.

. . . One of the most gratifying features of the occasion was that my son was in the gallery, and witnessed the greatest triumph his father ever won.

Tremaine was right. The speech did "ring through the country." It was a marked tribute to it that, among all those delivered in the two houses by members representing the various sections of the Union, this alone was sent to all parts of the country by telegraph. The newspapers were full of it. "How suddenly," said the *Memphis Appeal*, "L. Q. C. Lamar has become famous—famous above all American orators and statesmen! His funeral eulogium upon Charles Sumner has been printed in every newspaper in America, and has now gone into the 'patent outside,' and passes thence into the school readers."

Let us see, by a few examples of the numberless comments, what were the things which the papers were saying about it:

The *Boston Daily Advertiser* (Republican): "Of the eulogies of Senator Sumner pronounced in Congress, Monday, none will give more gratification to the people of New England than that of the Hon. Lucius Q. C. Lamar, of Mississippi. . . . The manner of the act comported with its magnanimous spirit. There is no sentence in Mr. Lamar's speech that breathes of any motive inconsistent with chivalrous honor. The pathos of it is its sincerity. It contains no lament for the irrecoverable past. It is instinct with the patriot's pride and faith. In the remarkable passage concerning Senator Sumner's battle flag resolution he exhibits a charity and nobleness which we shall not justly appreciate unless we can imagine ourselves in the position of the vanquished. It is no disparagement to any one to say that Mr. Lamar's speech is the most significant and hopeful utterance that has been heard from the South since the war. Were the North assured that such a temper prevailed throughout that section, our reconciliation would lack no element of completeness."

The *Boston Transcript*: "The tone and spirit, not the letter, of the remarks of the ex-Confederate officer of the rebel army, now a member of Congress, indicate the mistakes made by party politicians in some of the features of the adopted plans for reconstruction, in which they lost sight of principles, in their eagerness to secure immediate pacification and power, at the expense of permanent and prosperous quiet. Too late to change the past it may be; but it is not too late for public men to return, in their policy for the future, to the recognition of the sound philosophical views of government that will stand the test of time."

The *Boston Herald*: "This extreme 'fire eater,' whose admittance to Congress had been deemed dangerous, grasps the outstretched hand of the extreme abolitionist who was not spoiled by victory, and teaches us all a lesson in reconstruction. John A. Andrew advocated the reconstruction of the Southern States by and through the ruling class in that section: the men of intelligence and character, the men who had been faithful to their opinions with their lives and fortunes. But counsels less wise prevailed, and the Southern State governments were thrown into the hands of 'scalawags' and 'carpetbaggers.' Even Sumner was not wise in time."

The *Boston Globe*: "As an evidence of the real restoration of the Union in the South, despite the disturbances in some quarters, this speech must certainly attract much attention in Europe, and wherever our institutions are studied. . . . We do not know of any parallel in history to a recognition like this. The appreciation, by a leader of the vanquished, so soon after our great civil strife, not only of the identity of interest between the two sections, but of the motives of the most determined assailant of slavery, is something to excite gratification and wonder; the more so as it is accompanied by a reiteration of a belief in the justice of the Southern cause."



The *Springfield (Mass.) Republican*: "When such a Southerner of the Southerners as Mr. Lamar, of Mississippi, stands up in the House of Representatives to pronounce such a generous and tender eulogy upon Charles Sumner as this which the wires bring us this morning, it must begin to dawn upon even the most inveterate rebel haters in Congress, and the press, that the war is indeed over, and that universal amnesty is in order."

The *New York Commercial Advertiser*: "Yesterday the full glory of a generous Southern manhood shone forth upon Congress and the nation, when Mr. Lamar . . . exclaimed: 'My countrymen! know one another, and you will love one another.' . . . Mr. Lamar's speech was grave and tender; but it rose to impassioned earnestness at the close, and swept the House in a tumult of applause."

The *Philadelphia Press* (Forney's): "What a manly speech Mr. Lamar, of Mississippi pronounced on Charles Sumner last Monday. . . . How careful every Northern man should be to cherish this (Sumner's) great example of magnanimity to our defeated brethren! It is well to recollect in the hour of victory, and always as we live in the midst of the enjoyment of the blessings rescued and secured to us by the overthrow of the rebellion, that perhaps if we had been reared near the institution of slavery we might ourselves have been forced into the revolt against the government. . . . What man of the North went so far as Charles Sumner in support of the Union cause? . . . But, that war closed, his first great work was to obliterate all traces of triumph over our kindred, and, while demanding the complete and exceptionless enfranchisement of the slave, he insisted upon the complete and exceptionless forgiveness of the Confederate. This should be the platform of the whole American people."

The *Petersburg (Va.) Index and Appeal*: "Speaking of the eulogy upon Senator Sumner pronounced last Monday week in the House of Representatives by Col. Lamar, of Mississippi, the *Savannah Advertiser-Republican* says: 'The effort speaks for itself, and we do not desire by comment to say more than the press of the country has said: that it was the speech of the occasion. But as Mr. Lamar is a Georgian born and bred, it affords us a pleasure to indorse every word, every line, and every sentiment of his effort.' We adopt the language of our Georgian contemporary, and add our testimony to the eloquence, power and pathos of Col. Lamar's great speech."

The *Richmond Enquirer*: "It was a bold, brave, eloquent appeal to the old fraternal feelings between the Northern and Southern people. . . . And after that speech the Northern man who says that the South is opposed to reconciliation must admit that he denies and defies the facts that confront him."

The *Louisville Courier-Journal*: "We point to Mr. Lamar's speech with pride and confidence. It speaks for itself. It is a manly, earnest, and eloquent plea for reconciliation. 'My countrymen!' says he, 'know each other, and you will love each other.' It is strong without being clumsy, and possesses polish without weakness. It is a vigorous truth. . . . It was an appeal to two sections of a hemisphere to bury their mutual animosities in the grave opened for the reception of a courageous and often misguided, but a generous and honest heart. It was an invocation to the country to bury the evil that has been done by all whom Sumner had led, with his bones, and the expression of a patriotic and fervent hope that the good might live after him. It represented the feelings of the entire South, and nothing but a blind partisan bigotry will pretend to deny the fact."

The *Cincinnati Commercial*: "The speech of the day, however, the one which evidently made the deepest impression and elicited the highest praises, was the one delivered by Mr. Lamar. . . . There were many who, in the bitterness and heat of partisan strife, had grown apparently callous and insensible to good professions from those whom they have fought and distrusted as traitors, who were moved to tears by the simple, manly appeal to their better nature. The speech will live, and will have a marked and beneficent effect in the future."

The *Memphis Appeal*: "The South is proud of L. Q. C. Lamar. His name has shot across the sky like a blazing meteor. He is now the cynosure of all eyes. From one end of the Union to the other the press teems with praises of the brilliant Mississippian. All concur in the opinion that no finer oration has ever been pronounced over the grave of the dead than that which Col. Lamar delivered in commemorating the great career of Charles Sumner. It was a touching, graceful tribute, and has done more toward breaking down the barriers that have so long divided the Union than any event since the war."

The *New Orleans Times* spoke of "the honor that Lamar gained to himself by his noble speech. . . . Its mission is to reveal to the people of all sections their common humanity and their common patriotism, and to inspire them with a common aspiration for the welfare of the whole country."

The *Jackson Clarion*: "The address abounds in noble and generous sentiments, and will do much toward bridging the bloody chasm which has separated the two sections, and which self-seekers in both sections have endeavored to keep open after the causes that produced it had ceased to exist. . . . By a proper word at the golden moment he has dispelled the mists of prejudice and hatred founded on error, which have blinded the eyes of those who have used us despitefully; and that, too, while reiterating his belief in the justice of the Southern cause."

The foregoing extracts from papers published at the extremes of the Union are taken almost at random. They might be greatly multiplied, but enough have been given to indicate the reception with which the Sumner speech met and the effect of it.

Enormous numbers of letters of congratulation and of sympathy poured in upon him from all parts of the nation.

In later years he used to tell with much relish an anecdote to this effect: A day or two after the speech he went to a circus with Senator A. G. Thurman. One of the features of the show was a woman on the flying trapeze. In the midst of her performance she uttered a wild scream and, having apparently lost her hold, flew across the ring as if falling from her great height; but in the midst of her flight she caught another trapeze, and skillfully and gracefully resumed her performance. It was a trick to startle the spectators. When it ended so well his friend, turning to Mr. Lamar, said: "Lamar, that reminds me of you." "How so?" said the Colonel. "About your speech, you know. You caught all right; but if you had missed, you'd have broken your neck."

Mr. Lamar's speech, however, did not bring him roses only. Thorns came also, and they gave him many a bad quarter-hour. Letters of remonstrance and criticism from friends dearly loved and greatly honored were there; and some of the Southern papers, misunderstanding his speech, assailed him fiercely on the idea that he had surrendered Southern principle and honor. Prominent amongst these in his own State were the *Columbus Democrat*, the *Canton Mail*, and the *Meridian Mercury*. Relative to those assaults and other things he wrote as follows to his wife on the 5th of May:

My eulogy has given me a reputation that I have never had before. The whole world

is my audience. No one here thinks I lowered the Southern flag, but the Southern press is down on me. That is unfortunate, for what they say will be copied by the Radical press of the North as evidence that the South still cherishes schemes of secession and slavery. I do not blame Southern editors. Many of them are men of limited views and strong passions. Our people have suffered so much, have been betrayed so often by those in whom they had the strongest reason to confide, that it is but natural that they should be suspicious of any word or act of overture to the North by a Southern man. I know *for once* that I have done her good, that I have won friends to her side who were bitter enemies, that I have awakened sympathies where before existed animosities. If she condemns me, while I shall not be indifferent to her disapprobation, I shall not be cast down or mortified or resentful. I shall be cheered and consoled by the thought that I have done a wise and beneficial thing for her. It is time for a public man to try to *serve* the South, and not to subserve her irritated feelings, natural and just as those feelings are. I shall serve no other interests than hers, and will calmly and silently retire to private life if her people do not approve me.

Ah, but they did approve of him; no doubt about that. Their approval was sealed with a signet that cannot be challenged. There was no retirement to private life. From that time forth the people denied to him nothing. Every honor within their gift they bestowed upon him at his asking, and bestowed at the first opportunity. They delighted to elevate him upon their shields.

Criticism and objection are usually, perhaps always, more obtrusive and noisy than approval; and in the first reading of the popular mind Mr. Lamar overestimated the force of the protest from the South. In fact, that protest amounted to so little in practical result that it hardly needed to be noticed in this work, except with a view to a full and faithful presentation of facts, and in order to show in what a noble spirit he met it and by what lofty motives his life was held.

Ten years later Mr. Blaine, in his work, "Twenty Years of Congress," said this of the Sumner eulogy:

A singular interest was added to the formal eulogies of Mr. Sumner by the speech of Mr. Lamar, of Mississippi, who had just returned to the House of Representatives which he left thirteen years before to join his State in secession. It was a mark of positive genius in a Southern representative to pronounce a fervid and discriminating eulogy upon Mr. Sumner, and skillfully to interweave with it a defense of that which Mr. Sumner, like John Wesley, believed to be the sum of all villainies. Only a man of Mr. Lamar's peculiar mental type could have accomplished the task. He pleased the Radical antislavery sentiment of New England. He did not displease the Radical proslavery sentiment of the South.

It is of course impossible to trace either fully or certainly the effects of this speech. Very rarely indeed does it happen that one so completely achieves a wish of a nature so far-reaching, long-brooded over, and altogether unselfish as did Mr. Lamar in this utterance to the Northern people in behalf of his section; and the consciousness of success in that patriotic aspiration was like a benediction to him. It went far to console him for the troubled past, and made him a happier man, or rather one less unhappy. To the Southern people, speaking generally,

the speech was not only a surprise, but also after the first startled self-examination a revelation of themselves; and through it they rose to the consciousness of their power and their duty to brush away the resentments which hung over their hearts like mephitic vapors of the night, and to admit once more the brighter and sweeter influences of a new life. To the Northern people, whether it should have been so or not, it was also a disclosure of the South in its nobler and stronger feelings; a disclosure which went far to confirm the desire then already widely felt amongst them that the hostility of the administration to the Southern section should be stayed, and that its people should be left free, within constitutional limits, to work out their own destinies in the Union. The great Democratic "tidal wave" of 1874 came six months later, and that confirmation contributed to that result, and materially.

It is impossible to present here the evidences which sustain the foregoing proposition. They are too many and voluminous. Many of them will be found all through this volume. In truth, as years passed by and the growing prominence of Mr. Lamar caused him to become more and more a man of mark, and to be more and more discussed, and as the bearings and origin of political events became clearer because of the perspective of distance, it came to be very commonly conceded by both parties that the Sumner eulogy was greatly influential in the reconciliation of the sections.

Under the inspiration of that effort Hon. S. J. Randall, then Chairman of the Congressional Democratic Executive Committee, wrote to the editor of the *Jackson (Miss.) Clarion*:

*Dear Sir:* Lamar has just finished his Sumner speech. It was a wonderful success. He said exactly what ought to have been said. The House was electrified. *All parties are pleased*, because it kindled a sentiment that rises higher than party passion. *It will do us a great deal of good.*

Fourteen years later (on the 7th of January, 1888), Senator Stewart, of Nevada, in his open letter to one of his constituents giving the reasons why he, a Republican, would vote against his party and support Mr. Lamar for Justice of the Supreme Court of the United States, as related hereafter, said this of the eulogy:

When a member of the Senate in the year 1874 my attention, with that of many other Senators, was attracted to Mr. Lamar by his eulogy on Charles Sumner, which thrilled both Houses of Congress and the country with admiration for its eloquence, its exalted sentiments, and its appeals for the restoration of that lofty and enlarged patriotism which embraces both sections of the country. Those who were most enthusiastic in the praise of that speech were then the most ardent of Republicans, and I distinctly call to mind a tribute paid by Hon. George F. Hoar, then member of the House of Representatives and now Senator from Massachusetts. I have it before me in the *North American Review* for January and February, 1878, Volume 126. It is as follows:

"The eloquent words of Mr. Lamar, of Mississippi, so touched the hearts of the peo-

ple of the North that they may fairly be said to have been of themselves an important influence in mitigating the estrangements of a generation."

After Mr. Lamar's death the *Illustrated American*, in commenting upon his life and services, said:

The House listened entranced. The country read with awe and admiration a tribute so earnest, so graceful, so truthful, so imbued with fraternal appreciation, so tinged with lofty sentiment that, insensibly, the soul of the man lost seemed to be found in the man that perpetuated his memory. The heart of the land went out to Lamar. The "bloody shirt" became a byword and scorn. The warriors of peace that had traded upon the agonies of war were discredited, and discredited forever. Lamar had closed the gaping chasm of civil war.

Never in the history of civil convulsions was the single voice of honor so potent; never was the magnanimous impulse of manhood so generously accepted, so universally understood. From the hour of the Sumner eulogy until the hour of his death Lamar meant to the South the voice that had stilled faction, restored constitutional right; to the North the intellect that had penetrated the darkness of Northern doubt. This surely was a great rôle to play: to bring distrustful, self-destroying millions together; to make the multinary covenant of the Appomattox apple tree the broad charter of a reunited people. Lamar's single speech did that, for, though the powers of partisan darkness held sway a little longer, the heart of the North had been too deeply touched; and in 1874 the miscreant régime of carpetbag anarchy in the South began to topple, and fell with a crash in 1876.

It is, therefore, as the inspired pacificator that Lamar will stand out unique, almost incomprehensible, to other times than those that knew the incredible baseness of the policies that followed the war. . . .

## CHAPTER XVI.

Speech on Misrule in the Southern States—Radical Rule in Louisiana—McEnery and Kellogg—Judge Durell's Extraordinary Order—Kellogg Installed—Mr. Lamar's Speech—Its Reception—Incorrect Newspaper Personals—Further Events in Louisiana—Conflict of September 14, 1874—Kellogg again Installed by United States Troops—Mr. Lamar's Canvass of 1874—The "Landslide"—Critical Era in the South—Course of Events in Louisiana—De Trobriand Purges the Legislature—Gen. P. H. Sheridan's "Banditti" Dispatch—Excitement in the North—Debates in Congress—Correspondence on Southern Policy—Lamar's Remarks on Civil Rights Bill—The Force Bill—Filibustering—Letter to *New York Herald* on Affairs in the South—Its Reception—Canvass and Speech in New Hampshire—Press Comments—Interviewed by Henry Grady—Correspondence.

BY the Sumner eulogy Mr. Lamar secured a hearing from the Northern members and their constituents. It is believed that from that time forth he never spoke to inattentive ears. It was not long before he availed himself of the advantage gained to raise his voice in behalf of his section and of a sounder and safer national administration. His speech on the Louisiana contested election, or "Misrule in the Southern States," was delivered on the 8th of June.

Perhaps in no State did the evils attendant upon the reconstruction assume a form so aggravated and malignant as in Louisiana. The great staples of that commonwealth (cotton, sugar, and rice) poured immense annual wealth into her places of business and her treasury. The city of New Orleans was a great commercial emporium, drawing its clientage from three or four States. There was the carcass, and thither did the vultures flock. All forms of perfidy, all phases of corruption, all aspects of crime, reveled in that high carnival. The body politic was rotten in every branch and through its pettiest ramifications.

So firm was the hold the radicals had upon the State that they could afford to quarrel amongst themselves, and they did. The State officials constituted one faction, and the Federal officeholders the other: this led by Packard, the United States Marshal, and Casey, the Collector of the Port (brother-in-law of President Grant); that by the Governor, Warmouth. President Grant gave his personal favor and substantial aid to the Packard-Casey party. Between those factions, in the years 1871 and 1872, there were violent struggles: over the control of the Republican State Convention, in which the Customhouse wing succeeded by a liberal use of United States troops and Deputy United States Marshals; over the presidency of the State Senate, the Warmouth party winning in this instance; over the speakership of the House, in which the Federal wing dared to arrest the Governor, the Lieutenant Governor, four

Senators, and eighteen members of the House by writs from the United States Court, charging conspiracy to resist the execution of the laws of the United States, thus securing an advantage, which, however, was soon lost. The Warmouth party prevailed for the time being.

At the general elections in November, 1872, the Warmouth faction and the Democrats put out a fusion ticket, with John McEnergy as candidate for Governor; while the Customhouse faction supported William P. Kellogg for the office. Pinchback, the colored Lieutenant Governor, deserted Warmouth and went over to the other party.

The result of that election was afterwards canvassed three times. First, by a body known as the "DeFeriet Returning Board," a board whose duty it was under the law to canvass the returns and declare the result. Again by the "Forman Board," appointed by the Senate of what came to be known as the McEnergy Legislature. Again, with the original returns before them, by a committee of the Senate of the United States, not one member of which was a Democrat. Those three canvasses all ended in substantially the same result: the Fusion State officers had been elected by majorities ranging from nine to fifteen thousand, with conservative or Fusion majorities of thirty-nine members in the House and of eleven members in the Senate.

Another board, called the "Lynch Board," dealt with this matter in the interest of the Radical party. Senator Carpenter, of Wisconsin, in his exhaustive speech on these transactions, demonstrated that this board was not only without legal power to count these returns, but also had not even a color of authority. The Senate Committee itself said in its report that

There is nothing in all the comedy of blunders and frauds under consideration more indefensible than the pretended canvass of this board.

The Legislature was to meet on the 9th of December. Before the meeting, and before the promulgation of the returns of the election, Kellogg filed in the Circuit Court of the United States a bill, the object of which, as it appeared in the bill, was to perpetuate testimony: simply to preserve what he claimed to be the returns of the election and the evidences by which they were accompanied. It was more than questionable whether the court had any jurisdiction. To many legal minds it seemed perfectly clear that it had not. But if it had, that jurisdiction was only preservative: only to preserve the returns and the accompanying evidences. It could go no further. The bill did not even pray for anything further.

On the 3d of December a telegram came to the United States Marshal from the Attorney General of the United States to the effect that the Marshal was to enforce the decrees and mandates of the United States courts, no matter by whom resisted; and that Gen. Emory would furnish him with all troops necessary for that purpose. On the night of

the 5th, Judge Durell, not sitting in court, without any motion by either party to the case, at midnight, closeted with the Marshal and the plaintiff's attorneys, himself drew up or dictated an order directing the Marshal to take possession of the Statehouse and to permit no one to enter it except certain persons described in the order. No process was issued; but yet before two o'clock in the morning the Statehouse was seized by the troops of the United States under that order, and batteries were planted around it for the purpose of holding it for the Kellogg Legislature. The Fusion Legislature met in the City Hall. It petitioned the President to withdraw the military force which had taken possession of the State capitol for the purpose of awing and restraining the action of the Governor, but the President refused to grant their petition. In effect, he assumed the responsibility for the overthrow of the State government by his subordinates.

The Packard (Kellogg) Legislature met in the Capitol on the 9th of December, 1872, although the 1st of January was the day fixed in the constitution. Pinchback, the President of the (old) Senate, claimed to hold over in that capacity. The House, Lowell, the postmaster, presiding as Speaker, immediately proceeded to impeach Gov. Warmouth for "high crimes and misdemeanors," and thereupon Pinchback assumed the office of Governor.\*

Later the House of Representatives of the United States resolved to impeach Judge Durell for his conduct in this matter, and he resigned under charges. The Senatorial Committee reported that

It is the opinion of your committee that but for the unjustifiable interference of Judge Durell, whose orders were executed by United States troops, the canvass made by the DeFeret Board and promulgated by the Governor, declaring McEnery to have been elected Governor, etc., and also declaring who had been elected to the Legislature, would have been acquiesced in by the people, and that government would have entered quietly upon the exercise of the sovereign power of the State. But the proceedings of Judge Durell and the support given to him by the United States troops resulted in establishing the authority *de facto* of Kellogg and his associates in State offices, and of the persons declared by the Lynch Board to be elected to the Legislature. We have already seen that the proceedings of that board cannot be sustained without disregarding all the principles of law applicable to the subject and ignoring the distinction between good faith and fraud.

Your committee are therefore led to the conclusion that, if the election held in November, 1872, be not absolutely void for frauds committed therein, McEnery and his associates in State offices, and the persons certified as members of the Legislature by the DeFeret Board, ought to be recognized as the legal government of the State. Considering all the facts established before your committee, there seems no escape from the alternative that the McEnery government must be recognized by Congress, or Congress must provide for a new election.

However, Congress did neither. It did not recognize the McEnery government, nor did it order a new election. The Kellogg government remained in power.

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\* "Three Decades of Federal Legislation," Cox, p. 562.



This introductory sketch, although wholly insufficient as a picture of that marvelous history, will serve to render the speech of Mr. Lamar intelligible. That speech was made upon the occasion of a contested seat in Congress, the claimants being Pinchback, the ex-Lieutenant Governor, and G. A. Sheridan, and in opposition to the majority report of the Committee on Elections, which pronounced the evidence insufficient to entitle either contestant to the seat, and in advocacy of Sheridan's right. Its opening portion involves only matters of detail altogether special and local, and is omitted. The residue of the speech will be found to contain a masterly and fascinating presentation of the subject of which it treats: the misrule in the Southern States.\*

In this great argument Mr. Lamar took occasion to settle at once and forever, so far as any distinct annunciation could do so, the question about which agitators in Congress had had so much to say: the attitude of the Southern people toward secession and slavery. He said:

Sir, the Southern people believe that conquest has shifted the Union from the basis of compact and consent to that of force. They fully recognize the fact that every claim to the right of secession from this Union is extinguished and eliminated from the American system, and no longer constitutes a part of the apparatus of the American Government. They believe that the institution of slavery, with all its incidents and affinities, is dead, extinguished, sunk into a sea that gives not up its dead. They cherish no aspirations nor schemes for its resuscitation. With their opinions on the rightfulness of slavery unchanged by the events of the war, yet as an enlightened people accepting what is inevitable, they would not, if they could, again identify their destiny as a people with an institution that stands antagonized so utterly by all the sentiments and living forces of modern civilization. In a word they regard the new amendments to the Constitution, which secure to the black race freedom, citizenship, and suffrage, to be not less sacred and inviolable than the original charter as it came from the hands of the fathers. They owe allegiance to the latter; they have pledged their parole of honor to keep the former, and it is the parole of honor of a soldier race.

As to Mr. Lamar's strictures in this speech upon the connection of the President with these lawless measures, Senator Beck, of Kentucky, is authority for the statement that, "though listened to by all the Republican leaders, they were neither answered nor contradicted and could not be, because the facts were indisputable." †

The reception with which this speech met will appear from the following quotations from the newspapers of the day, again taken almost at random:

The *Boston Advertiser* (Republican): "Mr. Lamar, of Mississippi, made in the House, Monday, another of those stirring and eloquent speeches which are sure to strike a sympathetic chord in the hearts of all generous people. . . . The generous temper, the nobility of sentiment, and the moving eloquence of the present representative from Mississippi are doing more than anything else could to dispel the un-

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\*Appendix, No. 9. † Beck to Editor *Kentucky Yeoman*, October 8, 1874.

pleasant feeling, . . . and to promote good offices between sections of the Union no longer divided."

The *New York World* (Democratic): "Mr. Lamar, of Mississippi, again distinguished himself to-day as an able and eloquent representative of the South, and a real statesman, by delivering a prepared speech on the pre-ent political condition of the South. It was the first full and fair statement of the attitude of the white people of the South toward the general government, and also the State governments of the South, that has been made upon the floor of Congress. . . . The speech was a sequel to Mr. Lamar's oration on Sumner, and was listened to by every member of the House present."

The *New York Tribune*: "Mr. Lamar, of Mississippi, made another great speech in the House to-day, which will, not less for its noble tone and sentiments than for its eloquence and sincerity, no doubt receive as much praise and attention as his former speech on the character of Charles Sumner."

The *New York Herald*: "Lamar's speech attracted general attention for its earnestness and its allusions to the Civil War and its results. He was peculiarly happy in accepting the political situation made for the South by the amendments to the constitution. His exordium and peroration were alike characterized by pithy and pertinent illustrations."

The *Louisville Courier-Journal*: "This is the first time since the war that the case of the South has been adequately and fully presented by one of her own sons, and it was done to-day in a style to which even Northern Republicans could take no exceptions: . . . what many deem the ablest and most statesmanlike speech of the session. Nearly the whole House gathered around him at the close."

The *Wilmington* (N. C.) *Journal* (Conservative): "Among those who have been instrumental in breaking down the barrier between Northern and Southern representatives, no one occupies a more prominent position than Col. Lamar, of Mississippi. . . . The kindly words that were withheld from the living were given to the dead. That they were grandly given no one who knows Lamar needs to be told; and with what result, if the testimony of men from all sections of the country and of every shade of political opinion is to be relied on, those kindly words then spoken have borne, and will continue to bear, fruit for which a grateful South will in due time make fitting return to her gallant and gifted son."

The *Anderson* (S. C.) *Intelligencer*: "Hon. L. Q. C. Lamar, of Mississippi, has won greater reputation in a short time than any Southern Congressman since the war. . . . Last week he made a speech upon the Louisiana troubles which attracted much attention for its earnestness and its frank allusions to the results of the Civil War. The members crowded around him during the delivery of his pithy and pertinent defense of the South, and listened with absorbing interest to his graphic illustrations of the gross caricatures upon republican government now existing in this section of the Union."

The *Jackson* (Miss.) *Clarion*: "It was a most triumphant vindication of a wronged people, executed in a style so knightly as to disarm opposition and compel attention and respect. All bear testimony to the invaluable service he has rendered."

The *Syracuse Journal*: "If Congressman Lamar, of Mississippi, be not more reticent in his utterances, he will be looked after as a candidate for the second place on the Presidential ticket two years hence."

On the 16th of June Mr. Lamar wrote his sister, Mrs. Ross, of Georgia:

No man has worked harder than I have this session. My work has been unobtrusive, but faithful. My speech was listened to attentively and respectfully by the Northern members. It never would have been heard or read by the North had I not

made the Sumner speech. I heard Mr. —. 'There was but one Northern man who listened to it: Judge Thurman, of Ohio. The Republican side was nearly empty, and those present were writing.

Upon the adjournment of Congress the *Hernando (Miss.) Press* had this to say:

The first session of the Forty-third Congress has closed. To Mississippians it is chiefly remarkable as being the first Congress in which they have been represented since 1861. Certainly we have reason to be proud of this, our first representative in thirteen years. . . . With singular skill and good judgment he made the contested election case from Louisiana the occasion of a somewhat elaborate inquiry into, and exposure of, the ills that affect the Southern States. It is by far the ablest, most philosophical, and statesmanlike presentation of our unhappy section that has been given to the world since the surrender. There has been no such speech made in Congress by a Southern man since the days when Davis and Benjamin and Hunter spoke their farewell speeches to the old Senate. Of Mr. Lamar's speech in eulogy of Charles Sumner, it is not too much to say that it is the most notable speech delivered in the American Congress since Lee's surrender. It attracted a wider, more instantaneous, and universal applause than any single speech within our memory.

Mr. Lamar possesses, in an eminent degree, two qualities not often combined, and which, when they meet, must always produce a first-class orator; he has great beauty and power of expression, and a mind deeply philosophical and analytical. Not so philosophical as Mr. Calhoun, nor so philosophical [*sic*] as Mr. Webster, he perhaps unites more of the gifts of both than any man now in public life. Certainly the South has had no such promise of a great statesman in very many years. May she have the good sense and the good fortune long to cherish and honor him!

Said the *Winona (Miss.) Advance*:

There is no name in the United States in so many minds, in connection with the Vice Presidency in 1876, as Lamar's. —

Like all persons who achieve distinction, Mr. Lamar now came to be much annoyed by that class of scribblers for the newspapers who make free with the names of public men, often producing narratives without foundation in fact, or grossly perverted, and articles in which are attributed feelings and motives of wholly inadequate, or even low, character, supplied altogether by the imaginations of the writers. Such a communication, which appeared about this time in a Georgia paper, was promptly exposed by a cousin, Mr. John C. Butler, of Macon, and in a letter of acknowledgment Mr. Lamar said:

His statement about my money matters, which I saw in the *New York Herald*, is a pure lie—not even an element of truth in it. I do not think that I ever consented to go upon a bond in my life. I know that I have repeatedly refused to do so. I formed, in early life, two purposes to which I have inflexibly adhered, under some very strong pressure from warm personal friends. They were, first, never to be a *second* in a duel; and, second, never to go security for another man's debts. The year that I lived in Macon I was more straitened in my circumstances than ever before or since, for I got a very small practice; but I left Macon without owing any man anything. . . .

As to never speaking on any occasion without committing my speech to memory: I am now forty-eight years old, and have not done such a thing but once or twice (on literary occasions) since I was twenty-one. *I cannot write a speech.* The pen is an ex-

tinguisher upon my mind and a torture to my nerves. I am the most habitual extemporaneous speaker that I have ever known. Whenever I get the opportunity I prepare my argument with great labor of thought, for my mind is rather a slow one in constructing its plan or theory of an argument. But my friends all tell me that my offhand speeches are by far more vivid than my prepared efforts.

My recent speeches have not been prompted by self-seeking motives. It was necessary that some Southern man should say and do what I said and did. I knew that if I did it I would run the risk of losing the confidence of the Southern people, and that if that confidence were once lost it could never be fully recovered. Keenly as I would feel such a loss (and no man would feel it more keenly), yet I loved my people more than I did their approval. I saw a chance to convert their enemies into friends, and to change bitter animosities into sympathy and regard. If I had let the opportunity pass without doing what I have, I would never have got over the feeling of self-reproach. If the people of the South could only have seen my heart when I made my Sumner speech, they would have seen that love for them, and anxiety for their fate, throbbled in every sentence that my lips uttered.

In the month of September further notable events occurred in Louisiana. They were the sequence of the history given in this chapter and in Mr. Lamar's Louisiana speech.

It will be remembered that in the contest in the early winter of 1873, growing out of the election of 1872, President Grant had virtually refused to receive the committee of one hundred appointed by the taxpayers' meeting; that the Kellogg government was established in power by the Federal administration and was upheld by military forces. On the 14th of January, 1873, two State governments were inaugurated amid great excitement, and two Legislatures organized. The United States Senate appointed an investigating committee, which reported as already described in this chapter. President Grant then continued to uphold the Kellogg government. This organization passed stringent laws for the collection of taxes, more than two millions of which were alleged to be in arrears, in which provision was made for calling out the militia to aid the taxgatherers. There were riots and bloodshed and arrests of members of the McEnery Legislature, who were marched out of their hall between files of soldiers and taken to the guardhouse.

The result of this contest was that Mr. McEnery, because of the intervention of the Federal authorities in support of the Kellogg faction, issued an address to the people, and abandoned, for the time being, all effort to assert his authority, and the Federal troops were withdrawn.

Matters, however, continued in a most disturbed condition. There were riots in various parishes, originating in some instances in the attempt of Kellogg to collect the onerous and obnoxious back taxes. In Grant Parish the very negroes revolted, and resisted with arms. So matters progressed until the 14th of September, 1874. On that day a mass meeting of citizens assembled on Canal Street. They adopted resolutions reciting that Kellogg and his Lieutenant Governor, although defeated in 1872, had seized the executive chair by fraud and violence;

that, in order to control the result of the approaching election, Kellogg had, under an act passed by his Legislature for that purpose, secured to himself and his partisans the power of denying registration to *bona fide* citizens, whose applications for *mandamus* to compel registration were refused—the law, indeed, punishing the courts themselves if they dared to entertain such appeals; that Kellogg was a mere usurper, whose government was arbitrary, unjust, and oppressive, and could only maintain itself by Federal intervention; that the election laws under which the coming election was being conducted were designed to perpetuate his usurpation, by depriving the people of their right to vote. These resolutions concluded by demanding Kellogg's immediate abdication. A committee of five was then appointed to wait upon him with this demand. He did not see the committee, but through a subordinate conveyed his refusal. The communication of this refusal led to an immediate appeal to arms. Gov. McEnery was absent from the State. The Lieutenant Governor, D. B. Penn, issued a proclamation, calling upon the militia of the State, "without regard to color or previous condition, to arm and assemble under the respective officers, for the purpose of driving the usurpers from power." That afternoon a conflict took place between the Penn militia, variously stated at from seven hundred to fifteen hundred, and six hundred of the metropolitan police, the latter having artillery. The police were defeated, with a loss of fourteen killed and about thirty wounded; the militia losing twelve killed and thirteen wounded, some of the latter mortally. Next morning the police laid down their arms, and the capitol, with all of the State property and records, was taken possession of by the militia for Lieut. Gov. Penn; the negroes in the streets, many of them, cheering the victors.

Mr. Penn sent a dispatch to President Grant, briefly informing him of what had been done, and the reasons for it, and declaring the unswerving loyalty of the people. All he asked for was that the President should "withhold any aid or protection from our enemies, and the enemies of republican rights and of the peace and liberty of the people."

Kellogg also sent on his version of the affair to the President, who responded promptly and energetically in a proclamation dated September 15, in which he commanded the "turbulent and disorderly persons" to disperse and retire peacefully to their respective homes within five days, and to submit themselves thereafter to the laws and constituted authorities of the State.

Thus were the people of Louisiana again put under the yoke which Senators Carpenter, Logan, Alcorn, and Anthony declared to have been originally imposed by fraud and violence.\*

The President made good his proclamation by sending troops and men of war to New Orleans to enforce it. No resistance whatever was made to the United States authorities, Gov. McEnery stating that he had neither power nor disposition to resist, and only making a protest.

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\* "Three Decades of Federal Legislation," Cox, pp. 563-568.

Mr. Banning, member of Congress from Ohio, a few months later said of this event that it "illustrates with striking force two facts: the first is the conservative feeling that animates this sorely tried and downtrodden people; the other, the fearfully despotic power that has grown up since the war at this national capital."\*

These stirring events naturally excited the greatest interest throughout the entire South; but it was feared that they would have an injurious effect upon the approaching elections for Congressmen.

During the months of October and November of this year (1874) Mr. Lamar made a most energetic canvass of his district, speaking at great length and with wonderful effect at many of the chief towns, especially in the eastern part. In this canvass he rendered an account of his doings in Congress; discussed the Sumner eulogy and the Louisiana speech—answering objections and criticisms which had been made in respect to them—besides the current State and national questions of the day. There was no election pending in Mississippi, as there was in nearly every other State in the Union; since the Legislature had that year passed an act fixing the time for the election of Congressmen in the year 1875 and biennially thereafter. But the whole country was burning with the fever of politics, and the influence of the excitement was deeply felt in Mississippi as well.

When the fateful day of November 3d came, and the news was flashed over the country of the great "landslide," by which the House was given over to the Democratic party by an overwhelming majority, and all further purely partisan legislation was soon to become impossible, a great wave of jubilation swept over the South. It was thought that the long and dark days of subjugation were over; and hope, which through so many years had sickened and paled in the Southern heart, sprang into vigor and flower, as suddenly and as fully as the magical tree of the Eastern juggler. But in the very immensity of this joy, in the vastness of the release from long depression, lay a danger, new, but of the gravest character—the danger that the Southern people would misunderstand the significance and just limits of the great political revolution; and, misunderstanding, should seek to use it for ends which the Northern people neither had intended nor would tolerate; and thereby that the condition of the South might finally become worse and more hopeless than ever before.

With what admirable courage and magnanimity had the people of the Southern States, proud as they were, self-acquitted of wrong as they were, plundered and repressed as they were, borne their tremendous calamities! It remained to be seen whether they could with equal, or even comparable, self-control bear a return of their prosperity. Might

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\* *Congressional Record*, Vol. III., Part 2, p. 1139.

it not well happen that the ship which had gallantly breasted so many raging storms should even yet strike some sunken reef, and go down hopelessly and ingloriously under the clear sunlight and on a summer sea? Gen. Walthall wrote to Mr. Lamar: "We are in great danger of spoiling everything in Mississippi, I fear."

There were, however, plenty of cool heads which thought and of eyes which saw, and they perceived that the vote of 1874 did not necessarily relieve the South of the repressive hand of Federal power in case she proved herself unworthy of confidence. The indictment against the Republican party on which the verdict had been rendered had included, it is true, a "count" upon "Southern wrongs." The Northern people had been willing to hear, and had heard, proof upon that point. The proofs had been strong. It was a great thing that the administration had been distinctly arraigned for bringing disgrace upon the American name by its course in that matter; but after all it was doubtful if the decision had been rendered altogether, or even mainly, on that issue. The true gain for the Southern States in the result of 1874 was not a final judgment in their favor, but an opportunity to be heard before the great Areopagus of the American people, and heard through their representation in Congress, strengthened in numbers and improved in abilities and character.

Views akin to the foregoing Col. Lamar earnestly and elaborately advanced in his speeches of this period. Naught remains of those addresses except a few newspaper notices of the briefest, and fragmentary notes. He had great audiences everywhere, largely composed of ladies. His speeches were listened to "breathlessly," except when "interrupted by long and loud applause;" and he was always warmly seconded by local speakers. The burden of his exhortation was a loyal adherence to the amendments, and of all that they, legitimately interpreted, imported.

Let it be distinctly understood [he urged] that we have a hearing under limitations. It is not a hearing on the validity of the amendments. They are fixed in the constitution as immovably as are those provisions which guarantee to each State an equal representation in the Senate. Now is the time of the South's probation and her trial. Her trial will be within the limits of the constitution as it *now* stands. Her patriotism and intelligence are invited to aid in working out a most difficult problem affecting the whole country. Force from no quarter is to be applied to either race. The Republicans failed to make party capital out of the Louisiana affair only because the striking and memorable action of those people showed that there was no plan there looking to the overthrow of national authority, no aspiration not bounded by the horizon of the Union, no purpose to disturb the settlement of the franchise.

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Upon the opening of Congress in December Mr. Lamar returned to Washington, and thence on the 11th wrote to his wife as follows:

Nearly all the papers in New England have come out for me as Speaker, but there is nothing in this beyond the expression of kind feeling. The party does not want a Southern man, nor should a Southern man permit himself to want that office.

I am very often spoken of, or rather spoken to, about the Vice Presidency. That

would be comfortable, would it not? It would give four years of rest and a good income, and Gussie and Jennie such a fine time. I found myself thinking this way about it, and then I considered that in these thoughts I was considering my own advancement and happiness, and that there was no thought of what benefit it would be to our poor people in Mississippi. So I have given up all further thoughts about it. . .

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As was natural, the knowledge that their control of the House was about to end, and by consequence their power to shape the policy of the government, caused the leaders of the Radical party to assume at this the last session of this Congress a very aggressive attitude. If their policy was to be incorporated into the positive law, it was necessary to act at once. By such prompt action whatever of additional power might be conferred upon the Executive became of course irrevocable, even by a Democratic house. The Civil Rights Bill was pressed with great vigor, and finally passed, while a Force Bill was also introduced and urged with great insistence. Affairs took such a turn that investigating committees upon "Southern outrages" were again sent out, and debates of the most exciting and irritating character upon Southern matters consumed much of the time of Congress.

The temper and purpose of the Executive received a most startling disclosure and ominous illustration by the further course of events in Louisiana. In that State the oppression of the people had gone beyond endurance. The public funds had been wasted and embezzled. Public debts had been piled up until the values of property were destroyed by excessive taxation. The November elections resulted again in a Conservative victory by a majority of about six thousand votes, many negroes voting that ticket. The Radical party, however, still had the Returning Board. By throwing out the votes of some parishes altogether, by cutting off some of the vote in these, and by adding to the vote of those—all under pretext of intimidation of voters, this board reversed the popular verdict, and announced a Radical victory as to the State Treasurer (the only State officer voted for) and a majority in the Legislature. This action the investigating subcommittee of Congress itself declared a few weeks later to have been on the whole arbitrary, unjust, and illegal; and the committee further said that that action alone prevented the return of a majority of Conservative members to the Lower House.

On the 25th of December Mr. McEnery published a manifesto to the effect that the wrong just perpetrated by the Returning Board vitally threatened the safety and integrity of republican institutions in the United States, and would not be submitted to by any free people; but that "resistance to national authority, represented here by a large portion of the army and the naval fleet sustaining the usurpation and stifling the voice of the people, has never been meditated." Said the *Jackson* (Miss.) *Clarion*: "This is the wisest course. If the oppressed people were to resist the national administration, which is pledged to uphold



the Kellogg usurpation, they would play into the hands of the usurpers, insure defeat for themselves ultimately, and imperil the success of the political revolution in the Northern States with its promises of relief."

On the 4th of January, 1875, the Legislature was to assemble in the Statehouse and organize. It did so assemble at 12 m. The Statehouse was surrounded by armed forces, amongst them eighteen hundred troops of the United States, the latter being placed there by Gen. Emory on the requisition of acting Gov. Kellogg. The Legislature assembled without any disturbance. The Clerk of the late House, Mr. Vigers, called the body to order. He called the roll of members furnished by the Returning Board. One hundred and two members answered to their names, of whom fifty-two were Republicans and fifty were Conservatives. While the result was being announced one of the Conservative members nominated for temporary Speaker Mr. J. A. Wiltz. The Clerk declared the motion out of order; but the mover put the motion himself, and announced that it was carried.

Mr. Wiltz took possession of the chair, and amid much confusion a clerk and sergeant-at-arms were nominated, voted for, and declared elected. A resolution was then offered to seat five gentlemen, named, as members of the House. The status of those persons was this: They had been declared elected by the commissioners of election in their respective parishes, but the radical Returning Board had declined to pass on the elections in the parishes which they claimed to represent, and had expressly referred their claims to the Legislature itself, thus directly recognizing the possibility of their election. No adverse claimants contested any of their seats. The resolution was put to the House, declared carried, and the five members were sworn in. The House then proceeded to a permanent organization. Seventy-one members were present; fifty-seven voted—a legal quorum—and Mr. Wiltz, receiving fifty-five votes, was declared elected. He was then sworn in, and, the roll being called, the members were sworn in by him at the Speaker's stand—amongst them five Republicans who had participated in the proceedings, one of them being Mr. Hahn, the Republican caucus nominee for Speaker. Other permanent officers were then elected, and the House declared ready for business. A committee of seven on elections was appointed.

At this stage considerable disturbance arose in the lobby. The sergeant-at-arms was unable to stop it, and Speaker Wiltz sent for Gen. DeTrobriand, who was in command of the detachment of United States troops which occupied the Statehouse, and requested him to speak to the disorderly persons in the lobby, in order that a conflict might be prevented. The General did so, and order was restored.

The House then proceeded with its business. The Committee on Elections then reported, and on its report eight other claimants of seats were received and sworn in as members.

Meanwhile, when the temporary organization of the House was effected, most of the Republicans left in a body, with Mr. Vigers, who took with him the original roll as furnished by the Secretary of State. All of the fifty-two Republicans then united in a petition to the acting Governor, setting forth their grievances and asking his aid; whereupon he requested the commanding general to assist him in restoring order, and in enabling the members "legally returned" to organize the House "according to law."

Thereupon, at three o'clock in the afternoon, Gen. DeTroбриand, in full uniform, with his sword by his side, accompanied by two members of his staff and by Mr. Vigers, entered the hall where the Legislature was in session, and exhibited to Speaker Wiltz a communication from Kellogg as Governor, requesting that he should "immediately clear the hall and Statehouse of all persons not returned as legal members of the House of Representatives by the Returning Board of the State." The five members first seated, as above described, were those intended. They declined to go out. A file of United States soldiers was then brought into action. They entered the hall with fixed bayonets, seized the five members, and, against their protests, ejected them from their seats and the hall by force. When that had been done, the Conservative members left in a body with solemn protest. The soldiery kept possession of the hall; and then, under their protection, the Republican members organized the Legislature to suit themselves.

One other feature is necessary to complete the picture.

On the 24th of December preceding, the Secretary of War, for the President, had instructed Gen. P. H. Sheridan, then at Chicago, to visit Louisiana and Mississippi, in order to ascertain personally the general condition of affairs there, and to make to the President such suggestions as he should deem advisable and judicious. Gen. Sheridan was empowered to assume command of the military division of the South, if he should see proper to do so. It was directed that the trip should appear to be one as much of pleasure as of business; "for," it was said, "the fact of your mere presence in the localities referred to will have, it is presumed, a beneficial effect."

On this "pleasure trip," then, Gen. Sheridan reached New Orleans on the 1st of January. On the 4th (the day the Legislature met), by a general order made at nine o'clock in the evening, he assumed control of the Department of the Gulf, consisting of Louisiana, Mississippi, etc., announcing the fact to the Secretary of War by a telegram, in which he stated that a spirit of defiance to all lawful authority was rife in the State; that lawlessness and murder were so regarded as to give impunity to all who chose to indulge in either; and that the civil government appeared powerless to punish, or even to arrest. On the next morning he sent to the Secretary his celebrated dispatch that

I think that the terrorism now existing in Louisiana, Mississippi, and Arkansas could be entirely removed, and confidence and fair dealing established, by the arrest and trial of the ringleaders of the armed white leagues. If Congress would pass a bill declaring them banditti, they could be tried by a military commission. The ringleaders of this banditti, who murdered men here on the 14th of last September, and also more recently at Vicksburg, Miss., should, in justice to law and order, and the peace and prosperity of this southern part of the country, be punished. It is possible that if the President would issue a proclamation declaring them banditti, no further action need be taken except that which would devolve upon me.

The tidings of these remarkable proceedings flew through the country like lightning. At the North, as well as at the South, the greatest excitement, not unmixed with consternation, prevailed. Liberal Republicans and Northern Democrats alike participated in these feelings and the demonstrations to which they led. Mass meetings were held in Cincinnati, New York, and other Northern cities, denouncing the action of the administration and the dispatches of Sheridan. To the Chairman of the former meeting, Hon. George Hoadly (then a Republican, and afterwards Governor) wrote that: "I regard the administration as having been engaged now for three years in a conspiracy to deprive the people of Louisiana of their just right to govern themselves, and an effort by force and fraud to substitute a State government which has never been chosen by that people for that of their own selection." Hon. W. S. Groesbeck, who had defended the impeachment of President Johnson, wrote that: "I think that such a meeting will be very proper. . . . The transactions to which you refer . . . have no precedent in our past, and should not be allowed to become a precedent for our future. Bayonets are out of place in legislative halls." And Gov. Allen, a Democrat, wrote that: "A few of the Republican politicians may, but the Republican masses will not, stand passively by and see any man assuage his thirst for power in the blood of the people." Hon. George H. Pendleton addressed the meeting, praising the Louisiana people for their "wonderful self-control" under circumstances so trying, and for their acceptance of and submission to the results of the war. Resolutions were adopted, denouncing the invasion of the Legislature, condemning the suggestion of Sheridan as a gross insult to the people of the whole country, demanding the reduction of military offices, and especially the abolition of the office of lieutenant general, the rank held by Sheridan.

A "monster meeting" was held in New York, on the 11th of January, at Cooper Institute, in which William Cullen Bryant, Peter Cooper, William M. Evarts, Charles A. Dana, and many others of similar sort, took part. Mr. Evarts spoke at length, to the effect that the effort to control the Legislature struck at its very existence; that such abuses of power, if sustained by the Republican party, would destroy it; that the people should teach their rulers that they were to act only in accord-

ance with the law; that these were not Southern or Northern questions, nor Republican or Democratic, but American questions, since Louisiana was as much a State of the Union as was New York. Mr. Bryant spoke in similar strain, saying also that the President had no authority to interfere with State matters, except in so far as the constitution empowered him to do so; that no such power was given him by that instrument as to set himself up for a judge of elections and purger of Legislatures; that he might as well disperse electoral colleges which should refuse to him their votes, and might as well send another Sheridan to pull out from the executive chair the man whom the people of New York had recently elected for their Governor.

Many of the leading newspapers expressed similar views. The *Cincinnati Commercial* (Republican) said that, "If it is made a party test to sustain Sheridan's Louisiana literature, there is an end of the Republican party." The *Philadelphia Ledger* (Independent) spoke of it as a "humiliating sight to American eyes to see an officer of the United States ordered to enter a legislative chamber at the head of a platoon of soldiers, and at the dictation of the Governor whose own case is involved," etc. The *New York Times* (Republican) declared that, "There is no power in the President to 'proclaim' certain men 'banditti'; and there is none in Congress to outlaw a class who, whatever their offenses (and they are many and grave), have thus far shown a profound respect for the authorities of the United States." The *Philadelphia Inquirer*, which Mr. Schurz, in this connection, asserted to be "about as Republican as most Republican papers are nowadays all over the country," said:

Unless the Republican party is content to be swept out of existence by the storm of indignant protests arising against the wrongs of Louisiana from all portions of the country, it will see that this most shameful outrage is redressed wholly and at once; for if it is right for the Federal soldiery to pack the Legislature of one State in the manner the Attorney-general declares it shall be packed, or if it can be done, it is right and can be done in any other State. It is a matter that concerns Massachusetts, California, and Pennsylvania equally with Louisiana; for it is an act of Federal usurpation, which, if not revoked and condemned by Congress, will lead inevitably to the destruction of the whole fabric of our government—

Which is just what Mr. Lamar said seven months before in the conclusion of his Louisiana speech in respect to the Federal establishment of Kellogg as Governor.

The agitation indicated in the preceding paragraphs was felt in Congress no less deeply than in the country. On the 5th of January, the next day after Gen. DeTrobriand's invasion of the Legislature, and probably while Gen. Sheridan's banditti telegram was in course of transmission, Senator Thurman, of Ohio, offered a resolution requesting the President to inform the Senate whether any portion of the army had interfered with the organization of the Louisiana Legislature, and

if so, by what authority. This resolution and the message from the President which it finally elicited brought on a most acrimonious debate, which lasted throughout the entire month. Senators Thurman, Schurz of Missouri, Bayard and Saulsbury of Delaware, Tipton of Nebraska, and Hamilton of Maryland, took the lead in assailing the course of the President and of Gen. Sheridan; while Logan of Illinois, Morton of Indiana, Sherman of Ohio, Conkling of New York, Edmunds and Morrill of Vermont, Frelinghuysen of New Jersey, Howe of Wisconsin, West of Louisiana, Clayton of Arkansas, and others, came to the defense; Senator Gordon, of Georgia, contenting himself with vindicating the people of the South from the assaults made upon them.

The defense of the administration proceeded mainly upon two distinct lines: first, that the parties with whom the military interfered, and the other Conservatives, were organizing the Legislature in a turbulent manner, and in contravention of the proper rules for organization; secondly, a fierce counter assault upon the Southern people, and especially upon the people of Louisiana. The points made of the first class, Senator Thurman, in his manly closing argument, characterized as nothing more than a sticking in the bark. The gravest feature of the dispute was the rancor of the renewed assault upon the South.

Let one or two examples suffice:

In his speech of the 14th Mr. Logan said: "Before the abolition of slavery who ever heard of a white man being punished for shooting a negro? Nobody. If he shot a negro down, he would be liable to an action of trespass for the amount the negro was worth, the same as if the man had shot a horse. He paid the owner of the negro his value, and that ended it. The habit grew so strong that men down there think they have the same right now to murder negroes that they thought they had then."

In his speech of the 5th Mr. Morton said: "I am glad that we have now come to the point where the ten thousand lies which have been systematically sent from Louisiana as an apology and an excuse for the numerous murders that have been committed there can no longer blind the people and prevent them from seeing the exact condition of things. Sir, there has been a system of lying in regard to affairs in Louisiana that has had no parallel in this or any other country."

In his speech of January 22 Mr. Sherman said: "All these outrages are committed in the name of and for the benefit of the Democratic party. If that day should come to which many of you look forward with hope, when the Democratic party shall be in power in this government, then one of two things will be true: either the blacks of the South will be turned over to the tender mercies of these men [*i. e.*, Sheridan's banditti], or you will have again the fires of rebellion kindled in our midst."

Before this spectacle of a prostrated State, under the heat of these consuming passions, the hopes which the November election had inspired in Mr. Lamar began to wither. On the 15th of February he wrote to his wife:

I think the future of Mississippi is very dark. Ames has it dead. There can be no escape from his rule. His negro regiments are nothing. He will get them killed up, and then Grant will take possession for him. May God help us!

But notwithstanding his hopeless and gloomy frame of mind, Mr. Lamar demeaned himself with great forbearance and dignity. Mr. Randall, of Pennsylvania, however, who was hampered by no such deterrents as controlled him, felt justified in saying to the Republican side of the House (in his speech of February 1):

Instead of this legislation which you propose, prompted by the meanest passions and aimed to crush out a race, we have told you to come to your legitimate duties of legislation; pass your appropriation bills, reducing the amount as far as possible; revive the industry of the country, and again be a happy and prosperous people throughout the length and breadth of this land, whether in the North or in the South. When, in the name of Heaven, is this crusade against the South to end? When will you get over your mean purposes against these people? They surrendered their arms as brave men at Appomattox Courthouse, and if the policy of Gen. Sherman there stated had run through your legislation from that time to this hour we should have now a people reposing in tranquillity and peace, the terror of all other nations.

This policy of the Republican party, coupled with the startling course of events in Louisiana (especially the latter), excited again great discontent and uneasiness in the South. A prominent lawyer of Mississippi wrote to Col. Lamar a long and insistent letter, from which the following extracts are taken:

. . . Everybody counsels moderation. This, of course, is right, and no people under the sun have ever been more temperate and forbearing under wrong and oppression than the people of the South. . . . It is the privilege of our representatives in Congress, few though they be, to denounce and expose the villainy and corruption of our rulers, and, in the name of the constitution of our country, solemnly to protest against these outrages upon our rights and liberties. . . . It is feared by some of your friends that you are almost too slow in availing yourself of the opportunity and occasion, that you are inclined to temporize too much. Your past course in Congress has established the impression with our oppressors that you are not an extremist, or radical, fire-eating disloyalist; now, then, take the benefit of it to expose their villainy, and publish the unprecedented wrongs of our people to the world. . .

To this letter Mr. Lamar replied, under date of January 18, 1875:

. . . I do not think you fully understand the situation here, or what I am doing. Federal intervention in Louisiana and the Southern States has a twofold aspect: one which involves the prosperity and self-government of the Southern people. About this there is very little interest felt at the North, beyond a general desire to have the troubles cease. They would be gratified to see the South prosperous; but they would not take the trouble to put Grant or any other Republican out, and to put a Democrat in as President, to accomplish this object.

But the other aspect of the case involves the existence of liberty and constitutional

government at the North; and the demonstrations by the Northern people, in view of this danger to their own free institutions, give me more hope of ultimate justice to our people than I have had for some weeks past. The questions have not, as yet, been formally introduced into the House; at least not in such a way as to make debate proper or possible. When the occasion comes, as it must when the reports of the investigating committees are made, I presume, though I am not certain of the fact, that the Southern representatives will be heard from. They generally concur as to the most effective mode of defense. Their protests should be firm and manly; their exposure of the corruptions and wrongs which the governments of those States have been guilty of should be unsparing. But their animadversion upon the President of the United States should be marked by dignified moderation. The Northern people have more pride in Gen. Grant than they have in any living man. They have a strong feeling of admiration for Sheridan. They will tolerate no abuse of him by Southern representatives. The Radical party would raise a purse of fifty thousand dollars to pay prominent Southern men to denounce him in the style which you suggest as the proper course for me. I could not please these enemies better, or help them more, than by calling Gen. Grant a "besotted tyrant" and Sheridan a "brigand."

The Northern people are alarmed at the rapid strides of executive usurpation, but it is for themselves. With all their jealousy of arbitrary government, they are still more jealous of the ascendancy in Federal politics, which they fear the South will acquire by throwing a consolidated vote of one hundred and thirty-eight electoral votes for President, which, with two or three Northern States, would elect him. . . .

As to the fear of "some of my friends" that I am "almost too slow in availing myself of the opportunity and occasion, that I am inclined to temporize too much," allow me to say, in perfect good feeling, that it arises from their being unwilling or unable, from their lack of knowledge of the situation here, to understand the position occupied by us Southern representatives in Congress. Whatever else may be said of a man who follows the counsels of his own mind as to what his duty to the interests of his people requires, regardless of consequences to himself, he is no temporizer. My course has been anything else but temporizing.

You say in your letter: "I know that you are fully capable of taking care of yourself" Well, yes! I believe I am; but I am not attempting that just now. While events of such magnitude are passing before his eyes, a man who did not forget himself would deserve to be forgotten. I have thought of nothing but the situation of my country. At any rate, I have not sought eclat at home by attempting imposing displays of passionate invective against a party which has even yet the power to inflict upon our defenseless people any suffering or oppression which awakened resentments may invent. The strength and energy and will of Southern Radicals are underestimated. The programme which they are attempting to force upon their party is as bloody and vigorous as that of the French Jacobins, and they are backed up by Grant. A few inflammatory speeches from our side would do their work for them. Never was there a more critical period in our history than the present. The only course I, in common with other Southern representatives, have to follow, is to do what we can to allay excitement between the sections, and to bring about peace and reconciliation. That will be the foundation upon which we may establish a constitutional government for the whole country, and local self-government for the South. . . .

It was this determination of Mr. Lamar to indulge in no useless and unprofitable declamation, but, on the contrary, to work constantly for harmony, which dictated his course in respect to the Civil Rights Bill. His remarks of the 3d of February were:

*Mr. Speaker:* I have no hope that any argument of mine will avail to prevent the passage of this bill or one similar to it in its essential provisions. It is evident that

in the opinion of the majority of this House no light can be thrown upon the subject which will control its action. This chamber is empty. Were I to speak, I would have to address vacant chairs. . . . But, sir, as a representative of a portion of the people on whom this proposed legislation is to operate, I feel it my duty to protest against this measure in any of its forms, as not only violative of the constitution, but irretrievably disastrous to the peace, prosperity, and happiness of that people.

In regard to this very feature of his character as a public man, the *New York World* had something to say in this month:

Hon. L. Q. C. Lamar is winning for himself the respect of both sides of the House. His speeches hitherto during this term have been distinguished by their pertinency. There is no more valuable reputation for a legislator to have, and none more sure to command "the ear of the House," than the reputation of never speaking except when he has something to say. This Mr. Lamar has fairly earned. His speeches on the new rule and on the Civil Rights bill have been true, timely, and pointed. . . . In the hot debates of the last three days he has done more to vindicate the Southern people from the imputations recklessly put upon them than almost any other member of Congress. The Southern people could do themselves no greater service than by sending more such men as Mr. Lamar to represent them.

As the session drew to its close the last great struggle for many years over Southern affairs came on; and the flames of partisan passion, which leaped so high and so fiercely in the Senate during the month of January, now raged in the House. The Civil Rights Bill was passed through that body and done with. It was then before the Senate, and so certain of passage that discussion of it had ceased, and the irritations incident to its discussion were subsiding. On the 18th of February, however, Mr. Coburn, Chairman of the committee which had been appointed to investigate the condition of political affairs in Alabama, reported to the House for its action the measure known as the "Force Bill." This step had been determined upon in a caucus of the Republican members. It was a purely party measure, avowedly designed to secure Republican ascendancy in the States to be specially affected by it. The consideration of the bill, and the great struggle over its passage or defeat, came on Wednesday, the 24th of February. Two days later, in the *National Republican*, the presidential organ at Washington, appeared an editorial upon the pending bill, which closed, in large capitals, as follows:

THE PASSAGE OF THE BILL IS REQUIRED TO PRESERVE TO THE REPUBLICAN PARTY THE ELECTORAL VOTES OF THE SOUTHERN STATES.

REMEMBER THAT IF THE DEMOCRATS CARRY ALL THE SOUTHERN STATES, AS THEY WILL IF THE WHITE LEAGUE USURPATION IN SOME OF THEM IS NOT SUPPRESSED, IT WILL REQUIRE ONLY FIFTY DEMOCRATIC ELECTORAL VOTES FROM THE NORTHERN STATES TO ELECT A DEMOCRATIC PRESIDENT. THIS IS A LIBERAL ESTIMATE.

Of this editorial Mr. Hawley, of Connecticut—himself a Republican of the staunchest, but who, in common with several others of sim-



ilar sort in the House, could not be persuaded that it was proper to pass the bill—could say, by way of apology, only this:

The writer honestly thinks that liberty, that justice, equality, and fraternity will be trampled in the dust if the Republican party does not succeed. He thinks that it will be a wise policy to go to the very verge of constitutional power—even under his own acknowledgment—to perpetuate that party in power. I cannot say that.

As before stated, it was on Wednesday, the 24th of February, that the Force Bill was called up for consideration. Only seven more working days remained to the Republicans before the adjournment of Congress would be forced by lapse of time. To the opponents of the bill delay meant everything. It was their sole refuge. If only time could be consumed until it should be too late for the bill, when passed by the House, to be also considered and passed by the Senate, then it could be defeated; otherwise not. Therefore they began to filibuster, under the admirable leadership of Mr. Randall; and the session of this day in the House affords a most remarkable example of that species of legislative tactics. The morning session, with the exception of a slight skirmish over the "order of business," was devoted to a consideration of appropriations, etc.; but the opening of the evening session, at half past seven o'clock, witnessed the beginning in earnest of the battle. The opponents of the bill, contesting again the order of business, showered down all sorts of admissible dilatory motions and demands—motions to adjourn, questions of quorum, questions of contempt, disputes over preferences, divisions, and calls for the yeas and nays, appeals from the Chair—until the head swims to read them. The result was that the night of the 24th passed away; the noon of the 25th came and passed; and it was only at 4:10 P.M. of Thursday that the House, utterly worn-out and famishing from a session of over twenty-nine hours, adjourned until Friday, the 26th.

Thus the opponents of the bill had gained two precious days. Only five remained, but in the meantime they had exhausted all of their resources. Delays could be obtained only under limitations imposed by certain parliamentary rules; and, working skillfully under those rules, the Republican phalanx had steadily and inexorably, although slowly, pressed on to its final end; and when the long session adjourned the bill was reached. The morning of Friday would probably witness its call and passage under the previous question. Sufficient time had not been gained, and matters looked very dark indeed for the Southern members.

Mr. Lamar, with the others, was in despair. He regarded the passage of the Force Bill not only as an indignity and an humiliation to the South, but also as an unmeasurable calamity to the nation. It meant the tearing open of old wounds and the perpetuation of bayonet rule. It was the undoing of the mission of the peacemaker. To him person-

ally it signified the blasting of his one great hope, the toppling over into irretrievable ruin of the whole structure of his later life.

Mr. Lamar's noble course in Congress stood the South in good stead then. Through it, and through the kindly feeling which it had engendered for him, he was enabled to accomplish in this emergency what probably no other Democrat could have done. He found the way out of the trouble.

He had not taken an active part in the filibustering; but after the adjournment, late at night, contemplating the fateful morrow, and desperate about the hapless prospect, he visited the Speaker at his residence. He impressed upon Mr. Blaine, who was understood not to be in sympathy with the bill, the disasters with which its passage threatened the South. He appealed to him, with the wonderful power which he had to reach the better and higher natures of men when he wished, to extricate the South, if possible, from the toils closing around her; and there he received from the Speaker a hint which was used to good purpose on the following day.

When the House convened at eleven o'clock the clerk began to read the minutes of the previous session. Mr. Storm, of Pennsylvania, interrupted, raising the point of order that the clerk was not reading the names of the persons voting in the negative and the affirmative on the several votes. This was Mr. Blaine's hint to Mr. Lamar. The yeas and nays and the roll of the House had been called forty times; and to read those names would alone consume several hours. The Speaker asked: "Does the gentleman insist on their being read?" Said Mr. Storm: "I do." This brief colloquy settled the great issue. Mr. Hurlburt then offered a compromise resolution to the effect that by unanimous consent the sundry civil bill should have the day until five o'clock; that at half past seven the Force Bill should be taken up for debate only, the previous question to be afterwards called upon the same whenever the House should so order. This, being agreed to, won all of Friday for the defense.

On Saturday the bill was passed, but not until midnight. When it went into the Senate on Monday it was too late to pass it under the rules of that body, and so it was abandoned after a feeble effort.

For his friendly service in this matter Mr. Lamar ever entertained the greatest gratitude to Mr. Blaine. He spoke of it frequently; and in the heated Presidential campaign of 1884, when Mr. Blaine was subjected to much severe criticism and abuse, in his public speeches Mr. Lamar refused to make any personal assaults upon him, saying that he could never forget what he had done for the South in 1875.

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During the sitting of Congress, on the 9th of January, Mr. Lamar, in

response to a request from the editor of the *New York Herald*, wrote an open communication on the Southern questions, which is as follows:

TO THE EDITOR OF THE HERALD.

*Sir*: In reply to your request that I shall state to you "what socially and politically would be the result in your [my] State if the Federal Government should at once and entirely cease to interfere in the affairs of your State, and leave Mississippi to govern itself and its people to manage their own local affairs just as the people of New York or Pennsylvania manage their own," I answer:

1. The rights of personal security and of property would be under the changed circumstances referred to as secure as they are in any community on earth. The disturbances there now are purely of a political nature. Public opinion in that State regards any white man as ignoble and cowardly who would cheat a negro or take advantage of him in a trade or who would wantonly do him a personal injury. A jury, if it should incline in its sympathies either way, would favor the weaker man in an appeal to the laws.

2. As to political rights, I presume that your question points to those rights which the Northern people have insisted upon being secured to the black race—to wit, the rights of suffrage, of service on juries, and legal eligibility to office. I do not believe that any serious movement would be made in my State to injure or abridge any of those rights. In the exercise of them there might be some slight occasional disturbances. They would, however, be the mere transient incidents of the resumption by our people of local self-government to which they have been unused by ten years of repression, and would entirely cease in a very short time.

As to the political complexion of the State if the people are allowed to rule their own local affairs as those of the Northern States are, it cannot be doubted that with us, as with you, brains, intelligence, and moral strength will ultimately rule; and it is certain that, as the negro population is for the most part poor and ignorant, it will fall under the influence in a great degree, as the same element does everywhere, of its employers; an influence which it will be to the employers' interest to increase by kind treatment and protection. This cannot be helped. It is the natural course in a free State, and it will have in our case the great advantage of obliterating the color line and ranging men in parties without regard to race, which can never be done while the present system of Federal interference continues. Let me not be misunderstood. There is among the whites in our State no color line organization in the sense usually attached to that term. The history of political combinations since the war in Mississippi shows a constant but fruitless effort to break down a political barrier which Federal power has erected, and which Federal power can alone maintain. The white man is made by the direct action of the Federal Government the political antipathy of the black, and is pointed out to the latter as the common enemy, and as the enemy of both himself and the government. By constituting itself as the negro's sole protector in the State it drives him to trust only its agents and partisans, often men of the vilest character, and rarely men who have any material relation to the State or to society among us. The negro is thus isolated from the white people among whom he lives, and the Federal power thus makes him an alien in our society, though invested with the highest political prerogatives, thus forcing him into an attitude which tends also to force the white race into a similar position toward him. Here is the true cause of the disturbances of which you in the North have greatly exaggerated accounts. I repeat, they are invariably political. Withdraw the disturbing force, leave our population to the responsibility of local self-government and to the natural operation of social and industrial forces, and all that is now deranged and disorderly will certainly and permanently arrange itself; not perhaps at first without friction, but

with, I am confident, an immediate decrease of friction and a gradually but surely lessening amount of disorder. At the very worst it will be as nothing in comparison with the strife and intestine commotion with which our land is now cursed.

Is there not statesmanship enough among our rulers to perceive that such governments as we now have in some of the Southern States must be constantly running down, and that these appeals to the United States army and this use of it which is now startling the country must continue a constantly recurring evil, or rather must tend toward becoming a fixed and permanent element in our system of government?

Of this letter the *Jackson Clarion* said:

The Republicans cannot gainsay, and the Democrats and Conservatives of Mississippi will unhesitatingly indorse, the declarations contained in the letter of our distinguished representative to the *New York Herald*.

The *Jackson Pilot* (Republican organ) said that "the Democratic papers of this State are perfectly furious with Mr. Lamar . . . because in a recent letter to the *New York Herald* that gentleman confessed that the 'recent disturbances in his State were of a purely political nature.'"

This statement the *Clarion* reproduced and denied, and a few days later said editorially:

We replied that this was a misrepresentation; that out of the forty or fifty Democratic papers in the State the *Pilot* could not name two that were "furious with Mr. Lamar" on account of his letter to the *New York Herald*. The *Pilot* rejoins by citing four that have made some complaints about his course, but none of them seems to have specified this particular letter. Of these four papers one is out of existence, and the other three, according to the *Pilot's* logic, constitute "the Democratic press of this State."

The obvious comment upon this letter and this controversy of the *Pilot's* springing is that Mr. Lamar's expression of a "purely political nature" was wrested from its true signification. What he meant was that the disturbances alluded to grew out of the maladministration and corruption of the government imposed upon the State against the will of the people, and not that they arose from any effort or disposition on the part of the whites to deny to the blacks the civil and political rights to which they were entitled by law. This makes a difference, but it suited the purpose of the *Pilot* to place the latter construction upon the phrase for obvious reasons. The object of introducing this tilt between the papers is to show that, in fact, Mr. Lamar's letter was indorsed by the Democratic press of the State.

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The elections for State officers and Congressmen were to be held in New Hampshire on the 9th of March, and Mr. Lamar and Senator Gordon, of Georgia, were invited by the Democratic State Executive Committee to make speeches in that State in the interest of the party. Yielding to that invitation and the earnest request of the Democratic Senators and members from the North, Mr. Lamar consented to go. Senator Gordon also went. Mr. Lamar's address at Nashua, in which

he presented the defense of the South, is thus reported and printed in the *Boston Advertiser*:

NASHUA, N. H., March 7.

Representative Lamar, of Mississippi, spoke to the citizens of Nashua last evening on the condition of his people at the South. Though the hall was engaged by the Democratic Committee, and he was invited by it to speak, it was by no means a party gathering that assembled. Republicans and Democrats, attracted by the reputation which he bears for eloquence, ability, and worth, crowded the large hall till they filled it to overflowing. His address was exactly suited to the mixed character of his audience. It was remarkably nonpartisan, consisting merely of a statement of facts braced by the reports of Congressional investigation and a logical tracing of the causes which have led to whatever turbulence and disquietude exist; containing scarcely an allusion to either of the two political parties, and none whatever to the approaching election. He spoke for about two hours, not concluding till nearly eleven o'clock, and retained the closest attention to the last; and then, as several times before, there were loud calls for him to continue. The address was earnest and forcible, and made a deep impression upon those who listened to it. Mr. Lamar was preceded by Col. F. W. Parker, of Manchester, a lifelong Republican, who made a very earnest and powerful speech in which he, with sadness, gave as his reason for voting the Democratic ticket the fact that he could not express his sentiments through the leaders of his own party. He did not believe the Democratic victories were owing to the good that that party had done.

Representative Lamar was received with great applause. When it had subsided he said:

*"Fellow-citizens of New Hampshire:* I cannot realize in words the idea I have of what would be appropriate for me to say upon this, my first appearance before the people of this grand old Commonwealth. I don't know that I can better attest my high appreciation of the honor you have conferred upon me by inviting me here and of the cordial greeting that you have given me than by speaking to you from the depths of my heart my honest thoughts. I have come under the persuasion that the citizens of this State, as indeed the people all over this country, desire that the era of sectional discord and alienation and strife from which the country has been so long suffering shall be brought to a close; and that a new one shall be inaugurated which shall be illustrious as an era of cordial reunion between the sections, of harmonious fraternity between the people. There is but one impediment, I apprehend, in the way of that cordial understanding. I don't believe that there exists on the part of the people of the North any desire to oppress our people or to continue the system of Federal interference in our local affairs. The only obstacle, therefore, in the way of harmony in this country is the apprehension in the minds of many honest people that such is the condition of affairs in Southern States, such the temper of the Southern people, that local self-government in that section will not give the guarantee of personal security, of personal liberty, of prosperity, and of political rights to which American citizens of all classes and of all races are entitled.

"I propose this evening to lay before you calmly and dispassionately the condition of the South, the attitude of her people, their intentions, their purposes, their aspirations. I would have preferred to have come among you upon some other occasion than that of a political canvass. Coming to plead the cause of one people to another, the very sanctity and dignity of my mission naturally lift me above the petty passion and ambitions of party strife, and my only motives are my final judges: God, conscience, truth, country, posterity. [Applause.] And if among my motives there lurked one less pure than truth, if there were in my heart a glancing thought of party profit or party advantage at any approaching election, I should feel that I was trifling with sacred interests. [Applause.]

"It has been represented to you, fellow-citizens of New Hampshire, that upon the part of the native white population of the South there is a determined scheme to obtain supremacy and control, if necessary by organized fraud, violence, murder, for the purpose of subjecting the newly enfranchised race of that section to a servitude something akin to their former bondage, and to defeat the results which you have achieved by the war that you closed in 1865. If you will give me your attention, I think I can satisfy you that no such purpose exists. That there do exist in some of the Southern States a disquietude in reference to political affairs, and disorder amounting sometimes to bloody conflicts, which do not exist to the same extent in the Northern States or in the other Southern States, and which ought to be unknown in the working of American institutions, I do not deny. I make this statement in all candor; and I want to show you that these disorders are referable to no ambition for political supremacy, to no party passion. Those motives existed in the South before the war far more powerfully than they do at this time. Then, when the people of the North were engaged in the pursuits of literature and science and mechanic arts and manufacturing and commerce, regarding the science of government as the highest of all sciences, the Southern people looked upon political celebrity as the highest object of a noble ambition. Hence parties were equally divided as Whigs and Democrats, Know-nothings and anti-Know-nothings, and they struggled fiercely for supremacy, with alternate success and defeat; and yet the tranquillity of society was not disturbed. At this time one of the great evils in the South is the disposition among the masses of the intelligent people of that country to withdraw from all action in political struggles, from all participation in the responsibility of government, as a task too arduous, too hopeless, too thankless. Nor are these disorders owing to any lurking discontent with the operation of the amendments to the constitution, nor to any antagonism of races in that section. Whenever these conflicts have occurred a careful analysis of the facts will show you that they have grown out of a condition of things which neither race had any agency in producing. Amid the shade around those striking and memorable events in Louisiana, through the gloom which surrounds the dark tragedy at Vicksburg, this fact, as if by a flash of light, has been revealed: that in all the agitation in that section there has been no tendency to conflict with national authority, no aspiration not bounded by the horizon of the Union, no purpose to disturb the settlement of elective franchise. [Applause.] The people of the South regard the amendments to the constitution as an integral part of that instrument. The amendments which gave emancipation to the black man, which gave him citizenship and suffrage, they regard as indelibly fixed upon that instrument, embodied in it, as sound and inviolable as the original charter which came from the hands of their fathers. [Applause.]

"What then is the cause or combination of causes which, not existing in the North, not existing in far the greater portion of the South, and not existing in the disturbed localities before the war, has produced this deplorable state of things? The President of the United States in his annual message uses the following remarkable language. Speaking of the people among whom these disturbances exist, he says: 'I sympathize with their prostrate condition, acknowledging [Fellow-citizens, that is a remarkable expression for the President of the United States to use in communicating information to Congress] that in some instances they have had most trying governments to live under, and very oppressive ones in the way of taxation for nominal improvements, not giving benefits equal to the hardships imposed.' Have you not here revealed an adequate cause for discontent and disturbance? In what age of the world, in what country, have not such effects followed from oppressive governments, imposing burdens of taxation, with no corresponding benefit, upon a prostrate people? Why, my fellow-citizens, what is the use of Congressional investigation, what is the use of appealing to passion and hatred, when you have here from the Executive himself causes which in all ages have produced disorder, violence, and bloodshed?

‘Oppressive government!’ What does that signify? It means the sway of corruption, cupidity and craft, peculation and embezzlement, intimidation of voters, bribery, waste of public treasure, loss of public credit, false Returning Boards, fraudulent balloting, intimidation by the Federal military, taxation in all its grinding and diversified forms. ‘Prostrate condition!’ What does that mean? It means a people reduced to bankruptcy and wretchedness, agriculture prostrated, commerce, trade, mechanics, arts, all broken down, enterprise paralyzed, the resources of industry drunk up, and the people with hearts broken by the spoliation and oppression and plunder and impurity of their rulers. [Applause.]

“But, fellow-citizens, on this point I have higher authority than that of the President of the Nation, high and exalted as his position is. In view of these terrible and harrowing stories of outrages and murders in the South, a committee was appointed upon Southern affairs, ordered by a Republican House of Representatives, appointed by a Republican Speaker. They sent a subcommittee, the majority of which were Republicans: Messrs. Phelps and Foster and Potter. Mr. Foster is a Republican of the most decided character, representing a radical district, ardent and uncompromising in his tendencies. In the session before, he had won reputation for faithfulness as an investigator and for his adherence to the conclusions to which his investigations conducted him. Mr. Phelps was also a Republican of decided tendencies, but a man of lofty patriotism which raised him above party following, and made him in the midst of great events act with sole reference to the welfare of the whole country. Mr. Potter, of New York, was a Democrat, but one whose reputation for integrity, honor, and ability was too high to allow him to peril it by signing his name to a partisan or unfair report. I speak of these facts to show you that they repaired to this disturbed district looking at the same events and condition of things with minds somewhat diverse. Yet, after a long and laborious investigation, they make a unanimous report. I will read from that report to you. Speaking of the charge that there had been intimidation of colored voters, the committee say that it was not borne out by the facts before them. ‘No general intimidation of Republican voters can be established; no colored man was produced who had been threatened or assaulted by any Conservative because of political opinion, or discharged from employment or refused employment. Of all those [This is a report, gentlemen, a unanimous report, of a committee, two of whom are Republicans and one a Democrat] who testified to intimidation, there was hardly any one who of his own knowledge could specify a reliable instance of such act. Of the white men who were produced to testify generally on this subject, very nearly all, if not every single one, was the holder of an office. Throughout the rural districts of the State the number of white Republicans are very few; it hardly extends beyond those holding office and those connected with them. No witness, we believe, succeeded in naming in any parish five Republicans who supported the Kellogg government who were not themselves officeholders or related to officeholders, or themselves having official employment.’ You remember, fellow-citizens, that the Returning Board, a Republican Returning Board, in New Orleans ejected enough Democrats to make the Republicans have a majority in the Legislature. They were turned out of the Legislature by the power of the Federal military. Here is what the committee say upon that subject: ‘Without now referring to the other instances, we are constrained to declare that the action of the Returning Board on the whole was arbitrary, unjust, and in our opinion illegal; and that this arbitrary, unjust, and illegal action alone prevented the returning by the board of a majority of Conservative members to the Lower House.’ They go on to declare that there is a fearful despotism in that country, that is taking all the substance of the people, taxing property in New Orleans an annual amount exceeding the rents of the property, taxing some of the rural parishes to the amount of eight per cent.

“So much for that. When this report, unanimous, came to Congress, it struck the

people with astonishment; the Republican members were silent in their amazement, and at once the other portion of the committee repaired to New Orleans for the purpose of making a different report. Messrs. Hoar of Massachusetts, Wheeler of New York, Frye of Maine, with Mr. Marshall, Democrat, from Illinois, repaired to New Orleans for the purpose of taking testimony, and making a report which might counteract the effect of this unanimous report of the subcommittee, which showed that the people of Louisiana were writhing under all the oppression which a government corrupt, incompetent, and tyrannical could inflict. [Applause.] Well, the character of that last committee—especially of its Chairman, Mr. George F. Hoar—was such as to lead to no expectation that there would be any indulgence shown to the people of the South, or any very harsh criticism of his own party. By inheritance, by training, by political association, he was intensely anti-Southern. His manners toward Southern men, so bitter are his feelings, are often cold and reserved; and nothing but his instinct and refinement as a gentleman, which he is in every respect, saved him from sometimes being supercilious; acute in intellect, cultured, trained to the highest expansion of his powers; quick in his resentments and combative in temperament, we certainly expected no quarter from his hands. But beneath all this there were genuine truth and manhood in Hoar that lifted him above the sordid feeling of malignant passion. He went, then, to that country, and he made a report; and, while there is much in it that saddened my heart, while there is much which I say is unwise and unjust in his observations, there are some things, fellow-citizens, which you people of the North should hark to bear in mind, while you are coming to your conclusions with reference to the relations which you intend to sustain to the prostrate people in my section. Here, fellow-citizens, is what Mr. Hoar says in reference to the South: 'We don't overlook the causes which tended to excite deep feeling and discontent in the white population of Louisiana [I must read these extracts to you because a people's interest, a people's destiny, hang largely upon the action of the people of New Hampshire and other Northern States]. There has been great maladministration; public funds have been wasted [That means public funds have been embezzled, appropriated by these governments that are sucking the blood, the lifeblood, from a people already impoverished by four years of calamitous war]; public lands have been wasted, public credit impaired.' Now, fellow-citizens, that is the testimony of one of the most uncompromising Republicans in this country. Mr. Frye, who is canvassing this State, has his name signed to that statement, but I don't hold him responsible for it; perhaps the sentiment of the report was not his, and that he simply joined in the resolutions which were recommended by the committee. I don't wish to misrepresent the views of any gentleman. He goes on, speaking of some of the causes which have led to discontent and turbulence in Louisiana. Among them is the fact that the administration party of Louisiana is made up by massing together the whole negro vote with a few whites, largely from other States; the fact that there has been great maladministration by Republican officers, much dishonesty, much corruption, in State and local administration.

"I will give you one more evidence, fellow-citizens, upon this subject. Mr. Hale, of Maine, has testified, and let us hear what his testimony is: 'For the last four years the infamy and disgrace of certain Southern governments [O, you are now hearing about outrages on the Southern people, speaking of these Republican governments in Louisiana, Mississippi, Alabama, Arkansas, Florida, and South Carolina] have been heard of in Congress. There have been corrupt electors and corrupt elections. There have been corrupt legislators and corrupt legislation [Mark it, fellow-citizens, this language is not that of a red-hot Democrat in New Hampshire; it is not the utterance of a rebel; it is the language of the loyal Eugene Hale, from Maine, speaking of Republican governments in the Southern States]; there have been double Legislatures, double Governors, double Representatives in this House, and double Senators, year



by year, in many States; there have been bad men in these States, who have bought power by wholesale bribery, and have enriched themselves at the expense of the people by speculation and underhanded robbing. Corruption and anarchy have occupied these States.'

"But, fellow-citizens, another committee was sent to Arkansas. It was said that the banditti and marauders and the murderers of Arkansas had overturned the work of reconstruction, had usurped the government, and reduced (or were about to reduce) the black population of that country to a condition worse than their former bondage in slavery. That committee was composed of Mr. Poland of Vermont, Mr. Saylor, and another gentleman whose name I do not recall, but a Republican. There were three Republicans and two Democrats. Mr. Poland, an able jurist, examines into the condition of things there. He reports that the government now established in Arkansas is the representative of the majority of the people of that State, white and black; that it is the result of the spontaneous vote, and that peace and order and tranquillity prevail in that State, under this new government in the hands of the people, as great as has ever prevailed there. This committee was unanimous, save one. I wish to say, fellow-citizens, in respect to this charge of the public press that the black men hold no office in that government (I have the authority of a Republican member from Arkansas for saying it), that there are three hundred black men in that government at this time. In that Conservative government of Arkansas there are three hundred officeholders who are men of color. That is the way in which they are oppressed. Why, we in Mississippi have often voted for colored men for office. The Conservatives of Mississippi voted for the adoption of the fifteenth amendment in 1869. Don't misunderstand me. They didn't vote to abide by it after it was adopted; they didn't vote to acquiesce in it; they voted for it, at the ballot box, in the Legislature. The Conservative men of Mississippi voted for the incorporation into the constitution of the fifteenth amendment. How can they be charged with being hostile to an amendment which they themselves voted to incorporate into the law? [Applause.]

"Now I appeal to you, men of New Hampshire, if from this record of facts, given by Congressmen who were on the spot, you have not a cause adequate to explain all the disorders in that country, without attributing to it any antagonism of races, or to unholy ambition for political supremacy? I ask you, fellow-citizens, if it is not natural that such governments, such officers as these, should excite discontent and disturbance among our people? Is it possible for an intelligent people and a virtuous people to regard with reverence and awe and obedience a government whose rulers are embezzlers, rogues, and lawbreakers? Would you do it? [Cries of 'No!'] Why, fellow-citizens, the world over, 'oppressive governments,' 'prostrate people,' 'burdens of taxation,' have always been accompanied either by turbulence, by discontent, by resistance on the part of the people, or by abject and degrading submission."

Speaking of the character of the people of the South, Mr. Lamar read from the message of the President, in which he says that there is a disposition among them to be law-abiding; and from the report of Mr. Hoar, in which he says that they possess courage, that they are truthful, hospitable, and generous. When he read these latter words, which the power of proof had drawn from that adamant nature, he felt something of the emotion which he experienced as a boy when he read of the waters that gushed from the rock under the Heaven-inspired rod of Moses. [Applause.] According to the testimony of all these men, of the President, of the committees, of Mr. Hale, these were corrupt governments, oppressive governments, bearing down on a generous, brave, truthful, magnanimous people. The question was, whether or not these measures of reconstruction which had been proposed were just. In this connection he spoke strongly against the Force Bill and all other measures of Federal interference. He charged the drawing of the color line upon the Federal Government. The two races were attached to each other by bonds of affection. There was not a

negro in the whole South who was not dear and endeared to some white man, woman, or child. The government interfered, and broke asunder their relations, the first lesson it taught the negro being distrust. He wished it distinctly to be understood that the capacity of the negro race for freedom and for the duties of citizenship should not be determined by the government, or by any of the occurrences that have taken place. Negro freedom and negro citizenship and negro suffrage had not had a fair opportunity for favorable development at the South. They had been continually in the control of agents of the Federal Government. It would be unjust to them to form any estimate of their capacity to use the demands of their high position by the events of the last ten years. If his hearers wished to see Southern society reorganized, the best market in the world reestablished, they should give to the South those institutions which were established two hundred and thirty years ago in the hills of New Hampshire—local self-government. [Applause.]

In closing, after giving illustrations to show that the reports of outrages and disturbances at the South had been exaggerated, he said: "I assure you that there is no antagonism to the Union in that Southern country. If you were to attempt to confer a separate nationality upon them, they would not accept it as a boon. They all believe and feel, in their shattered condition, that their hope and the hope of the American people is the preservation of the Union. [Applause.] They are actually hungering and thirsting after a government which they can love and revere. [Applause.] They are ready to rally around your old flag, which for the last ten years has been to them not an emblem of protection, but an emblem of force. Just vouchsafe to them the benefits of government as you enjoy them yourselves; give them the right of local self-government; that is all they ask, and they will teach their children to lisp: 'Liberty and union, now and forever, one and inseparable.'"

The speeches of Lamar and Gordon were made in a district which at the last election had gone Republican by a large majority, and in which the outlook for the Democrats was darkest. It is stated that "the Radical managers raised a great howl over the visit of 'the rebel soldiers.'" The result of the election as a whole was unfavorable, the Republican majority being increased; but, on the other hand, the Democrats gained a Congressman.

The *Philadelphia Times* said: "The election returns show that wherever Gens. Gordon and Lamar spoke the Democrats made unprecedented gains."

The *Washington City Herald* (Democratic): "If the sincere and eloquent words of these honest and earnest men, pleading for peace and good will between the sections, could have been listened to by every voter in the Granite State, the result might have been, as we firmly believe, an overwhelming conservative triumph. In the district where their addresses were made a Democratic Congressman was chosen, although it has hitherto been represented by a Republican."

The *Springfield* (Mass.) *Republican*: "That they made votes for the Democratic candidates is probable;" and then proceeds to argue that they did a higher work in removing false impressions which had been made on the Northern mind by political partisans who live on the sectional agitation which is kept up at the expense of the South.

Returning to Washington, Messrs. Lamar and Gordon stopped for a few hours in Boston, where they were entertained by the Marshfield Club, at the Somerset Clubhouse, on Beacon street. The invitation was accepted with the understanding that the gathering should be in-

formal, as both were greatly fatigued. President Harvey rose and gave the usual toast, which is always remembered when members of that club meet, to "the memory of Daniel Webster, the defender and expounder of the constitution." He then briefly addressed the guests, stating that the club was organized and sustained by men who believed in the doctrines that Mr. Webster taught. He gave some interesting reminiscences of the great statesman, and closed by proposing Gen. Gordon's health. The Senator was then received with prolonged and hearty applause, and spoke earnestly and eloquently for half an hour about the condition and feelings of the people of his State. He was frequently interrupted by enthusiastic applause.

The President then proposed the health of Representative Lamar, of Mississippi, who responded by a speech of half an hour in behalf of the suffering South:

He was glad to be the guest of men who aimed to follow the precepts taught by the immortal Webster. In his boyhood he had imbibed the doctrines of John C. Calhoun; but now that the war had settled the issues upon which Calhoun and Webster most disagreed, he could see that upon all points bearing upon the questions which agitate the country to-day the views of Webster and Calhoun were substantially the same. Each, in his day, was considered the defender and expounder of the constitution. They were both binding up the sheaves in the great field where the seeds of liberty had been sown. They both held to the supremacy of the law and the constitution. They simply differed as to its interpretation. Were they alive now, they would stand, hand in hand and shoulder to shoulder, in opposition to the usurpations and violations of the constitutional rights of the States that had been practiced during the later years. All the teachings of both these men were opposed to the idea of executive interference with the domestic concerns of the States. They were opposed to everything that bore a semblance of absolutism in government. They did not believe that the constitution was a thing that could be lightly set aside. Mr. Lamar then gave a number of incidents in the lives of the two great statesmen which proved how entirely they were in accord on these points. If they had been living in 1860, they could have settled the difficulties that provoked the late war in a single hour, had the questions at issue been submitted to them. There was no real difference in regard to the form of the government. The people of the North and of the South were agreed on that point. It was a war for the vindication of the interpretation of the constitution, to which each side adhered, as represented by Webster and Calhoun.

Hon. Henry W. Paine, ex-Gov. Gardner, and Hon. Leverett Saltonstall spoke briefly in response to the sentiments of their distinguished guests, and the pleasant party was broken up by the arrival of the hour of departure for New York.

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On his way home Mr. Lamar passed through Atlanta, where he was interviewed by the afterwards celebrated journalist, Henry W. Grady, in the interest of the *Atlanta Herald*. The interview is here given in part, with extracts from an editorial by which it was prefaced.

The very high character for statesmanship and patriotic devotion to the South which Mr. Lamar has borne through a long career of public life should give his utter-

ances more than ordinary significance. There are few men in the country to whom the appellation of "statesman" can be more justly applied, and none to whom the much-abused adjective of "eloquent" more properly belongs. We regard his last speech in the Federal Congress, made in April, 1860, on the slavery question, the most philosophical and magnificent defense of the Southern people ever uttered, and no Southern man can read it, even at this day, without a feeling of proud satisfaction. For our part, we are willing to have our connection with the institution of slavery go down to history on that speech. . . . The country is in peril, and those who value constitutional government must look to such men as Mr. Lamar to save our institutions from destruction. One thing is beyond controversy: the restoration of this country to constitutional government can only be accomplished by arousing the patriotism of the people, and this can only be done by men who are patriots. Of such we think Mr. Lamar is one pure and unselfish.

Hearing that Hon. L. Q. C. Lamar, of Mississippi, by all odds the leading Southern member of the House in Congress, and a man famous and beloved in all the country, was at the Kimball House, a representative of the *Herald* called on him to get his views on the political situation.

We found ex-Senator H. V. M. Miller, Gen. A. H. Colquitt, Capt. E. T. Paine, and Col. R. A. Alston in the room, the latter of whom presented us to Mr. Lamar.

Mr. Lamar has all the physical characteristics of his knightly and illustrious family: that peculiar swarthy complexion, pale but clear; the splendid gray eyes; the high cheek bones; the dark-brown hair; the firm and fixed mouth; the face thoroughly haughty and reserved when in repose, and yet full of snap and fire and magnetism when in action; all these were there.

Added to these was that indefinable something which all great men carry about them, and which hangs about even small men who have been for a long time in very high position. It was apparent at a glance that Mr. Lamar was no ordinary Congressman, and that there was nothing accidental or fortuitous in the national reputation which he has achieved. His record is truly a brilliant one. What Gordon is in the Senate, Lamar is in the House. And these two Southerners stand ahead, in the spirit of nobility, at least, of all their colleagues. Lamar is a finer talker than Gordon. If I am not mistaken, he is a better scholar than Gordon; by this I mean a man of more classical aptness and of broader culture. Indeed, after he consented, with a modesty most felicitous and a reluctance that I barely dared to disregard, to give me "an interview," I was not long in discovering that I had struck a conversational "bonanza." Such a wealth of happy sayings, of pregnant epigram, of wise utterances, of eloquent burst, of humorous touches, of political axioms, of brilliant sarcasm, of earnest statesmanship, and of decorous anecdote, it has never been my fortune to look in upon—that is, not since Col. Tom Howard has forsworn Burgundy and tamed his splendid tongue.

The substance of the interview we shall present to our readers. Its matchless phrase, its subtle flavor, and the charming grace with which it fell from his lips, are gone; and could hardly be pinned down to paper if they were yet in my mind.

Reporter: "You canvassed New Hampshire before the late election. What do you think of its result?"

Mr. Lamar: "I see nothing in it discouraging to the Democrats—that is, I see nothing of the anticonservative reaction which the friends of the administration assert is taking place. I do not even think it implies that the Republicans can carry the State in a general Presidential canvass."

Reporter: "You say that you think it possible that New Hampshire will go to the Democracy in the next election. Do you think it likely that the Democrats will elect their next President?"

Mr. Lamar: "I know it to be quite certain that there is an overwhelming majority

against the administration in the country. I do not imagine, though, that this majority is within the ranks of the Democratic party. It exists under different names, as separate elements, and is controlled by distinct influences. On the one issue of opposition to the present administration—its centralizing tendencies, its corrupt practices, and its incompetent rule—the majority is agreed. On other issues it is divided into elements more or less antagonistic. If this loose and diverse majority can be harmonized, if, in other words, the elements can be brought to believe that the points of union are more essential than the points of difference, the administration will be swept from power on the tide of a humiliating defeat.”

Reporter: “What do you think of the Democratic tidal wave of last year? Won't that be strong enough to sweep the administration from power?”

Mr. Lamar: “Certainly, if the union of parties which produced that result can be kept unbroken. The victories of last fall were not strictly Democratic victories. They were antiadministration victories. They were not achieved by the Democratic party as a party, but by Democrats, Conservatives, Liberal Republicans, and antiadministration men, fighting for the time under the Democratic flag, just as the Democrats in the Greeley campaign fought under the Liberal Republican flag. They were allies of the Democratic party, not converts to its doctrines. It is all-important for us to realize that it was a triumph achieved by cooperation, not by conversion. These allies, though friendly still to the Democratic party, and hostile to the present administration, are not bound indissolubly, or even securely, ours. If they are content to fight the next battle with us, we will whip it. If they are driven off, we will lose it.”

Reporter: “Do you think that this harmony will be maintained?”

Mr. Lamar: “I am hardly prepared to answer that question. The great Liberal and Conservative elements would like to see the Democrats in power, I think, provided they would show some deference to Liberal opinions and some appreciation of Liberal leaders. There is a pungent apprehension through the minds of the whole Liberal or Conservative party, that as soon as the Democrats get into power they will inaugurate ‘reactionary’ legislation, and will throw the Liberal leaders overboard. I have already heard a point made on the defeat of Schurz.”

Reporter: “Is Schurz disaffected on account of his defeat?”

Mr. Lamar: “No; I have no idea that he is, but his friends will be. It will naturally repel them to see their ablest leaders thus thrown contemptuously aside as soon as the canvass is over and the victory won. They insist upon being respected as well as respectable. But really the strongest fear that may prevent an absolute union of all the antiadministration elements with the Democrats is the fear that when the Democrats get in power they will reopen the question of the amendments, attempt to undo the results of the war, demand pay for the Southern slaves, etc. The proper remedy for this is for the Democrats to plant themselves on a firm but prudent platform, and say to the people exactly what they propose to do. Let there be no misunderstanding about it and no chance for the Radicals to raise doubts by which they can mislead the people. . . . I think we will find that all parties have enough self-abnegation to lead them to lay aside all minor convictions and wish to accomplish that which must be accomplished if we would perpetuate the institutions of our fathers and save the republic.”

Reporter: “This harmony being secured, do you think the Democrats can carry the country?”

Mr. Lamar: “I think they can elect Charles Francis Adams, or Judge Davis of the Supreme Court; either of them with a large degree of certainty. Either of these men can consolidate the whole opposition vote.”

Reporter: “Do you think a straight and pronounced Democrat can be elected?”

Mr. Lamar: “It is possible that Thurman, Hendricks, or Bayard might be elected. These gentlemen have the entire confidence of the Democracy of this country.

Either of them would develop its fullest strength. If they can carry the Liberals, there would be no doubt of it. This might be well done by a proper platform. In this matter of the platform we have a Scylla and Charybdis to steer between. We must have no more O'Connor movements. On the other hand, we must not, by trotting out dead issues, drive off our allies.—I want you to understand (warming up as he said this) that I have a thorough and genuine appreciation of the Liberal Republicans who have rebelled against the power of party in behalf of my people. Take the case of old man Poland, the man who saved Arkansas. He absolutely put behind him a lifelong ambition when he made his protest against Grant's interference. He had for all his life cherished the hope that he might get a certain judgeship. Just before he made his report on Arkansas affairs he became aware that his ambition was about to be realized. He knew that if he made that antiadministration report it would crush his hopes forever. It was his pride and his ambition against his convictions. I shall never forget how the gray-haired old hero rose and spoke that which unspoken would have realized the proudest dream of his life. He was just leaving public life, and knew that he was destroying his last hope. Yet, with a stern and unflinching hand, he buried his hope and saved a State. And then, too, remember the splendid way in which Blaine checked and controlled the impassioned majority that attempted on the last night of the session to override and crush the minority. That was the finest scene of intellectual energy and power that I ever saw. The man absolutely coruscated. He stood pale and yet determined through the weary and eventful hours with a marvelous calmness and strength. It was like one man controlling a host of lunatics; now warily fencing them off, now meeting them eye to eye and dropping them with a single blow, now raising his lash and pouring it down over the back of some howling fellow till he had whipped him back to his kennel; and all the time honest and impartial, standing like a dauntless knight between the minority and the mad mob that raged and roared beyond him. I appreciate these men. They have done much for us, and [without very much selfishness in his tone] they can do much more for us. With all the elements of opposition combined, we have a certain victory; without that, I am afraid that the Democratic party is not strong enough to carry things."

Reporter: "You seem to be very certain that victory will be the result of a combination of all of the elements of opposition to Grant?"

Mr. Lamar: "I am. Look at the auspices under which we go into the canvass. In the last canvass we had as a nominee a man whose nomination disappointed Schurz and the other Liberal leaders, and who excited a revolt in the Democratic camp. Then every department of the Federal Government was in the hands of the enemy. Not only this; an overwhelming majority of the State governments were in their hands. Now we find the new canvass opening with a vast majority of all the officers directly dependent upon the elective principle under control. We have carried over two-thirds of the States, and in a decided majority of them have control of both the executive and legislative departments. The revolution has gone further: we have a large majority in the only branch of the Federal Government that is directly respondent to the elective principle. The House of Representatives, the only channel through which the popular life of this country is poured into the Federal Government, is Democratic, and is completely in our hands. Now, if nothing is done to disturb the alliance under which these victories were won, they can be repeated, and repeated with an emphasis that will startle the most sanguine. With the matter otherwise, it is impossible to predict the result."

Reporter: "Do you think that Grant will try a third term?"

Mr. Lamar: "I do. I think that he is now a candidate for renomination. An immense effort will be made to defeat him in the nominating convention, but this I

have no idea can be done. We may count pretty certainly on having Grant to run against in the Centennial canvass." . . .

We feel it proper to say, after this hurried interview has been put to paper, that it does nothing more than merely express the substance of the brilliant talk that fell carelessly and yet superbly from his lips.

Mr. Lamar returns to Mississippi to enter the Congressional canvass. There is surely no doubt but that his district will return him without opposition. He is destined to fill a very large place in American history.

On the 1st of April Mr. Grady wrote to Col. Lamar:

. . . The interview was with *one voice* approved—*i. e.*, the views expressed in the talk. It has been copied in all the leading papers of the country. . . . My opinion is that it has done you much good. I am certain it has done the Democratic party good.

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On the 1st of March, just before leaving Washington for New Hampshire, Mr. Lamar wrote to his wife:

I have given no vote that was not as pure as truth and as unselfish as love of country could make it. I have gained in influence and reputation; but it is all vanity, vanity. Would that I could live in peace and obscurity the rest of my life with my dear wife and my children.

## CHAPTER XVII.

The Question of Reëlection—Rescue of the State from Radicalism—Mississippi and Louisiana—Gov. Ames' Administration—The Taxpayers' Convention of 1875—The Vicksburg Riot—Congressional Investigation—Ames' Message—Address of the Legislators—Invidious Police Laws—The Color Line—Lamar's Growing Fame—Renominated—Reorganization of the Democratic Party of the State—County Mass Meetings—Speech at Falkner's Station—The Color Line Again—The State Democratic Convention of 1875—Lamar's Speech—Democratic Platform—The Press on Lamar's Renomination and Speech—Address of the State Democratic Executive Committee—Campaign of 1875—George's Letter on the Black Code—Riots at Clinton and Yazoo City—Gov. Ames Calls for Federal Troops—Democrats Triumph and the State is Rescued—Impeachment of Ames, Davis, and Cardozo.

WHEN Mr. Lamar returned home in March, 1875, after the adjournment of the Forty-third Congress, there were two great things for him to do. One was to secure his renomination to Congress; the other was to assist his State in ridding herself of the Radical domination.

His own renomination was not desired by him because of any impulse of selfishness. The discouragements, the labors, and the responsibilities of public life at Washington for a Southern man at that time, were so many and heavy that he was heartily disgusted with it all. He was tired of it, and longed for the retirement, the ease, and the felicity of his own home and family; but his return to Congress had risen into the dignity of a national question. By his speeches and course—notably by the Sumner eulogy and the Louisiana speech—he had placed in pawn the sentiment and principles of the Southern people. Widespread and enthusiastic as had been the plaudits which he had personally received and the approval which had been expressed of his utterances, there still was a dissent in the South, and a question in the North as to how far he represented the real feeling of the South. Had he retired from public life, this query in the Northern mind would have remained unanswered, and his olive branch would have withered. Had he been defeated, the pledge he had made would have been understood to be recalled; and the South would have been regarded as declaring anew for hostility. Mr. Lamar's whole course in the Forty-third Congress was concentrated on one thought: reunion and reconciliation. By that thought, then, was he to stand or fall; and that thought, it was now imperatively demanded, should be brought to the final and only indubitable test: the ballot box.

As to the other object, the rescue of the State: In the domestic history of Mississippi the year 1875 is the supplement of 1861. It is the year of redemption, the year in which a great political revolution re-



claimed the prize of State sovereignty which had practically been lost, and in which the shackles of bondage were thrown off. To this great work all of the leading men of the State earnestly addressed themselves. Mr. Lamar in this field was only one of a host, but he devoted to it all of his ability and all of his energies.

To understand fully the status of affairs in Mississippi at this juncture, it is necessary to hold in mind three principal matters: the recent occurrences in the State of Louisiana; the recent administration of Gov. Ames in Mississippi, and the rise and development of the color line.

The ties which bind Mississippi to Louisiana are much closer than those which ordinarily arise between States because of mere juxtaposition. The city of New Orleans, which is the metropolis of the latter, is no less the commercial emporium of the former. Thither leads the great Father of Waters, which forms the western boundary of Mississippi; and the great system of railroads (now merged into the Illinois Central) which bisects Mississippi from end to end finds there its southern terminus. The subtle and close sympathies engendered by a daily, extensive, and mutual trade, are reënforced by the pervasive power of the press; for the daily papers of New Orleans furnish the current news to, and contribute to the political thought of, nearly all Mississippi. The social attractions also of that seductive city, where frost is barely known (the *mardi gras*, the French opera, and similar winter gayeties), yearly draw throngs of pleasure seekers to the delights of almost a foreign tour. Added to these links are the fascination of a romantic history and the piquancy of a cosmopolitan life which render Louisiana unique amongst the States, and which, for the reasons just given, appeal with special power to Mississippians. Twenty years ago these considerations were of even greater force than they are now; for since that time the active competition of the growing city of Memphis, the improvement in general railway service, and the practice of Northern and foreign spinners of buying their cotton in the interior towns—have all tended to reduce somewhat in Mississippi the strength of the Crescent City. So that then, more than now, from those causes the daily history of Louisiana met quick and full recognition in Mississippi, and the agitations of her pulse found a prompt and sympathetic response. The usurpations of the Kellogg faction, the purging of the Legislature by DeTrobriand, the dispatches of Sheridan, were regarded with the strongest indignation; and the action of the Federal administration in upholding such conduct was contemplated with the greatest uneasiness and foreboding.

The course of Gov. Ames' administration of Mississippi affairs, and that of the Radical party, of which he was the chief, were such as to convert that uneasiness into positive alarm.

Gov. Ames, it will be remembered, as the nominee of the Radical party had, in 1873, defeated ex-Gov. Alcorn, the common candidate of the Liberal Republicans, the Conservatives, and the Democrats. He was installed in January, 1874. His administration was but little improvement on his career as Military Governor. Ignorant and corrupt officials were set up over the people, and were supported in their mal-administrations and oppressions. The people were constantly threatened with military forces, State and Federal. Their burdens grew daily. Those burdens were imposed and progressively increased, not only with a reckless disregard of seemliness and right, but also with contempt and insult.

On the 4th of January, 1875, a Taxpayers' Convention met in the city of Jackson for the purpose of considering the financial situation and of devising some way to lessen taxation. The convention was called, and was organized, without respect of party or color. Some of the most prominent Republicans in the State participated in it—for instance, Henry Musgrove, the former Auditor of Public Accounts, and J. L. Morphis, ex-Congressman and, later, United States Marshal, besides others. This body adopted an address to the Legislature in which many suggestions were made in respect to a more economical management of the State government, as well as of county affairs, from which the following remarks are extracted:

Every day the people have grown poorer, lands have diminished in value, wages have grown less, and all industries have become more and more paralyzed. It is daily harder and harder for the people even to live, and many hearts are saddened to-day, burdened with the dread lest the little home, only shelter for the wife and children, shall be sold away by the taxgatherer.

To show the extraordinary and rapid increase of taxation imposed on this impoverished people we will cite these particulars—viz.:

In 1869 the State levy was ten cents on the hundred dollars of assessed value of lands.

For the year 1871 it was *four* times as great; for 1872 it was *eight and a half* times as great; for the year 1873 it was *twelve and a half* times as great; for the year 1874 it was *fourteen* times as great as it was in 1869. The tax levy of 1874 was the largest State tax ever levied in Mississippi, and to-day the people are poorer than ever before.

Thus as the people become poorer are their tax burdens *increased*.

In many cases the increase in the *county* levies in the same period has been still greater.

But this is not all. A careful estimate shows that during those years of increasing and most extravagant tax levies the public debt was increased, on an average, annually, over \$664,000; a sum of itself sufficient to defray the entire expenses of the government economically administered.

To this "appeal" the Legislature paid no attention whatever. Gov. Ames, in that same month, in his testimony before the Congressional Committee on the Vicksburg matter, spoke in a most contemptuous manner "of those who are howling about the taxes."\*

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\* See on this general subject Appendix, No. 10

In no portion of the State were the distress and the grievance thus clearly depicted more deeply felt than in the county of Warren, especially in the city of Vicksburg. Rather, perhaps, in no other part of the State were all of the evils attendant upon the "carpetbag" domination so fully and brazenly illustrated. There, the negroes, profiting by the years of drill which they had received from their white managers in political looting, party management, and ring organization, had revolted from those managers and assumed the whole official regalia, from diadem to sandals. In 1874, the sheriff, the Circuit Clerk, the Chancery Clerk (who was also clerk of the county supervisors), and four of the five supervisors, were negroes. The debts of the county and city, which in 1869 were but little over \$13,000, had been run up until that of the city alone, the total population of which was only eleven thousand, more than half being negroes, had reached \$1,400,000.

In the month of December, 1874, the State and county taxes, amounting to five per cent on the value of property, were about to fall due. The sheriff was *ex officio* tax collector. He was to collect about \$160,000. His bonds, as sheriff and as collector, were without date, with no penalty set forth, and in the opinion of some lawyers void for patent defects. The sureties were all colored men except one, a married woman whose signature did not bind her. They were resident in different counties in the State, and in nearly every case were either insolvent or possessed of very little property. Many of them had justified in sums ranging from fifty dollars up to a thousand. Many of their signatures were by marks, without witnesses, and others were signed in such manner as to make it next to an impossibility to decipher the names. The district attorney, a Republican, had advised the Board of Supervisors whose duty it was to look after the bonds of county officers, that they were insufficient, and the taxpayers had urged the board to require new bonds. That body, however, were under the sheriff's influence, and they would do nothing; would not even meet to consider the matter. Crosby, the sheriff, published a card in the *Times* stating that he would not further attempt to give bonds, and would hold his office until ousted by a judgment of the Supreme Court. The law of the State was that if a county officer should fail to give his official bond, or, having given one, if the supervisors should order him to execute another because of insolvency of sureties, and he should fail to do so, his office thereby became vacated.

In the month of August the Auditor of Public Accounts, the State official, a Republican, had discovered that a large number of fraudulent and forged witness certificates had been issued from the office of the Circuit Clerk, and criminal proceedings were instituted against the Clerk, one A. W. Dorsey, and against his predecessor in office, one T. W. Cardozo, then State Superintendent of Public Education, both

negroes. The Chancery Clerk, one Davenport, a negro, was custodian of the county records appertaining to the finances; and he kept the county seal, and issued county warrants. It was discovered that large numbers of fraudulent county warrants were in circulation, and that Davenport's official bond was missing from his office. He was called on to make a report to the Board of Supervisors, the county's fiscal body, of the warrants outstanding, and persistently and contemptuously refused to do so. He refused to let the taxpayers' committee examine the warrant books, which was the unquestionable privilege of any citizen. At the November term of the Circuit Court the grand jury, composed of ten blacks and seven whites, working under the direction of a Republican district attorney, found several indictments each against Dorsey, Cardozo, and Davenport. The district attorney testified afterwards that they could just as well have found five hundred, in his opinion. A short time before these indictments were found the Treasurer's books and other important records, which had been by the only white member of the board taken from the office of Davenport and locked up in another room, were stolen by a burglary committed from inside the courthouse. Other records remaining in Davenport's office were used by the grand jury. After the indictments were presented a committee of citizens requested Crosby, who was custodian of the courthouse, to gather up all the keys in order to prevent access without his knowledge. This he promised to do immediately; but that night four or five persons were seen to enter by the use of keys, and the next morning it appeared that the remaining records above mentioned had been abstracted. They were afterwards found buried under Davenport's residence.

It was universally known that all these colored officials composed a "ring," and were playing into each others' hands. The county seemed to be in their grasp.

Under these circumstances, all confidence in the integrity and competency of the officers being destroyed, a taxpayers' meeting, held without distinction of party or color, and in which Republicans participated, sent a committee to Crosby, Davenport, and the Coroner on the 2d of December to request their resignations. They found only Crosby and Davenport, who promised to answer in half an hour. They did not do so, and the meeting, being composed of some three hundred persons, proceeded to the courthouse in a body and there repeated the demand. There was no offer of violence or exhibition of weapons, although doubtless some of the party carried pistols. Davenport had disappeared, but Crosby then delivered his resignation. The party then detailed one Capt. Beard, a Republican and a "gallant ex-Union soldier," to take temporary charge of the office and public records, for their preservation.

Crosby went to Jackson to see Gov. Ames. He was advised that his resignation was not binding, being under duress. The Governor advised or directed him to return to Vicksburg and demand possession of the office, and if refused to call out the power of the county, or *posse comitatus*; and if the posse refused to act, then to call out the militia. It was suggested that this might cause bloodshed, to which the Governor is said to have replied: "What if it does cost blood? The blood of the martyrs is the seed of the Church." He further addressed himself to the colored men present, telling them that he and other white men had faced the bullets to free them, and now, if they were not willing to maintain that freedom, they were unworthy of it.

Crosby returned to Vicksburg on Friday, and was followed thither on Saturday by Col. Lee, aide-de-camp to the Governor, and A. G. Packer, Adjutant General, who were charged to look over the situation, and if necessary call out the militia.

On Saturday, the 5th, Gov. Ames also issued a proclamation to the effect that riotous and disorderly persons had conspired together with force and arms to deprive colored men of their civil and political rights because of their color, and warning them to disperse, etc. At the same time Crosby circulated upon the streets, and through the county generally, a handbill which had been written by a colored clerk in the office of the Secretary of State at Jackson, and printed by the *Pilot*, the official Radical organ, in which, appealing to "Republicans, black and white," he denounced those who had demanded his resignation as "an armed mob of the most bitter and relentless of our enemies," as "determined and heartless political banditti," as mendacious and "heartless barbarians;" declared that he was made to resign because he was a Republican and tried to do equal justice to all, that his resignation was void because made under duress; and, announcing his determination to hold the office, called for the support of his friends, saying: "We have joined issue, now let us fight the cause on its merits, by any and all means known to the constitution and laws of our State." On Sunday Cardozo, the Superintendent of Public Education, wrote him not to "make any compromise with those fellows. The Governor is at your back."

The Circuit Court was in session while these things were occurring. It had adjourned over until Monday morning. The sheriff was required to attend that court, and perform certain important functions in connection with it. The question of Crosby's incumbency would therefore be raised at once, and in a very striking way.

During Saturday night and Sunday he had fifteen colored riders going over the county with his handbill and further messages. These bills were read, and the messages were delivered, amongst other ways, in the manner common in their political movements to the negroes, from the

pulpits in their churches by their preachers. The negro men were told to repair to Vicksburg on Monday morning, with their guns, and to be there by ten o'clock, which was the hour for the court to convene. The news of these messages, "surreptitiously sent out," transpired on Sunday afternoon; and Gen. Packer tried to stop them, and to stop the negroes on their way to the city, but unavailingly. On Monday morning, between eight and nine o'clock, the alarm was sounded, and it was bruited about that some fourteen hundred armed negroes were marching upon the town on three different roads. There was a great hurrying to and fro, and arming for defense of the city. There was also great alarm. A rising of the town negroes, who were more than half the population, and were thoroughly under Crosby's influence, was feared. Amongst them was a militia company, organized and drilled, armed with Springfield rifles, the negro captain of which had been ordered by the Governor, on Friday, to cooperate with Crosby, together with the company, in his efforts to regain possession of his office, and to "disperse the riotous mob." The streets were filled with terrified and weeping women and children. Men in small squads hurried into the outskirts. The incoming forces were met in three different directions, armed with pistols and guns, some marching in military array, others disorderly—about seven hundred in all. The Vicksburg people claimed that the negroes fired upon them so soon as they met, and fired upon white flags. There is no reasonable doubt that such was the case, but the negroes claimed otherwise. However that may be, a conflict (or, rather, several conflicts) ensued, in which one white man and about fifteen blacks were killed, besides others wounded. The whites were better armed, and claimed that they could have killed many more of the invaders, but desired to repel them with as little slaughter as possible. Thirty blacks were taken prisoners, all of whom were shortly afterwards allowed to go free.

In this conflict Republicans and Democrats alike took part in defense of the city. Amongst the former was Mr. Furlong, a brigadier general of militia, State Senator, and for four years a Union soldier. He afterwards testified before the Congressional Committee that "every ex-soldier of the Federal army in Vicksburg was out in arms, the same as the other citizens, that day. . . . I reckon about one hundred. All of them joined, and I think took an even more conspicuous part than the ex-Confederates." Gen. Packer, in his testimony, on cross-examination, said that under the circumstances he did not know but that the citizens were justified in doing what they did; that if the negroes had succeeded in getting into the city he believed that the loss of life would have been even greater than it was, and that in his judgment it was a matter of mercy to the women and children of the town that they were prevented from entering.

With the repulse of the invaders hostilities ceased. For two or three days afterwards isolated cases of violence occurred, including a few killings, in which each party charged the other with being the aggressor. In three days, however, quiet was restored and business resumed. Crosby, whom the citizens had confined, was released without injury.

On the 11th of December Mr. Lamar wrote to Judge Wiley P. Harris, of Jackson, inquiring into this matter, and especially "whether the taxpayers had any available legal redress against the injury threatened in the collection of the enormous levies which had been made, and the appropriation of them afterwards by what is called 'the courthouse ring.'" To this inquiry Judge Harris replied, under date of December 16, as follows:

I see no remedy that the taxpayers had when the officers and tribunals appointed by law to give relief utterly failed to act, and in fact were in complicity with the sheriff. There was one remedy—not a legal, but a moral one—which would have been sufficient. If Gov. Ames had expressed his disapprobation of the conduct of the board in refusing to meet, or had stated to the sheriff that it was his duty to give a good bond or resign, his behests would have been attended to.

The truth is (I speak from sad experience) that under our government, as it now exists, there is no remedy for the peculations of public officers. We are fleeced and robbed on all sides, and we are powerless to prevent it, either by law or the force of public opinion. In fact, there is in the State no such thing as a public opinion which can be made effective in preventing abuses in government. The rule is that officials are either corrupt or incompetent. Qualifications for the office and personal integrity are not considered by the majority in making selections. You can't operate a government honestly where the majority of the voters care nothing for the morals of the officials. It does not affect the standing of an officer with the majority to convict him of having abused the powers of his office to his private gain. In fact I believe that it is true that the majority think that the offices are created for the private advantage of the occupants; and hence the enormous fees, salaries, and perquisites allowed by law, and taken without law, create no dissatisfaction among the majority of the voters, who, paying no taxes themselves, care nothing for burdens imposed on others.

In short, whilst I have labored to come to an opposite conclusion, I am satisfied that the experiment of trying to make self-governing people out of the negroes will fail—in fact, has already failed. Let any Northern man who thinks the negro is capable of self-government imagine the condition of Mississippi, or any other State, at the end of twelve months from the day when the last white man has left it, and there remains no obstacle to the full development and free exercise of African statesmanship.

The Northern people have imposed on us an impossible task. We are expected and required to have a stable and honest and orderly government, when we are practically without any voice save the voice of the minority—regarded by the majority as the thing above all others to be disregarded.

I regret that our Vicksburg friends resorted to anything that even looked like force. I know that their action will be misconstrued, and it will be made the occasion of giving another turn to the screw. But when I look at the condition of affairs here—the constant and daily sources of irritation, the rapid decline in all values, the almost hopeless task of getting subsistence even, after the demands of the taxgatherer have been satisfied—I am astonished at the moderation of our people. I feel sure that if it were not for the gleam of hope offered by the elections this last fall there would be hardly life enough left among our people to plant another crop; that there would be

wholesale emigration, embracing all who could get away; and that those who were compelled to remain would sit down in utter despair, with energies wholly benumbed and paralyzed.

Judge Harris' apprehensions proved to be well founded. Not only was the Vicksburg affair misconstrued, but it was also misrepresented and distorted. An investigating committee was sent down from Congress. This was not unacceptable to the people of the State. "We are glad," said the *Clarion* of December 17, "that the investigation has been ordered. Let the facts go to the country." Mr. Lamar not only did not oppose it, but he even urged it. Said he: "The citizens of Vicksburg do not shrink from that investigation; they court it, and are only anxious that all the facts connected with that transaction, as well as the causes which produced it, shall be fully exposed to the country."\* The committee, however, consisted of Messrs. Conger of Michigan, Hurlbut of Illinois, and Williams of Wisconsin, Republicans; with Speer of Pennsylvania, and O'Brien of Maryland, Democrats. On the 28th of February they presented a divided report, which, with the testimony accompanying, made a volume of five hundred and sixty pages, and of which the *New York Tribune* said:

The Mississippi investigation, like that in Alabama, has brought forth two reports, each strongly colored with the political opinions of its signers. Indeed, that of the majority [the Republicans] has so strong a partisan tincture that it will have no weight whatever with any one outside of the administration party. Some of its statements seem entirely without foundation in the testimony given to the press from day to day during the progress of the investigation.

Meanwhile Gov. Ames had called a special session of the Legislature, which convened on the 17th of December. To that body he addressed a message of the most intensely partisan character. He stated the position and conduct of the Vicksburg people most unfairly. He denounced them as insurgents who had organized a military despotism, recognizing no law but what suited their humor, while the legal remedies for the wrongs complained of by them were ample; and who pretended to act in the interest of the taxpayers, while the State (in which about one-fifth of all the lands had lapsed for unpaid taxes) was in a "fortunate financial condition." He said that "the insurrection has its supporters and sympathizers in other parts of the State. They have deliberately and knowingly entered upon this revolution, with a purpose coextensive with the limits of the State. It is insurrection in its fullest sense." He said, further, that he had not the police or the money at his command to meet the emergency, and recommended that the Legislature take such steps as should be necessary to "overthrow the insurrection in Warren County, and prevent in future similar occurrences there and elsewhere."

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\*"Congressional Record," Vol. III., Part I., p. 77.



The current opinion of this message, outside of the special following of the Governor, may be conjectured from the nature of an open letter, published on the following day by Joshua S. Morris, for four years the Attorney-general of the State. It referred to certain statements made by the Governor about the condition of the militia organizations in Warren County; and, after contradicting them by showing that he had issued orders to companies there, concluded: "Either the orders were officially false, or the message is officially false. In either case the Governor is an official *liar*; and in either case, as a veteran Republican, I feel that I am sold."

It was noticed as a most singular thing that, while the Governor denounced in unmeasured terms the action of the taxpayers, he had not one word of condemnation for the delinquent and criminal officers.

The Legislature adopted a joint resolution, in like temper with the Governor's message, after many extraordinarily inflammatory speeches by the negro leaders of that body, calling upon the President to use the army of the United States in suppressing domestic violence and restoring peace and order.

Thereupon forty-six members of that body published an appeal to the people of the United States, from which, because of its length, only an extract is made:

. . . The action of a majority of the Legislature and of the Governor, before referred to, place us, and, as we believe, designedly so, in a false position, and is an attempt to blacken the name and fame of the people of the State. It is even more than this: being a deliberate effort to introduce into this State martial law and the army of the Union for the purpose of continuing in power the present corrupt government, by stimulating into unnatural activity the prejudice of race against race, which happily had begun to subside.

This action of the Executive and of a majority of the Legislature is based on no evidence whatever. The undersigned are members of that body, and in vain protested against this action and demanded an investigation into the truth of the crimes alleged against our people, before they were turned over to the tender mercies of the martial law. This was refused, though there was not a single armed man in the actual or threatened resistance of the State authority. The opportunity of fair debate and remonstrance and investigation was denied by the operation of the previous question—nor was this action the result of the deliberations of the representatives of the people.

Both the preamble and the resolutions passed by the majority were concocted as a party measure in a secret caucus of the majority, were then put through the Legislature under the pressure of party discipline and for party ends, without the examination of a single witness and against the evidence furnished by the written statement of peaceful and law-abiding citizens of both political parties and of the highest character and standing, who were eyewitnesses of the transaction about which they testified.

Under these calamities—with a hostile Executive and Legislature, who seem to be willing at any time to sacrifice the public interest to personal and partisan advantages—we feel that we are authorized to appeal to our fellow-citizens of all sections of the Union not to credit these calumnies, and to ask them to investigate for themselves.

The people of Mississippi are utterly powerless to defend themselves against their constituted rulers, unless we shall have the sympathy and good will, not of any particular party, but of our fellow-citizens throughout the Union. We are too much concerned here to save ourselves from local misgovernment and oppression, to participate in any partisan contests which agitate other parts of the Union.

We do not deny that there are occasional disorders in our midst, but we solemnly aver that in no part of the world and in no age have there been so few under oppressions so severe and under circumstances of injustice, wrong, and insult so irritating and trying.

The Legislature adjourned after a session of eight days; but it met again in regular session twelve days later, on January 5, 1875. On the day before, Gov. Ames, although there were no disturbances in Mississippi, and the Congressional Committee was quietly at work taking testimony in Vicksburg, had telegraphed to the President for troops to maintain law and order. On the 5th, it will be remembered, while the Mississippi Legislature was meeting, Gen. DeTrobriand was purging that of Louisiana. Gov. Ames' annual message reiterated the recommendations made to the special session the month before, asserting that "the freedom of a race is at stake." That night Gen. Sheridan wired the Governor that he had taken command of the Department of the Gulf and would send a company of soldiers to Vicksburg. At the same time he sent out his famous banditti dispatches, in which reference was made to the Vicksburg affair. It was inevitable that these things should attract much attention and excite much apprehension of evil to come. Especially so, when immediately afterwards an effort was made to retire Col. Lamar from Congress by transferring his county of Lafayette to a different district, in which there was a black majority; when resolutions were passed through both Houses, under the previous question, indorsing Gen. Sheridan's course and expressing belief that if his policy were carried out peace, security, and the enjoyment of the constitutional privileges would follow; when an effort was made to provide for the organization in Warren County of a metropolitan police of the most extraordinary and extensive powers, under the direction of a commission to be appointed by the Governor—in effect a little standing army to be composed of blacks; and when the bill was passed, now to be set forth in substance.

The State Code contained a chapter on the subject of a State militia, by which it was provided that all the able-bodied citizens within certain ages should be enrolled; and under it many companies had been organized. These companies were of both races, and were respectively officered by persons of their own color; and some of them were composed of persons of the Democratic faith. The Act of February 25 disbanded all existing militia organizations, revoked the commissions of the officers, required all arms to be returned to the quartermaster general, and made the failure to return any of them criminal. This placed

the whole subject of the reorganization of the militia absolutely in the hands of the Governor by necessary consequence. It enabled him to place the new commissions just where he pleased. Not only so; the act further provided that he should have power to organize and arm an infantry force of *not less* than two regiments (no maximum), and to purchase four or more Gatling guns for their use. Thus he was given power to establish a standing army in time of peace; and other provisions enabled him to send it anywhere in the State, and with it to *anticipate* riots, etc. In short, the Governor, so far as the Legislature could do it, was made independent of aid from the United States army by giving him one of his own.

The enactment of this law was viewed with great disgust and indignation. It was regarded as a step taken in the precipitation of a conflict between the races for political purposes. It was commonly said that Ames' hope for a standing army was in the colored people; that he would not accept a white company if it were offered; that his course in calling upon a negro company in preference to a white company in the Vicksburg matter, and his subsequent testimony before the Congressional Committee on that point, showed such to be the case. Also it was said that the law placed unlimited power in his hands for mischief; and that the law should have been entitled "An Act to Rob and Murder the White People of Mississippi," for that was what it meant.

The foregoing brief sketch must suffice to convey an idea of the condition of affairs between the State's administration and its white people. Even to many of the white Republicans the status had become intolerable, and their disaffection in State matters had caused Gov. Ames to cease to "regard them with respect." Well might Judge Harris say, as he did in the speech of 1875 already quoted from, that "It is a dreary life we lead here, with a national government ever suspicious and ever frowning, imperious, and hostile, and a home government feeble, furtive, false, and fraudulent."

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But there was a hope. The partial paralysis of the Radical party coming from the loss of the House of Representatives in the elections of 1874 gave an opportunity for escape from this thralldom worse than death. Before giving account of that escape, however, it remains to notice the question of the color line.

In the previous chapters and in various connections it has been shown how the action of those who represented the Federal administration since the surrender of the Confederate armies had tended to solidify the negroes in political opposition to the whites, and had caused them as a whole to conceive distrust as to the intention of the whites in respect to their liberties and privileges. It is not designed to present a statement at all full of the development and extent of this sentiment

among the blacks, or of the instrumentalities by which in this particular the relations otherwise kindly and generous between the races were strained and embittered. Let it suffice to say that as the years passed by the evil of political segregation grew more and more apparent and fixed, and that such evil was increased by various agencies, some of which the white people very deeply resented. For not only were the ordinary and legitimate appliances of political influence wielded, but also the schools and the Churches were converted into political propaganda for the Radicals, and the buildings set apart for those sacred purposes were employed as clubhouses in which secret meetings were held, often at midnight, where Loyal Leagues were organized and drilled and the most incendiary doctrines promulgated. Not only were the facts about the relations between the two races (the previous enslavement, the liberation by Northern arms, and all of the considerations which naturally and logically clustered around those facts) constantly presented to the blacks and urged upon them in all sorts of connections; but also the wildest, most flagrant, and willful misstatements of the motives, the intentions, and the powers of the Southern whites were constantly indulged in. So also the lessons inculcated and the objects set before them for their attainment were not by any means limited to the proper and honorable ones of freedom and equality before the law, but were often grossly wrong and aggressive.

Let one illustrative passage be given from the observation and pen of a Republican correspondent of the *New York Herald*, Mr. Charles Nordhoff. He made a tour through the Southern States in the interest of that journal, and writes under date of May 21 from Montgomery, Ala.:

The division of political parties on the race or color line has been a great calamity to the Southern States. . . . But it is the Federal interference under the Enforcement Acts, and that alone, which enables unscrupulous politicians to mass the negro vote upon one side and to use it for their own aggrandizement. . . . Gov. Ames in Mississippi refuses to stir to prevent a riot at Vicksburg till after the riot, after forty or fifty blacks have been killed; and when the negroes are demoralized and feel utterly helpless sends for Federal troops, which come at his command and reassure the blacks. Such manifestations of power strike the imaginations of the negroes, as they would an ignorant population, and they follow very readily and blindly its possessor. Some colored witnesses in Alabama, being asked why they all voted against Sheats for Congress, replied: "Because Perrin told them to." Being asked if they would have voted the Democratic ticket if Perrin had told them to, they answered unhesitatingly: "Yes."

But the leaders whom they thus follow do not instruct them in political duties. They do not discuss political questions before them. They appeal only and continually to the negroes' fears and to their sense of obligation to the Federal power. In Alabama they were told that the bacon\* was sent by Gen. Grant, and its receipt made it their duty to vote for the "straight Republican ticket." In some parts of Southern

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\* Sent by the United States in relief of an overflowed district, but largely used by the Radical officers for campaign purposes; and to some extent, at least, given to negroes many miles away from the submerged country.—*Congressional Record*, Vol. 3, Part 3, p. 1,885.

Louisiana the negroes are still summoned from the field to political meetings "by order of Gen. Butler." I know of a case where a candidate for a county office circulated a printed "general order" commanding all colored men to vote for him, and signed, "U. S. Grant, President"; and he received the solid colored vote. One of the most intelligent and excellent men I met in Louisiana told me that in 1872 he had made a thorough canvass of the part of the State in which he lives, addressing himself entirely to the colored people, by whom he is liked and trusted, and trying to explain to them the necessity for good government and their interest in the matter. "But," said he, "I presently became aware that I was followed by a Republican, an illiterate and low-lived man whom no colored man would have trusted with five dollars, but who overturned all my arguments by whispering: 'Don't believe what he tells you; they only want to put you back into slavery.' So pertinaciously has this base insinuation been used among the blacks that when last fall the Democrats carried Alabama I know of two instances in which colored men came into the nearest town to ask white Democrats, in whose honor and kindness they trusted, whether they would be allowed to choose their own masters, and whether they would be separated from their wives and children."\*

On this general subject the *Chicago Tribune* † said:

We have heretofore urged the necessity and wisdom of abolishing the color line in Southern politics, and have pointed out how much better it would be for the negroes of the Southern States to abandon their race organizations and assimilate themselves with the white people who compose the political parties. Divided as members of the Democratic and Republican parties, the colored people would have the support and protection of both parties, while so long as they remain united as a race they will be but a fraction within one party and perpetuate an antagonizing of races in which they will be always defeated. So long as the colored people insist on being a solid body in political matters, so long will they force the white race into the opposing party, thus giving the Democratic party an ascendancy in these States which it would not have under other circumstances. . . . When the negro race at the South divide their suffrage between the Democratic and Republican parties, all the present hatred, prejudice, and bitterness against them will give way; and the negro voters will become identified with and merged in the general population of the South, sharing its prosperity and advancing in intelligence, power, and influence under the better feeling and unity of the whole.

The ill feeling, however, to which the *Tribune* alluded was not universally entertained in the South toward the negroes, even on account of their political action. There was general impatience with the situation, and much indignation about it; but great allowance was made to the masses of the blacks because of their ignorance and credulity. The more thoughtful and reasonable portion of the Southern people, which in this matter was also the more numerous and influential, could well see that after the opposition which the mass of the whites had exhibited in 1867 and 1868 to enfranchising the blacks, the latter had some cause to distrust their leadership, especially in view of the precedent legislation in 1865, when neither race was prepared for the extraordinary changes which had been accomplished by the war. They could also

\*The same pathetic and shocking question, as to the masters at least, was not uncommon in Mississippi after the election of Mr. Cleveland in 1884.—E. M.

†As quoted in the *Clarion* of April 21, 1875.

well understand why, after having fallen under the malign influences of self-seeking adventurers, the negroes had been prone to yield obedience to them in subsequent contests of a purely partisan and political character, but in which the question of race privileges had not really entered. Mr. Nordhoff diagnosed the Southern general temper correctly when he said in his letter of June 22 that "it is an evidence of the good nature of the mass of the whites that in the main they conduct themselves toward the blacks kindly and justly. They concentrate their dislike upon the men who have misled and now misuse the black vote, and this I cannot call unjust. It is commonly said: 'The negroes are not to blame; they do not know any better.'"

It was this unreasoning and invincible opposition of the negro vote, almost as a unit, which led to the development about the year 1874 of the counter movement on the part of a portion of the whites, which became known in the parlance of the time as the "color line." The sentiment of it and the motives which led to it are well set forth in the resolutions adopted by the "White Man's Club of Pascagoula," at Scranton, Miss., in the fall of 1874:

Whereas the negroes of this county and State, in common with those of the entire South, have uniformly and persistently exercised the right of suffrage since it has been conferred upon them as a consolidated class and people, in opposition to the Southern whites, and to all men and measures proposed and upheld by them; and whereas such conduct cannot be the result of an exercise of a free, untrammelled expression of individual opinion as freemen, but proceeds from bigoted, unfounded, and unjust prejudices, kindled and fanned by corrupt, vicious, and designing white men for the furtherance of their own base and selfish purposes; and whereas such a course on the part of the negroes exhibits an unnatural, ungenerous, and unwarranted distrust of the Southern whites, which should not exist, and which serves to degrade the latter politically and to ruin and destroy their material interests; and whereas this close clanship on the part of the negroes at the ballot box has been the means of filling our public offices with ignorant, incompetent, dishonest, and corrupt officials who have wrought the ruin of individuals, communities, and States, until, in the language of the State Grange, "taxation in Mississippi has become a burden so large and extensive that the vital energies and industries of our State are becoming sapped, paralyzed, and destroyed, and ruin inevitable and irretrievable stares us in the face;" and whereas such a lamentable condition of affairs is partly due to past political apathy and indifference on the part of the Southern whites, as well as to indefatigable zeal and energy on the part of those corrupt aliens and strangers who, to prey upon our substance and to use the negroes as tools, have consolidated them in Loyal Leagues, by guns, signs, and passwords, and by false representations and low and contemptible association and pretension of social equality have induced them bodily and in mass to follow their lead; therefore be it

*Resolved,* That we condemn and denounce such a course of conduct on the part of the negroes, whose interests are identical with ours, as unjust, unreasonable, and unwarranted, perverse of the exercise of the right of suffrage, and subversive of the rights and interests of ourselves as individuals, and of the welfare of the county and of the State.

*Resolved,* That self-preservation and a proper regard for the welfare of the State demand that the white people, the owners of the soil, should have a voice in the politi-

cal control of the affairs of the State; and to this end, and recognizing that "in union there is strength," do we unite and combine to assist, strengthen, and sustain one another in every legitimate way possible—at the ballot box, and the everyday business of life as practicable; and we do most earnestly exhort every white man in the State, who has at heart her welfare, to unite with us in her deliverance, in securing the election to office of white men of known capacity and integrity.

*Resolved*, That we do hereby most distinctly and emphatically aver that we have no desire or intention of depriving the negroes of any rights, privileges, or immunities to which they are entitled; that we recognize the imperative duty of all good citizens of respecting and preserving inviolate, irrespective of race, color, or previous condition, the rights of all men under the constitution and laws of the land; and with scorn and contempt do we hurl back the foul aspersions attempted to be fastened upon the white people of the State and of the South by their slanderous enemies, for political effect, that they intend or desire to precipitate upon the ignorant negroes, the dupes of bad white men, a "war of races."

*Resolved*, That those white men who have consorted with the negroes to mislead them, who have by false and fraudulent misrepresentations inflamed their passions and prejudices as a race against the white people of the State, who have used them as a means to satisfy lust for office, and under pretension of party fealty have labored to gratify their own selfish and corrupt desires, are enemies to the people of the South; and whether they be comparative strangers (carpetbaggers) or born among us (scalawags), they merit the contempt, and are unworthy the confidence, respect, or support in any manner, of any and every true man who loves his race, and every citizen who has at heart the good of the State.

*Resolved*, That it is to the interest of the white people of the State that capital and white labor should come amongst us to buy and work our lands, run our mills and factories, and in working out their own fortunes to assist in retrieving ours; and to the honest, *bona fide* settlers who come to help and not to rob us, no matter what may be their religious or political faith, do we extend a hearty, cordial welcome, and pledge ourselves to assist and encourage in every way white immigration.

The impatience disclosed by the preceding resolutions was not unnatural. The pertinacity of the great mass of the colored people in arraying themselves in opposition to the whites had even attracted Republican reprehension, as has been shown; that, too, in the face of extraordinary moderation of the white people in political matters, and of unprecedented concessions by them.

In the elections of 1865 and 1866 there had been no possibility of a color line, since the blacks were not enfranchised, and took no part. In the election of 1867, under the reconstruction laws, the whites, from causes indicated in a previous chapter, took but little part, virtually allowing it to go by default. The whites, it is true, carried the election of 1868, largely by the aid of the negroes, on the question of adopting the reconstruction constitution, and for State officers under it if adopted; but that was a sort of *coup d'état*, their indifference of the year before having thrown the Radicals off their guard, and causing them to be unprepared for the sudden effort which the whites made.

The election of 1869 was that in which, for the first time, there was a distinct and active contest with full preparation; and in it, although the whites placed no ticket in the field, but supported that of the Na-

tional Union Republicans, with the brother-in-law of President Grant at its head, the negroes massed themselves with the Radicals. They pursued the same course in the minor elections of 1870, 1871, and 1872. In that of 1873 the Democratic party virtually disbanded. Again it placed no ticket in the field. The whites supported the Liberal Republican nominees, led by Gov. Alcorn, whom the negroes had elected over Dent; but now they defeated him by supporting Ames and his fellows.

So that, in 1874, when this process had been going on for quite five years, when there was some appearance in the political horizon of a brighter day, and the temper of the Northern people was felt to be changing on the subject of Southern repression, it was but natural that to a great many it should appear that the time had come "to quit fooling with the negroes." Indeed, it seemed a thankless and humiliating task to solicit their suffrages further.

The first indication, it is believed, of a disposition to accept the gage of race conflict thus persistently, although ignorantly, offered, was at the municipal election in Vicksburg in the summer of 1874. It has been already told how Warren County was burdened with officials who were not only colored men in whose election the whites, the taxpayers, had had no voice, but also were utterly corrupt and prodigal. In Vicksburg, however, there was a registered white majority of about three hundred votes; and a strong and successful effort was made to rally them, as whites, to throw off the oppressive and ruinous negro rule. This movement succeeded. The election was carried; and that success drew attention to its tactics, and excited more or less inclination elsewhere to adopt its principle.

The *Vicksburg Herald*, the *Pascagoula Star*, the *Iuka Herald*, and other papers, warmly approved the new departure of "the White Man's party," and earnestly advocated its general adoption throughout the State. The Vicksburg paper twitted the *Jackson Clarion* because it "does not respond very graciously," and asked: "What does the *Clarion* advise?" To that question, an able editorial of August 27, 1874, responded, that the movement was contrary to the national Democratic platform of 1872, in which the party recognized the equality of all men before the law, and pledged itself to oppose the reopening of any of the questions settled by the amendments to the constitution; that the negroes were not altogether to blame for their conduct, but the whites were also in fault by their mistakes of 1865 and 1867; that the adoption of the white-line policy would be a stultification of the whites themselves, because it would be the unsaying of all that they had most insisted upon for years in respect to the proper relations between the races in the field of politics; that not only would it be bad statesmanship and poor patriotism, but also bad policy, since the blacks far outnumbered the whites in many counties in the State and in the whole



State, and also because it would imperil the brightening prospects of Democracy in the North.

Ex-Senator A. G. Brown, whose course since the war had been marked by great conservatism, wisdom, and patriotism, wrote, in a published letter:

I am opposed to the white-line movement. I see nothing in it but increased mischief, and this notwithstanding the triumph of the white men in Vicksburg. There is but one thing for us to expect in communities where the negroes are largely in the ascendent if this movement becomes general among the whites, and that is negro domination in its most galling and revolting form. . . . I am glad that our Vicksburg friends, since they felt constrained to make the issue, succeeded; and shall be rejoiced if they shall use their power so as to convince the negro that his rights are safe in the hands of honest Southern white men. Give him full justice, and he may no longer lend a willing ear to those who are his worst enemies.

A month later, the *Herald* presented to "Gov. Brown and others who have kept up such a persistent howl against the 'color line' policy because it would, as they allege, precipitate a war of races," the episode of September 14 in New Orleans as a practical object lesson. "The color line," it said, "has been very clearly drawn in that city, and yet in the recent armed conflict, while many white men were killed and wounded, only one negro was wounded." To this the *Clarion* replied that the uprising in Louisiana which unseated Kellogg was not a "color line" movement; that its object was to install persons elected on a fusion ticket composed of whites and blacks, one of the members of the McEnery government being a negro; that Gov. Penn, in his proclamation, had called upon the militia, "without regard to color," and had assured the colored people that no harm was meant to them or their rights; that the only officer of the Kellogg *régime* who was permitted by the McEnery party to remain in office was Dubuclet, the negro State Treasurer, described by the *Picayune* as "a highly respected colored man, who is the legal Treasurer." "If this," said the *Clarion*, "was a 'color line' movement in its objects and animating principle, then it is an entirely different thing from the 'line' here in Mississippi, as drawn and expounded by its originators and advocates." These meant that the coöperation of the negro would not be admissible on any terms, etc.

So the discussion progressed. The papers had it all to themselves, for the time had not yet come for the people to speak. The papers were by no means in accord, and the opponents of the white line were greatly in the majority. The *Holly Springs Reporter* said that "it is difficult for us to believe that any sane, intelligent white man can hope to accomplish any good for his race or party by the advocacy of such a doctrine." The *Canton Mail*: "We do not propose to join that class who are willing to precipitate a conflict between the races." The *East Mississippian*: "Most assuredly the formation of white leagues and colored leagues will antagonize the races completely; bloodshed will be

its result, and then comes Federal intervention." The *Greenville Times*: "If there is any one objection to the practices of Radicalism that has been more strongly inveighed against than any other, it is its tendency to array and estrange the races politically. . . . Surely nothing out of bedlam can be conceived madder than this urging of a 'white league' in this State." The *Woodville Republican*: "Fortunately we have none of it, and the relations of the two races are entirely friendly and confidential." The foregoing expressions, it will be seen, are culled from all portions of the State. Nevertheless, the fact remained that the movement had dangerous strength, for the people were greatly tired of being fired upon without returning a shot, and it required great wisdom and fortitude to refrain from retaliation.

Such, then, was the complicated and critical situation of affairs in the early part of the year 1875, growing mainly, as already stated, out of the Louisiana troubles, the grinding and hostile administration of Gov. Ames at home, and the rise of the sentiment in favor of a white line. All of those things inspired passions, and two of them had to be dealt with directly.

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Meanwhile the reputation of Mr. Lamar continued to increase. His speech in New Hampshire had added to his fame, and from one end of the nation to the other attention was directed to him. The newspapers abounded in most complimentary notices of him. For instance:

The *Augusta (Ga.) Chronicle and Sentinel*: "Were we asked to-day to name the foremost statesman of the South in public life—to name a man with the genius, with the tact, with the courage, with the patriotism, requisite to lead a great political party—we should unhesitatingly call the name of L. Q. C. Lamar." . . .

The *Milwaukee Sentinel*: "He is in every respect, at least in appearance, the gentle, quiet, firm, and uncompromising statesman, and is really reflecting more credit upon the extreme Southern locality from which he came than any other member." . . .

The *Alta Californian*: "In the example set in Congress by Mr. Lamar, of Mississippi, who behaves like a true gentleman toward other members of the House, his fellow-representatives have an example which it would do them no injury to study and to follow. He is ever courteous, never low and vulgar, never insulting and abusive, never announcing himself personally responsible, as used to be too common in Congress, and which bad specimens of bad breeding, bad manners, and bad feeling seem again coming into vogue. He has made friends of both sides of the House, not by pandering to or flattering the vanity of either, but by exhibiting a spirit of fairness on all occasions, an independence of thought truly statesmanlike, but at the same time not leaving his own political preferences at all in doubt. Such men are an honor to the country."

On the 22d of May the United States Commission, organized to manage the Centennial Exposition to be held in Philadelphia in the following year, named Col. Lamar and Charles Francis Adams as the orators of the occasion—an honor which he was compelled by circumstances to decline, but the offer of which was grateful to his people.

At home even many of the Radical papers were awarding to him the

highest encomiums; saving to their partisanship, however, the privilege of saying that he was not, in respect of his merits, a representative Democrat—for which style of applause he was not very grateful.

On the other hand, ex-Senator A. G. Brown wrote of him to Hon. E. Barksdale, editor of the *Clarion*, inclosing a “communication,” under date of May 26:

The inclosed brief article contains my real sentiments. I feel more inclined to express them, inasmuch as I did not at first fully approve of Lamar's speech over the dead Sumner. But, having witnessed its good effects, I recant. It is now, I think, on every account our policy to make him our *recognized* leader. We thereby, amongst many other advantages, get the benefit of his conservative statements so often and so boldly expressed. By making him our leader we make these expressions our own, and thus disarm our Northern slanderers.

The communication, which was prominently displayed in the next issue of the *Clarion*, was this:

LAMAR.

Press where you see his white plume shine amid the ranks of war,  
And be your oriflamme, to-day, the helmet of Lamar.

Nothing could have quickened the hearts of all true friends of constitutional liberty to a higher degree than the announcement that this peerless orator and incorruptible statesman intended to take the field in defense of genuine reform, in accordance with the most approved principles of conservatism. In him the faithful adherents to order, good government, and universal brotherhood, have a champion worthy of their cause. To him more than to any living man are we indebted for that approach to harmony and good will between the late conflicting sections of this great Union, which all good citizens hail with such sincere delight. . . . The fraternal feeling thus rekindled has been growing in fervor and intensity ever since, and bids fair, thanks to the genius that pointed the way, to be as lasting as the eternal hills.

Need I say that the mind which conceived such majestic thoughts is too great to be trammelled by party chains, and the heart from which they flow too generous to exclude the humblest citizen from its affections?

Who need be ashamed to follow such a leader, I care not what he may call himself? Be he Democrat, Conservative, or Republican, if the ends he aims at be his country's, God's, and truth's, then let him cast prejudice aside and follow the lead of a man who has already thrown prejudice to the winds, and in the greatness of his soul, standing amid the ruins of his State, has said: “My countrymen! let us know one another, and we will love one another.”

If, however, men, from sordid, selfish, narrow, and contracted or mistaken motives, reject his counsels and refuse his lead, then let the contest come. The friends of equality, genuine equality, and of constitutional liberty everywhere, and of all races, colors, and nationalities, will know whose banner they ought to follow.

And on they'll hurst and on they'll rush, while, like a golden star,  
Amidst the thickest of the fight will blaze the helmet of Lamar.

Gov. Brown's communication was only a voice from the people. They had chosen Mr. Lamar for their leader. Long before the meeting of the Congressional Nominating Convention it was apparent that he would have no opposition. The *Clarion* of April 14 said, apropos of “Congressional candidates,” that “in the First District no man is thought of except the present peerless representative, Hon. L. Q. C.

Lamar, in whose return the whole State (may we not say the whole country?) is interested, who will be reelected almost by acclamation to the place he has honored."

As the time for the convention drew near the people began to assemble in their county mass meetings. In Tippah County, for instance, on the 15th of July, it was unanimously resolved that "his course in the last Congress meets our unqualified approbation, as an earnest of which our delegates to the Congressional Nominating Convention shall be, and they are hereby, instructed to cast the vote of this county, first, last, and all the time, to return him to a seat which he has filled with such distinguished ability, and from which he has shed luster upon the name of the State of Mississippi." Exactly similar resolutions, using the same expression of "first, last, and always," had been unanimously adopted at the meeting in Pontotoc County, three days before; and like action was taken in the other counties of the district. When the Nominating Convention met in Corinth, on the 22d of July, he was renominated by acclamation.

Such was the answer of the people to the query from the North as to whether Col. Lamar truly represented the feelings of the white people of his State, and to the assertion by the Radical newspapers of the State that he did not.

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It will be remembered that the Democratic party in Mississippi had been disbanded, and that its members, together with that class who called themselves Conservatives, had been endeavoring to win relief from Radical rule by coöperating with the Liberal Republicans. This experiment had proven ineffectual. Therefore the Democratic members of the Legislature, during its last session, in view of the Democratic victories North, and at the solicitation of numerous friends of the party, met in caucus in the Capitol on the 3d of March. That caucus appointed a committee of forty-two, composed of men holding all shades of Democratic and Conservative opinion, with instructions to take such steps and make such recommendations to the Democratic and Conservative people of the State as would, in their judgment, lead to a thorough reorganization of the Democratic-Conservative party. Hon. John M. Stone, State Senator, was made Chairman of the committee, and on the 10th of April he published a call for a meeting, in the city of Jackson, on the 17th of May, of the members of the committee, "together with such friends of our cause as are willing to give us their counsel and support." The committee met on the day appointed, pursuant to the Chairman's call, together with numerous friends from all over the State, amongst them Col. Lamar. It was first resolved that "all Democrats, Conservatives, and anti-Radicals" be invited to participate. Resolutions were then adopted to the effect that the Democratic

and Conservative people of Mississippi assemble in delegate convention at Jackson on the 3d of August, to nominate a candidate for State Treasurer, to adopt a platform of principles, and to organize the party for the November elections. The people were recommended to nominate their ablest and best men for Congress, for the Legislature, and for the county offices. A committee of three was appointed to confer with the State Executive Committee of the Republican party, with a view of getting their cooperation in some movement looking to a fair representation of both parties on the Boards of Registrars.

This action stirred the people deeply. At once, work in the counties began; and from this time forth the newspapers of the period are filled with accounts of mass meetings, great political gatherings, speakings, barbecues, etc. The State was thoroughly aroused. The meeting at Falkner's Station, in Tippah County, already mentioned, may serve as a specimen of scores of others all over the State.

The little town was crowded with people from all parts of the country, who had assembled to hear Mr. Lamar. The speaker's stand was erected in a beautiful grove, and at eleven o'clock a vast audience had assembled. The speaker was introduced by Hon. Thomas Spight "in a few well-chosen remarks, wherein he said that he had the honor of introducing Hon. L. Q. C. Lamar, whose name had become the synonym of eloquence and statesmanship throughout this broad land." Mr. Lamar followed in a speech of near three hours length upon State and national politics. "He dwelt at great length upon the condition of affairs in the State. He animadverted upon the corruption and tyranny of the carpetbag and Radical officeholders in the South, and expressed the hope that the jubilee of the tax-ridden and oppressed people of the South was near at hand. He showed up our alien government in a light that reflected no honor upon its administration. He showed, and proved by official documents, which he read, that Gov. Ames had endeavored at divers times during his gubernatorial stay in this State to corrupt the sanctity and purity of the judicial ermine by dictating to the courts what was his will, and threatening, in the event that his mandates were not complied with, the expulsion from office of the members of the bench. He further showed that Ames was responsible for the shameful bloodshed at Vicksburg last fall; that it was Ames and his minions who have so shamefully drawn the color line in this State, which has proved so disastrous to both races. The speaker said that nothing short of earnest and incessant cooperation among the opponents of Radical misrule could ever redeem the people of this unfortunate State. He adverted to the days of Benton, Calhoun, and a host of other true and honest patriots, contrasting the state of affairs then with the present. He complimented the people of old Tippah upon being represented in the Legislature by so pure, patriotic, and able a man as

Capt. Spight, and recommended that he be sent back again. The speaker was loudly applauded many times during his remarks, and retired amid the deafening shouts of the audience." After the address dinner was announced. Then the people returned to the stand and resolved themselves into a convention, which proceeded to elect delegates and adopt resolutions. It was earnestly addressed by Col. W. C. Falkner. The meeting adjourned at four o'clock, and the remainder of the evening was spent by the young people in dancing in the grove, followed by a ball in Ripley at night, where "all went merry as a marriage bell."

Nearly all of these meetings dealt with the question of the color line. The proceedings in the celebrated county of Yazoo may serve as an example. The resolutions were proposed and adopted seriatim, amongst them:

*Resolved*, That we are in favor of a vigorous and aggressive canvass in the contest now approaching in Mississippi, and we appeal to our fellow-citizens throughout the State to unite with us in our endeavors by legitimate means to regain control of our public affairs, and thus secure to all classes, white and black, the blessings of a just and honest government.

*Resolved*, That we favor low taxes and an immediate reduction of all public expenditures.

*Resolved*, That honesty and capacity are the only proper tests of official fitness.

*Resolved*, That all men are equal before the law, and are endowed by their Creator with certain inalienable rights, amongst which is *not* the right to hold office unless the aspirant possesses the integrity and other qualifications necessary to its execution.

A white-line resolution, offered in this series, was voted down and rejected. In Pontotoc County, at the meeting of July 12, addressed by Col. Lamar, the fourth resolution was:

*Resolved*, That we hereby freely and cordially invite all persons, of whatever race, color, or previous affiliation, to unite with us in securing for all a good, economical, and honest government in lieu of the oppressive, extravagant, and corrupt one we now have.

So, like resolutions were adopted in the counties of Prentiss, Clarke, Marshall, Montgomery, Sunflower, Grenada, De Soto, Bolivar, Holmes—in fact, so far as the accessible files of old papers show, in all, with only two exceptions; and in them no platforms are given as adopted.

The Congressional Convention at Corinth, which renominated Col. Lamar, adopted a resolution submitted by him at the conclusion of his speech before that body:

That we are opposed to the formation of parties among the people of this State founded upon differences of race or color, and we cordially invoke the union of good citizens of every race and color in patriotic efforts to defeat at the next election the present State administration and its supporters, and to secure to all the blessings of an honest and capable government.

The State Convention met at Jackson as appointed, on the 3d of

August. The body was worthy of the occasion. Every portion of the State was represented by delegates of its very ablest and most honored men.

When the convention had organized, Col. Lamar, according to an old engagement, was called upon to address them. Although much worn from excessive speaking in the open air during the past month, he spoke for three hours. A report was made by the *Pilot*, which, although the abstract of a Radical and hostile paper (Gov. Ames' organ), is still the best account extant of the address; and it is given below. The very fact that it was an enemy's version, and, therefore, was an admission against interest, stood him in good stead later, as will appear.

*Gentlemen of the Convention:* I am afraid that my physical condition will prevent me from fully complying with the promise that I made, some months ago, to address the people at this place, and yet I regard it as a self-assumed responsibility to our people and our party that I am unwilling to shift upon another. It has been said by an eminent Southern divine that we live in a time of great events, an era of change—change in the national constitution, change in the government, change in the people, change in social and political relations—and this American Government is either to advance to a higher plane or retrograde to a lower one. The greatest trials of a people are experienced while in the transition state. The complications growing out of the incorporation of a new foreign and incongruous element, comprising four millions of people, eight hundred thousand voters, cannot fail in producing disturbance in the old balance of affairs. They are really appalling in their character. Suppose as many Chinamen were brought into the country and quickly scattered among the people. What would not be the alarm of the people, and the terrible havoc and unspeakable catastrophe that would follow? Yet this would be much less threatening to our institutions and less dangerous to society than the forcing upon our political system, by the hand of violence, of four million liberated slaves. A majority of the American people looked upon this forced liberation and elevation of this race with deep solicitude and apprehension. It hangs like a mistletoe upon the body politic, to sap its life. It cannot but endanger the nation's life, and threatens its overthrow. Not only the masses, but the leading statesmen of the North, looked with fear and dread upon the political experiment which contemplated the incorporation of this race and its exercise of the elective franchise. There is no disputing the fact that these people have not been heretofore looked upon as a part and portion of the society of the Southern States, but rather as an appendage, like unto the mistletoe, that attaches itself to the oak, but is not part and parcel of its growth; but rather as an excrescence, that might be useful, ornamental, or otherwise. Senator Morton, the great apostle of Republicanism, in a speech made in 1865, expressed his grave doubts as to the wisdom of making the colored man a voter. When this speech was made it was natural that the Southern people should not be in accord with such experimental policy. They knew the capabilities of the negro and his fitness to vote, and believed that to clothe him with these awful attributes, even with freedom's ballot and the incentive of freedom's blessings before him, would be a great wrong. "They are not qualified," said Indiana's great war Senator, "to take part in the government not only of the United States, but of the States of the United States." Colored State governments we know are not desirable, and their inevitable result is a war of the races. [Cheers.] The people of the South, however, are an adaptable people; and they have in a measure adapted themselves to the changed state of affairs and the new order of things. They saw the great calamity which the policy of the government would bring, and at once

prepared with all their earnestness and zeal to avert it. What a vast and awful task was before them! The old system of government was ruined and destroyed, and out of its wreck they had to build and reconstruct the new. Yet, formidable as was the undertaking, there were propitious circumstances. The people had hope that they might yet run a career of progress and prosperity. They had left to them their honor and good name, the old common law, and the Anglo-Saxon race, born amid the principles of liberty, and which they have never been known to give up or let go under so long as they had the handling of affairs. [Applause.] They knew the great stake that they held in the success of this great republic, and recognized the fact that the failure to recognize the new status of their country would result in devastation and disaster to their posterity. They gathered the *disjecta membra*, the remains of their shattered communities, and united in the restoration of the members of society. They hoped for their reunited country; but this hope was dispelled, and the Southern sky was darkened by the party in power. It presumed on a latent loyal sentiment here which did not exist; and, not finding it, then looked beyond the white man to the negro for assistance. The rebel element could not be trusted to do the work required to be done. Hence followed Federal interference in Southern affairs: Freedman's Bureau agents, reconstruction, and bayonets. The disloyalty of the South was given as a pretext for this action; and to this day this cry is kept up, and this Federal interference comes and establishes and maintains governments alien to all the people, white and black. In his place in Congress the speaker had said that the iron that they had thrust into the hearts of the Southern people by this relentless and wicked policy burned deeper than the wounds which followed hostile armies. The Freedman's Bureau, the Civil Rights Bill, the reconstruction laws, with agents and military officers, entrenched themselves in the South by force, and are here to-day. The principle is that this policy must trample on the rights of the whites to protect the rights of the blacks, and thus the government itself originally drew the color line in Southern politics as distinctly as if it was an organic requirement of government. Sir Walter Scott, in his novel, "The Talisman," tells of the battle between Richard of the Lion Heart and Saladin. When Richard reared his battle-ax on high and made the fearful blow, Saladin drew his scimiter, snatched a gauzy, silken veil, threw it in the air, and with one stroke of his keen and trenchant blade cut its folds asunder as it descended. The government has used both instruments of destruction. With the battle-ax and iron hand it has crushed out the system in vogue for years; with the lighter sword it has cut asunder the silken tissue of kindness and friendship that had existed between the two races. These agencies were indeed well adapted to produce the color line, of which men now so bitterly complain, and they have done their work with a certainty and completeness that could not be mistaken. But in all he said, he disclaimed any intention to be personal. His remarks did not especially apply to Southern Republicans; for their efforts, he claimed, were neither helps nor hurt to their cause. They had not succeeded either in elevating or purifying their party, and he begged them to return to their old friends, and cooperate with them. He referred to the committees sent to Louisiana, and to the character of the testimony that they brought back to Congress. Upon this point the speaker dwelt at some length. He took up the Vicksburg matter, and, dwelling upon it some twenty minutes, and reading from the testimony of Gov. Ames, Judge Brown, Gen. Packer, and others, attempted to prove that Gov. Ames was responsible for that bloody work, and to excuse it so far as his party was concerned. He said nothing in condemnation of such lawless affairs. The speaker then depicted, in vivid sketches, the condition of the South in its past days of prosperity; the honor and pride that comes of government administered by competent hands; the scene he witnessed in the United States Senate when the Southern Senators withdrew, and the speeches made on that occasion; and the surrender of the government to Northern hands, after Southern statesmen had controlled it, as he



claimed, from its infancy, without a blot upon its fair name, matchless in strength, and unsurpassed in grandeur! In the consideration of remedies for present evils, the speaker said that two separate theories were presented, struggling for mastery. One is to continue the present restrictive policy, and to give the President more power to oppress and cripple the South. Under this head the speaker reviewed the character and scope of the enforcement laws, force bills, and other similar legislation; and, although the new National House of Representatives was Democratic (applause), the President still has power to march his army into the country to oppress and outrage the people. Against this policy he pledged the united opposition of his party. (Applause.) Another remedy, comprising the Democrats, Liberal Republicans, and many independent voters who are tired of the policy of Federal force and commotion, was suggested. This policy, said the speaker, was based on reconciliation and good feeling. He held that the freedom and enfranchisement of the colored men was fixed in the constitution, but that the responsibility of government should rest upon the hands that will be most affected and are most capable. He then referred to leading Democratic politicians, North, to show in what spirit they view the question of local self-government, and their unqualified acceptance of the constitutional amendments. The issue of the next national canvass will be, unless the Republican party is reorganized as to policy and leadership, whether this Union shall consist of the North and South, as equals, or whether the Union shall consist of the North alone. The Republican party has long enough obstructed the government. At no time since the government was established has there been more desire for peace and reconciliation among the American people than now, on the basis of equality and friendship, and he was rejoiced to see this spirit. Once convince the Northern people that the workings of the local governments of the South shall be conducted to protect the colored men in all their rights, and in coöperation with them in the sovereignty of the government, and they will become strong and invincible. The means of relief is to make a change at Washington. Now what can be done? He approached this branch of the discussion with the utmost confidence, because the people of the South have the moral courage and heroism upon which to base a hope for reform. After paying a tribute to the moral and Christian character of the white people of the South, the speaker proceeded to speak of the amendments. If any one thing is true, said he, the people of Mississippi have pledged themselves to sustain the three amendments to the constitution, and have no power or desire to change them. They confer upon the newly enfranchised race the sacred rights of freemen, and their rights are your duties. Impaired by any act of yours, your duties by that same act are violated, and the constitution of your country is violated. The speaker felt it his duty to ascend to this high position on this subject. Any effort, said he, looking to an abridgment of their rights is fraught with disaster and burdens and ruin to this people. The color line was talked of. He declared that it would be ruinous to its victors, if victory could be won that way. It is not right. It is not Republican. One of the principles of Democratic government is that all parts of the body politic shall contribute to its support and control. Any race organization which seeks to assert the exclusive management of a country may have good government, but cannot have liberty. It is tyranny unmixed, and is fraught with disaster. Woe be unto you if you find yourselves confronted, on such a suicidal policy, by the powers of a vindictive government brought upon your defenseless heads. The speaker appealed to the convention to come up to the requirements of the crisis that is upon them, to realize fully their duties and responsibilities; and, after an eloquent peroration, which we shall not attempt to give, retired from the stand amid the most rapturous applause.

The *Clarion* of the next day said of this speech that

By all odds it was the ablest that has been pronounced in the Capitol since the

war. It was massive in argument, irresistible in logic, statesmanlike in the policy it advocated, and eloquent. A great deal was expected, but the highest expectation indulged by the public was more than realized. His audience was held spellbound for more than three hours.

After the address, letters of sympathy were read from Allen G. Thurman, Hon. Ben H. Hill, and Thomas A. Hendricks; and then, after some routine business, the Committee on Resolutions reported the platform, which was as follows:

The Democratic and Conservative people of the State of Mississippi, in convention assembled, invoking the blessing of Almighty God upon their efforts, and inviting the coöperation of all citizens of the State who favor an honest, impartial, and economical administration, do adopt the following declaration of their aims and principles:

1. We recognize and will maintain the civil and political equality of all men as established by the Constitution of the United States and the amendments thereto.

2. We are in favor of the education of all the children of the State in public schools sustained by adequate taxation, but we are opposed to extravagant and partisan administration of said schools.

3. The selection only of honest, faithful, and competent men for all the offices, from the highest to the lowest.

4. Economy in the administration of the government; the abolition of useless and unnecessary offices; and a reduction in the fees and salaries of those that are retained, and a strict and rigid accountability of all officers having the custody of public money or charged with its collection.

5. Biennial sessions of the Legislature and a reduction in the expenses of that department of the government; and we denounce the Republican party of the State for their violated pledges on this subject.

6. The selection of an able and competent judiciary, and a confining of the judges to judicial functions purely, so that all temptation to partisanship on the bench shall be removed.

7. A discontinuance of the enormous evil of special and local legislation, and in its stead the enactment of general laws, under which local and private interests will be fully protected.

8. The encouragement of agriculture by securing to the farmer and the laborer the just rewards of their toil and capital, and by relief from the burdensome taxation which now consumes their substance.

9. The encouragement of manufactures in our midst.

10. The elevation of the standard of official character, so as to infuse into official life a sense of public duty, the spirit of patriotism and integrity, to the end that government, law, and public authority may be invested with the moral influence and dignity which will insure respect and obedience.

11. We favor immediate action of the general government for the protection of the Mississippi River lowlands against inundation.

12. The building up of partisan newspapers by legislation, the arming of the militia in time of peace, the unconstitutional attempt to take from the people the election of tax collectors, the attempted passage of the Metropolitan Police Bill, the attempted corruption of the judiciary by the use of Executive patronage, we denounce as gross outrages upon constitutional liberty; while, as evidence of the utter incapacity of our present rulers to administer the affairs of the State, we point to the mass of confusion in which the revenue and registration laws of the State have become involved, the necessity of extraordinary sessions of the Legislature to cure the blunders and

follies of the regular sessions, and to the repeated Executive and legislative acts which have been by the Supreme Court declared unconstitutional and void.

13. That we cordially invite the voters of all the people of both races to unite vigorously with us in the approaching canvass, in a determined effort to give success to the foregoing principles, and thus to secure to ourselves and our posterity the blessings of an honest, economical government, administered by able, efficient, and competent public officers.

On motion of Mr. Singleton, it was resolved that "this convention cordially approves the course of the Hon. L. Q. C. Lamar in the Congress of the United States, and holds in the highest estimation his great services in the cause of reconciliation, peace, and good government." Thus Mr. Lamar was indorsed from start to finish: in every county of his district, in the district convention, and in that of the State.

The *Pilot* of that week said of his speech, among other things:

The little speech of Col. Lamar knocked the *Herald's* and the *Monitor's* color line arrangement "higher than a kite." . . . As to the effect that the speaker and his piece will exert upon the canvass, we must say that we are shrouded in uncertainty and doubt. They *may* serve to save the Democracy and defeat Republicanism in Mississippi, but we do not believe that they will. However, Mr. Lamar did the best that he could, and if his party has to suffer defeat in November—as we believe it will—he can have the consciousness of having performed his duty to his party to the full extent of his ability and strength.

Of these events and their relations to the fortunes of Mr. Lamar, and more particularly of their political significance, nationally considered, the Northern press had much to say. For instance:

The *New York Tribune*: "No Congressman of the present time is more generally liked than Mr. Lamar, of Mississippi. Journals of all parties rejoice at his renomination, and pronounce him one of the ablest and most useful men in Congress. The best of it is that he deserves all the popularity that he enjoys."

The *Detroit Free Press*: "The renomination of Mr. Lamar for Congress in Mississippi is a well-deserved tribute to a gentleman whose course as a Representative in the last Congress was one of which his district and State may well be proud. It is no disparagement to other Southern Representatives to say that he, more ably and successfully than any other, laid the views, hopes, and feelings of the South before Congress and the people of the country. . . . It was and is a favorite theory of his that the better acquainted the sections are with each other the higher will be the mutual appreciation and the less danger of sectional legislation. The experience of Vice President Wilson, Judge Kelley, and many other prominent Northern men who have recently visited the South confirms this theory, the almost invariable results of a Southern tour being to convince the tourists that the South is not near as black as it has been painted."

The *Boston Post*: "The unanimous nomination of Congressman Lamar by the Democrats of the First Mississippi District is sufficient evidence that the genuine citizenship of that State is competent to look out for itself if let alone. Mr. Lamar has been an honest and able representative of his constituency, and that is reason enough for retaining him in the place he now occupies; but he has been far more than that. He has risen to the full requirements of a statesman, and has exerted an influence felt for good throughout the whole nation. Regeneration in politics, reconciliation, and all the immediate needs of our new Union, he has devoted himself to with all the en-

thusiasm and brilliant, even vivid, eloquence that he possesses. His influence could not well be spared from the forces that in the next few years are to bring this republic up to a higher plane of honor and prosperity. . . . In Col. Lamar the people have a leader whose good faith and ability can be trusted, and it is a gratifying prospect that his public services are not to be lost."

The *Tribune* again: "The Democratic party in Mississippi has been heard from. It has heard a speech by Hon. Mr. Lamar, and it has passed resolutions. . . . Altogether the condition of the Mississippi Democrats is rational and pleasing."

At this period also the papers, both North and South, had a good deal to say about a "reconciliation" Presidential ticket for the approaching election, to be composed of Gen. N. P. Banks, of Massachusetts, and Mr. Lamar; a movement which seems to have originated in Boston amongst the Democratic soldiers and sailors of that city.

On the 15th of August the State Executive Committee promulgated an address, which was prepared by Hon. H. H. Chalmers, later Chief Justice of the Supreme Court, from which the following extracts are made, in order to illustrate the feelings and designs of this momentous canvass:

We hail the advent to power of a Democratic Congress, for the first time in fifteen years, as a pledge to the nation that the shameless disregard of the right of local self-government and the bold usurpations of power which have marked the recent history of public affairs shall have an end. . . . From the passions of the war, purposely played upon and kept alive by the party in power, it is pleasing to turn to the indications of returning good will between the sections everywhere so abundant and so cordial. The people of Mississippi gladly welcome and heartily reciprocate these manifestations of patriotism and fraternal love, and they view with pleasure the prospect that the Presidential contest of the Centennial year will be crowned with the triumph of a candidate whose election shall put an end to sectional ill will and distrust at the North, and to the domination of ignorance and race hatred at the South.

Preparatory to that great struggle it becomes us to address ourselves to the task of shaking off in Mississippi a local government whose history has brought the blush of shame to the cheeks of Northern Republicans, and which, in connection with its kindred governments at the South, has done much to overthrow the Republican party of the nation. Indeed, nothing but the passions and prejudices growing out of a civil war could so long have blinded the American people to the true character of the grotesque caricatures on government which have afflicted these Southern States.

A glance at the condition of affairs in our own State will serve as a sample of the whole:

In the chief executive chair we have an alien and adventurer whose only interest in the State is in the office which he now holds and the others which he is scheming to obtain, and whose habitual and contemptuous disregard of our constitution and laws is only equaled by his ignorance of the elementary principles of civil government. Accusations of a much darker nature are brought against him by members of his own party. A prominent and influential Republican, high in the councils and confidence of his party, has not hesitated to charge him with complicity in the sanguinary riot which a few months ago startled the nation and drenched the streets of Vicksburg with blood. This gentleman has declared in public speeches, upon Republican authority deemed reliable by him, that the Governor of the State, in defiance of the earnest protests of his Attorney-general, issued the reckless and wicked orders which precipitated that unhappy conflict, and that he justified his action by the re-

mark, made at the time, that "the blood of twenty-five or thirty negroes slain at Vicksburg would benefit the Republican party in the State." To add a darker shade to his guilt (if guilty he be), he subsequently attempted in his testimony before a Congressional committee to cast upon the white men of Warren County the responsibility for the blood that was shed upon that unhappy occasion. No blacker nor more damning crime than this has been laid at the door of a chief magistrate since Nero fired imperial Rome and charged the act upon the early Christians.

The office of Lieutenant Governor of the State is occupied by one against whom, in addition to an incompetence patent to all men, there are grave suspicions of bribery in the discharge of official duties. The instruction of our youth is intrusted to a Superintendent of Public Education who to-day stands indicted by a grand jury, of numerous felonies, and whom his own party had neither the courage to impeach nor the audacity to defend. Our judicial positions, with some honorable exceptions, are filled by men of no repute in their professions, and in some instances by those who first announced themselves as members of the bar by the assumption of the highest honors of the bench. Our inferior offices are occupied in many instances by men utterly illiterate, and so ignorant of the simplest duties of their positions that their attempts to discharge them would be ludicrous if they were not so harmful. Our legislative halls are controlled by a combination of ignorance and corruption which baffles all hope of reformation. The men who impose our taxes are entirely disinterested in sympathy and interest from those by whom they are paid. The logical and inevitable consequence has been that the rate of taxation, State and local, has increased more than fifteen hundred per cent in the short space of six years, and yet our people, each day growing poorer, and staggering under a burden too grievous to be borne, see with despair the public expenses each year exceeding the revenue.

No relief from this intolerable scene of wastefulness, imbecility, and corruption can be expected at the hands of the Republican party of the State. The same men who have wrought these evils are still the controlling spirits of its organization, and will be its chosen leaders and candidates in the approaching election. How, indeed, can a party be expected to put down corruption which numbers upon its State Executive Committee two convicted thieves, one of whom, convicted of petit larceny, has paid the penalty of his crime; and the other, convicted of embezzlement, is now an inmate of the penitentiary? The overthrow of such a government and the defeat of such a party are the supreme necessity of the hour, and have become the duty of every honest man. In this noble work, upon a platform of equal right to all, we invoke the aid of all who prefer intelligence rather than ignorance, purity rather than corruption, economy rather than wasteful extravagance, and low taxes rather than legalized robbery under the guise of taxation," etc.

On the 25th of August Mr. Lamar wrote as follows to Mr. Reemelin:

It would give me greater pleasure to visit *you* than to speak at the Exposition.

I would be very glad to get back once more to private life. I do not see any field of usefulness to our country yet ready for a man of my section and of my political antecedents. The strain for mere existence down here renders our intellect of little avail in its contributions to those questions in which all parts of the country are alike interested.

I have just emerged from a struggle to keep our people from a race conflict. I am not sure that we are yet safe, for the *black* line is still maintained by the agents of the Federal Government. The negro race, which has no idea of a principle of government or of society beyond that of obedience to the mandate of a master, sees in these agents the only embodiment of authority (mastership) in the country, and their obedience to them is not a whit less slavish than it was formerly to their masters. We could, by forming the "color line," and bringing to bear those agencies which in-

telleet, pluck, and will always give, overcome the stolid, inert, and illiterate majority; but such a victory will bring about conflicts and race passions and collisions with Federal power. . Our only deliverance is in a change of Federal policy toward us.

In the campaign of the summer and fall Mr. Lamar took active and arduous part. He spoke to vast audiences at Coffeeville, Oxford, Grenada, Quitman, Scooba, Aberdeen, Holly Springs, and many other places. At Coffeeville and elsewhere, while always specially "remembering the few white men, largely from other States, who have successfully manipulated the colored men for their own purposes," he pleaded for the colored people themselves. He urged that they had been made the unconscious instruments of an oppression which they neither originated nor understood, and he said that the white people of the South would never forget to the blacks their faithfulness and services in the past. He gave them much good counsel as to their relations to the white people and to political questions; and it was noted that they always listened attentively and seemed to be pleased.

At the request of Mr. Lamar, Senator Gordon had come from Georgia to assist in this canvass. He and Mr. Lamar spoke at Oxford on the 1st of September, and again at Grenada on the 6th. There is extant an interesting report, by the *Clarion* correspondent, of this meeting, which is but a type of very many others held about the State. About one hundred and fifty negroes attended. An attempt was made by the Radicals to keep them from attending by runners sent through the country, and while the speaking was in progress another effort was made to draw them away by a counter political demonstration, with fifes and drums close by, but unavailingly. Senator Gordon spoke at great length. He referred to the paradoxical fact that a party which violated the spirit, and in legislation violated the principles, of republican government, should assume the name of "Republican." For ten years the history of the party in power had been an unbroken series of antirepublican, anticonstitutional measures; and he pointed out, as some of the fruits of those measures, a violated constitution, broken laws, the overthrow of long and wisely established local self-government, the squandering of public revenue, and the prostitution of a brave and generous army to partisan purposes; and that these fruits were seen in disrupted societies, dishonored credit, disgrace of the franchise, oppressive taxation, and widespread ruin. His eloquent portrayal and humorous illustrations of Radical rule in the South were frequently greeted with cheers and laughter. A good portion of his speech was directed to the colored people, who gave him their undivided attention throughout. He commented "with very happy effect upon the carpetbagger's bugbear about putting the colored people back into slavery." "It was the carpetbaggers' fathers who sold your fathers to us. Why didn't they free you when they owned you? We

did not want you freed; but I tell you, as I lift my hand to heaven, that if it were in the power of the people of the South, by a scrap of paper and the stroke of a pen, to put you back into slavery, we would not do it!" (Hearty applause.) He effectually exposed the false statement, which had been industriously circulated in Grenada and other places in Mississippi, as to the status of the colored people under Democratic rule in Georgia; and demonstrated by facts, figures, and public documents, that there were that day in the public schools of Georgia over forty-two thousand colored children, at the expense of the white people. The Legislature that supported, by annual appropriations, the white university made an equal annual appropriation to the colored college, and this notwithstanding the fact that the colored people of Georgia paid less than one-fifth of the taxes. The statistics showed that the colored people of Georgia owned over six millions in real estate and over five millions in personal property, and yet they were oppressed in Democratic Georgia!

After the speaking was over Gen. Walthall read some resolutions looking to organization. He made remarks explanatory of the resolutions, and, in inviting colored men to join the club declared that "colored men shall be protected in the free exercise of their right to vote, if it takes white men's blood to do it"—an allusion to the well-known fact that the frequent last resort of the Radical leaders, the negroes especially, for the prevention of defection by colored men to the Democratic ranks, was personal violence.

An interesting feature of this campaign was the publication, by Gen. James Z. George, the able, zealous, and indefatigable Chairman of the Democratic State Executive Committee, of an open eight-column letter upon the notorious Black Code of 1865. This letter was elicited by an argument commonly addressed to the freedmen to the effect that the Democrats were in power in 1865, and the result was the legislation of that year; wherefore, if that party were allowed again to obtain supremacy it would, in some way, abridge or destroy the rights of the colored people. After a brief, but clear and forcible, review of the considerations which should lead the blacks to cooperate with the whites in a common effort for the rescue of the State and its good government, Gen. George entered upon a review of the legislation assailed, maintaining that, after all, it would be found to have in most of its features its prototype in the legislation of the Northern States about the black race; and, taken as a whole, that it was more moderate in its character, securing greater and more substantial rights to the freedmen, and within a shorter period, than the legislation attending emancipation in many of the Northern States.\*

The first week in September was signalized by two political riots:

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\*The *Weekly Clarion* of September 15, 1875.

one at Yazoo City, the other at Clinton. A number of persons of both parties were killed and wounded. After the local disturbances thereby excited were quieted, Gov. Ames issued a proclamation (aimed at the white people) whereby he required all such military companies as were organized in various parts of the State, "without authority of law," to disband. He also telegraphed to the President that "domestic violence prevails in various parts of this State beyond the power of the authorities to suppress," and called upon him for aid. Gen. George, however, on the next day telegraphed to the Attorney-general that there were no existing disturbances and no obstructions to the enforcement of the laws, and that the employment of United States troops would only increase the distrust of the people in the State government. Numerous offers of companies composed of white men, without respect to political affiliations, coming from the most prominent and responsible citizens of the State, and some through the Chairman of the Democratic State Executive Committee, were made to the Governor, for service in establishing and maintaining order in any part of the State, if he should need them. "But," said the *Clarion*, "this is not the kind of protection Ames wants nor the peace he desires. He yearns for the peace that he gave the people of Mississippi in 1869, when he was military ruler here. A peace that filled the prison camps with white men, whose crimes were that they were white, Southern born, and Democrats; that permitted colored men who had joined Conservative clubs to be murdered at night in their cabins or beaten, ridden on rails, and driven from their homes; that permitted his military subordinates to charge on horseback into Democratic processions with sabers gleaming and pistols cocked; that encouraged the petty majors and captains and lieutenants to tie up by the thumbs colored Conservatives, because they dared express their opinions; that permitted his brutal soldiery, with clubbed muskets, to drive Democrats from the polls, while the Radicals took entire possession and voted as often as they pleased."

The Attorney-general, however, notified Gov. Ames that the President had declared that "the whole public are tired with the annual autumnal outbreaks in the South, and the great majority are now ready to condemn any interference on the part of the government;" that he was expected to use the aid offered him by the people of the State, and that before calling for Federal aid he must present a case within the constitution of insurrection against the State government, etc.

The Governor availed himself but very little of the assistance offered by white companies. He proceeded, on the other hand, to organize numerous black companies of militia, and so managed them as to create a great excitement and to subject himself to the open charge that he was meditating a hostile invasion of Yazoo County by black companies from Hinds, with the design to precipitate a conflict between the



races, so as to force Federal interference. So rash and indefensible was his course that the Republican and Independent papers North censured him severely. Said the *New York Tribune*: "All the proceedings following the Clinton riot have served to bring out more clearly the entire incompetency of this man for his present position. And yet, with such an Attorney-general as we had a year ago, he might have had United States troops now roving over Mississippi at his bidding, making domiciliary visits at midnight and dragging peaceable citizens miles away from home to stand trial for imaginary offenses. The like was seen in Louisiana and Alabama, it will be remembered, just before the elections of November, 1874." The *Philadelphia Times* said: "Pierpont may be a better lawyer than Williams, but he can't run an outrage mill. And here are elections coming off and no troops. It is too bad!" The *St. Louis Globe-Democrat* said: "Gov. Ames's assertion that the interference which he calls for is necessary is flatly contradicted by the evidence of those [meaning Republicans] who have quite as good a claim upon our trust as he has, and who would not be likely to deny the existence of such necessity if they thought it existed." The *New York Herald*: "Ames is working for an election to the United States Senate. It would be a just retribution for his scandalous and dangerous course if the next Legislature, instead of making him a Senator, should impeach and remove him." Thus the *Herald* came to the position which the *Clarion* had taken a year before.

Notwithstanding the intense feeling and the excitements which preceded it, the election passed off quietly. The Democratic-Conservative party won a sweeping victory. The white people had been aroused as never before, and great numbers of blacks, for the first time, had joined the Democratic clubs. The State Treasurer, four of the six Congressmen, and the Legislators by an overwhelming majority in both Houses, were Democratic. This result, which closed the career of the carpet-bagger in the State, caused the utmost rejoicing throughout the State, and was the occasion of great congratulation through the South. Nor were the Northern people displeased, barring the comparatively small number of intense partisans.

In Mississippi, from border to border, the general rejoicing was manifested by the ringing of bells, the firing of cannon and anvils, the marshaling of the happy voters in torchlight processions, fireworks, and the illumination of the towns. Nor were the jubilations confined entirely to the Democrats or the whites, for many Liberal Republicans and many colored people took part.

Of this political deliverance the *Washington Capital*, in an editorial reproduced in the *Jackson Clarion*, said:

Mississippi is to be congratulated, for she is once more a free State. Whatever of sorrow or joy the various results of the recent elections may carry to cliques and par-

ties, the final emancipation of Mississippi from the rule of the carpetbagger may be regarded as a national blessing. To Hon. L. Q. C. Lamar, more than any other man, the country is indebted for the rehabilitation of this State. With the constitution in one hand and the olive branch in the other he has met the Radicals of the South and the Radicals of the North; he has, by precept and example, taught his own people the lesson of patience and long-suffering; he has labored earnestly, conscientiously, and successfully. . . . The result in Mississippi is not to be regarded in the light of a party victory, but as the beginning of a new era in the material interests of a State whose recuperative powers have been paralyzed since the war, because the result of the recent election was postponed by the Ameses, Williamses, and Sheridans until the year 1875.

When the Legislature met in January, 1876, steps were taken looking to the impeachment of Gov. Ames, Lieut. Gov. Davis, and Superintendent of Public Education Cardozo. The Lieutenant Governor was speedily convicted of bribery and removed from office; Cardozo resigned under charges.

On the 22d of February the special committee reported, with the evidence taken by it, a resolution calling for the impeachment of the Governor on twenty-three articles. On the next day Col. Lamar, still in ignorance of the action of the committee, wrote as follows to Gen. Walthall:

WASHINGTON, D. C., February 23, 1876.

*My Dear General:* . . . I want to tell you something confidentially that I have learned from indisputable authority—well, just between you and me, my authority is Beck. He had a conversation with old Ben Butler yesterday. He learned from him all about the impeachment of Ames. The old fellow stated every ground, and had a very plausible and—as Beck thought, without knowing the other side—a very satisfactory defense against each charge. He said that they could not prove any corruption, any theft, any embezzlement, any robbery. And yet Beck saw that he was anxious and uneasy. He said that Davis was guilty, and that Ames could give them conclusive proof of Davis' guilt, and wanted him impeached. He also said that if the Legislature would not impeach Ames, that he (Ames) would, as soon as Davis was found guilty, resign and leave the State in the hands of Stone as Governor. Beck says he has not the slightest doubt that old Ben not only meant what he said, but that he was able to carry it out.

They are preparing for a big fight all along our lines. But rather than have it old Ben (who has the bills to foot) says that he would bring Ames and Blanche home; and he says he will see to it that Ames shall resign, and that Morton's investigation shall be squelched.

I listened to it, and, very soon after, meeting old Jere Black, while the matter was on my mind, I said to him: "Judge, how do you Northern Democrats feel about Ames' impeachment?" He replied: "It is a thing we feel pretty anxious about. We believe that he deserves it; and if you can prove any 'crooked whisky' on him, or any stealing, the impeachment of him would be a proper thing; but if it is for some illegal act, or some usurpation of authority, it will have a damaging effect upon us; it will be used to show that you resort to violent means for political purposes." . . .

It seems to me that the Legislature is reluctant to take hold, and is driven on by the press. . . . Beck is perfectly confident that we can get all we want without an impeachment. He says that old Ben, with all his badness, will stand to his word better than any of them.

It was not until the 2d of March that the articles of impeachment were reported in the House. The Senate set the case for trial on the 29th. On the 28th Gov. Ames addressed to his counsel, Messrs. Durant & Pryor, the following letter:

EXECUTIVE MANSION, JACKSON, March 28, 1876.

*Gentlemen:* In reply to your suggestion I beg to say that, in consequence of the election of last November, I found myself confronted with a hostile Legislature and embarrassed and baffled in my endeavors to carry out my plans for the welfare of the State and of my party.

I had resolved, therefore, to resign my office as Governor of the State of Mississippi, but meanwhile proceedings of impeachment were instituted against me, and, of course, I could not and would not retire from my position under the imputation of any charge affecting my honor or integrity.

For the reasons indicated I still desire to escape burdens which are compensated by no possibility of public usefulness; and if the articles of impeachment presented against me were not pending, and the proceedings were dismissed, I should feel at liberty to carry out my desire and purpose of resignation.

I am very truly yours.

ADELBERT AMES.

Messrs. Durant & Pryor, Jackson, Miss.

On the 29th, in the House before it repaired to the Senate chamber, manager Featherston presented this letter and a resolution to the effect that the proceedings against the Governor be dismissed. This order was made at once. On the same day the Governor resigned; and thus the dominion of the carpetbaggers in Mississippi ended, finally and ingloriously.

From these papers it appears that Gov. Ames was not driven from the State a refugee, as President Grant said on several occasions; but that, on the contrary, the resignation was probably of Mr. Butler's initiative. Certainly, unless Gov. Ames misstated his purposes to his own counsel, it was resolved upon before the impeachment proceedings were instituted.

## CHAPTER XVIII.

Forty-fourth Congress Convenes—Mr. Lamar Chosen Chairman of Caucus—The Caucus Address—Press Comments—Senator Alcorn's Term Expiring—Mr. Lamar Discussed as His Successor—Calls from Outside the State—Nominated by Acclamation—Speech before the Legislature—Election and Comments on It—The Centennial Year—Debate on the Amnesty Bill—Lamar's Centennial Speech—The Scene Described—Press Comments—The Belknap Case—Lamar's Speech on Parliamentary Privilege—Press Comments—The Hamburg Massacre—Speech and Its Reception—Charged with Inconsistency and His Vindication—Speech on the Policy of the Republican Party and the Political Situation in the South.

THE first session of the Forty-fourth Congress convened on the 6th of December, 1875. It was memorable in that it was the first Congress in which the Democratic party held substantial power after the outbreak of the Civil War. Now for the first time in fifteen years, and for the first time since the marvelous transformations of the great rebellion, that party was called upon to declare its *raison d'être*, and was given opportunity to prove itself something higher and better than a mere obstructive and self-seeking opposition to the party in power.

On the Saturday before the 6th the caucus of the Democratic members of the House met. By common consent of Messrs. Kerr, Randall, and Cox, the three prominent candidates for the Speakership, and of their respective supporters, Mr. Lamar was chosen permanent Chairman of the caucus. "His leadership," says Carson in the "History of the Supreme Court," "was marked and masterly, and fixed the gaze of the nation." On taking his seat he defined the policy and the duty of the Democratic party in its partial restoration to power, by the following thoughtful and patriotic address:

*Gentlemen:* In calling me to this position of responsibility and distinction you have conferred an honor which I appreciate most highly, and for which I thank you most cordially. We here are confronted with a crisis in the history of the Democratic party and of the country, which brings to our party grand opportunities, but is at the same time freighted for us with solemn responsibilities; and if we do not improve those opportunities and rise to the measure of these responsibilities, the fruits of the great political revolution which has brought us here to-day will be for us like the fruit which grows upon the shores of the accursed sea.

The people of this country, by overwhelming majorities of States and of majorities in States, have placed the Democratic party, after a long period of exclusion from power, in possession of the most important department of the Federal Government. When I say important, I do not mean that the individual members are invested with imposing prerogatives or great personal distinction. The departments of patronage, those which hold and command the glittering prizes of governmental emolument and honors, are the coordinate branches of the government which are still under the control of our political opponents. The members of the House of Representatives have no patronage whatever beyond that of the appointment of a military or naval cadet, and

their compensation is barely adequate to a life of republican simplicity and prudential economy. There are many offices in the gift of the Executive far more profitable, and in the public esteem far more distinguished, than that of a seat in the House of Representatives; but this branch is, nevertheless, under our matchless system of government, the corner-stone of our fabric of liberty, because it is the only department of the Federal Government directly responsible to the people of the country, and receiving its powers directly from their hands. All the other branches of the government are two or three degrees removed from the people in the mode of their selection or in the nature of their responsibilities; but while the House of Representatives is thus immediately responsible to the people, all the other branches of the government are responsible to that body.

The people of the country have charged us, have charged the Democratic party in the House of Representatives, with the important duty of bringing these coordinate branches of the government to their just responsibility; and thus, by unerring instinct or by keen intelligence, have blended together our duty, our interests, and our inclinations.

There has been for some time in the public mind a conviction, profound and all-pervading, that the civil service of this country has not been directed from considerations of public good, but from those of party profit, and for corrupt, selfish, and unpatriotic designs. The people demand at our hands a sweeping and thorough reform, which shall be conducted in a spirit that will secure the appointment to places of trust and responsibility of the honest, the experienced, and the capable.

There is also an imperative demand that a vigilant examination be made into the administration of the public revenue of the country, both in its collection and its disbursement; that all the public accounts shall be scrutinized by us, as it is the solemn privilege and duty of the House to do; and that corruption be ferreted out, and wrongdoers, no matter how high or low, shall be fearlessly arraigned and fully exposed and punished.

There is a growing and irresistible sentiment in the country that, under the specious theory of protecting and fostering particular industries and interests, a system of mis-called revenue laws has been in operation, detrimental and blasting to all the other great interests of the country, and maintained at the expense of the general revenue and to the injury of a great majority of the people, or of those classes (the farmers and laborers) who are least able to bear the burden of oppressive laws.

One of the highest and most pressing demands upon us will be, not only to insist on bringing down the expenses of the government to the needs only of economical administration, but to perfect and adopt such a system of taxation as will bring in the required revenue with the fewest restrictions upon commerce and with the least burden to the people, and that burden equitably distributed and skillfully adjusted. Owing to the exigencies of one of those internecine conflicts incident to the life of almost every country, and also to a pernicious system of legislation, our people, our business investments, our commerce, and all the diversified interests of the country, are suffering from the evils of an irredeemable currency. In meeting and grappling with the difficulties of this vital and perplexing question it will be our duty to take care that nothing is done which would impair the good faith of the country, or tarnish the public honor, or lower or disturb the credit of our government; but we are to remove these obstructions which bar the progress and check the prosperity of the American republic.

It is the duty, and it is to be the glory, of the Democratic party while it controls the House, to see that the national debt is paid in full, and that the currency of this Democratic republic is made equal with that of any nation on earth. Upon the part of those who have been invested with the political power and destiny of our country during the last ten or fifteen years, it has been a frequent remark that the era of con-

stitutional politics had closed; that questions of constitutional limitations and restrictions were no longer to hinder or delay the legislation of the government in its dealings with financial, economical, or social subjects, which were, it was assumed, now the only matters worthy of public attention; and yet amidst their grand boastings the Forty-third Congress found themselves faced with the gravest questions of constitutional law, reaching down to the fundamental system and involving not only the relations of the States to the Federal Government, but also those of the people and their own home governments.

The grandest aspiration of the Democratic party is, and its crowning glory will be, to restore the constitution to its pristine strength and authority, and to make it the protector of every section and of every State in the Union and of every human being of every race, color, and condition in the land.

Apprehension and distrust of one part of the nation that that portion of the Southern people who were arrayed against the authority of the Federal Government in the late war would be an element of disturbance to the American Union, has mainly disappeared; and this is evidenced by your election. In its stead has grown a more fraternal feeling, which regards us of the Southern States as fellow-citizens of the same great nation; and, on the other hand, the people of whom I speak (of whom I am one) are here to-day by their chosen representatives, ready to honor any draft which the American people may draw upon their patriotism or their faith in the glory and the beneficent destiny of American institutions. [Applause.] The experiment which has been introduced amongst us, based upon confidence in the workings of local self-government and intended to solve the difficulties connected with the recent social and political transformation, shall have an open field and fair play. No hindrance shall be placed in the way of its vigorous development and its amplest success. [Applause.]

It has been said that the day of sentimental politics has passed away; but, gentlemen, there is one part of this Union (that part which I know best) which asks for the great moral nutriment to a spirited and noble people. We want a government that we can love and revere, and serve from the motive of reverence and love. We hunger for a patriotism which shall knit all the people together in a generous and loving brotherhood, and which shall be as broad as the territory over which the national flag floats. Let me say here that no government, no nation, can prosper without this vital fire. It is the sentiment which, acting upon free institutions and reacting through them upon the people, constitutes their public spirit and political genius.

Gentlemen, we are here as Democrats, members of a political party which has a long, a glorious history. Let us, in our duties this winter, recall and revive those principles, the faithful maintenance of which by the fathers of our country secured it, for so long a period, the confidence and support of the people. Let us seek to renew the prosperity, to advance the greatness and glory, of our country. Let us resolve to win the confidence, the affection, of the whole American people for our party by showing them that we, its present representatives, have statesmanship, patriotism, and strength of purpose enough to deserve that confidence and affection. Let us not forget that the great victory of last fall, which brought us here, and which gives us these opportunities and great responsibilities, was achieved, not alone by Democratic votes, but with the coöperating efforts of patriotic and unselfish men of all parties, who, wearied and alarmed by the unceasing evils resulting from corruption and maladministration, chose to call us to the duty of checking these evils and clearing away these corruptions. If we are wise, we shall so rule ourselves and so serve our country as to retain the confidence of these voters. Reforms are urgently needed. Let us wisely make them. A renewed prosperity is everywhere earnestly desired. Let us, by removing unjust discriminations, by imposing a rigid economy, by restoring a sound currency, by securing the equal rights of all States and all people, make the Democratic party the author of a new prosperity. So we may begin

for our party a new and glorious career, in which its history shall be once more, as formerly, the story of the Union's greatest grandeur, and of the people's universal happiness and contentment. [Great applause.]

This speech attracted universal attention, and elicited general praises. Somewhat of the public opinion will be gathered from the following extracts, selected geographically from a great number at hand:

The *New York World*: "Mr. Lamar did his work nobly, and his words will arouse a cordial and responsive echo in every Democratic heart from Maine to Texas, from New York to California. He rose easily to the level of the situation, and the temperate, patriotic words in which, with the applause of all his hearers, he marked out the line of Democratic duty and Democratic policy in this eventful hour of the country's needs and the party's fortunes will inspire with new faith his fellow-Democrats in all parts of the Union, and will quiet the solicitude of many good men who have not been able to perceive, as we do, in the principles of Democracy the best promise of the permanence of the republic, and of the revival of the prosperity of its people."

The *Evening Post*: "A more genuine, conservative, comprehensive, sound, politico-economic, and, above all, Union speech could not have been made by Thomas Jefferson himself, had he appeared in the flesh and moved to address the people he loved so well. . . . The country is this day . . . as ready to trust Mr. Lamar on the financial question as it is ready to trust him with the honor of the Union." . . .

The *Albany Argus*: "The speech of Mr. Lamar . . . was worthy of the ablest statesman of any period of our history. Its every word and sentence prove that the accession of the Democracy to power means peace, and a complete wiping out of the war issues, the sacredness of the national debt, and a faithful adherence to the guarantees of the constitution. This noble speech has met with a response from every section of the Union." . . .

The *Philadelphia Times*: "Mr. Lamar's speech . . . was a careful, conservative, and statesmanlike utterance, which will increase the esteem in which this able representative of the South is held in all sections of the country." . . .

The *Chicago Courier*: "If the Democracy of the country had been listening for the bold tones of a leader, if the slumbering energies of the grand old party had been awaiting a bugle blast, it has come. . . . It is a national voice which rings upon the air in Washington; the voice of a man whose fealty to party binds him in no sectional harness; a brave and able man, worthy of the best days of the republic." . . .

The *San Francisco Chronicle*: "There is something in the speech of Gen. L. Q. C. Lamar . . . that is calculated to encourage the hope that an era of genuine reconciliation between the North and the South has at last dawned upon us. Gen. Lamar is not a hypocrite, and we feel bound to believe that he spoke from the bottom of his heart when he gave utterance to the following patriotic sentiments: 'It is our duty as Democrats,' etc. . . . If the *spirit* of Lamar's address fairly represents the feeling of the Southern Democrats, will not Mississippi show that Lamar did so represent the feeling and sentiment of the South by electing him to the Senate? If his utterances express their sentiments and picture their mental attitude, the era of a genuine reconciliation between the North and South is at hand."

The *Sacramento Evening Post*: "It was not a bad beginning when the Democrats of the House of Representatives made Lamar, of Mississippi, the Chairman of their caucus at Washington. . . . He has ever since his election to the House manifested an admirable constancy and vigor in the interest of reform, both State and national. The speech he delivered on taking the chair is full of excellent counsel to his party."

The *Richmond Enquirer*: "We have read nothing in a long time emanating from

any public man more full of pith and meaning, or more pointed and forcible, than this brief speech, which will stir the country like a bugle blast, and inspire the Democracy with new hope, while it reanimates them with a determination to persevere in their noble effort to restore the government to a sound constitutional basis."

The *Rocky Mountain* (N. C.): "It was another laurel leaf in the rhetorical garland that now wreathes the brow of this orator-patriot. Sound in doctrine, replete with sagacity, tempered in patriotism, and glistening with the brightest fires of eloquence, it proved a masterpiece of a master mind."

The *Macon* (Ga.) *Telegraph and Messenger*: "Besides being in the highest degree graceful and scholarly, it is inspired with the spirit and rings with the clear tones of a broad, elevated, and genial statesmanship, and will find a quick and responsive echo in whatever is left of the ancient American thought and feeling in the hearts of the people."

The *Jackson* (Miss.) *Clarion*: "His speech was equal to the occasion. On the question of the currency, the inviolability of the national faith, the maintenance of good will between the sections, it is a timely manifesto in behalf of the party of which he was the accredited mouthpiece."

The *Memphis Appeal*: "His speech was a model of beauty, eloquence, and fine taste. It is overflowing with the wisdom, ideas, sentiments, and convictions of the statesman. On this, and indeed on every occasion that Col. Lamar has made his appearance before his countrymen, his utterances have made a profound impression. Patriotism, genius, eloquence—he possesses them all. He has contributed more than any one man in all this broad Union toward securing the present Democratic majority in the House of Representatives, and there is a universal desire among Democrats outside of Mississippi to see the great talents, statesmanship, and patriotism of L. Q. C. Lamar transferred to the United States Senate."

The State of Mississippi, at this period, was represented in the Senate of the United States by James L. Alcorn and Blanche K. Bruce, both Republicans, the latter a colored man. The term of Senator Alcorn was to expire on the 4th of March, 1877, and it devolved on the Legislature, before that time, to elect his successor.

So soon as it was determined to reorganize the Democratic-Conservative party, and to make a contest for the possession of the Legislature, a discussion began as to the question of the next Senator. Early in April the *Holly Springs South*, then edited by that able lawyer and most excellent man, Hon. John W. C. Watson, declared that "our people are fast being roused to a just appreciation of the emergency upon us. . . . That model Southern statesman, L. Q. C. Lamar, will, of course, be again returned from his district; but we must also have him to lead our entire force, by canvassing the State during the summer and fall as a candidate for the United States Senate." This article seems to have been about the first in the State to voice the sentiment of the people in this respect, but Col. Lamar did not make his great canvass in the capacity suggested. It was not until after the election in November, and the ascertainment of the Democratic-Conservative victory, that the senatorial succession became a great and living question in the State. Then various gentlemen were suggested as possibilities, most



conspicuous among whom were Gen. George, Gen. Featherston, and Gen. Lowry.

The papers of the State took up the matter with the greatest zeal. The opposition to Mr. Lamar found three principal expressions: First, opposition to his course in Congress, especially to his position upon the obligation of the constitutional amendments; secondly, the continued need of his services in the House; thirdly, the expediency of adding to the strength of Mississippi in Congress by sending to the Senate some other equally strong man, who should be a colaborer with Mr. Lamar in the House. Of course there were the usual and unavoidable complications of personal ambitions and the favoritisms of friendship.

However, the great drift of public opinion, as well as of the popular affection, was unmistakably toward Mr. Lamar. A communication to the *Clarion*, which appeared in December, expresses the home ideas on the subject so clearly and adequately that it is in part reproduced. The article was written, over a *nom de plume*, by Judge Harris:

I think that Col. Lamar should be elected. The opinion is based, not upon a personal partiality for him over all others, but upon a well-matured and, I think, unprejudiced conviction that it is the right thing to be done. The great office of Senator is a trust, and not a perquisite. It is to be bestowed upon considerations of public good, and not of personal liking, or even of personal services; though upon this score none can exceed those of Col. Lamar. Mississippi has many fine lawyers, gallant soldiers, able jurists, and worthy citizens; she has but one distinguished statesman. . . . The State should have its foremost man in the foremost place, not in order to reward him, but to obtain the best services for herself. That his opportunities have been greater for acquiring fame should not diminish the reward of that fame honestly won. The day that Col. Lamar takes his seat in the Senate he ranks at once with Thurman and Bayard, and when he rises to make his first speech the whole nation will listen. The ablest of his competitors cannot hope to win the same weight and influence in less than five years. But it is not true that Lamar's greatness is accidental, or that it has been won without competition. He was confessedly Mississippi's greatest statesman, after Davis and Brown, when the war broke out, and he won that reputation at a time when all the talent of the State was unfettered to contend with him. He left the old Congress at the age of thirty-six, with a fame established throughout the Union as the most philosophical thinker and the most eloquent orator in the lower branch of that body from the South. Col. Lamar's election is earnestly desired by the Democrats of the North. His defeat will be regarded in that section as the repudiation by us of those sentiments of fraternity and conciliation of which he has been the most conspicuous advocate. As such, it will be universally deplored by our friends and seized upon by our enemies. . . . With regard to services, I will only say that those of no man surpassed Col. Lamar's, in point of labor, zeal, or effectiveness, in the late canvass. I doubt whether there was a man in the State who made more speeches. There was certainly no man who made abler ones. But the incomparable service which he rendered was before the canvass and outside of the State. He has done more than any living man—and Horace Greeley alone is excepted among the dead—to produce that state of popular feeling at the North which made Ulysses Grant afraid to lay his hands upon us during the late election. It was that sentiment that enabled us to win. To Lamar, more than any other one man, was this feeling due. Without it we could not have succeeded.

It was not only in the State that the question was earnestly discussed. The attention of the nation was riveted on the issue. The utterances of Mr. Lamar in Congress had, to a great extent, taken the wind out of the sails of the political agitators, so far as the so-called Southern questions were concerned, and their most promising remaining resource was to avoid the moral effect of his course, by discounting him as a man not representative of his people. True, that people had indorsed him by resolutions, but resolutions were words. Would they give the final indorsement of election? From all the Union the demand came.

The *Memphis Appeal*, December 1, said: "It is not too much to say that to Col. Lamar, more than to any other one Southern man, is due the dawn and development of that kindly Northern feeling for the people of the South which President Grant was afraid to defy when Ames called upon him for troops with which to control the elections. Next to the unconquerable heroism of her people, it is to this feeling that Mississippi owes her freedom. Lamar struck the keynote of the canvass. Mississippi went into the canvass upon the principles which his Congressional career had so brilliantly illustrated, and with a resolution of cordial indorsement of that career appended to her platform. His defeat now, in the hour of victory, would be construed by our enemies and deplored by our friends at the North as a partial lowering, at least, of that high tone of restored nationality upon which the canvass was made. His election would be hailed throughout the nation as a fitting consummation of the remarkable victory which it would so appropriately crown." And again, December 11: "The noble bearing of Col. Lamar, amidst the enthusiastic applause of an admiring nation, shows the grandeur of the man's character. It has not inspired him with ambition. He opposes the use of his name in regard to the Vice Presidency. The only ambition he has exhibited is to save the country from the perils of sectional hate. He is ambitious to tranquillize an estranged people, to restore peace between the sections, peace between the races, fraternal peace between those who love the constitution and would cement the Union in the indissoluble bonds of a common brotherhood. His ambition consists in an earnest desire to see the States accordant, sections reconciled, the rights of all the people preserved, with the honor of none tarnished or destroyed, and to preserve the legacy of our free constitutional government unimpaired. The defeat of such a man as a candidate for United States Senator would fill the American people with wonder and amazement."

The *New Orleans Picayune*: "The interests and the cause of Lamar in this election are the interests and the cause, not only of the State of Mississippi, but of Louisiana and of the South, and of the Democracy at large. There has been no name in America used with more power to turn the Northern people from their madness and hostility to the South than the name of Lamar in the last two elections. He seems to be almost, if not quite, the only Southern man who has won a hearing for his people before the tribunal of Northern opinion. Without sacrificing an iota in his defense and advocacy of our rights, he has become the accepted type of the conservative and conciliatory Southern Democrat. . . . He has become, like Thurman, a kind of national necessity to the Democrats; and, like Thurman, he ought to be in the Senate."

The *New York Herald*: "Mr. Lamar's influence throughout the State, and his bold and determined attitude at the Democratic State Convention, defeated the color line movement, . . . which threatened to create a reign of terror in the State. For this defeat the extremists have not forgiven Col. Lamar." And again: "Our Washington correspondent speaks of the strong desire felt by the Democrats of both Houses to see Mr. Lamar elected to the Senate from Mississippi. In this they are wise. Col.

Lamar's name is known and respected all over the country; he is accounted one of the ablest and most statesmanlike of the Democrats, and his defeat would be a calamity to Mississippi, and would be regretted by the country."

The *Boston Herald*: "It is to be hoped that Mr. Lamar will be sustained by his State, and elected to the Senate. He is one of the most progressive men in the South, and is so recognized among Northern men who want to see the affairs of the nation settled on the basis of equal rights and local self-government. . . . Mr. Lamar is as true as steel. He would not abate a jot in demanding every right of the South; and he would be influential in securing every right, because he is progressive and patriotic."

The foregoing extracts are fair samples of very many other such editorials from papers of both parties, all over the Union. The *Herald* and others overestimated the intensity, and misjudged to a great extent the motive, of what opposition existed to the election of Mr. Lamar; but none the less was it true that, if he had failed, the conclusions drawn from that failure by the Northern people would have been such as they indicated.

However, he did not fail. When the Democratic-Conservative caucus met, on the night of January 6, before the taking of any ballot the name of the last opponent was withdrawn by his friends, and Mr. Lamar was nominated by acclamation, "with great enthusiasm, and without a dissenting voice."

On the following night, by invitation of the Legislature, he delivered an address in the hall of the House of Representatives, which was described by the newspapers as "one of the happiest efforts of his life." Of this address, the *Pilot*, the organ of Gov. Ames, and therefore a Republican paper of the strongest, said that

The Senator explained his eulogy on the death of Charles Sumner. He said that when he first took his seat in Congress he saw that his situation as a Southern Representative was a delicate and difficult one. The people of the North suspected the motives of the people of the South, and no Southern man could reach the Northern ear. Just at this time a brilliant Northern man, one dear to the Northern people, departed this life; and it occurred to him that while the Northern heart was shaded and softened with sorrow he might deliver a message of sympathy from the South, and at the same time establish her in the affection of the North. He meant every word that he spoke on that occasion. Charles Sumner imagined that he was acting in the cause of humanity and freedom when he advocated universal suffrage. He knew that his Sumner speech might be misconstrued; but he took his reputation in his own hands for the good of his country, meant every word that he said, and believed every word perfectly true.

Could a challenge be more explicitly accepted? And on the 19th, twelve days later, with his reiteration of his Sumner speech fresh upon his lips, he was elected, in pursuance of his nomination by the caucus, by a vote, on joint ballot, of 114 out of 138. The only Democratic-Conservative votes not cast for him were some which were defectively written, apparently through carelessness. Several of these were the ballots of his staunchest friends.

There was general acquiescence in Mr. Lamar's election, embracing even those who had opposed him. The *Meridian Mercury*, for instance, which it will be remembered was one of the papers that assailed him because of the Sumner speech, said:

The nomination of Lamar to the United States Senate accords with the fitness of things. It is a result of deliberation and judgment upon the platform of his record and national reputation, with design to further peace and reconciliation between the lately belligerent sections. . . . "Peace hath its victories no less renowned than war;" and Lamar's achievements already accomplished in the direction of a peaceful conquest of peace are more glorious, if not more brilliant, than his high and daring deeds in the bloody fray. He has nobly conquered his own prejudices, and his election signifies, and was intended to signify, that he has conquered ours, and leads them captive, to lay upon the altar of peace this Centennial year. . . .

The *Vicksburg Herald*, which had opposed his election to the last, "not because he was too national for it, but because we wanted two of his caliber in Congress, instead of one," said:

The influence of the national Democratic party was clearly felt in Col. Lamar's favor, and we cannot now say that our party did not do right in responding to it. . . . The party in the State has given him unlimited confidence, and showered honor on him. We firmly believe that he will in the future, as in the past, prove himself worthy of them.

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In truth it now seemed as if the sweet spirit of peace were brooding over the land. The Centennial year had opened. It brought hallowed and vivid reminiscences of the winning of liberty through sorrow and blood and rebellion. It brought forcible reminders of increased and increasing national glory and stability, notwithstanding other sorrows, blood, and rebellion. It brought stirring suggestions of future perils and future blessings, these to be secured and those to be avoided only by a closer union and a most fraternal love between all sections of this great country. It seemed as if the permanent subsidence of angry passions was at hand.

In the House of Representatives, on the 6th of January, a bill was reported from the proper committee making an appropriation of a million and a half dollars in aid of the Centennial Exposition to be held at Philadelphia. That report and the reference of the bill to the House in Committee of the Whole were followed by the offering, by Mr. New, of Indiana, of a resolution to the effect that "the fraternal feeling and good will now existing in all sections of the United States, and the manifest disposition and purpose of the men who battled against each other in the late civil war to join hands as one people in the future, is a most auspicious ushering in of the centennial year; and while the people are thus making an honest effort to live together in peace and uphold the same flag for an undivided country, their representatives in Congress should do no act which will unnecessarily disturb the patri-

otic concord now existing and increasing, or wantonly revive the bitter memories of the past."

This resolution was adopted unanimously; but alas for the inconsistency of human virtue! in four days the House was embroiled in one of its fiercest rows.

In preceding Congresses efforts had been made to pass bills of amnesty whereby the political disabilities imposed by the fourteenth amendment should be removed. In 1869-70 Mr. Cox had introduced a bill without any exceptions, which was lost in the House, not receiving the needed two-thirds vote. At the following session Gen. Butler offered a similar bill with many exceptions to the amnesty, however, which passed the House, but was lost in the Senate. At the first session of the Forty-third Congress another bill without any exceptions, unanimously reported by the committee, had been passed by the House; but again it was defeated in the Senate. In this Congress, following the examples theretofore set, Mr. Randall on December 15 introduced a bill to the same end. It came up for consideration on the 10th of January. Mr. Blaine offered an amendment excepting Jefferson Davis from the amnesty. He justified this step in his speeches, not by Mr. Davis' alleged political offenses, not because of the fact that he was the chief of the Confederacy, but by his alleged personal crimes in the maltreatment of Union soldiers in the prison at Andersonville. Other supporters of the amendment, however, insisted upon the political offense. This amendment and the grounds assigned for it precipitated a most rancorous debate of four days, in which Mr. Cox and Mr. Hill, of Georgia, bore prominent parts. The bill failed to pass.

"The debate on the Amnesty Bill," said the *Nation* of January 20, "was certainly unfortunate, both in matter and manner. It consisted mainly of a game of recrimination between Northern and Southern politicians, in which both sides were very vulnerable. Without meaning in any way to palliate or excuse the speeches and resolutions produced by Mr. Hill, of Georgia, or anybody else at the South during the war, we may mention that there are but few Northern members of Congress whose speeches will bear being dragged to the light and read in the calm of our own time. There was a great deal of ferocious and extravagant language uttered in Washington, as well as in Richmond, which its authors would now either be ashamed of or not care to own. . . . Is there not something absolutely childish, if not mischievous, in bandying contradictions in a legislative body over what I said and what he said ten or fifteen years ago in the midst of a conflict long ended, over questions fully settled, and, as far as human eye can see, settled forever?" etc.

It does not follow, however, that because the debate took such a turn it was without serious import. Many thoughtful and patriotic people in the South, as well as in the North, felt that the whole movement and the debate were a great blunder, morally and politically. The *Clarion* well expressed this sentiment on the 19th of January. It said:

It was a chapter of blunders from beginning to end—from its untimely introduction at the present session to its melancholy close—and a blunder at this stage of the

Presidential contest by those to whom the fortunes and hopes of the party of reform are confided, is equal to a crime.

Knowing the eagerness of the unscrupulous managers of the Republican party to obtain capital for the impending campaign; knowing the readiness with which they would appropriate opportunities to that end; knowing that they had nothing under heaven on which to build a hope of defeating the Democratic party in the Presidential election except a revival of the sectional issues, . . . we cannot imagine what prompted Mr. Randall, who is reputed to be a sagacious leader, to thrust the subject upon the House of Representatives at this time and under the circumstances. . . .

The second blunder was the speech of Mr. Hill, of Georgia. As Byron's dreamer said to the spirit, what business had it there at such a time? It was able, trenchant, eloquent, and, in some points, overwhelming. It was a victory of Hill over Blaine, of the Southern side over the Northern side on the topics introduced. But we are lost if many such victories are won at the present session by the "Confederates," as the Southern Democratic representatives in Congress are termed by their opponents. . . .

The *New York Herald* called Mr. Hill's speech a boomerang, and said that it "was felt to be injudicious."

The *St. Louis Republic* declared that "Blaine expects to reap more benefit from the replies to his speech than from the speech itself; in other words, he hoped to make the ex-Confederates so angry that they would sink all discretion and return the attack in kind."

The *Chicago Times*, then an independent paper of pronounced Ishmaelistic habit, had, amongst other things, these most extravagant remarks, which, with others of like kind in other papers, lent color to the foregoing suggestions:

The very point aimed at by Blaine in taking up the Confederate challenge was completely gained. The fire of the Confederates was drawn. The Confederate party was brought out of its ambush and made to parade itself before the country in all the spread-eagle tinsel of the rebel regimentals; waving aloft the old banner of Southern braggadocio; cracking the old slave driver's whip about the ears of "Northern mudsills;" swaggering in the old style of plantation manners; hurling the old epithets of copper-bottom Bourbon bigotry against "Northern fanaticism;" landing in the old way the superiority of "Southern gentlemen," with their bowie knives and ruffianism; proclaiming anew the old insolence of a braggart self-conceit; rending the innocent air with the old "rebel yell," etc.

It was noted and commented upon in the Southern press that, at the time when Mr. Blaine was preparing his onslaught upon the South in Washington, Mr. Lamar, in Jackson, was reaffirming his eulogy over the dead Sumner; and that, while Radical papers were publishing editorials like that of the *Chicago Times*, the "Confederate" Legislature of Mississippi were unanimously and by acclamation preferring him to the United States Senate on his platform of "My countrymen! know one another, and you will love one another."

Such was the condition of affairs when Mr. Lamar returned to Washington. There was work cut out for him to do, and he did it quickly. On the 17th of January the Centennial Appropriation Bill was called up.

It was quite freely debated, and the opposition to it was formidable. Amongst other objections interposed to the bill, question was made of the power of Congress, under the constitution, to pass such a measure. Mr. Townsend, of New York, advocated the appropriation; but in his speech indulged very much in sarcasms and gibes, directed mainly against the Southern members, and filled with allusions to the debate on the Amnesty Bill. On the 25th Mr. Lamar spoke in favor of the bill.\* The making of his speech and the effect of it were thus described by a correspondent of the *Chicago Times* itself:

Although Lamar's purpose of joining in the Centennial debate was an afterthought, suggested and urged by friends of the bill, he had hardly risen in his place when the hall and galleries, which had become empty and demoralized, filled up and quieted to almost painful intensity. A scene almost as passionately sensational as that which marked the first two days of the amnesty debate followed. . . . The appearance of Lamar meant something. It was known that impulsive efforts had been made to induce him to revive the amnesty discussion and give himself an opportunity to put his Southern brethren in a less antagonistic position to Northern sentiment. . . . He was known to have deprecated all revivals of them, and to have counseled his own folks to bide their time, that their acts might show the world that Hill was not speaking the Southern sentiment.

When, therefore, his slim form and pale face appeared over the Republican benches, profound silence fell upon the House. All signs of inattention and weariness were swept from the faces on the floor and the gallery. There was no occasion for the Speaker's gavel. The audience could fairly hear itself breathe as his splendid eloquence forced itself forth. At the drawing of seats Lamar's luck brought him among the Republicans and side by side with Banks. His movements are, therefore, more marked. Sitting, as it were, among adversaries, his first movements on addressing the House have a sort of self-distrusting timidity of utterance and manner which fascinates attention. So soon as his voice, which is not sustained in register, is generally audible, he is then sure of complete attention so long as he chooses to speak. He employed no notes, but a clear, crystal stream of sentiment, soberly toned by acute reasoning, fell from his lips for just an hour and a half, in which more was said than in the previous seven days on the same subject. He apologized for speaking, saying that he had no thought of taking part until within a short time, but that his heart and head approved of some word on the pending bill and some questions germane thereto. This was followed by a rapid, exhaustive *résumé* of the constitutionality of the measure, bringing in some of the strongest arguments against the pet doctrines of State rights held by some of the more untamed Confederates so far employed in Congress.

As he went on, discriminating with analytical grasp the constitutional aspects of the question involved, the attention which he excited because of his peculiar position was changed into absorbed interest. In vigorous crystallization of law, logic, and reason, by which his faith was justified, he appealed only to reason. There was no clap-trap invoked. Blaine had been heard with glistening eyes, clinched hands, and grinding teeth; with repugnance, indignation, and incredulity; but this man, nursing almost the same themes, asked only the rational judgment of his hearers, and resorted to no surprises in argument or tricks in expression to recommend his reasoning to the House. . . . The Republicans listened in stupefaction. Had wisdom finally come upon the Confederates? Here was a man who had battled for the cause now

grounding arms and showing unanswerable cause for the civil as well as the military surrender. Ready, audacious, self-reliant, his piercing eyes fixed upon men who opposed his arguments, he poured out an exposition of nationalism and constitutionalism which equaled in effect one of Webster's masterpieces.

Remembering this man's place, the real leader of the South politically and the successor of Davis in the Senate, the scene was in every respect the most surprising recently witnessed in this House of revolutions and surprises. He went square to the root of the State rights argument. . . . "Not a nation?" he asked, throwing his fine head back and raising his arms; "a people who repelled again and again foreign invasion, who equipped navies, who accoutered the most tremendous armies the world ever saw, who conducted four years of civil war and who recovered from it—not a nation? Can any man read the record and deny the majestic sovereignty of our nationality?" The House, which followed line and precept with immovable attention, burst into prolonged applause.

It was the testimony of jurists present that as an argument the constitutional part of the speech was the most clearly put and the most coherent recently delivered in either House. While the keenest attention of the House was still fastened upon him, and the weight of his argument had visibly taken its intended effect, Lamar passed to another theme. He singled out Townsend, who made such a capital speech last week, to deliver a word of reproach. That gentleman, conscious of what was coming, began to laugh complacently as Lamar alluded to his jocose comments on the personal appearances of ex-Confederates; but his laugh died out and chagrin took its place as the speaker, with measured, almost pathetic, accents, reminded him of the mischievous results of his Preston Brooks allusions. It was not friendly. It was not patriotic. It was not decent. The noble American who suffered wrong at the hands of Brooks left his sentiments on record, and these sentiments should shame those who seek to perpetuate discords and enmities that were buried ten years ago.

No conception of the real effectiveness of Lamar's utterances can be given by the cold language of comment. Blaine, tightly squeezed between both hands until nothing but hair, nose, and mouth were discernible, colored visibly, dropped his eyes before Lamar's gaze, and moved restlessly in his seat. Townsend, whose face is naturally a flame, coughed irresolutely, turned in his seat, and looked the very picture of discomfort. Judged by its effect on the House and the comment of the town, the speech was the most masterful in moderation, exhaustive in argument, and captivating in method so far delivered. It told on every soul.

Of this speech the *Clarion*, which was then the official journal of the State, said:

Col. Lamar's good fortune has not deserted him. His speech was one of those fortunate strokes by which he has illustrated, in his own wonderful career as a statesman since his advent into the national councils, the maxim that peace hath her victories no less renowned than war. On Col. Lamar, more than any man, or all others combined, the hopes of the people who have suffered from the proscriptive rule of a vindictive party are centered; and we are rejoiced at the accumulating evidences that he will not prove unequal to his grand mission.

The *Vicksburg Herald* said: "Senator Lamar's speech on the Centennial has electrified the nation. Not so much because he favored the appropriation for the celebration, which was meet and proper, but because he touched upon the vital questions of national sovereignty. If we understand his position aright, and we think we do, he occupies the position fully indorsed by his party in this State, and which should be held by the national Democratic party. It is simply that the power of the nation is superior to that of any of the States, and that national sovereignty is superior to State sovereignty. If the war settled anything, it certainly settled this question. The the-



ories as to the manner in which the nation was formed by separate sovereign States amount to nothing since the decision of the sword that the power and authority of the central government shall be supreme. Mr. Lamar accepts this fact, and the Democrats of this State fully approve his course.

"Col. Lamar so astonished many of the Northern people that the *Cincinnati Commercial* is very anxious to know how his speech will be received. In regard to it that journal has the following comments:

"It is now said that Representative Lamar's later speech advocating the Centennial Appropriation Bill . . . was made to neutralize the prejudicial effects of Ben Hill's effort, and that Mr. Lamar is not sincere. But we are not of this opinion. . . . We shall be curious to note what sort of a reception is given to his speech in Mississippi and other Southern States. Will it be welcomed and praised as Ben Hill's was? That is doubtful. Hill's speech was carefully measured and adapted to prejudices and passions which he wished to please. Lamar's is rather designed to soften and remove them, and to substitute for them the higher idea of nationality and a conviction that the day for the indulgence in the worship of State sovereignty and sectional vanities is over. This sort of doctrine has not been popular in the South, but with men of the force and eloquence of Lamar to proclaim it there is a hope that in time it may become so."

"The *Herald's* views of Mr. Lamar's course may be easily judged from this article, and the *Herald* is regarded in this State as the extreme white line Democratic journal. It opposed to the last Mr. Lamar's election to the Senate, not because he was too national for it, but because we wanted two of his caliber in Congress instead of one. We are, therefore, certainly not prejudiced in his favor when we say: 'Well done, thou good and faithful servant!'"

The *Louisville Courier-Journal* said: "Since his reappearance in Congress, Mr. Lamar has certainly displayed more political acumen, of an active and practical description, than any of his contemporaries; and as a consequence of useful and brilliant public service, he has been rewarded by a return to the Senate, made by the unanimous vote of his party, and by a position at Washington and over the country at large, reminding us of that period in our political history of which we are in the habit of observing with a reverential and pardonable vanity, 'There were giants in those days.' . . . The South should not allow itself to be chilled out of its nationality by the sectionalism of a political organization whose stock in trade is its venom and our folly. The people of this country are Americans all, and, rid of the middlemen, we shall come together, soon or late, upon common interests, being already inspired by a natural and inevitable good will. This, whenever it has a chance to show itself, whether at Boston or at Richmond, is never slow to show that the blood and bone, sense and sinew, of this country are all right, and only too ready to be knit together. The one man from the South in public life who has seen and recognized the truth in all its bearings, and who, without stultifying his convictions or compromising his personality, has followed its counsels, is Lamar. He began his life as an enthusiast, and by necessity as an impracticable. He has gone on from grace to grace through manifold misfortunes, until he has reached—shall we say it?—perfection. . . . The latest exploit of this singularly fortunate and rarely gifted man was his far-seeing, right-hearted, patriotic, and courageous support of the Centennial appropriation. It is admitted that he saved the bill. . . . The Southern Democrats never exhibited their lack of political intuition so lamentably and so preposterously as upon the Centennial vote. It was their opportunity to wipe out the amnesty muddle and make even, and more than even, on the Republicans. But only Lamar and fifteen others saw it. They rescued the House, the country, and their party from the ignominy of a defeat which would have covered America in blushes and have signified to discerning people all the world over the beginning of the end, and that through Radical

devices ruinous to the South. The secret of Lamar's success is so simple that it ought to be more easily understood and its plan more readily copied by the ambitious politicians of the new South. With a perfect knowledge of the political literature of his country, including the ethics of its constitution, Lamar is an orator of surprising readiness and power, who has caught the changed spirit, the altered phraseology, and the peculiar exigencies of the time, and has applied these to the business which is given him to do. He sees that there is a new way much better than the old way to pay off ancient liabilities, and he is not blind to the fact that there are debts not dreamed of in the philosophy of the last generation. He seeks to be useful, he is not afraid to open his mouth; and he takes to things that are, not to things that were."

The *New York Herald*: "Mr. Lamar made a speech which will add to his own fame, and be received at the North as an expression of good feeling on the part of the South, to be reciprocated by many kindly words and acts."

The *New York Tribune*: "Col. Lamar's speech to-day was one of the ablest he has ever made in the House. . . . His speech to-day places him in the front rank as a debater of constitutional questions."

On the 29th of February the Committee on Expenditures in the War Department undertook the investigation of a charge against Gen. W. W. Belknap, the Secretary of War, of accepting bribes for the disposal of a post-tradership. Pending that investigation, after appearing before the committee and hearing the testimony it had taken, the Secretary on the 2d of March resigned, and his resignation was at once accepted by the President and notified to the committee. Thereupon the committee immediately, by Mr. Clymer, its Chairman, reported to the House, setting forth the fact of the resignation and recommending that the Secretary be impeached, that the testimony be referred to the Judiciary Committee with instructions to report suitable articles of impeachment, and that a committee of five be appointed to proceed to the bar of the Senate and prefer the charges.

This report induced a debate of some acrimony. It was claimed that since the Secretary had resigned there was no longer any jurisdiction to impeach him. Question was made of the President's motive in accepting his resignation with such "unprecedented, not to say indecent, haste." It was discussed whether the proceeding against the Secretary was or was not a political issue, etc. However, the resolutions offered by the committee were unanimously adopted and the testimony was ordered to be printed in the *Congressional Record*.

On the next day, at 1 P. M., the special committee of the House appeared at the bar of the Senate and discharged the duty imposed on it. The Senate thereupon resolved that it would "take proper order thereon."

On the 7th Mr. Clymer rose to a question of privilege. He stated to the House that on the day before he and other members of the committee had been summoned before the Supreme Court of the District of Columbia, in criminal session, by a subpoena requiring them to bring all books, papers, etc., in their possession, or in possession of the committee, in relation to the charge against Gen. Belknap of accepting bribes

while Secretary of War, there to testify in behalf of the United States; that he had called to the attention of the Court the fact that such a proceeding would have a tendency to close the mouths of all witnesses before the Congressional Committee, and even to drive them from the land. Mr. Clymer then submitted the matter to the House for such action as it might deem necessary, right, and just.

Mr. Robbins, of North Carolina, one of the committee, said:

I say to you, Mr. Speaker, and to this House, that the inevitable effect of our being required to testify as to what transpires in the sessions of our committee before a grand jury or anywhere else will be, as the gentleman from Pennsylvania [Mr. Clymer] has stated, to intimidate witnesses, to stop their mouths, and throttle all further investigations. I say here that if it is not the design it certainly will be the result of the course now being taken by certain officials of this district, under the promptings of the head of the government, to break down investigations by shutting the mouths of witnesses. If that is not the purpose, it is the effect, unless this House takes the matter in hand and provides for the protection (not of us; we need no protection; we have nothing to withhold or conceal as committeemen)—the protection of the *witnesses* who shall come before us.

Later Mr. Blackburn, of Kentucky, also one of the committee, said:

I am not surprised, sir, at the uneasiness manifested and the nervousness displayed by the gentleman from Maine [Mr. Blaine], who seeks to inject his speeches into every man's utterances on this side of the House. Did I hold the same questionable position in this matter as gentlemen on the other side by reason of the complicity of their prominent officials, I at least would be disposed to sympathize with him and share his apprehensions.

I do not like to charge that it is the purpose of the Executive of this country to intimidate witnesses, to throttle investigation, and to afford immunity from punishment to publicly convicted criminals. But I do say this: that this is the result, and unless this gag process is stopped the country will believe, and I will believe, that such is the purpose. [Cries of "O! O!" from the Republican side of the House.]

It will be seen from the foregoing statement that while this investigation was treated in certain aspects as one not of party politics, yet the discussion of it had taken such a turn that party passions were more or less aroused, and the motives and actions of certain Republican leaders, including the President, were brought directly into question.

With his usual conservatism and wise moderation Mr. Lamar did not enter upon these discussions. His speech was confined to a question of parliamentary privilege.\* So far as he touched upon the disputations he rebuked them; giving, in passing, a stroke at Mr. Blaine because of his later course in view of Presidential aspirations. He said:

All this debate, with all the passion that has been flung in here, is irrelevant, and simply tends to convert a pure question of constitutional and parliamentary law into an idle logomachy, a war of words and of passion which can but obscure the issue. . . .

I came forward with a resolution which states all the circumstances and then simply asserts the jurisdiction of this House over the subject-matter, over the person,

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\* Appendix, No. 12.

over the papers in this great impeachment trial, the most august and imposing trial known to the constitution and laws of our country, in the presence of which these passions, these thoughts about Presidential succession and party triumph, actually, sir, fatigue my contempt.

The result of the debate was the passage of Mr. Lamar's resolution, by which the committee and its members were directed to disregard the subpoena until the further orders of the House.

Of this debate, and Mr. Lamar's part in it, the correspondent of the *Cincinnati Enquirer* said:

For the first time in his congressional career, Blaine was to-day completely flattened out and squelched. He had arranged a programme for defending the action of the President and the Attorney-General in trying to get the Belknap case out of the hands of the House. . . . Mr. Hoar offered this programme as an amendment to the resolution of the Democrats, which was presented by Mr. Lamar. Then the battle began. At the proper moment, after several of the "small fry" had made their cut-and-dried speeches, Blaine took the floor, and, in his customary bullying, insolent style, attempted to overwhelm all opposition, and scare the Democrats into concession to Hoar's amendment. Blaine's design was to call out some indiscreet remarks from the Democratic side, and then throw the House into a barroom *mêlée*, as he did in the Andersonville debate; but when he had finished, Lamar rose. Lamar is the coolest man on the Democratic side. No taunts can annoy him; no bullying or insolence disturbs his equanimity. In reply to Blaine's frantic bullying, he coolly began to read the law governing such cases, together with several decisions and precedents. He made no comment by way of preface, except to say that he would show Mr. Blaine to be utterly ignorant of the law and utterly unmindful of the precedents in regard to the matter, and that before he (Lamar) got through he would subject him (Blaine) to the ridicule of his opponents and the pity of his friends. The result was a most complete and abject humiliation of the Kennebec bully and the utter explosion of his programme. The whole affair was admirably managed by the Democrats, and Mr. Lamar deserves great credit for the masterly way in which he led the fray. The expression among the Democrats to-night is universal that Lamar is the safest and most adroit leader that could be selected. He is the only man who has succeeded in flooring Blaine.

From many other newspaper notices of this debate the following is given because of its animated style and its pointed application, which is worth remembering. The extract is from an editorial in a New York paper, evidently Democratic in politics, but the name of which, unfortunately, does not appear on the clipping:

*The Fall of Blaine.*—Mr. S. S. Cox has recently published a bright and amusing book, called "Why We Laugh," in which he has gathered together a wonderful number of good political stories, not without a purpose. But nothing in his book gives so satisfactory an answer to the question asked by its title as the last week's simple history of the decline and fall of that great Republican emperor, Blaine, of Maine. . . . If any one of a dozen Republican members of Congress who might be named had put himself in the way of getting so severe a trouncing as Mr. Lamar was forced to administer to Mr. Blaine on a question of constitutional law during the debate which resulted in the impeachment of Belknap, his Republican colleagues might have been secretly amused; but they would probably have been able to suppress their mirth out of a fellow-feeling with the victim. But when Mr. Lamar, calmly, coolly, almost sweetly, led the unhappy Blaine steadily onward from blunder to blunder until, with Wal-

lace's "Supreme Court Reports" in hand, he daintily but decisively turned him over suddenly, and once for all, on his back, and laid him floundering in a mess of adjectives on the floor, the bonds of party sympathy itself gave way like wisps of straw, and the Republicans joined as heartily as the Democrats in the Homeric laughter which followed. Mr. Lamar's treatment of Blaine on that occasion has been compared by some of the picturesque correspondents of the press to the playing of a cat with a mouse. So far as the image expresses the intellectual superiority of the victor over the victim, it is correct enough; but the cat which worries a mouse undoubtedly takes pleasure in the worrying. . . . Mr. Lamar was obviously sorry, on the contrary, to find himself compelled to worry Blaine. He gave the arrogant member from Maine, not one, but a dozen chances to escape from the false position into which he had inconsiderately and vaingloriously thrust himself; and even at the end, when Blaine's persistency made it impossible for him to rescue himself or to be rescued by anybody else, Mr. Lamar, with unruffled temper, and in a soft, low, almost compassionate voice, turned to the House, as a generous gladiator in the Roman arena might have turned to the crowded amphitheater when his foe lay unsworled and unshielded at his feet, and called for the verdict of the thumbs. "I have a great mind, Mr. Speaker," he said, "to let my friend off. What do you say, gentlemen? Shall I go on?" And it was only when the House, either nobly eager to see a petulant bully made an end of, or merely hot with the fierce instincts which the spectacle of a sharp contest always excites, cried out as with one voice, "Go on! go on! punish him!" that the sword of the Mississippian descended, and his helpless antagonist fell "all of a heap" together at his feet.

In our congressional annals this scene will long live for an example and a warning: an example, as showing how much more effective, even in so heterogeneous a body as the House of Representatives, are the belligerent methods of a well-equipped and well-bred nature than those of a hasty and violent one. . . .

The next occasion on which Mr. Lamar came prominently before the country was in the debate about the massacre at Hamburg, South Carolina. In that village, on the 7th of July, a riot occurred which took the shape of a drawn battle, on a small scale, between the white citizens of that vicinity and some reënforcements of white men from Augusta, Ga. (which was immediately across the river), on the one hand, and a company of negro militia, on the other. One of the white men was slain, and afterwards six of the negroes; the latter being killed after the company had been taken prisoners. Of course this affair excited much comment and much indignant protest from all parts of the country.

On the 15th of July the House was engaged in the consideration of a joint resolution for the protection of the Texas frontier, on the lower Rio Grande, from the incursions of Mexican banditti. Mr. Smalls, a colored member, representing the proper district in South Carolina, introduced an amendment to the effect that "no troops for the purposes named in this section shall be drawn from the State of South Carolina so long as the militia of that State, peaceably assembled, are assaulted, disarmed, and taken prisoners, and then massacred in cold blood by lawless bands of men invading that State from the State of Georgia."

This amendment induced a discussion of the Hamburg affair, in which Mr. Smalls had read at the clerk's desk, as a part of his speech,

a letter from which the signature had been erased, which purported to give an accurate and impartial account of the riot, and which was of the most startling and sensational character. Mr. Smalls declined to name the author, in the remark that "I will say to the gentleman that if he is desirous that the name shall be given in order to have another negro killed, he will not get it from me," which remark was applauded.

Thereupon Mr. Cox spoke, and charged that the letter read was "intended to be shaken in the face of the House for political and bad party purposes." On the 18th this debate was resumed, and Mr. Lamar, who was a member of the Committee on the Texan Frontier Trouble, spoke as follows:

*Mr. Chairman:* I do not propose to discuss or analyze this terrible and disgraceful affair at Hamburg, although I think that the gentleman from Ohio [Mr. Garfield] has not given a fair and impartial statement of the circumstances in which it originated. But those circumstances are of no moment here upon this question, nor are the provocations which led to the final fearful tragedy involved in the proposition now before us. Nor are they, in my opinion (and here I differ with the member from Ohio), the legitimate topic of debate or discussion on this floor; they belong to another tribunal, to which the constitutions of States, as well as that of the Federal Government, remit these subjects.

Whether, in the circumstances and provocations, the whites or blacks were the most to blame, is a question to which I shall not now recur. Through all the confusion which has been thrown around this transaction (and I must say that, notwithstanding the honorable character of the informant of the gentleman from South Carolina, which I do not question in the slightest degree, his document was evidently written, and perhaps very naturally, under great exasperation and excitement), through all the uncertainty which exasperation and exaggerations have thrown around this subject, there is one fact which gleams out acknowledged, or, if not acknowledged, is indisputable. It is that a body of white men did, without authority of law, put to death a number of black men who had been taken as prisoners; I mean who had been captured and deprived of their liberty, but who were not prisoners in the legal sense of the term, inasmuch as those capturing them had no right under the law to deprive them of their personal liberty.

Now, sir, I wish to say here in my place (and what I say here, just as it drops from my lips and falls upon the reporter's notes, is at once sent throughout the entire South, and every constituent of mine in every home and hamlet will read what I say; and even if I were base and ignoble enough to utter here what I would swerve from there, as has been falsely charged against Southern men, the *Record* would always convict me)—in my place here, and with the responsibilities surrounding me, I assert that no excuse or palliation can possibly be found for these outrages and this barbarism. [Applause.]

As a Southern man and as a Democrat, I have a remark or two to make upon this subject. Mr. Chairman, we of the South have a lawless class, precisely as you of the North have lawless classes. As a consequence we have riots in which human life is lost, precisely as you have such riots, with this difference: ours, without preconcert, flame up in different localities, and are confined to short periods of time; while yours, in more than one instance, have held several counties in terror, have extended over months of time, and have involved a larger loss of human life, defying the authorities of your States.

There is another fact which I wish to mention: In those Southern States where dis-

orders and violence occur there are governments of a peculiar character and type, invariably governments of one character and type. They are governments which are called Republican governments; but it is a spurious Republicanism, which has no identification or sympathy with the views and purposes that have inspired the following of the great Republican party of this country. And, sir, those State governments have invariably encouraged these disorders and these murders by their inefficiency, by their imbecility, by their cowardice, and by their connivance; for they have in every instance not only failed to punish these murderers, not only failed to administer justice, not only failed to execute the laws, but they have used the occurrences as occasions to appeal to Congress and to the North for help in maintaining the power which they are so ruthlessly exercising.

The gentleman from Ohio [Mr. Garfield] asked if this was a sporadic case or one typical of the general condition of things South. I answer that there is no community in the South that is not thrilled with horror at such occurrences. Sir, it is a wonder that society does not go to pieces under the operation of governments that allow such lawlessness to stalk abroad in the land unpunished. They are governments which live on violence and disorder, and when they cannot have violence they provoke it in order to use it as an instrument of political power.

A word in answer to the argument of the gentleman from Michigan [Mr. Conger], Saturday, in all good temper. The use of the army never produced any good effect in such cases as this. The troops always get to the scene of the disturbance after the occurrence, and too late to prevent it; and as a means of righting personal and private wrongs, as a means of preventing violence to personal security, the army is slow, cumbersome, is ineffective and almost useless; and in spite of the efforts of the army officers to the contrary (whose actions cannot be too highly commended), it is converted into a monstrous engine of political oppression and corrupt political intrigues. That is the only use to which it is put in the South. The gentleman must see how utterly inappropriate the use of the army is in such cases. A riot like this in the streets of a town or village is not a thing for the Federal Government to intervene about, for it violates no Federal law; it does not conflict with national authority; it has no relation to the exercise of the right of suffrage.

This was a riot like the riots which occurred in the State of Pennsylvania, in the mining regions; or in Indiana, where, on the day of the last election, three or four colored men were killed; or like that which occurred the other day in New Jersey, where seven men were killed, two of them put to death by stoning. Why do you not apply the same remedy there? Why confine your Federal intervention to prevent murder and riot to one section alone?

What is the remedy in this case? It is clear. It is the duty of the Governor of South Carolina to take prompt and severe measures to have apprehended and punished the men who committed such a crime. He cannot use measures too vigorous or too summary to bring the men who shot down these prisoners in cold blood to a swift retribution. I understood the eloquent and gifted gentleman from Georgia [Mr. Hartridge] to promise the coöperation of the Governor of Georgia, if the case touches Georgia in any way, to bring these men to condign punishment. Is the Governor of South Carolina doing anything in that direction? If he is, he will meet my support and praise, and that of the good citizens of South Carolina; but if, instead of doing that, he is rushing to Washington to invoke once more the demon of discord and sectionalism, to drag their material of passion through this chamber, he will not be doing that which will prevent disorders in that State. I say, sir, if there is lawlessness, it is because these so-called Republican governments have been, not only corrupt and lawless themselves, but also because they have encouraged it by giving it impunity through their imbecility and cowardice, and often by actually inciting it. I say that wherever, as in the State of Arkansas to-day, the Governor has ruled with

a firm hand and enforced the law, lawlessness has been crushed out; and all citizens, black and white, are alike secure. Gov. Garland has in one year put down the spirit of lawlessness in that State, and it is now as peaceable a community as any in the country. I repeat, it is not the fault of the people, whose property interests and business investments and industrial arrangements depend upon peace and order, and are utterly ruined by such disorders, but of governments either too inefficient to put down crime, or so much interested in producing it that they furnish provocations to it.

Why, sir, the other day Gov. Kellogg, of Louisiana, appointed as a tax collector to a parish in that State (so I read in the press) a man who was a captain of a band of murderers and robbers. If he had sent his police to hunt him down and shoot him like a wolf, him and his marauding band, he would have done his duty. But, instead of that, he legalizes robbery and theft by making the robber a public officer; and when riots and disturbances grow out of such actions as these, he comes here to Washington and calls on this government to bring about order. Sir, these occurrences are ruinous to the South; they are unnatural and morbid elements, and disappear whenever this kind of men is eliminated from political and social control in the South, and the management of affairs falls into the hands of her own people.

This positive and bold speech met with widespread approval. Complimentary letters poured in upon Mr. Lamar, and flattering notices appeared all over the country. Of course there were many in the South who did not agree with the views expressed, or like the fact of their expression; but the great majority were more than satisfied.

The ultra Radical politicians were no more pleased than the ultra bourbons; and efforts were again made to neutralize the injury which this and other like speeches of Mr. Lamar's were doing to the Radical "bloody shirt" programme, by charging him with making inconsistent speeches at Washington and in Mississippi, as before he had been charged with misrepresenting Southern sentiment. He was assailed in this way by papers in Washington; and on the 25th of July he exposed the injustice of such charges by a personal explanation in the House, using both Democratic and Republican testimony in a most conclusive way.\*

About this time, so pronounced was this flank movement against him by certain classes of leaders that it attracted attention even so far away as California. Said the *San Francisco Examiner*:

Nothing seems more to irritate the average Radical temper than a contemplation of the distinguished position of respect and influence in Congress and before the country won for himself by the Hon. L. Q. C. Lamar. The more senseless and unreasonable of this class, finding in his course and conduct nothing that they can misrepresent to his disadvantage, and nothing upon which they can with any justice hang a tirade of abuse, like silly schoolboys, find their only satisfaction in sitting back and pouting or making faces at him. . . .

On the 2d of August Mr. Lamar delivered the most elaborate, philosophical, and, from some points of view, most statesmanlike speech which he had yet made in Congress. It was a set oration upon "The Policy of the Republican Party and the Political Condition of the

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\* See *Congressional Record* of July 25, 1876.



South," manifestly embracing matters which he had been long revolving in his mind, and which he had, more or less directly, touched upon in other addresses—notably in the New Hampshire campaign.

He made occasion for this argument by adverting to a speech made in the preceding February by Hon. Henry L. Pierce, a member from Massachusetts, upon a proposition so to amend the Constitution of the United States as to declare the President ineligible to reelection, in which that gentleman had discussed the relation of that proposed step to the abuses existing in the Federal administration. Mr. Lamar's idea was that such a measure was inadequate to the end proposed; that no project of civil service reform gave promise of success which did not secure removals from office for cause only, and at the same time secure integrity in the power which determined the cause. From that general proposition he drifted into his speech,\* of which the following is a synopsis:

1. The greater portion of the American people, irrespective of party, now regard the administration of public affairs with decided dissatisfaction and despondency; but this sentiment, pronounced and pervading as it is, has not produced its legitimate effect upon the action of the government. This noteworthy and anomalous fact is caused by the interposition between the vast masses of a free and virtuous people and their government of an intermediate and irresponsible body known as *the party*, with its vast army of officeholders and expectants.

2. A secondary obstacle in the way of reform is the apprehension entertained by thousands of honest voters that a mere change of parties would produce no practical good, because the Democratic party might pursue the same evil courses under similar temptation. But this view involves an abandonment of even the struggle for reform; for certainly no reform can be wrought by retaining the Republican party in power, since the controlling spirits of a party organization are those who represent its worst tendencies. The Democratic party, however, has always been pledged, and has always redeemed its pledge, to a system of economical administration of the enormous revenues and expenditures of the government, and in this particular, if in none other, a change of parties will open an avenue for reform, since prodigal expenditure is one of the greatest sources of the present administrative corruption; while, on the other hand, the issues upon which the mass of the American people had differed with the Democratic party had passed away.

3. There are other controlling influences which obstruct the tendencies of the people to change their administration. The people believe that the great social and political transformations in the South which have resulted from the war of secession should be guaranteed a successful and peaceful working, undisturbed by adverse influences; and they

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\* Appendix No. 13.

fear, in any advent of the Democratic party to power, an influence unfavorable and dangerous to their stability and permanence. These misgivings, based upon their estimate of the past career and purposes of the Democratic party, are strengthened by the fact that the people of the South are united against the party which established the new order of things, and in support of the party which opposed it, thus threatening the reestablishment of that Southern sectional domination so repugnant to the Northern people. No such hallucination, however, inflames the imagination of the South as that she will ever again, under any combination of parties, obtain control of this great Republic. Her people are fully homogeneous with the whole American people; their very sectionalism now identifies them with the national life, and makes them cultivate that wider patriotism which is coextensive with the Union. In acting unitedly with the Democratic party they are simply obeying the imperative law of self-preservation, because they desire to escape from the practical grievances which the hostile and oppressive policy of the Republican party brings upon them.

Here Mr. Lamar passes to the real point of his speech:

4. Equally unfounded is the belief that the results of the war, as embodied in the amendments to the Constitution, would be unsafe in the hands of the Democratic party, and that the retention for another Presidential term of the Republican party, with all its misconduct and misgovernment, is still necessary in order to secure those results and the conditions upon which they are based. In support of this position Mr. Lamar advanced four principal propositions:

(a) "The present condition of the South is the unfortunate but natural result of a sudden and unparalleled social and political revolution, which would have confused by its shock the peace and order of any society in the civilized world. . . . ."

(b) "The necessary consequences of such a revolution were recognized by the leaders of the Republican party itself: in the protest of Mr. Hoar, of Massachusetts, against the admission of New Mexico as a State; by the protest of Mr. Sargeant, of California, against the further immigration of the Chinese upon the Pacific Coast, upon the express ground that the Mexican and Chinese populations were, from race characteristics and inferior intelligence, incapable of healthy assimilation into the body of American citizens; and still more emphatically by the earnest, profound, and eloquent denunciations of African suffrage by such eminent Republicans as Morton, of Indiana, and Andrew, of Massachusetts. . . . ."

(c) "These inevitable difficulties were aggravated by the fact that the essential principle of the reconstruction policy of the Republican party was the creation of that very color line which is now represented as the work of Southern malignity. . . . ."

(d) "The investigating committees of Congress, sent to the South for the express purpose of justifying those Southern State governments, were obliged to acknowledge a condition of political life which nobody is willing to defend, which everybody wishes to terminate, but which party exigencies compel the Federal administration to support and sustain.

"The conclusion which Mr. Lamar deduced from those propositions was this: If that reconstruction policy, supplemented and supported by the steady interference of the Federal government, has produced this condition of things; if it is, as he admits, impossible to reverse that policy, destroy the State governments which it created, and abolish negro suffrage, then there is but one course to adopt consistent with the form and spirit of the constitution. That course is to leave the Southern States to settle the problem for themselves." \*

"Give them that," said he; "give them local self-government, and you will then see at last what will be the dawn of prosperity in all the industries and enterprises of the North. You will see, sir, a true Southern *renaissance*, a real grand reconstruction of the South in all the elements of social order, strength, justice, and equality of all her people. Rising from her confusion and distress, rejoicing in her newly recovered liberty, prosperous, free, great, her sons and daughters of every race happy in her smile, she will greet your benignant Republic in the words of the inspired poet:

'Thy gentleness hath made me great.'"

This powerful arraignment of the Southern policy of the Republican party had to be answered; and on the 4th of August Mr. Garfield undertook to do so. His speech, however, while able and ingenious as a political discourse, neither rose to the level of Mr. Lamar's nor answered his argument. Mr. Garfield did not deny any one of Mr. Lamar's propositions last stated above. He denied neither that war and emancipation had unsettled the very foundations of Southern society, nor that the leaders of the Republican party in 1865 declared that negro suffrage was unwise and dangerous, nor that the plan of reconstruction adopted itself drew the color line with a fatal precision, nor the corrupt and debasing character of the Southern State governments erected by the reconstruction. He contented himself with a vigorous arraignment of the general fitness of the Democratic party for the government of the country, leaving entirely unanswered the main point of Mr. Lamar's speech. To meet that he was bound to have gone further. Whether the Democratic or the Republican party was thenceforth to govern the country, interested the South only so far as either party should be able and willing to settle the Southern questions wisely. Mr. Garfield's reply was radically defective in failing to show either that Mr. Lamar's remedy of leaving those questions entirely to the Southern States for settlement was not the proper remedy, or else that

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\* The Southern Question: William H. Trescott, in *North American Review*, October, 1876.

the Republican party was as much disposed to adopt that policy as were the Democrats.

Apropos of this speech the *Boston Post* said of Mr. Lamar:

The representative from Mississippi was undeniably cast in a statesman's mold. Everything about his mind is large, fair, open, and comprehensive. The ordinary small devices of the political pettifogger are not for him. No more is the furnace door of passion open within his nature for the stuffing in of combustibles by stoker opponents. He is at all times in complete self-command, and from the height of view to which that fact raises him he is able to survey the whole situation without letting a single feature of it escape him; and for like reasons he is able to make its summary a harmonious and consistent one. The need of more such men in the National Legislature, from both sections, was never more apparent than now. When one does make his appearance, by an unerring law of nature he draws to himself the attention and confidence of all, without respect to parties.

## CHAPTER XIX.

The Presidential Election of 1876—The Result Contested—Storms Threatening—The Electoral Commission—Mr. Lamar Speaks in Favor of the Bill—Speech—Additional Reasons for Supporting the Bill—Popular Speech—The Electoral Count—Democrats Disappointed—Filibustering—Feeling in Mississippi—Unfounded Rumors of Collusion—Press Discussions and Correspondence—The Gain Found in Defeat—President Hayes' Inaugural on Southern Pacification—Republican Chagrin—Mr. Blaine's Tilt with Thurman—Mr. Lamar's Letter to the President—Withdrawal of the Troops—The South Relieved—Mr. Lamar's Speech of 1879 on Hayes' Administration.

THE State of Mississippi was not allowed to take any part in the Presidential election of 1868. In that of 1872 the carpetbag government was in power, backed by the Federal administration, and the white people were not zealous for Mr. Greely; the State's electoral votes were therefore cast for President Grant. In the election of 1876, for the first time, the State was to participate in a Presidential election untrammelled by Federal repression and with a Democratic candidate in the field. On that election, however, the Radicals of the State had placed their hopes of regaining possession of power, and their papers during the preceding winter had consoled their party for the loss of the State elections of 1875 by promising a complete recovery in those of this year. Needless to say, therefore, the canvass was a most thorough and spirited one on the part of the Democrats. Mr. Lamar took a very active part in it. Notwithstanding the fact that since July his health had been bad, and when speaking he had to occupy a chair during part of the time, he made a number of effective speeches in Vicksburg, Canton, Grenada, and other places. Mr. Hewitt, the Chairman of the National Democratic Executive Committee, endeavored to get him to go North on a canvassing tour; but Gen. George, the Chairman of the State Committee, objected, on the ground that he could not be spared from Mississippi.

The Democrats swept the State by a tremendous majority, electing all six of the Congressmen; and the electoral votes were cast for Tilden and Hendricks.

The election, however, which in Mississippi had gone so favorably for the Democracy and the great cause of local self-government, in its general result brought the country face to face with one of the greatest emergencies which had ever confronted the nation and with the frowning visage of civil war.

The total vote of the electoral college was three hundred and sixty-

nine. It required one hundred and eighty-five votes to elect the President. The States of Connecticut, Delaware, Indiana, New Jersey, and New York had all gone Democratic; and for the first time the "solid South" was claimed to have wheeled into that column. In this state of the case Mr. Tilden would have two hundred and three votes; but the Republicans claimed the States of Florida, Louisiana, and South Carolina, with their votes of four, eight, and seven, respectively. If this claim prevailed, then Mr. Hayes had exactly one hundred and eighty-five votes. On the other hand, the Democrats claimed one vote from Oregon, which, even conceding the three Southern States to Hayes, would still give Tilden the necessary one hundred and eighty-five.

In Florida the Radical Returning Board, against a small popular majority, declared Republican electors chosen, and those electors voted for Hayes and Wheeler; but at the same time the Democratic electors voted for Tilden and Hendricks. The Radical Governor had duly forwarded the Republican votes under a proper certificate. At the same election, however, State officers had been chosen, and as a result thereof a Democratic Governor and Legislature came into office. Thereupon, in January a statute was passed requiring a new canvass of the popular vote, and that canvass resulted in a declaration of the election of the Democratic electors. The new Democratic Governor then forwarded a proper certificate that the vote of Florida had been cast for Tilden and Hendricks.

From Louisiana there were also conflicting certificates: one in favor of Hayes and Wheeler from W. P. Kellogg, claiming to be Governor, and acting as such; the other from Mr. McEnery, also claiming to be Governor of the State, in favor of Tilden and Hendricks.

From South Carolina the Radical Governor certified Hayes and Wheeler votes, while certain persons claiming to have been duly chosen as Presidential electors certified their own votes in favor of Tilden and Hendricks, and also certified the facts upon which they claimed that the withholding from them by the Governor and the Secretary of State of the customary and regular certificates was wrongful and illegal.

From Oregon also appeared two conflicting certificates: one by the Secretary of State certifying three Hayes and Wheeler votes; one by the Governor certifying two Hayes and Wheeler votes and one vote for Tilden and Hendricks; the point at issue being, in its essence, that one of the electors chosen by the Republican majority was disqualified to hold the office, wherefore it devolved upon his Democratic competitor.

The decision of any one of these four contentions in favor of the Democrats would have seated Mr. Tilden, while the Republicans needed to prevail in all in order to seat Mr. Hayes.

With such an array of chances in favor of the Democrats it was natural that they should be much elated, and that the Republicans should

be greatly alarmed and aroused to strenuous efforts to save their imperiled power. Early in November an eager and passionate discussion of the situation began, which increased in bitterness as the weeks passed by. Party was arrayed against party, and again the division was dangerously sectional. The Republicans denounced the Democratic majorities in the critical Southern States as the criminal results of fraud and intimidation. The Democrats, on the other hand, denounced the returns made from those States as a fraudulent reversal of the popular vote, made by corrupt conspiracies and sustained by an illegal and oppressive use of the bayonet in the interest of a faction.

When Congress met in December the lurid lightnings of a political tempest played all about the horizon. The atmosphere was full of the rumor of civil war imminent. There was an evident determination on the part of the Republican leaders not to surrender the reins of power, and apparently on the part of the Democracy as resolute a purpose to reap the harvest of the victory which they believed that they had won. Congress itself, with which rested the determination of a question so great, involving not merely a change of administration, but also a reversal of the fundamental policy of the government, was divided politically. The Senate was Republican, but the House was Democratic; and to each body the party of its predominant faith looked for rescue in the momentous crisis.

The provision of the constitution which controlled the case is as follows: "The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the vote shall then be counted." Here is no direction on the vital question: By whom shall the count be made? That was the point which was pregnant with all possible ills: discord, civil war, revolution. Had the President of the Senate this right, and did the constitution in case of conflicting certificates invest him with the power to determine which was the true vote? Had the two Houses of Congress any function to perform besides that of mere witnesses, or was their acquiescence in the count necessary? If their acquiescence is necessary, then must both unite in any objection to the decision of the President of the Senate, or would the objection of either to a return be fatal to it and prevent its counting? These questions perplexed the people no less than Congress, and of course the partisans throughout the country claimed that interpretation most favorable to their cause.

Petitions [says Mr. Cox]\* poured into Congress from commercial organizations and good citizens of all parties and all sections, anxiously praying for a peaceful settlement of the Presidential question. In the wisdom and patriotism of that body was now the only reliance for averting bloodshed. A few days after the meeting of the electoral college, December 14th, Mr. Proctor Knott, of Kentucky, . . . initiated a

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\*"Three Decades of Federal Legislation," p. 637.

response to the urgent demands of the country. He proposed a committee of five members whose duty it should be, acting in conjunction with a similar committee on the part of the Senate, to consider the whole question of the disputed votes, and to recommend to Congress a course to be followed. The resolution was adopted almost with unanimity.

These committees, after many consultations, agreed upon a plan of procedure, and on the 18th of January reported to their respective Houses a bill which provided for the celebrated Electoral Commission. Of course this proposed bill needed to be passed by Congress in the usual manner. Its provisions were, in substance, that the commission should be composed of fifteen members: five Senators, to be chosen by the Senate; five representatives, to be chosen by the House; and five Justices of the Supreme Court, the latter to be the justices for the first, third, eighth, and ninth judicial circuits, and one other to be selected by them, thus adopting an idea of geographical distribution; that all conflicting certificates of electoral votes, as they should be reached in the regular process of counting, should be referred to the commission, "which shall proceed to consider the same with the same powers, if any, now possessed 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; . . . and the counting of the votes shall proceed in conformity therewith, unless . . . the two Houses shall separately concur in ordering otherwise." . . .

It will be observed that this statute does not fix any *principle* upon which the commission should proceed in deliberating upon the questions to be considered, unless indeed it be the principle that it was to exercise just such powers, no more and no less, as Congress itself might exercise in discharging the same function.

It was well understood that the two Houses would select their representatives on the commission so as to give a majority of Republican Senators and a similar majority of Democratic representatives. To that extent the commission would be equally divided politically. The element of uncertainty was in the justices. Of the four designated by their circuits, two belonged to either party; while the fifth, to be selected by the four, would probably be Judge Davis, who was considered to be an Independent, although the more zealous Republicans accused him of Democratic leanings.

Such was the plan, and such were its promises. The fact that a measure was reported to which both parties seemed committed, and which gave assurance of a peaceable settlement of so threatening a



complication, caused general relief and rejoicing. The bill passed both Houses easily. Its principal opponents in the Senate were Mr. Morton and Mr. Sherman; in the House, Mr. Garfield and Mr. Mills. The latter spoke earnestly against the bill on the 25th, urging objections to its constitutionality. On the next day Mr. Lamar replied to him. After touching at no great length on the constitutional questions,\* he continued:

Believing this bill to be constitutional, I shall support it for reasons which I will now give as well as I can in the short time allotted to me.

My first reason is that it furnishes a provision which secures our government against what has been considered by all our wisest statesmen as the weakest and therefore the most dangerous point in our system. They have feared that the election of President, in which nearly all the honors and emoluments of government are staked as prizes to be contended for, would soon degenerate into a struggle and contest for these honors and emoluments, in which party ascendancy and party triumph will be objects of far greater solicitude than the prosperity and good of the country. This apprehension was expressed twenty-five years ago by a great American statesman in words which seem to be peculiarly appropriate to the present condition of public affairs. Speaking of the vast and growing patronage of the President and the number of offices of distinction and profit in his control, he says:

These, and especially the latter, have made (the election of President) the great and absorbing object of party struggles; and on this the appeal to force will be made, whenever the violence of the struggle and the corruption of parties will no longer submit to the decision of the ballot box. . . . If it comes to this, it will be, in all probability, in a contested election; when the question will be, Which is the President? The incumbent—if he should be one of the candidates—or, if not, the candidate of the party in possession of power? or of the party endeavoring to obtain possession? On such an issue, the appeal to force would make the *candidate* of the successful party master of the whole. . . . The contest would put an end, virtually, to the elective character of the department. The form of an election might for a time be preserved, but the ballot box would be much less relied on for the decision, than the sword and bayonet. In time even the form would cease, and the successor be appointed by the incumbent; and thus the absolute form of a popular, would end in the absolute form of a monarchical government.—*Calhoun on the Constitution of the United States*, page 378.

Sir, this measure, unanimously recommended by men representing both political parties, I regard as certain proof that in this Congress devotion to party is not stronger than devotion to the country, and that the promotion of the prosperity and interest of the country is an object of deeper and more intense solicitude than all the honors and emoluments which may be reaped as the rewards and spoils of a Presidential triumph. Its enactment into a law will be a grand triumph of patriotism, nationality, harmony, and zeal for the public good, over faction, selfishness, and the struggle for party ascendancy. For this reason alone I would give my support to this bill.

I proceed to my next reason. As I understand the measure it rests on three propositions: First, that the President of the Senate has not the right to decide what votes to count and what to reject; second, that both the Senate and the House have the right to decide and direct what is an honest count of legal votes; third, that, as neither can surrender this right to the other, and as there are differences of opinion as to the extent of this power, whether it is limited to the ascertainment of the authenticity of the certified returns or extends to the right of going behind them, it provides for a tribunal to decide these questions in cases of conflicting returns and to determine which return is the true and which of the controverted votes are the proper ones to be counted. In other words, they will take the advice of a commission, the

\* Appendix No. 14.

character of which will guarantee a thoroughly considered and impartial opinion. Upon that opinion the two Houses assembled will finally act.

Now, sir, if I had doubts of the wisdom of this plan (which I have not), I would accept it in preference to the alternative which is now before us. If no mode of adjusting or reconciling the present differences can be found, what is the result? Why, that the next President will have to be inaugurated by a method and through processes and agencies advocated and pressed by one party alone with the view to a single object, and that is the consummation of its own triumph, to which it believes itself entitled. However this Presidential contested election may be ended, unless this bill passes, one or the other party must determine to submit to what it believes to be a fraudulent perversion of law, constitution, and right, or to resist by force. Either of these results would be an incalculable calamity. In case of submission, the whole moral force of the government would be destroyed. Both to those who win and those who lose the constitution will have become a mere weapon of party warfare, and the manipulation of a venal and corrupt popular vote will be perfected in the hands of bold and bad political adventurers; and in all succeeding elections the forms of constitutional procedure will be more and more recklessly disregarded, until finally the result will be determined, not by the ballot, but by sword and bayonet.

As to the alternative of resistance, there is no necessity to pretend to ignore it; for we all know that a good deal has been said about it, both by those who would scorn to think it possible and those who (I am sorry to say it) would be glad to hear it threatened. Now, sir, the man who says that he despises such indications, who feels a contempt for the menace of civil war, no matter from what quarter it comes, permits himself to overlook one of the most important features in the problem of government: the contentment, the harmony, and the repose and security of the society for which he legislates; and he forgets the first lesson in the elementary book of practical politics.

For one, I am not unwilling to say that the former alternative (of submission) would be the one adopted, and that resistance would not be made, at least by the Democratic party. And in saying this, I wish to repel the disparagement which has been expressed of the courage and patriotism of our Northern political associates and friends, which we sometimes hear. I believe them to be wanting in neither. As to the charge that in the past they have encouraged us with promises of support that were not fulfilled, I deny it. They did sympathize with us as to the causes which provoked our secession; but while a few public men made extravagant declarations as to what they would do in a certain event, our Northern Democratic friends as a party pleaded with us to remain and defend our institutions with their support inside of the Union. They did not as a party give assurances of coöperation and aid to us against their own States should war result from our secession. And sir, if there existed with us at that time any bitter feeling of disappointment toward our former political associates, it has been effaced by their undeviating fidelity since the war to the constitutional rights of our people, and by their unwavering support and sympathy coming up on every question as true as the needle to the pole, without the needle's variations. No, sir; whatever of responsibility the South incurred in that movement she has no desire to shrink from. The sorrowful lesson we have to teach our children is all our own. It is that we undertook a great political movement which time and the fortunes of war disclosed that we had not the strength and resources to carry on to a successful consummation. Our vindication—and a generous victor will not deny us that—lies in our solemn conviction that we were defending the institutions and the principles of constitutional liberty, the heritage of the fathers of the Republic. It was this sentiment which inspired the courage of our soldiers in battle and now renders our section all the more precious to us in defeat, giving her, to our eyes at least, dignity in her desolation and beauty and majesty even in her ruin and woe.

I repeat that this bill avoids the necessity of any submission of the defeated party

to what it may consider either fraud or force. The result, whatever it may be, will have been reached by the patriotic consent of both parties; and if it involves any addition to the methods heretofore observed, it will have been an addition fairly discussed, openly and legally adopted, ratified by the will and approved by the good sense of the whole people. It leaves the framework of the constitution unshaken, the sanctity of law inviolate. Indeed, it is so in harmony with the genius of the constitution, so promotive of the scheme of its framers, that, had this commission of reference been part of the original constitution itself, there would have been no language too extravagant to describe its far-sighted wisdom.

To have solved so dangerous and difficult a question so simply, so calmly, and so justly, is the highest tribute which can be paid to those principles of constitutional liberty which have trained the American people to such a possibility. The spirit in which the bill has been framed by its authors of both parties is no slight guarantee of the fairness with which the representative men of both political parties will administer its provisions; and if I cannot rely upon the patience and ability and the justice which the members of the Supreme Court will bring to the discharge of perhaps the most solemn duty ever imposed upon the magistrates of a free country, with what confidence could I accept, or ask others to accept, the decision of the same question by a mere party majority either of the Senate or of the House?

There is another consideration which commends this bill to my support. It cannot be denied that this Presidential campaign has been marked by some painful characteristics; it cannot be denied that strong sectional prejudices and passions were appealed to and excited in its progress; it cannot be denied that a large majority of Northern States were found on one side, and that an almost unbroken body of Southern States were found on the other. Now, sir, in such an issue, in the presence of such parties, in full view of all the unjust and unconstitutional action to which party passion has stimulated party power, I feel that this bill is a declaration that in the future this tyranny of force must cease; that hereafter in any conflicts to which the South as a part of the Union must be necessarily a party the sword shall not be thrown into the scales of justice, nor military power be permitted to silence the law, but that all questions of difference must be referred to the arbitration of reason. I feel that my section at least has been permitted to stand forth once more in the pure air of free discussion, and that, whatever be the decision, we have been allowed to appeal to men acknowledging a common citizenship under an equal constitution.

Nor does the fact that the Justices of the Supreme Court are made parties in this Commission lessen my conviction of its propriety or weaken the sentiment of approval with which I regard it. I have no fear of disturbing the balance of constitutional powers, nor have I any mistrust of the spirit of honest impartiality in which that duty will be discharged. I listen with no patience to imputations upon this august tribunal. I cannot forget that one of the greatest of American statesmen, the man who least of all who have left their mark on our constitutional history was disposed to compromise either rights or duties, who spoke of such compromises as shifting sands and the constitution as a rock of support, taught me this confidence. When, in 1848, the question of the power of Congress over slavery in the Territories was perplexing our councils and presaging the civil troubles which came upon us afterwards, it was proposed in the Clayton Compromise to refer that question, political and sectional as it was, to the Supreme Court for decision, that reference was warmly supported by Mr. Calhoun, who declared that such a reference was leaving it where it ought to be left—to the constitution. And, sir, so we may say that this measure refers this question to the tribunal of the constitution.

Sir, I do know that in the dark hour of our distress it was from that court, just as it is now constituted, and from it alone of all the departments of this Federal Government, that we of the South have had protection against the legislation that forgot the

constitution in the vengeful spirit of its harsh and oppressive provisions. Its decisions in the Slaughter-house and other cases justified us in believing that there was one refuge for those who claimed that protection.

An additional recommendation (and I confess that it is no light one) of this plan to my support is that to a certain extent it frees either candidate from the exactions of party obligation. It is true that either will have owed his elevation to the party which supported him; but the closeness of the contest, the possibility of a failure in the election, the scrutiny of all the doubtful and dishonorable elements which unavoidably mix in a great popular vote, the solemn recognition by such a court of the awful responsibility which they are about to place in the hands of him whom they shall confirm—all these incidents, so impressive and so unusual, cannot fail to teach the coming President that he is not the President of a party, but of the people; that the fortunes and the character of a great Commonwealth depend upon the elevation, the purity, the patriotism of his administration; that the conscience of the country cries aloud for the old-fashioned honesty of its past honorable life, and that everywhere over this vast continent, amid the distraction of party passion and the honest perplexity of political differences, the popular heart is yearning for "the old good nature and the old good humor." [Applause.]

Two years later, Mr. Lamar, in an address to his constituents, gave the following additional reasons for his support of the Commission Bill:

I believe that the most dangerous event in our history, not excepting the war of secession, was the contest over the result of the Presidential election of 1876. The war of secession must have ended either as it did, in the restoration of the Union, or else in the formation of two republics, based on different systems, but equally represented by strong and civilized governments. But if this last contest had reached no legal and peaceful solution, if it had resulted in the establishment of the principle that a Presidential election may be determined by force alone, there would have been an end to constitutional government on this continent. We should have been degraded to the condition of Mexico and the South American Republics, and could have looked forward to a future only of revolutions and counter revolutions, savage outbreaks, bloody retaliations, and despotic suppressions.

The most dangerous feature in this contest was its sectional character. Mr. Tilden's majority came mainly from the South, having carried every Southern State, three of which were put in dispute by the cheating, fraudulent action of Returning Boards and the false certificates of State Governors. Mr. Hayes had a decided popular majority in the Northern States, a majority accustomed to look upon any active assertion of Southern ideas in national politics with strong distrust and apprehension. In all of those States there was only one Democratic Legislature. The Republicans were in possession of all the governmental bureaus and of the powers exercised through them, as well as of the Presidency and its overshadowing power. The constitution had provided no method of solution for this controversy, and the need of a quick solution was imperious. Unfortunately the two Houses of Congress were divided politically. The Republican Senate demanded the installation of Mr. Hayes, on the certificates based on the returns of the Returning Boards, as the only lawful criterion of election. The Democratic House asserted its right to go behind those returns and investigate their truth. There was no mode of settling this issue, no arbiter, and no tribunal provided by the constitution. If, then, the Democratic party had insisted to the last upon the view of the House, had consented to no settlement except its own will, and had determined upon the installation of Mr. Tilden on the ground that the certificates and returns were false, while the Republicans held that those questions could not, under the constitution and the laws, be raised at all, what would have been the result?

The Republicans would undoubtedly have inaugurated Mr. Hayes. The Republican Chief Justice would have sworn in him, not Mr. Tilden. The Republican Senate would have recognized Mr. Hayes, would have confirmed all of his Cabinet and other appointments, and would have refused to entertain any nominations sent in by Mr. Tilden. The Republican bureaus would have been delivered over to Mr. Hayes' nominees, and would have been closed to those of Mr. Tilden. President Grant, with the entire military force of the United States at his command, would have supported Mr. Hayes with arms, and the Tilden government would have melted away like that of McEnery in Louisiana, or else it would have meant civil war.

But, worse still, Mr. Tilden would have been forced to rely upon a solid and armed South against what would have been shown to be a solid North, aroused to resist the rule of a President set up by what was called "the Confederate House." The Democratic North was prepared for no such issue, and would not have gone into it. Whatever were their wishes and intentions, no Democratic Northern statesman could have withstood the outbreak of popular sentiment whenever the South, just admitted for the first time to its full equality in the Union, and that upon probation, and under a suspicion and a misgiving, should again plunge the nation into the horrors of a civil war.

I go further. If the Northern Democrats had been willing to meet the issue in arms, even to blood (as they took special care to disclaim), I would never have consented. I know what civil war means, and you know it.

Mr. Lamar here dwelt at some length upon what would have been the fatal consequences to the South had she suffered herself to be inveigled into another war with the North for supremacy in the National Government, and said:

Men may talk of courage and audacity, but you know and I know that the men who lead in cruel convulsions are not alone they who pay the penalty of temerity. If any man thinks that it is a lack of courage not to be willing to confront such consequences and dangers, let him pass judgment upon me for my course on that occasion; but I thank my God that he gave me the moral courage to avoid them. Some pacific solution, then, was necessary; and it was found in the Electoral Commission. I do not mean to examine it in detail nor to review its decisions. It was a Democratic measure, opposed by the Republicans, and by Senator Morton, who said: "It is a sure thing as it stands; why run any risks?" It was supported by men like Thurman, Bayard, and McDonald, who have stood side by side in the defense of Southern rights always; and it was voted for by every Democrat in the Senate, save one. . . .

If now you will review what I have said, I think you will not misunderstand my motives or my action. I had seen the South steadily improving at home, restored more fully year by year to her rights of self-government, taking her place with larger numbers and wider influence in the council of the nation; and doing all this with a temper, moderation, and patriotism that were fast convincing the general mass of the Northern people that the full and equal presence of the South in every department of the government was no longer a danger to the nation's security, not even a deduction from it; but, on the contrary, a contribution to its highest interests. Our domestic troubles were beginning to be justly and kindly appreciated, the difficulties in our way better comprehended, and the conviction was gaining ground everywhere that their solution must depend upon the Southern people, both black and white. The language of mistrust, of strong and angry condemnation, was rapidly becoming the mere political slang of partisans; and we had the practical guaranty of safety from any new policy of oppression, in the full control of the Lower House of Congress. Of course I would have preferred to see Mr. Tilden inaugurated. I regarded him as one

of the ablest of the many able leaders of the Democratic party, and one of the best representatives of its best ideas. I believed him elected, and was deeply grieved at our loss of the precious fruits of that election. When I voted for the Electoral Commission I voted for the creation of a tribunal which I believed was as apt to decide one way as the other; but when it decided against us I felt sure of these things: That any decision was better than force and civil war; that any civil commotion would be fatal to the people and to the prospects and prosperity of the South; and that four years more of probation—if probation it could be called, with such a President as Mr. Hayes representing the Republican party, and with Congress Democratic—would, if we acted wisely, leave us stronger in ourselves, steadier in our policy, and in closer and more friendly relations with the people of the whole country. And the condition of the South and of the Democratic party to-day proves that I was right.

Entertaining the views as to the impending crisis which he so clearly sets forth in this extract, it seems manifest that Mr. Lamar could only have acted as he did. Any other course would have been not merely culpable, but even criminal.

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Whatever calculations were built upon the likelihood of the selection of Judge Davis as the fifteenth member of the Commission, and upon a possible bias upon his part toward the Democratic party, were doomed to disappointment. Pending the discussion of the electoral bill he was elected to the Senate from Illinois; and Judge Bradley was consequently selected as the fifth justice, thus giving to the Republicans eight members of the fifteen. However, while this was felt to be unfavorable to the Democratic claims, there was still a very general hope that the distinguished men chosen to discharge so responsible and conspicuous a service would lay aside any party prepossessions, and determine all questions according to the very right and justice of each.

The first controversy submitted to the Commission was that over the conflicting certificates from Florida, on the 1st of February, when that State was reached on the alphabetical call. Its decision was rendered on the 9th, awarding the votes to Hayes and Wheeler, on the ground that it was not competent, under the constitution and the law, as it existed at the date of the passage of the act creating the Commission, to go into evidence *aliunde* on the papers opened by the President of the Senate—in brief, that the Governor's certificate, based upon the decision of the State Returning Board, was conclusive. A similar decision was rendered as to Louisiana on the 16th, and another as to South Carolina, on the 27th, of February. In the case of Oregon, the judgment rendered on the 23d was that the elector whose vote was challenged on the ground of his incompetency to hold the office was qualified; that under the laws of Oregon the duty of canvassing the votes and certifying the result to Washington devolved upon the Secretary of State alone; wherefore this vote must be also counted for Hayes and Wheeler.

Aside from the exultation, on the one hand, and the chagrin, on the other, caused to partisanship by the result of these decisions, their

announcement was a distinct shock to the moral sense of the people. The Commission had decided in every instance on strict party lines, eight Republicans voting steadily against seven Democrats. Despite the discussions about the possibility of such a course, there had still been a strong expectation otherwise; and that it should indeed prove so was a grievous disappointment to the country. The proud office of the Presidency was felt to be degraded by the rendition of an unjust judgment, and the sense of patriotism suffered. That men so able and good should apparently be susceptible to such influences staggered faith in human virtue. It was not so much the decision as the method of it. Viewed from the standpoint of a State rights Democrat, and assuming that the Governors and Returning Boards whose action was accorded such finality were lawful State officers, the principle of the decisions as announced was intelligible, and their reasoning difficult to combat. But that principle was now announced by a Republican majority on a strict party vote, in order to seat a candidate of their party, which party had theretofore persistently rejected that principle wholly as to the Southern States, and had not only claimed and asserted the right to investigate and interfere with elections in those States, but had also pulled down and set up their very governments at will. In the case of Louisiana, the Governor, whose certificate was relied on so absolutely, was one who was declared by many leading Republicans, including committees of Congress, to have no title to his office; who had been installed in it only by the illegal midnight order of a Federal judge without jurisdiction (afterwards impeached by the House for that very order), and who was maintained in his office only by the will of the President, backed by the United States Army.

After the decision of the committee in the Louisiana case was announced, the political feeling in the House became very intense. A certain proportion of the Democrats, about ninety in number, felt that they had been cheated and betrayed. They resorted to dilatory motions in order to retard the progress of the count, with the avowed object of preventing its completion, in which case it would have been the duty of the House to proceed, before the 4th of March, to the election, by States, of a President. Said one of those members, when taunted with filibustering in violation of the statute: "When fraud is the law, filibustering is patriotism." Says Mr. Cox: "The scenes in the House were at times intensely exciting. The country seemed to be bordering on a revolution to be inaugurated in the Hall of Representatives. . . . Mr. Speaker Randall's resolute course during this memorable epoch may have saved the country from consequences even more serious than a fraudulent Presidency."

A large number of the Democrats refused to adopt this policy. It was distinctly and emphatically rejected in a party caucus. Having

participated in the enactment of the statute in good faith and from motives of the highest patriotism, they resolved to carry it out loyally even though the result was bitter. With this number Mr. Lamar coöperated. He supported none of the dilatory motions, but unvaryingly forwarded the proper business of the House.

He prepared a speech upon the subject of the decisions of the Commission, which, however, he did not deliver, presumably either for want of opportunity or because it seemed useless. It is of interest only as a presentation of his views upon this crisis.\*

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Mr. Lamar might well thank God that he had been given the moral courage to do his duty in this troubled period. There were many temptations to shirk it. His own natural and very strong inclination to support Mr. Tilden at every risk was to be suppressed; and he neither lacked the zealous temperament nor a high and daring spirit, as was known to all who remembered him in 1861. Moreover, certain things were saying and doing about the pending measure and the general situation which are necessary to be noted in order to understand the trials of spirit to which he was subjected.

Throughout Mississippi, and indeed through the entire South, there was, not a general, but a very common and emphatic opposition to the electoral bill. Thousands of ardent Democrats, flushed with the heat of victory, confident in the justice of their claims, skeptical about the determination of the Republicans to resist, and regarding their bold front as only a political bluff, oversure of the resolution of the Democrats of the whole nation to resort if necessary to the final test of force, unaware of the depth and danger of the pitfalls before their party in pursuing any policy of force—demanded persistence to the end, without compromises, without regard to consequences, and at all risks. The newspapers were prolific of such sentiments, and abounded in elaborate editorials on "The Right of Resistance," and similar topics. Such Democratic leaders as did not respond to these extreme views, and manifested a disposition to adopt more conservative courses, were often denounced as traitors to the Democratic party. They who were of this school were a minority, it is true; but it was a minority, positive, aggressive, and noisy. On the other hand, the majority, who were more pacifically disposed, were neither so assured that they were right nor so vociferous in respect to their convictions. It was just the condition in which, if one had in him any element of demagogy, he would be sadly puzzled to know which turn to take; for if the event proved the minority right, it might mean political ruin to him who withstood them.

The minority in this instance numbered also some of Mr. Lamar's warmest personal friends—men for whom he had strong attachments,

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\* Appendix No. 15.



and whose political sagacity he was wont to count upon largely. Especially was this true of the able and patriotic editor of *The Clarion*, Mr. Barksdale, who, until this period, had been of the greatest assistance to Mr. Lamar in his public duties. Here, however, was laid the foundation of an estrangement which lasted for years (being overcome only after Mr. Lamar went into Mr. Cleveland's Cabinet), and converted *The Clarion* to lukewarmness if not open hostility.

There was another, and to Mr. Lamar a far more trying, feature. No man ever regarded his political convictions with a deeper reverence than did he, and no man ever had less respect for a political turncoat; yet no sooner was the fact fully developed, after the election, that there was to be a serious contest of Mr. Tilden's election, and that his inauguration was doubtful, than sensational newspaper stories began to circulate, charging or insinuating various forms of political disloyalty, some of which more or less directly connected Mr. Lamar's name.

Early in December it was said that Col. Lamar and Gen. Wade Hampton were plotting with Gov. Hayes on the basis that the South would acquiesce in the fraudulent counting of the Returning Boards and support the administration of Mr. Hayes, provided he would agree to discountenance the carpetbaggers and distribute the official patronage in the South among Democrats. This report elicited an informal denial from Mr. Lamar, in which he is represented as saying to the reporter that, "so far as his name is connected with certain reports as to the views of Gov. Hayes, there is no truth in the story. Mr. Lamar has not seen Gen. Hampton since the war, nor communicated with him, except by telegrams which have been published. He never saw Gov. Hayes in his life, nor ever communicated with him either directly or indirectly."

Another absurd story, a little later, was to the effect that Mr. Lamar was offered a place in Mr. Hayes' cabinet on condition that he would support that gentleman's claim to the Presidency. Of this report, "Col. Lamar said that no such offer had been made, and if it had, he would have declined to receive it. If any proposition should be made to him from that quarter with regard to the settlement of the Presidential question, he should at once submit it to a caucus of his party." Apropos of such rumors, the papers had much to say to the effect that "the Radicals have been deluding themselves with the belief that they could alienate the Southern Democrats from their Northern allies, and thus make the Hayes usurpation programme more certain of success." . . .

To one constituted like Mr. Lamar it would have been impossible to offer an affront more galling than liberties of this exact shape, taken with his name and character; and no dread could have borne more heavily upon him than the fear of giving such reports, however unfounded in fact, color by his political course.

Of the papers which assailed him in this manner, one of the most offensive was the *Union*, a new Democratic daily published in Washington under the direction of Mr. Montgomery Blair. On the 5th of January appeared a column editorial, in which Mr. Hayes was charged with conspiring with the Southern leaders, and Mr. Lamar with the chief enterprise of the intrigue on their part. The *St. Louis Republic* said of this editorial that in Washington its appearance "caused considerable excitement. On first impulse Mr. Lamar wrote a card to Mr. Blair which meant fight, or it meant nothing; but up to this hour he has, by advice of his friends, withheld from sending it to Mr. Blair or giving it out for publication. . . . Mr. Lamar's theory of these assaults, there having been one or two of less severity within a few days, is that it is meant as a punishment for his support of the Texas Pacific Railway."

Mr. Lamar sent to Mr. Blair a friend, who pronounced the charges false, and demanded a retraction of the same; and the following is what Mr. Blair stated in his paper of the next day, the 6th of January:

MR. L. Q. C. LAMAR.—*A Correction.*—We said yesterday that "we had heard of no one of the Southern Senators save only Mr. Lamar who thinks it belongs to the Senate through its presiding officer to make the President."

We have learned since the publication from the best authority that we were misinformed respecting Mr. Lamar on the point in question; that from first to last he has entertained directly the contrary opinion, holding that it is settled beyond controversy by the terms of the constitution and by the uniform usage under it that it belongs to Congress to count the electoral vote, and that the duty of the President of the Senate extends only to the safe keeping of the packages and to breaking the seals in the presence of the two Houses of Congress.

We make the correction with unfeigned pleasure, and regret very much having been misled to do Mr. Lamar injustice. We take the occasion also to say that nothing short of the positive statement by persons whom we had every reason to rely upon could have misled us. We had no distrust of Mr. Lamar, and approve entirely the liberal course by which, as much as by his great ability, he has attained his high position in the councils of the nation.

On the 5th of March Mr. Richard Malcolm Johnston wrote to Mr. Lamar from Maryland a letter of condolence on the late death of his cousin, Lavoisier Lamar, which included this paragraph:

I have been much concerned to notice the charges against you of confederating with the Republicans to defeat the inauguration of Mr. Tilden. I need not assure you that I have regarded them as having no foundation in truth. If you think a letter from you now would tend to place you right in the face of the public, suppose you write to me and allow me to publish.

Indorsed on this letter is the brief of his answer, apparently for the use of his secretary:

My cousin Lavoisier was as near to me as my own brother, and was one of the noblest men on earth. As to my connection with politics, I am a Democrat, shall always be a conservative Democrat, and do not expect to act with any other party. But

a public man's status must be defined by his acts and course, and not by studied assurances; therefore decline to publish this letter.

So far as the reports of political apostasy are concerned, they were not entertained for a moment in Mississippi. Even those papers and persons who differed most positively from Mr. Lamar in respect to his course about the Commission spoke of this matter as "absurd" and "impossible." It was only in other States that they arrested any attention of a more serious nature.

On the 6th of March his friend, Mr. Goar, wrote him from Tupelo, Miss., that

. . . Our people are very much depressed here, cursing everybody, you with the balance. They talk like you, Gordon, and Hill could have had the thing your own way if you had tried. This will pass away after a little while, though.

These details, trivial as history, are yet significant as biography. Staunch and loyal as was Mr. Lamar, devoted to his section and people as he was, disinterested, proud of his untarnished record and reputation, the suspicion of him and the "cursing" cut him to the very soul. Yet it is characteristic of his self-poise and fortitude that he gave no public expression of his feelings, nor anything more than the faintest trace of it in his most private correspondence.

On the 26th of April he wrote to his wife:

I wish you knew how happy your stay with me made me. . . . It brightened an existence in which for months every day had brought its sting, loaded with dread of evil, and piling upon me disappointments in others and failures in myself. . . . I have no happiness outside of your love and presence. I wish I could go home to you. I know everything looks beautiful; and if I had the means of support there, I would stay there all my life. . . . I hope you will go to see our friends in Grenada. I love them so much beyond any others I have. I have more confidence in Gen. Walthall than I have in any man on earth. No man has such a hold upon my affections as he has; and, my wife, it will be a great happiness to me if you will enter into and share with me the warm, grateful, and loyal friendship I bear to them.

At this time, too, he corresponded with parties in Georgia looking to the purchase of the old Lamar homestead, evidently contemplating the possibility that things might take such a turn for him that it would be desirable to retire to the shades of private life permanently.

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The struggle over the Presidential election was lost to the Democrats, it is true; but so far as the Southern section of that party was concerned, it was written in the book of fate that they were to secure, even in defeat, something of the fruits of victory. The great want of the Southern States was the reestablishment of local self-government. Undue Federal interference in the domestic affairs, now protracted through ten years, was felt to be the most serious trouble of the nation. What had most concerned the people of the South in the election was

not the public debt and finances, nor civil service reform, nor the tariff. These all sunk into insignificance by comparison with the one absorbing topic of relief from the domination, by military interference, of the Federal Government. No political liberty could exist, it was felt, or political virtue remain, within the gleam of the bayonet. The withdrawal of those troops whose presence in the South at once suggested, facilitated, and typified such interference, was the great political desideratum.

In July preceding, Mr. Hayes, in his letter accepting the Presidential nomination, had used language which was regarded as promising a more lenient policy in Southern affairs. This language, although susceptible of two very different interpretations, according to the point of view of the reader, was, on the whole, regarded in the South as favorable to the wishes of the white people of that section. It gave some hope, although not a strong one, that in case of his election Mr. Hayes would be less inclined to employ military interference in State affairs than President Grant had been. Even this hope was again modified by the gravest doubts as to how far Mr. Hayes would be permitted by his party leaders to carry into practical operation the policy indicated, at the peril of losing to the Republican party the electoral votes of four States.

When, therefore, President Hayes, in his inaugural address, expressly, elaborately, and emphatically reiterated the sentiments of his letter of acceptance, and declared that "the fact is clear that in the progress of events the time has come when 'wise, honest, and peaceful self-government' is an imperative necessity, required by all the varied interests, public and private, of those States," he was considered to have pledged himself, in the most public and solemn manner, to a reversal of the existing policy. "The inaugural address," says Mr. Blaine, "did not give satisfaction to the Radical Republicans, but was received with every mark of approbation by the more conservative elements of the party."\* On the other hand, the Democrats were immensely pleased. This, said they, would be all that the Southern Democracy could ask; would it not be a splendid vindication of their policy if a Republican President should be compelled by the force of public opinion, North as well as South, to indorse and enforce it, as President Hayes has promised to do? In the executive session of the Senate which followed his inauguration the Southern Senators all rallied to the support of the President against the oppositions which developed in his own party. Expectancy stood on tiptoe watching for the early day when the troops should be withdrawn, and the Chamberlain and Packard governments of South Carolina and Louisiana should explode like bubbles from their own inability to hold together. There was delay, however. Much to the dis-

appointment of the Southern people, and somewhat to their chagrin, the "reversal of policy" was not at once effected.

The situation was manifestly a seriously embarrassing one to President Hayes. The State governments which he was called upon by the new departure to renounce, or at least to decline to support, based their title to power upon the very elections at which the electors were chosen by whose votes Mr. Hayes had been declared elected. Mr. Blaine's "Radical Republicans" asserted confidently, and with show of reason, that to dishonor the titles of those governments was to dishonor his own. On the 6th of March a skirmish occurred in the Senate between Mr. Thurman and Mr. Blaine over the question of Mr. Kellogg's admission as Senator from Louisiana, in which these ideas were strongly developed. Mr. Blaine insisted that the decision of the Electoral Commission was conclusive on this matter, as well as upon the Presidency. Mr. Thurman maintained that the decision was entirely irrelevant, since the Commission only held that it could not go behind the returns, while the Senate is, by express enactment of the constitution, the judge of the election of its members:

Mr. Blaine: "Do I understand the Senator from Ohio, then, to maintain that the Returning Board was good enough to count in the electors for President, but not good enough to determine who was Governor?"

Mr. Thurman: "If the Senate asks my opinion, I say it was not good for anything except to be hung." [Laughter.]

Mr. Blaine: "I believe the gentlemen in Louisiana, whom the Senator from Ohio represents in his opinions, hold that the Electoral Commission deserve about the same thing, or at least eight of them."

Mr. Thurman: "A majority." [Laughter.]

Thereupon Mr. Blaine, adverting to the fact "that there has been a great deal said here and there in the corridors of the capitol, around and about, in by-places and in high places of late, that some arrangement had been made by which Packard was not to be recognized and upheld, that he was to be allowed to slide by and Nicholls was to be accepted as Governor of Louisiana," made a short but very heated speech denying the report. He denied it without being authorized to speak for the administration; he denied it on the ground of its inherent impossibility; he denied it because President Hayes possessed character, common sense, self-respect, and patriotism. Mr. Blaine's speech was apparently made to voice the sense and feeling of that wing of his party which he represented, and, if possible, to disconcert and intimidate the President. The opposition indicated by that speech seems to have retarded Mr. Hayes' action for a time. The question of removing the troops was brought before the Cabinet, and there it was opposed by some of the members. The final determination, reached in March, was to appoint a commission, who should proceed to Louisiana and ascertain whether it was practicable to withdraw the troops with-

out giving rise to civil commotions between the adherents of the rival State governments, This step was by no means satisfactory to the Southern people. It meant delay, and it might mean either a retention of the old status or a recognition of the Packard government.

On this subject Mr. Lamar addressed the President this letter:

WASHINGTON, 2105 PENNSYLVANIA AVENUE, March 22, 1877.

TO THE PRESIDENT OF THE UNITED STATES.

*Mr. President:* A severe illness has alone prevented my calling upon you before this, and my regret at my disability has been intensified to positive distress by the news that you had decided to send a commission to Louisiana.

I respectfully ask you to read what I am about to say with a candid allowance for that difference of opinion which, in public affairs, must exist between men of equally patriotic and disinterested purposes.

The position toward your administration which has been taken by Southern Senators, *in solido*, rests upon the foundation of your inaugural address, viz.: that you would not consent to sustain, by unconstitutional interposition of the Federal forces, State governments which had no support in the character, the intelligence, and the material interests of the States which they misruled. We felt that this resolution, promptly and firmly carried into effect, gave to the South that for which she had most earnestly contended. Believing this, we were willing to suppress the disappointment at the loss of a political victory which seemed so near and so precious, and to mark our sense of the justice and wisdom of such a course by giving you that cordial support which extreme partisans in your own political following seemed unwilling to give. But the support, to be honorable to us and useful to you, must have a sure foundation.

When you made the declaration in your inaugural there were but two States to which your language could apply, and the universal sense of the country made the immediate application. It was understood that you meant to withdraw the troops from South Carolina and Louisiana; to say, as your predecessor, Mr. Van Buren, had said in a not dissimilar case, that the differences between the local authorities of a State were not subjects for the armed intervention of the Federal Government.

All that was required was an order to withdraw the troops from those States where they were a positive interference with the popular will, and in which the condition produced by their presence was a daily violation of your own sense of constitutional right, and threatened still further and more mischievous complication. Upon that subject we thought you had made up your mind; and indeed, Mr. President, you told me that you had.

I cannot conceal from you the extreme concern which I feel lest your present decision be considered as implying a doubt as to the possibility of your action. In reality it is so considered. The facts are all before you. Without undertaking to extenuate or exaggerate, nothing is more certain to-day than the fact that the Packard and Chamberlain governments do not have the support of the character, intelligence, or property of Louisiana and South Carolina, and that they exist in these States only so long as they are supported by you. If they were the best governments in the world, as they are confessedly the worst, this would be sufficient, upon the principles of your inaugural. No commission can alter the truth; no commission can make it clearer. You know, and they know, that if the troops are withdrawn these governments will not exist a month.

More than that, the country recognized the fact and the justice of the spirit in which you proposed to deal with it. Had your order been issued the day upon which your Cabinet was confirmed, not one man in the Republic would have been

surprised; and nothing but the delay so far has encouraged, in some quarters, the hope that possibly the policy of the inaugural will be abandoned. But every day's delay does make that a possibility. Men who dared not oppose what your constitutional duty so plainly prescribed and the people so universally demanded are beginning to hope that you can refuse the one and avoid the other.

I know that deliberate action is wise; but in many cases prompt action is the best considered, because its wisdom consists in its promptness. I know that you desire, and properly desire, to carry the American people with you, step by step; but they were with you when you started in this course, and they are not faltering now.

No, sir; your declaration of what you would do prevented a fearful crisis at the South, but the tension is too severe. If you would achieve what you have begun, you must do as you said that you would do.

This commission is a declaration of doubt on your part. Mr. President, there can be no doubt. If this case is again to be argued, we Southern Senators cannot be found in alliance with those who maintain any other ground. Southern Senators will not hear in silence the slanderous denunciations heretofore uttered on the floor of the Senate. We cannot join in any palliation of the enormous iniquity of those State governments. We cannot willingly acquiesce in the delay which is to be prolonged at the expense of so much suffering and in the face of so much danger.

As for the opposition to your policy by some of your own household, it will be opposed to the end; nothing will reconcile them to the abandonment of the grasp which party has upon those afflicted States. By others it will be opposed so long as you allow it to be a subject of discussion; but their opposition will vanish before the simple words, "I will."

The American people understand this question to-day perfectly. These governments cannot last. They will not be maintained. Military domination you can establish down there, but carpetbag governments you cannot uphold without a tremendous army in each State. Withdraw the troops at once, and your act will be recognized with gratitude, because it will secure the peaceful and quiet dissolution of those pretended governments. But allow this action to be the subject of prolonged and angry discussion, let the Southern people feel that it is doubtful whether their courageous patience will win them justice, and you will not secure those governments; they will go as certainly as at your bidding, but they will go amid the wrath of an indignant and outraged people, and leave you as a legacy questions far more dangerous in their settlement.

I wish I could make you realize how hopefully I relied on the honesty of your purpose, the patriotism of your intention; but this dilatory policy means certain failure and fearful exasperations. Believe me when I say, as sincerely and anxiously as man ever spoke, that it is due to yourself, to your own party, to the country (may I not say to us of the South?), to adopt in this matter a policy as prompt as it is positive.

For myself, I have, as perhaps you know, gone great lengths in the policy of conciliation. I would go even further to secure peace to my troubled land. [*I know that men who have loved me are beginning to grow cold in their affections; I know that men who have trusted me have begun to falter in their confidence. I have no thought of turning back, or even pausing; for I know my purpose, and, till now, thought I knew my means; and you must permit me to enter my solemn and sorrowful protest against a policy of delay which I cannot support because I believe it fatal both to you and to the South.\**]

I regarded you as one who was about to introduce an era destined to be illustrious as one of peace, prosperity, and nationality. But to-day I hardly dare to look that hope steadfastly in the face, lest it be shown to be an unreality; and you must permit me to enter my solemn and sorrowful protest against your policy of delay.

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\*The italicized part was cut out, and succeeding paragraph substituted.—[E. M.]

I have written this in sickness. I trust that in what I have said I have shown the respect I entertain for you personally, and officially the just appreciation I have of the grave responsibility you bear.

What effect this letter had upon the President, or whether it had any, it seems impossible now to say. On the next day the President sent his letters to Governors Hampton and Chamberlain inviting them to a conference; and twelve days later the troops were ordered out of the State House in South Carolina; and in Louisiana, on the 24th of April, in pursuance of the recommendation of the Commission. And so the armed intervention in the South came to an end amidst great rejoicings. The Chamberlain and Packard governments disappeared as silently and as swiftly as cloud shadows.

“No act of President Hayes,” says Mr. Blaine, “did so much to create discontent within the ranks of the Republican party.” The Northern and the Southern Radicals were alike much exasperated. Mr. James Redpath, a Radical journalist, who had been connected with the Boutwell Investigating Committee, published an open letter addressed to the colored sheriff of Jefferson County, Mississippi, in which he denounced President Hayes as having surrendered the rights of the black people, and advised those people to cooperate with the Southern Democrats. Some Southern Republicans, however, were more reasonable in their views; for instance, Judge R. A. Hill, of the United States Court for Mississippi, wrote to Mr. Lamar in May, that,

So far as I am informed, peace, quiet, and good will prevail in this State between all parties and races. We sincerely trust that the new policy will prove a success, regardless of extremists on both sides. What we want is the promotion of the interests of the people; mere partisan interests are a matter of secondary consideration.

The Southern Democrats, on the other hand, were by no means dissatisfied with the turn of events. They were pleased with the position of Mr. Hayes, and their pleasure was not lessened by seeing that he had made enemies of the men who were so very inimical to themselves. Their sense of injury in his installation was modified to a great extent; and to this day they regard his administration kindly, as that of a man who meant, for the first time for a number of years, to be the President of a united country, and not the mere leader of a party.

In his speech of 1879, already quoted from in this chapter, Mr. Lamar had this to say on these general subjects:

After the remarks already given, Mr. Lamar “then proceeded to show that, notwithstanding the sore disappointment it gave in depriving the Democratic party of the fruits of its victory, the decisions of the Electoral Commission involved some principles which will be of great importance and benefit in the future. He spoke of its declaration of the supreme right of self-government of a State in the Federal elections, and its denial of the power of the Federal Government to examine or question it; also of its formal recognition, for the Federal Government, for the first time since the war, that an issue between the North and the South should be referred to the arbitration of reason and law, and not to force.



“There was a third benefit, one which he had confidently anticipated. Mr. Lamar here quoted the concluding paragraph of his speech upon the Electoral Commission Bill, and then continued: ‘Now, has not this anticipation been verified? Is it not true that Mr. Hayes, in the first two years of his administration, pursued a policy which has brought upon him the hostile opposition of the leading men of his own party? And, at the same time, has he not had to depend for the success of many of his measures upon the support and cooperation of his political opponents?’

“Within two months from the day on which he assumed executive power there was not left in the South a trace of the unconstitutional force which had tyrannized over it. For the first time since the war South Carolina and Louisiana were free, sovereign, and independent States, governed at home and represented in the national councils by their own people.

“However strongly I have had occasion to differ with Mr. Hayes, and however strongly I shall hereafter have to oppose his policy, I must say in justice to him that he has, since his inauguration, been the kind and impartial Chief Magistrate of the whole country. His selection of a Cabinet was itself a favorable augury.’ Mr. Lamar here spoke at length of Mr. Evarts as the able and eloquent jurist and advocate who declared that the blow struck at self-government in Louisiana was a blow at the safety and dignity of New York, and who, in his great place, has never spoken in language unbecoming to an American statesman. He also spoke in complimentary terms of Carl Schurz, who, he said, dared to oppose a Republican administration in the plenitude of its power because he thought its ends unwise and corrupt and its methods oppressive to the South. He also referred in kind terms to the Secretary of War, to the Secretary of the Navy, and to the Postmaster General. He was sorry to be constrained to add that the Secretary of the Treasury, whose rancorous partisanship, violent sectionalism, misrepresentation, and abuse of the South were well-known to his audience, could receive no eulogiums at his hands.

“Of my opposition to the action of the President, in its relation to that of the Senate and House of Representatives in the last extra session of Congress, I shall have something to say hereafter; but this much I felt in honor bound to say: that up to a few days past he has not violated a Southern right or wounded a Southern feeling. I say, up to a few days past; because his recent utterance was harsh, ungracious, and unjust.”

The general drift of public sentiment upon these matters early in 1877, after the first spasm of disappointment had passed, is expressed in the following letter, of May 14, to Mr. Lamar from Hon. Jeff. Wilson, a prominent lawyer of Pontotoc:

I must say to you in all candor that your course as a public man for the last few months meets with almost universal approval. Mississippi will overwhelmingly sustain you in what you have done, and no mistake.

The policy of President Hayes in relation to South Carolina and Louisiana meets the approbation of all classes, except Mr. Carpetbagger and such extremists, belonging to the one party or the other, as Col. Flournoy. I learn that he lacks something of being entirely happy.

Nevertheless, there was enough of objection and criticism to make Mr. Lamar pass many an unhappy hour, in which respect his case was not exceptional.



SENATOR L. Q. C. LAMAR.



## CHAPTER XX.

Doubts About Admission to Senate—Causes Thereof—Elections of 1875—The Boutwell Committee of Investigation—Correspondence—Reports of the Boutwell Committee—The Presidential Contest Intervenes—The Complication with Kellogg's Case—Mr. Blaine's Unexpected Turn—Seated—The Democratic State Convention of 1877—Independentism in Mississippi—Gen. George's Address to the Convention—Mr. Lamar a Member—Speaks—Silver—Platform of 1877—Called Session of the Forty-fifth Congress—Speech on the Seating of Senator Butler, of South Carolina.

THE preceding chapter finishes the story of Mr. Lamar's career as a member of the House. The Senatorial term to which he had been elected in January, 1876, was to begin March 4, 1877; but it was by no means a foregone conclusion that it would be allowed to begin at all. It yet remained to be seen whether the State of Mississippi could seat a Democratic member in the Senate of the United States.

The Southern press, not that of Mississippi alone, had much to say about that problem. The following quotation from the *Macon (Ga.) Telegraph and Messenger* of January 8, 1876, is a fair example of this vein of speculation, and is moreover interesting from its citation of ex-Senator Revels' letter:

We say *if* he gets to the Senate. His election of course is a matter of moral certainty, but the ultras of the Senate under the lead of Morton will doubtless make a vigorous effort to set aside the election on the charge that the result was procured by intimidation. What is the probability of success to their enterprise, we are unable to say; but the letter writers generally predict a failure. The actual facts, many of them claim, were given in a letter of ex-Senator Revels (negro) to President Grant, written immediately after the election. Here is the way Revels spoke of the condition of affairs in Mississippi, and just now his statement is peculiarly interesting:

"Since reconstruction the masses of my people have been, as it were, enslaved in mind by unprincipled adventurers, who, caring nothing for the country, were willing to stoop to anything, no matter how infamous, to secure power to themselves and perpetuate it. My people are naturally Republicans, but as they grow older in freedom so do they in wisdom. A great portion of them have learned that they were being used as mere tools; and, as in the late election, not being able to correct the existing evil among themselves, they determined, by casting their ballots against these unprincipled adventurers, to overthrow them.

"My people have been told by these schemers, when men were placed upon the ticket who were notoriously corrupt and dishonest, that they must vote for them; that the salvation of the party depended upon it; that the man who scratched a ticket was not a Republican. This is only one of the many means these malignant demagogues have devised to perpetuate the intellectual bondage of my people. To defeat the policy at the late election, men, irrespective of race or party affiliation, united and voted together against men known to be incompetent and dishonest. I cannot recognize, nor do the masses of my people who read recognize, the majority of the officials who have been in power for the past two years as Republicans.

" We do not believe that Republicanism means corruption, theft, and embezzlement. These three offenses have been prevalent among a great portion of our officeholders. To them must be attributed the defeat of the Republican party in the State, if defeat there was; but I, with all the light before me, look upon it as an uprising of the people, the whole people, to crush out corrupt rings and men from power. The bitterness and hate created by the late civil strife have, in my opinion, been obliterated in this State, except perhaps in some localities; and would have long since been entirely effaced were it not for some unprincipled men who would keep alive the bitterness of the past and inculcate a hatred between the races in order that they may aggrandize themselves by office and its emoluments to control my people, the effect of which is to degrade them.

" I give you my opinion that, had our State administration adhered to Republican principles and stood by the platform upon which it was elected, the State to-day would have been on the highway of prosperity. If the State administration had advanced patriotic measures, appointed only honest men to office, and sought to restore confidence between the races, bloodshed would have been unknown, peace would have prevailed, Federal interference been unthought of, and harmony, friendship, and mutual confidence would have taken the place of the bayonet. In conclusion, let me say to you, and through you to the great Republican party of the North, that I deem it my duty in behalf of my people that I present these facts in order that they and the white people (their former owners) should not suffer misrepresentation, which certain demagogues seem desirous of encouraging."

Mr. Lamar himself regarded his admission as an open question, and a question of gravest doubt. During the entire year of 1876 his letters to his wife abounded in sentences like this: " If I get my seat in the Senate, I shall be able to help Lucius; if I do not, he will have to help me." In January, 1877, he was corresponding with Mr. Mayes, his nominal law partner, about a possible resumption of active practice.

In order to understand the causes of this doubt and the obstacles to be overcome it is necessary to revert to the elections of 1875, and to recall briefly the history of the " Boutwell Committee."

In those elections, it will be remembered, the white people had by thorough organization and hard work effected their political deliverance from the Ames wing of the Republican party. They had succeeded in electing the State Treasurer, four of the six members of Congress, and an overwhelming majority of the Legislature in both branches. That Legislature had chosen Col. Lamar as Senator to succeed Senator Alcorn, and it had also impeached Gov. Ames.

The Radicals, however, did not acquiesce quietly in their defeat in Mississippi. Knowing that a large majority of the registered voters of the State were negroes, they repudiated utterly all evidence that any considerable number of colored men had voted the Democratic ticket. They postulated the proposition that all black votes must be Republican votes; wherefore it followed that a Democratic victory could be obtained only by force or fraud, or both.

Hardly had Congress met when, on December 15, 1875, Mr. Morton introduced in the Senate a resolution requiring the appointment of a

committee of five to proceed to Mississippi for the purpose of investigating the circumstances attending the elections and directing the committee to report before the end of the current session. This resolution was not pressed actively until after the Christmas holidays. In January, however, it was urged earnestly and with political speeches of great acrimony.

The resolution finally passed. The committee was composed of Senators Boutwell (Chairman), Cameron of Wisconsin, McMillan of Minnesota, Bayard of Delaware, and McDonald of Indiana; the last two being Democrats, the others Republicans. The appointment of this committee was regarded in Mississippi as nothing but another partisan measure, intended to manufacture capital for the approaching Presidential election, and to regain the grasp of the Radicals upon the State.

On the 7th of March Mr. Lamar wrote to Gen. Walthall about the committee as follows:

A bill has been introduced in the Senate to appropriate money to pay the expenses of the committee. It could be prevented by the House, but to do so would be violative of the rule which prevails between the two branches of the Legislature, and would be regarded as a stifling of the investigation for fear of exposure. . . . Boutwell is a bitter man, and he will push the investigation and find out all that was done which was wrong, if anything wrong was done. He was put at the head of the committee for that reason. . . . The investigation will be very hostile in its spirit. It was selected, in its leadership at least, upon the principle that if you follow a buzzard you will find carrion. He pretends to believe that we are striving to get up another rebellion.

And again on the same day:

The appointment of Boutwell to the Chairmanship of the Investigating Committee has already deprived the investigation of much of its moral power. An extremely bitter report, full of exaggeration, is expected; and the public is prepared for all sorts of "shocking revelations." If he now tries to be *fair* and impartial, it will be regarded as a breaking down of the attack. There is this much good in the selection of this notorious and vindictive Radical politician; but our friends must be prepared for a relentless, incessant, indefatigable war of detraction and calumny.

It will be remembered that the movement for the impeachment of Gov. Ames was inaugurated in the State Legislature on the 6th of January by a motion in the House by Gen. Featherston for the appointment of a committee of investigation. While that committee was taking testimony, and before it reported, and when the movement for the Boutwell Committee was approaching its consummation, this letter was written to Col. Lamar, then in Washington, by Col. Reuben O. Reynolds, one of the leaders of the State Senate:

JACKSON, MISS., February 16, 1876.

*Dear Colonel:* . . . The Act of Congress of July 25, 1866, provides that it shall be the duty of the Governor to certify the election of Senator to the President of the Senate of the United States, which certificate shall be countersigned by the Secretary of State of the State. In company with Senator Allen we called on Gov. Ames, called

his attention to the Act of Congress, and requested him to give his certificate of your election. He replied that he was threatened with impeachment, and during the pendency of these proceedings he would decline to do any executive business. I asked him if this was the only reason why he declined to give the certificate. He replied that it was *a reason*. He did not decline to issue the certificate, but simply refused to do it now, stating that Congress would not adjourn until June, and there was ample time to give the certificate.

I do not think there is anything in Ames' refusal, but I intend to see some discreet members and confer with them further about it. If it is ground of impeachment, the House will take charge of it; though I doubt the policy of such a course, as it makes the issuance of your certificate a political question, and adds that much weight against your admission into the Senate.

The resignation of Gov. Ames on the 29th of March and the inauguration of Gov. Stone as his successor removed all difficulty about the certificate of election; but there remained the Boutwell Committee, and there remained the policy of the majority of the Senate, of which that committee was the exponent. Clearly there were still breakers ahead.

The committee did not report until near the end of the long session, late in the summer, only three months before the Presidential election. The nature of the report was such as to justify the expectations mentioned in Mr. Lamar's letter quoted above, and the opinion of its purpose which the Democratic papers had expressed.

The majority report, signed by the three Republican members, first denied, in a long argument, that the taxpayers of Mississippi had any cause for complaint. It then proceeded to prove that the election had been carried by intimidation and violence, or in many localities by fraud; that the violence and the fraud were so widely extended as to have reversed the proper result; that the State Legislature was, for that reason, an illegal and usurping body, which did not represent the will of the people; that the resignation of Ames had been extorted by measures unauthorized by law, and that of right he was still the Governor of Mississippi. The report concluded with a recommendation that Congress pass laws to secure the people in their civil rights; that States in anarchy be denied representation in Congress, or, in case of continuance of disorder, be reduced to a territorial condition.

The minority report was signed by Senators Bayard and McDonald. It opened with an elaborate review of the partisan spirit with which the investigation was undertaken, and of the "attempts to forestall public opinion in relation to affairs in Mississippi, calculated to mislead," touching upon utterances of the Chairman, of Mr. Redpath (the Clerk), and of President Grant. It sets forth attempts to fasten obloquy upon Senator Bayard, "and at the same time to convey unjust impressions against the people of Mississippi." It animadverted upon the action of the majority of the committee in transcending their powers by extending the investigation to matters within the powers reserved to the States, and not subject to Federal control. "The social habits," it said, "domes-

tic institutions, personal and individual dealings and contracts, local police arrangements, and whole classes of subjects heretofore supposed to be under the sole control of the State and county governments—and even family affairs—have been made the subjects of inquisition.” This report then vigorously assailed the case made out by the majority. Quoting the President’s declaration that “Mississippi is to-day governed by officials chosen through fraud and violence,” it declares that this statement, “come from whom it may, we pronounce to be untrue and unwarranted by the facts disclosed.” It declares that the testimony relied upon by the majority was utterly worthless.

Every rule (it said) which the experience of mankind has established as essential for the regulation of evidence and the establishment of truth has been disregarded in the course of this investigation. So that the great bulk of the testimony which has been taken is such as would not be received in any court of justice in this country to convict the meanest felon of the pettiest offense. . . . Opinion, hearsay, wild rumor, anything and all things which excitement, prejudice, hate, love, or fear can suggest, have poured in without discrimination or check. No individual, no community, can be safe against such an order of things. The usual tests of discrimination between truth and falsehood having been abandoned, the result cannot be satisfactory to any just mind.

However, whatever one might think of the majority report, viewed in the light of its attendant circumstances and tested by its own internal evidence, or whatever opinion one might form of the failure or success of the assault made on it by the minority of the committee, the fact remained that the report was there, and that it would be accepted by a majority of the Senate. It was pregnant with ill to Mr. Lamar and to the State. If it were true that the Legislature of the State was a revolutionary body of usurpers, how far would that fact affect the validity of Mr. Lamar’s election to the Senate? If it were true that Ames was the rightful Governor, and Stone only a usurper, then was even a *prima facie* right to a seat conferred by any certificate of the latter? The Constitution of the United States made the Senate the exclusive judge of the election of its own members, and the history of the few years last past demonstrated that the majority of that body were quite capable of the most radical and the boldest action.

So there stood the party; there was the temptation, and there was the excuse. It was by no means certain that the declaration of Mr. Redpath, Clerk of the Commission, that Mr. Lamar would not be seated, was not made advisedly.

What would have come out of all this, if other and greater questions had not intervened, it is impossible to tell. But the Presidential election of 1876 gave a wholly new aspect to the case. Whether Mr. Tilden was elected or not, still a second, and a very peremptory, notice was served on the Radical leaders that their power was waning, and that a modification of their high-handed Southern policy was demanded.



Moreover, the exigency of the Republican side in the Tilden-Hayes imbroglio would naturally cause a swift but thorough reconsideration and alteration of many ideas and the abandonment of many smaller designs. The installation of Mr. Hayes, under the circumstances, and by a decision so doubtful, might well have inspired an apprehension that the patience of the people had been tried far enough. Either some such considerations must have caused a change of plans in respect to Mississippi affairs and Mr. Lamar's seat, or else the Boutwell Committee could never have been intended for any purpose other than the supplying of a campaign sensation; for the whole investigation, with its immense mass of testimony, comprising eighteen hundred pages, seems to have been tumbled overboard once the elections were past.

However all this may be, when the time came for the consideration of Mr. Lamar's case, it seems that there was no longer any serious intention or desire to refuse to seat him. The objection had been in no respect personal to him. It was based upon the sole alleged ground that the State Government was a usurpation.

The Senate met in executive session on the 5th of March, 1877, after the inauguration of President Hayes. Mr. Lamar presented his credentials. Under the rules of the Senate, the matter, of necessity, went over for one day at least. A meeting of the Committee on Privileges and Elections was called for that same evening, informally (although the credentials were not before it), for the purpose of considering the objection that had been interposed. After a careful consideration of the question, the committee, with only a single exception, came to the conclusion that no good reason existed for declining to swear in Mr. Lamar.

Mr. Kellogg was present, however, claiming to be the Senator-elect from Louisiana. The Republicans were exceedingly desirous of seating him, in order to retain their hold upon the Senate, which was imperiled. Mr. Kellogg's certificate was signed by Gov. Packard; but there was an opposition Governor (Mr. Nicholls), and a rival Legislature, which was generally understood to be in fact the stronger body, and the only one which could even claim a quorum. So that in Mr. Kellogg's case there was a grave doubt, to say the least of it, as to whether he had been chosen by the true Legislature of the State. No such question existed in Mr. Lamar's case; but the difference between the two, in view of the Boutwell report, could easily be claimed as immaterial. Senator Morton's keen eye saw a prospect of forcing from the Democrats, through their anxiety to seat Mr. Lamar, concessions or positions which would be helpful to Kellogg, if only Kellogg's case should be acted upon while that of Mr. Lamar was in abeyance.

He therefore caused a caucus of the Republican Senators to be called, in order that he might lay before them his plan of action and impress upon them the necessity for seating Kellogg first. The caucus was held, and the Senator made his state-

ment. It was agreed to, either openly or tacitly, by all the Senators, and it was determined as fairly as anything could be determined, that the Republican Senators would give Mr. Kellogg his seat on his *prima facie* right, and then seat Mr. Lamar at once. The understanding was that Mr. Kellogg's case should be referred to the Committee on Privileges and Elections, that the committee should report back favorably in a few minutes, and that Mr. Kellogg should then be seated on his *prima facie* right. Mr. Lamar would then have been given his seat, and the case of Kellogg could have been fully investigated afterwards. The President's commissioners had not then gone to Louisiana, the Packard-Kellogg Legislature was still in session, and "Senator" Spofford had not been heard of. After the caucus was over, Senator Blaine went to Senator Morton, and asked as a personal favor that he might be allowed to take charge of the Kellogg case in the Senate, on account of some remarks which he wished to make on the President's policy. Senator Morton, seeing no objection and no trick in the request, and being anxious to accommodate Mr. Blaine, consented to his request. The Democrats in the body were of course determined to seat Mr. Lamar, if possible, and to keep Mr. Kellogg out; and the vital point for the Republicans was to bring the Kellogg case before the Senate first, and to have it referred to the Committee on Privileges and Elections, if need be, and reported back at once. It was Mr. Blaine's duty, in pursuance of this arrangement, to have secured recognition as early as possible on Tuesday, and offered the resolution that Kellogg be admitted; but when the proper hour on Tuesday arrived, Mr. Morton was astounded to observe that, instead of the Senator from Maine bringing up the Kellogg case, Mr. Wallace from Pennsylvania was allowed to obtain the floor, and offer a resolution that the credentials of Mr. Lamar be taken from the table, and that he be sworn. Mr. Anthony, of Rhode Island, seeing what had happened, at once moved that the Senate adjourn, but this dilatory motion was voted down; and Mr. Morton was then astonished to hear Mr. Blaine take the floor and express the hope that the Senate would not adjourn without admitting Mr. Lamar. He proceeded to say that his election was entirely regular; that there was no contest against him, and that Mr. Lamar had the same right to be sworn in that he had; and he cordially seconded the resolution of the Senator from Pennsylvania. Mr. Morton at once called his friends around his seat, and said: "We are betrayed." Mr. Spencer, as a dilatory motion, then called for the reading of the report of Mr. Boutwell's Committee on Affairs in Mississippi; but before this was done there was a very interesting debate, in which Mr. Morton locked horns squarely with Blaine, and demanded to know what his objections were to having Mr. Kellogg sworn in. Mr. Blaine replied that, as soon as the Lamar matter was disposed of, he was going to introduce a resolution for the admission of Kellogg. The next paragraph in Mr. Morton's remarks is significant. He said: "I want to say one word to my friend from Maine. So far as my record is concerned, I propose to take care of that. He will perhaps have quite enough to do to take care of his own. I was calling attention, not to any new position I have taken—for I do not intend to change my views because there is a change of case—but I was calling attention to the extraordinary revolution in the views of others that I witnessed on the floor of the Senate this morning. My opinion is that these cases ought to be taken up in the order in which they are called; that Louisiana should be taken up first, and let the others follow as they were called." Mr. Spencer insisted on having Mr. Boutwell's report read; and it was read, and consumed considerable time. But the fat was in the fire for the Republicans, and delay was of no avail, since the Kellogg and Lamar cases were on the same footing; and Mr. Morton himself was bound to vote to seat Mr. Lamar on the same ground that he would vote to seat Mr. Kellogg. The result was that Mr. Lamar was seated, and the Louisiana case was then taken up. . . . The action of Mr. Blaine was and is regarded by many of his associates in the chamber as a gross infidelity to his party. He was fully committed to the agreement in

caucus that the Kellogg case should be taken up first. He deliberately allowed Mr. Wallace, of Pennsylvania, who is his friend, to bring up the Lamar case first; and it is believed by a large number of Republican Senators that he did this in pursuance of an arrangement with the Democratic party, and partly to repay Mr. Lamar for the services of the latter in inducing the Democrats of the House of Representatives to suspend the investigation of his railroad operations at the time when his utter political ruin was impending, and could only be prevented by a stoppage of that investigation. It is a well-known fact that the influence of Mr. Lamar, of Mississippi, and Mr. Barnum, of Connecticut, secured the stoppage of the investigation by the House Judiciary Committee in the summer of 1876.\*

The foregoing piece of political gossip may or may not be well founded. It is given for what it is worth. Mr. Lamar was sworn in on the 6th of March, 1877, with only one dissenting vote.

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After his admission to the Senate, and during the spring and summer of 1877, Mr. Lamar remained quietly at home, recuperating in body and mind from the severe strain of the previous eventful winter. In June he had the pleasure of entertaining for a week the Hon. Stewart L. Woodford, of New York; and of this visit, and of the impressions received by him during his stay in Mississippi, Mr. Woodford afterwards spoke, in an interview, reported by the *New York World*, in 1879, and which is of interest in more respects than one:

“I indorse the policy of Mr. Hayes with my whole heart.”

“What brought about the change of base?”

“Well, it was not exactly a change of base, at least on my part. You see, I knew little or nothing personally about the people of the South; but the summer after President Hayes was inaugurated I went to Mississippi to deliver an address at the University, where I met many of the leading gentlemen of the State, and I was afterwards the guest of Senator Lamar at his home. Then I studied the situation, and became convinced that the white people of the State were in earnest in their endeavor to conciliate the blacks and secure peace; and I determined to use all my endeavors to leave them undisturbed to work out their social problems for themselves. If they cannot and will not do it, no one else can do it for them. I believe that Senator Lamar, Wade Hampton, and most of the Southern Senators and Governors are honest in their promises, and I honor President Hayes for pledging his word to give them a fair chance. By the way, I ought to mention that while I was in Mississippi some of the members of the Republican State Committee called upon me and asked my advice as to the course that was proper for them to pursue. I frankly advised them to make no nominations for State officers, and let the coming election go by default.”

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During this period Mr. Lamar seems not to have appeared in public at all except on one occasion, that of the Democratic State Convention, held at Jackson, on the 1st of August. In the political history of the State few gatherings have been of more practical importance than was this. It was the first general convention to meet after the political revolution of 1875. Less dramatic and striking than the assemblage

\* Edmund Hudson, in *The Boston Herald*.

which preceded and secured that event, its functions and its results were hardly less weighty. That overturned a corrupt State government, achieving a great victory; this was charged with the delicate and difficult task of confirming and conserving the victory—nay, more: of achieving or constructing its possible and worthiest results.

The upheaval of 1875 had been produced by an unselfish devotion of the whole white people to the public weal, by harmony in counsel, by union in action, by a general abandonment of personal aspirations and personal resentments for the common good. This harmonious and unselfish action had been forced by the ever pressing evils of maladministration and by the instinct of self-preservation. That compelling pressure had been relieved, however; and now a new danger was manifested—that of discord and disunion. There were differences engendered by rivalries among men who had been earnest, self-sacrificing, and effective workers, and who naturally might expect recognition and reward. There were differences on minor questions of policy. Under all was the natural and almost invincible tendency of the masses to divide into opposing parties. This tendency manifested itself in Mississippi in a movement toward the “Independent party,” then feebly stirring in politics; but the movement was looked upon with much distrust. It was regarded as the entering wedge for a new Radical supremacy. Already had the *Memphis Appeal*, a paper which always took a keen interest and a leading part in Mississippi politics, declared that “any encouragement given to the Independents is so much taken from the Democracy to strengthen the defeated Radicals;” that “the success of Independency is the success of Radicalism, and that in Mississippi it means a return to the methods and crimes of the Ames administration.”

But, after all, these questions were questions of means only. The ends to be achieved were the happiness and the progressive prosperity of the State, its restoration to the confidence and affections of the American people, and its worthy and dignified participation in the great march of the National Republic. Said Gen. J. Z. George, the Chairman of the Democratic State Executive Committee, in his address to the convention at its opening:

The wise and just constitutional policy of President Hayes in respect to our section, being in exact accordance with the principles of the Democratic party, completes the restoration of the South to its place in the Union. We are now Americans, with no brand of inferiority upon us. This is even conceded by our worst enemies. We must, therefore, discharge our duties as American citizens, insisting on an equality of benefits, as we are willing to bear our share of the common burdens of the government. Our statesmanship must embrace the whole country, seeking to advance the common interests, the common happiness, and the general welfare of the American people.

To this convention Mr. Lamar went as one of the ten delegates from Lafayette County. His presence was for the purpose of defending his

own public conduct against an attack of which he had been forewarned, but which was not made in fact. In conformity with the general custom, immediately after the organization the President appointed two delegates from each Congressional District as a Committee on Platform, and Mr. Lamar was named as one of the members from the Second District.

On the night of the first day after the adjournment of the convention loud calls were made for him. He took the stand, and "delivered an eloquent congratulatory address upon the reestablishment of local self-government and of liberty regulated by law. He counseled harmony, and suggested several important reasons why the Democratic party should maintain a perfect organization and a united front. The Republican party had practically disbanded, but was ready and waiting to take advantage of any divisions that might appear in our ranks. Col. Lamar spoke twenty minutes, and was frequently applauded."\*

In the *Memphis Appeal*, of the Friday following, is found this report of the speech:

Calls were then made for Senator L. Q. C. Lamar, who in response addressed the convention. As he ascended the clerk's desk he was greeted with the most deafening and long-continued applause, showing that his hold upon the confidence and affection of the people had not in the least relaxed since his last appearance at the capital.

After stating that it would be impossible for him to make an elaborate or set speech, because of the lateness of the hour and the fatigue of a sultry day, he congratulated them as Mississippians and as American citizens upon the fact that the South was again free. (Applause.) For the first time in twelve years they had met together in their capital to look upon a country rescued in all its parts from the shackles of tyranny, and ready to begin a new career of freedom, progress, and prosperity. After dwelling upon this point with great force, he said: "I congratulate you that this grand deliverance is in a large measure the work of the Democratic party." He proceeded then to show what a salutary influence could be wrought upon the administration of the government by a patriotic, consistent, and resolute opposition, even when that administration, with all its powers, is in the hands of antagonists. He quoted from the recent letter of Senator Morton to show that he confessed that the policy of military domination in the South was no longer practicable in the administration of the country, and that the Republican party must yield to the inevitable. Strange result that one party, in the very flush of victory, should see its policy perish; and the other, in the very moment of defeat, should behold its principles enthroned in triumph! Recent events had demonstrated to the North that the South was no element of disturbance to the tranquility of the American Republic, nor of subtraction from its security or strength; and thousands upon thousands of honest and patriotic Republicans were now convinced of this, and were ready to make her people full sharers in the benefits and blessings and the greatness and glory of that Republic. At the head of these (to his everlasting honor be it spoken!) stands the present President of the United States, who, in the discharge of his high duty as the President of the whole people, had struck a blow for the restoration of the South to her position of equality, which had vibrated to the extremities of the Union, and had carried consternation into the ranks of his party. This act of patriotism, justice, and political intrepidity on his part merits the approbation and support of Southern men; and this may be he-

\*The *Weekly Clarion*, Aug. 1, 1877.

stowed by Democrats of the South standing solidly upon a platform of Democratic principles, and without breaking our alliance with that great national party which has so long stood, with unshaken constancy and fidelity, by the rights of the South.

He did not believe that the American people are prepared to accept the disbandment of the Democratic party. He here spoke of the principles of that party, which, he said, were imperishable, and were the essential elements of every free government; of the number of its voters, constituting a majority of the people of the nation, and the extent of its organization in every section of the country. Nor do the political events of the day justify the South in breaking up her unity. He referred to the efforts of Blaine and Morton to keep the Republican party upon its basis of sectional aggression. The very existence of such an organization, in open revolt against the policy of its own President because of his nationality, is a standing menace to our security and prosperity and civilization. He reviewed the recent letter of Senator Morton, and the speech of Senator Blaine, made at Woodstock, and replied to their arguments. He said that questions of constitutional law, of the relations of the States to the Federal Government, and of the relations of the people to their State Government, would soon cease to play any very conspicuous part in the issues of American politics. Questions of tariff, trade, commerce, currency, and transportation would soon take their places, were already beginning to engross the attention of the people, and will tax the intellect of American statesmen. To the discussion and settlement of these questions the Southern statesmen must contribute their due share of study and thought, or the South will never regain her intellectual and moral prestige in political affairs. She has already demonstrated her capacity to rise above the passions and prejudices of party when their commands conflict with the safety of the nation or the safety and peace of the country. If the time should ever come (may God forbid that it ever shall!) when she shall be called upon to choose between her own local interests and the welfare of the nation at large, he believed that she would sustain her public men in subordinating the former to the latter.

This is a fair outline of his remarks, which were greeted with applause throughout.

Early on the morning of the 2d the Committee on Platform met. Among others, a resolution was introduced on the subject of the remonetization of silver. Several members spoke in opposition to any action, especially at that time, since the convention was about to meet, and the committee was hurried. Mr. Lamar said that it was an important question; that no one could hastily give a correct opinion on it; that, while he was inclined to favor remonetization, yet he thought the subject too vast and important for hasty action; that the subject had called forth a great and varied literature *pro* and *con*, etc. Some member, probably Mr. Barksdale, then suggested that the committee lay over that and all other Federal questions to an adjourned meeting to be held at noon; but, while this suggestion was adopted, during the morning it was informally agreed to report at once, without a further meeting, and this was done.

The platform, as adopted by the convention, contained no deliverance on the silver question.

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The first session of the Forty-fifth Congress was a called session, which convened on the 15th of October, 1877, and continued until the second or regular session began in December.

The first public appearance of Mr. Lamar in the Senate was on the 30th of November, in the debate over the Senatorship from Louisiana, of Spofford *vs.* Kellogg. His speech, however, was not made on the principal question, but on a substitute offered by Senator Thurman, to the effect "that M. C. Butler be now sworn in as a Senator from the State of South Carolina." When Mr. Lamar made this speech he was quite unwell, and he was forced to suspend before the conclusion of his remarks. The speech is therefore a fragment, and its opening promise to "take the occasion to reply to some of the allusions which have just been made to the alleged violence and murders in the South" could not be fulfilled, which is much to be regretted. However, the speech, as made in part only, affords an admirable example of his own power of lucid and temperate statements of fact in controverted cases. It also contains a clear and interesting analysis of the contest for the organization of the Legislature of South Carolina, in December, 1875, as well as a fine argument on the relations of the State Legislatures and their members to the election of United States Senators, under the constitution and laws of the United States.

## CHAPTER XXI.

The Silver Speech—Summary of the Question—President Hayes' Message—The Bland Bill—The Matthews Resolution—Debate on the Resolution—Mr. Lamar's Speech—Newspaper Comments—The Legislative Instructions—Correspondence—Refusal to Obey Instructions—Speech—Public and Private Comments—The Double Question of Statesmanship Involved—*Harper's Weekly*—"A Heart Almost Mated to Despair"—Campaign Speech of 1879—Defense of Vote on the Resolutions—The Texas Pacific Railroad—Report and Speech on the Same.

ON the 24th of January, 1878, Senator Lamar delivered his speech on "Payment of the Government Bonds," commonly known in Mississippi as his "Silver Speech." This speech and his votes connected with it, as Senator Walthall said in his own argument of September 7, 1893, "produced the temporary jar, the only one that ever occurred, between the people of Mississippi, or some of them, and Mr. Lamar, who before and afterwards was their favorite leader." They also afford a most striking and dramatic example of his high and unflinching devotion to duty as he saw it, and constitute one of the most widely known and greatly admired of his acts.

Prior to the year 1873 the coinage of the United States was unlimited by law, and included, as is commonly known, both gold and silver coins of full legal tender capacity. The silver dollar was the standard of value, and comprised 412½ grains of standard silver. In that year, at a period when, as one of the effects of the Civil War, no metallic currency was in actual circulation, following the example set by England in 1816 and by Germany in December, 1871, the Congress of the United States passed a statute which stopped the coinage of the standard silver dollar, took away its legal tender quality for amounts over five dollars, and adopted the gold dollar as the sole standard of value. This act attracted no public attention at the time of its passage, and there seems to have been a universal ignorance of its effect. About the year 1876, because of the impending resumption of specie payments by the government, fixed by law to take place in 1879, much discussion arose as to the actual legal status of the metallic currency; inquiry into the legislation of 1873 became common and widespread and censorious, and the remonetization of silver "became a shibboleth and an issue."

Meanwhile the value of silver had fallen until the bullion content of a dollar of 412½ grains, standard, was only ninety-two cents.

The United States Government had outstanding an immense debt, evidenced by notes, certificates, and bonds. Some of those obligations called for payment in "dollars;" others, for payment in "coin;" and in connection with the discussion of the resumption of legal tender silver



coinage arose a further question as to whether any or all of the government obligations could lawfully, or justly ought to, be paid in the silver dollars thus depreciated.

We have already seen how these questions began to touch Mr. Lamar politically; that in the State Democratic Convention of the year preceding (1877) an unsuccessful effort was made in the Committee on Resolutions to bring that question to the front in State politics. Mr. Lamar went to the session of Congress unembarrassed by any party expression from his State upon the subject, but he went also a known friend of what its advocates called "honest money" and of the most jealous protection of the national credit.

On the 5th of November, during the extra session, the House passed a bill, of which Mr. Richard P. Bland, of Missouri, was the author (commonly known thereafter by his name), which provided for the resumption of the coinage of full tender silver dollars of 412½ grains. The vote upon it was one hundred and sixty-three ayes to thirty-four noes, ninety-three members not voting. On the next day the bill was sent to the Senate, and there referred to the Committee on Finance. On the 21st of November that committee reported the bill, with sundry amendments, and it was placed on the calendar.

President Hayes presented the subject in his message, December 3d, 1877. He did not believe that "the interests of the government or the people would be promoted by disparaging silver," but held that it should be used only at its commercial value. "If," said he, "the United States had the undoubted right to pay its bonds in silver coin, the little benefit from that process would be greatly overbalanced by the injurious effect of such payments if made or proposed against the honest convictions of the public creditors."

Secretary Sherman, in his annual report at the same time, said that in the work of refunding he had informed his associates in an official letter that, "as the government exacts in payment for bonds their full face in coin, it is not anticipated that any future legislation of Congress or any action of any department of the government will sanction or tolerate the redemption of the principal of these bonds, or the payments of the interest thereon, in coin of less value than the coin authorized by law at the time of their issue, being gold coin." He earnestly urged Congress to give its sanction to this assurance.\*

On the 6th of December the Bland Bill, being then on the Senate calendar, was by that body made a special order for the following Tuesday, the 11th. Immediately afterwards Mr. Matthews, of Ohio, introduced this concurrent resolution, which was laid upon the table to be printed:

Whereas by the act entitled "An act to strengthen the public credit," approved March 18, 1869, it was provided and declared that the faith of the United States was thereby solemnly pledged to the payment in coin or its equivalent of all the interest-bearing obligations of the United States, except in cases where the law authorizing the issue of such obligations had expressly provided that the same might be paid in lawful money or other currency than gold and silver; and

\* Laughlin: Mill's "Political Economy," p. 323; Blaine's "Twenty Years in Congress," v. II., p. 603.

Whereas all the bonds of the United States authorized to be issued by the act entitled "An act to authorize the refunding of the national debt," approved July 14, 1870, by the terms of said act, were declared to be redeemable in coin of the then present standard value, bearing interest payable semiannually in such coin; and

Whereas all bonds of the United States authorized to be issued under the act entitled "An act to provide for the resumption of specie payments," approved January 14, 1875, are required to be of the description of bonds of the United States described in the said Act of Congress approved July 14, 1870, entitled "An act to authorize the refunding of the national debt;" and

Whereas at the date of the passage of said Act of Congress last aforesaid—to wit, the 14th day of July, 1870, the coin of the United States of standard value of that date included silver dollars of the weight of  $412\frac{1}{2}$  grains each, as declared by the act approved January 18, 1837, entitled "An act supplementary to the act entitled 'An act establishing a mint and regulating the coins of the United States,'" to be a legal tender of payment according to their nominal value for any sums whatever; therefore

*Be it resolved by the Senate (the House of Representatives concurring therein),* That all the bonds of the United States issued or authorized to be issued under the said acts of Congress hereinbefore recited, are payable, principal and interest, at the option of the Government of the United States, in silver dollars, of the coinage of the United States, containing  $412\frac{1}{2}$  grains each of standard silver, and that to restore to its coinage such silver coins as a legal tender in payment of said bonds, principal and interest, is not in violation of the public faith nor in derogation of the rights of the public creditor.

On the 10th of December (the day previous to that set for the consideration of the Silver Bill) Senator Matthews called up his resolution and opened the discussion of it, which was resumed the next day. The Silver Bill was, in effect, postponed by vote until the final action upon the Matthews resolution. "The eagerness for debate upon the resolution is shown by the *Record*. Thirty-four Senators delivered speeches, most of them elaborately prepared, going over the history of the precious metals, the field of American legislation, and international practice in money." This discussion was prolonged until the 25th of January, when the resolution was adopted by a vote of forty-three to twenty-two, passing the House three days later by a vote of one hundred and eighty-nine to seventy-nine.

Certain of the speeches made in this debate need special notice, for the reason that they are alluded to specifically in Mr. Lamar's argument.

Mr. Voorhees supported the resolution in a passionate, brilliant, and eloquent speech, the central idea of which was that to adopt a rule of paying the bonds in gold to the exclusion of silver would be violative of the faith of the government to the people of the country (mainly workers) who held the treasury notes, since those notes were expressly made legal tender for all dues of the government except *interest* on the public debt and customs dues. He denounced the whole later financial legislation of the Congress as a "bull" movement in favor of capitalists who held bonds. He especially assailed the demonetizing act of 1873,

declaring that it "had crawled into our statute books" furtively and noiselessly; that it "was rendered possible partly because the clandestine movement was so utterly unexpected." He spoke of two classes: those who desire money to be plentiful and cheap because they work for it, and those who desire it to be scarce and dear because they already have it. "And," he said, "it was in the real and actual interest of this latter powerful class that silver was demonetized in 1873, not because it was less valuable as money than gold, nor because such a change was demanded by the policies of foreign nations, but simply because retired capital desired to diminish the amount of money of every kind circulating in the hands of the people."

Senator Cockrell, of Missouri, made a very ingenious, but somewhat fanciful, speech in favor of the resolution. He put his argument into the shape of a legal proceeding, followed by judgment. Said he: "In order to ascertain the exact questions of law and of fact at issue touching these bonds, I have prepared and will submit to the high court of national honor and public faith, of which we hear so much, a petition on the part of the bondholder, as plaintiff, against the United States, as defendants, demanding payment in gold alone. And an answer by the United States setting up their rights to pay the bond, principal and interest, in silver coin of 412½ grains weight, nine-tenths fine, to the dollar, and a replication by the bondholder denying the right, and setting up his reasons for demanding gold alone. I will then consider the questions of law and fact in issue and abide the decision of the high court of national honor and public faith."

Senator Randolph, of New Jersey, spoke in opposition to the resolution. He held that the government had the legal right to pay a portion of its bonds, those of issue prior to February, 1873, in gold or silver coin, at its option; but even those bonds could not lawfully be paid in either coin, gold or silver, which for any reason had become of inferior value to its legal tender mate. "Every Act of Congress," said he, "changing our coinage laws has had but one purpose, practically—to make the legal tender coins of gold and silver of equivalent value. If we are to be taught by our own unbroken action, all we can do now, if aught is to be done, is to adjust our legal tender coins anew." Had not our creditors, domestic and foreign, a reasonable right, in view of our uniform practice in regulating the coins, to believe that that practice would remain unchanged? If the bonds should be declared payable in a coin debased in comparison with the other, would it not be in effect repudiation? We cannot afford to rest under even a suspicion of that crime. He continued:

The Senator from Mississippi (Mr. Lamar) will pardon me, I am sure, in making an illustration based upon the history of the great State he represents, a State peopled by many dear to me as to him.

In 1852 the State of Mississippi practically repudiated its obligations. It did not undertake the gentler device of these days and "scale" them out of existence; it just refused to pay them. And, sir, it has kept its promise to itself, though it has broken it to others.

I pass over the years that intervene between this act and those of comparatively recent date. Years after the war had closed—years in which every State of the South, as I thought, had felt the weight of the despoiler's hand—visiting my old home at Vicksburg, I asked of Mississippians what debt the carpetbaggers had been able to fasten upon their unhappy Commonwealth. I knew that some of the most ingenious and cruel of all that rapacious horde had settled within the limits of the State, and, forgetting its repudiation of twenty years ago, I naturally asked what the State debt had grown to be. The answer was: "Practically, sir, we have no State debt! So complete was the prostration of our State credit by reason of the repudiation of 1852 that even the unparalleled ingenuity, the unsurpassable effrontery, and the incomparable devices of carpetbaggers have not been able to contrive a scheme giving credit enough for the basis of the petty thievery they would have accommodated themselves to. Whatever the State's necessities have been, whatever its interests have suggested, they found no one willing to give enlarged credit to Mississippi."

I can say, Mr. President, as if in parenthesis, that this is the single instance within my knowledge where any people have apparently profited by their own wrongdoing.

But, sir, what has Mississippi lost since the fatal act which ruined her credit? If her citizens have required large sums, they have obtained them at usurious rates of interest; if her corporations have needed capital, they have purchased it by paying rates above those accorded to sister States; if her counties or townships or cities have desired to effect local improvements through the aid of capital from beyond their boundaries, the same inexorable penalty has attached to them. Great, cruel injustice has come to successive generations because of the wrong of those who preceded them. Free and enfranchised, the credit of the new State is becoming second to none. But, sir, it is safe to say that the cost to her of the one wrongful act has been more than if she had been despoiled by fraud and robbery, even as South Carolina and Louisiana have been.

May we not as Representatives of the United States profit by the history and experience of one of our number?

Senator Lamar had bestowed upon these questions a full and careful study. He had collected great numbers of pamphlets and books, in which both sides of the controversy were elaborately treated, and which yet remain, marked and annotated freely by his own hand. He had even studied the Minutes of the Paris Conference in the original. His object, however, seemed to be not to prepare for a speech, but rather to satisfy his own mind as to the truth of the controversy, his attitude toward it being strictly judicial.

His speech\* was delivered on the 24th of January, opposing both the Matthews resolution and the Bland Bill. It was directly in reply to the argument of Senator Matthews, in which the Senator expressly confined himself to the question of the legal and moral right of the government to frame its legislation so as to conform to the principles of the resolution introduced by him, distinctly stating that he would not

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\* Appendix, No. 16.

consider what the interests of the government and the country required. Senator Lamar maintained that the very fact that those grave and important considerations were not deemed pertinent to the discussion constituted a sufficient and conclusive objection to the adoption of the resolution. It was from that very point of view that he desired to consider the proposition, and from which he proceeded to do so. The following summary will indicate the general drift of his argument, but the strength and beauty of it can only be gathered from a perusal of the speech itself:

1. The resolution, as well as the Edmunds amendment, was objectionable because it put the whole question on the point of legal right, ignoring all considerations of sound financial policy. Its adoption would be not merely the bare assertion of an abstract right, but more: a solemn declaration to the world which, lying upon our records, would be pregnant with embarrassments and injurious misconstructions along the whole course of our future financial interests. In particular, its effect upon the pending attempt to refund the national debt at a lower rate of interest would be disastrous.

2. The amendments and substitutes offered were objectionable because they implied a committal against the policy of remonetizing silver. Such a course was inopportune and ill-advised. There was more than one method by which silver could be placed upon a solid and lasting foundation as a part of the currency of this country.

3. He was not a monometallist, either for gold or silver. He would, at that moment, put the government abreast of those governments which favored silver coinage. The effect of the proposed measure, however, would not be bimetallism, but the consolidation of the currency of Europe upon a gold basis and the establishment of a silver monometallism in America. This is shown by the testimony of ardent bimetallists.

4. The effect of the bill proposed will be to expel gold from the country to the extent that silver is used. Why substitute a silver currency for a gold one, especially when gold is the more efficient metal of the two, and our country produces more gold than silver?

5. The bill seems to be pressed, not so much as a measure looking to the lasting prosperity of the nation by a permanent financial policy, as one for relief from present distress among the people. He was prepared to vote for any measure which would give such relief, but the remedy promised by this bill was a delusion. The facts of the world's financial history show conclusively that there is no necessary relation between a scarcity of money and the demonetization of silver. The fact is that in a nation there is just so much of capacity for metallic currency, and the flowing in of silver after that capacity has been reached simply causes an outflow of gold, without increasing the aggregate of the two metals. The true cause which put a limit to any aug-

mentation of our currency that would be commensurate with the increasing demands of trade, and put a stop to the inflow of any coin, was the presence of an inconvertible depreciated legal tender paper currency. Nor would the practical operation of the proposed measure be to arrest the process of contraction going on under the Resumption Act, but rather the contrary.

6. To the argument that the measure would give increase of compensation to the laboring classes through the higher prices which it would produce, and to the indebted classes increased means of discharging their liabilities, he answered: That the laborer's wages do not rise as prices rise, and the result would be increase of burdens upon him for the time being; that the farmers of the South and West had nothing to pay their debts with except their surplus over current expenses; that the prices for their commodities were fixed by the European market; and that it is a law without exception that a people will come to hopeless insolvency who sell their products in a low market and are compelled to buy food, clothing, and shelter in a high one. The indebted classes would be crushed down further than before.

7. In a few years our national bonds would fall due. We could not expect to pay them. The question is not, How shall they be paid? but, How shall they be carried? The rate of interest depends upon our credit. England pays only three per cent. because of the general confidence in her sensitive regard for her public credit. The refunding at four per cent., which has been stopped by the pendency of this bill, would save us \$20,000,000 per annum. This alone should settle the question of the policy of paying the bonds in a depreciated coin. (In this connection, Mr. Lamar briefly explained the repudiation charged against Mississippi.)

Mr. Lamar closed with a fine peroration, in which he touched upon several matters advanced from the other side. He deprecated the distinctions made between producers and mind workers; he honored both. He repelled the idea that the holders of bonds were necessarily "bloated." He touched upon the obligations under which the South rested of late to the conservative influence of capital in matters political. He showed that in the earlier days of the Republic the commercial classes and the planters of the South had both been conspicuous in all the struggles involving the interests of labor; that the latter, even while denounced as bloated slaveholders and *effete* aristocracy, had always been the sure allies of the Northern Democracy, faithful to the interests of the laboring classes of the North. He closed with these words:

Mr. President, we, the successors of these men, are here to-day. By a policy which is a noteworthy fact in the nineteenth century, we have come to mingle with the representatives from the States of this Union in a common council for the good of this country. We come no longer as representatives of the capital interests of the South. We

come not as the mere allies of the laboring men of the North any longer, but as laborers ourselves, every one of us and every one of our constituents taught the stern lesson of the necessity of earning our bread in the sweat of our face. But, sir, we come with our convictions unchanged as to the necessity of the laboring classes of this country being protected in all their rights and in all their interests, for when that class sinks, the entire fabric of our society must sink and crumble; but we come believing that they are honest, that they are patient, that they are self-reliant and true to their obligations, and that what it is their duty to do they will feel it is to their interest to do. We have differed among ourselves upon this great question, but of one thing the world may be assured: that no Southern Senator representing Southern people will give a vote upon either side of it which is not designed, on the one hand, to protect the laboring classes of this country alike with its capital, or, on the other, that will not preserve untarnished the sacred honor of America. [Applause in the galleries.]

This speech was much discussed in the newspapers, with varying comments, of course, as the papers differed in sentiment upon the questions involved.

The *Newark Daily Journal*, of the 25th, said:

The country has great cause to thank the Democracy of Mississippi, yea, the "shotgun" "rebel Democracy" of that reconstructed State, for having sent to the councils of the nation a man at once so brave, so able, and so truly patriotic as Senator Lamar. This justly distinguished man has followed up Senator Randolph in a speech on the financial question, which is declared on all sides to have been the greatest effort of his Washington career and a most masterly presentment of the statesman-like side of the debate.

What adds force, not to the speech—for it is difficult to imagine anything more forcible—but to Senator Lamar personally, is the fact that he has shown the highest type of human courage in delivering such a speech: moral courage. The Mississippi Legislature, unlike the New Jersey Legislature, is possessed of the silver craze, and had given evidence of its purpose to instruct Senator Lamar to vote for the Bland Silver Bill. At once Lamar resolved to disobey the mandate of his State, should it come.

*Harper's Weekly*, of February 16, said:

It is a remarkable spectacle, that of Senators Lamar and Hill, on one side, earnestly and eloquently insisting upon keeping faith and redeeming in their full spirit and intention the promise of the government, and, on the other, that of devoted supporters of the Union during the war now insisting that the government shall partially repudiate its obligations in a way which will necessarily distress industry and labor. . . . If the action of Congress is to be accepted as the test, neither the Republican nor the Democratic party is the party of strict maintenance of the national faith.

Meanwhile the pendency of these measures before Congress attracted much attention in Mississippi. The newspapers freely discussed "The Remonetization of Silver" and the probable course of Senator Lamar upon the Bland Bill. The Legislature convened in January, and on the 10th Hon. Ben. King, of Copiah County, a member of the State Senate, introduced in that body a resolution, the substance of which was an instruction to the Senators from Mississippi, and a request to the Representatives, to support the Bland Bill and also the proposed repeal of the Resumption Act of 1875. On the 15th Mr. Gibson, of Al-

corn County, introduced a similar resolution in the House. The latter resolution passed at once, *nem. con.*; but both hung fire in the Senate.

On the 24th Senator Lamar made his speech, and on the 25th voted against the Matthews resolution; while Senator B. K. Bruce, the colored Republican Senator from Mississippi, voted for it.

Three days before, Hon. W. A. Percy, the Speaker of the House, had addressed to Mr. Lamar this letter:

JACKSON, MISS., January 21, 1878.

. . . I received a letter a few days since from Mr. Bayard relative to the action of our Legislature upon resolutions to instruct our Senators in regard to the Bland Silver Bill. It reached me after our House, very much to my disgust, had adopted the resolutions; but it would have done no good had it come earlier. The people are under a pressure of hard times and scarcity of money, and their Representatives felt bound to strike at something that might give relief, the how or wherefore very few of them could explain. I have some hope (very slight) that the resolution may be modified in the Senate so as to assume a general form, simply favoring remonetization. While, without any special study of the subject (for I have been too much occupied to give it study unless it came in the line of duty), I think that an increase of currency, of the circulating exchangeable medium, would be of service to the whole country, and especially to our section; yet I regard it as a presumption for men who have given the subject, I judge, no more study than I, to undertake to instruct our Representatives, whose special duty it is to thoroughly investigate the whole subject. Especially is this so when those Representatives are men of unusual ability and unquestioned integrity. I hope you will read my letter to Mr. Bayard.

On the 30th one of the members introduced in the House a resolution as follows:

That Hon. B. K. Bruce, Senator of the United States from this State, in his recent vote for the resolution offered by Hon. Stanley Matthews in the Senate, favoring the remonetization of silver, has reflected the sentiment and will of his constituents; and the thanks of the Legislature of the State, now in session, are hereby tendered to him on the part of the people of Mississippi.

This resolution, on motion of Mr. Street, was so amended as to substitute for all after the word "constituents" the clause "and said vote is hereby indorsed and approved;" and in that shape was passed, greatly to the disgust of Senator Lamar's friends. Mr. Speaker Percy, on being asked by the author of the resolution, when the House adjourned, what he thought of it, expressed the view, in language somewhat pungent, that "it is a damned outrage." In this opinion Mr. Percy did not stand alone by any means, and many who would not have employed his adjective did not disavow it when they heard of it. Mr. Lamar felt this action keenly. He considered that over the shoulder of Senator Bruce a blow had been aimed at himself.

On the 4th of February the House finally concurred in the Senate resolution, as follows:

Whereas in the judgment of the Legislature of the State of Mississippi and the people whom they represent, the act now pending before the Congress of the United States remonetizing silver will restore public confidence and relieve the existing pub-



lic distress, and will not violate the faith of the general government, nor impair the national credit; therefore,

1. *Be it resolved by the Senate of the State of Mississippi (the House of Representatives concurring),* That our Senators be instructed, and our Representatives requested, to vote for the act remonetizing silver, and to use their efforts to secure its passage.

2. *Be it further resolved,* That the Secretary of State transmit immediately a copy of these resolutions to our members of Congress.

On the 28th of January the Senate took up for consideration the suspended Bland Bill. This gave rise to a longer and broader discussion than that which had occurred on the Matthews resolution. The debate was protracted until the 15th of February.

In the meantime, and while the debate was in progress, Mr. Lamar wrote to Hon. James Gordon, a member of the Legislature from Pontotoc County, as follows:

WASHINGTON, February 8, 1878.

*My Dear Sir:* . . . I recognize the right of a Legislature to express its opinions upon questions of Federal policy, and I think such expressions of opinion are entitled to the most respectful and patient consideration of the Federal Representatives; and if there be any doubt in the mind of either a Senator or a Representative as to what his course ought to be, he should give to the sentiment of his people, as expressed by the Legislature, the full benefit of that doubt, and vote in accordance with their wishes. But in this particular case their wishes are directly in conflict with the convictions of my whole life; and had I voted as the House of Representatives directed, I should have cast my first vote against my conscience.

It is impossible for a public man to serve the interests of his people and to secure their lasting prosperity if he does not study closely and anxiously the great questions which come before Congress, and speak without reserve the honest conclusions to which those investigations have brought him. If he allows himself to be governed by the opinions of his friends at home, however devoted he may be to them or they to him, he throws away all the rich results of a previous preparation and study, and simply becomes a commonplace exponent of those popular sentiments which may change in a few days. Without assuming to be a man of any largeness of character myself, or intellect, I do know that such a course will dwarf any man's statesmanship. . . . Were I to act differently from what I have, I should not be the man that I feel I now am in this country. I would be simply considered as a commonplace echo of current opinion, not the result of mature deliberations even among the masses who entertain that opinion.

But it was not my purpose to go into this matter. I write simply to express to you my warm and grateful appreciation of your kind words. I assure you it is no agreeable position that I now occupy. Men mistake me if they think I underestimate the confidence and affection of the people of Mississippi; and nothing can be a greater calamity, in my estimation, than the estrangement of that people from me, except the consciousness that I deserve such estrangement. I would rather deserve than have their approval.

Thanking you again for your consoling letter in this crisis of my political fortunes, I am, . . .

This letter from Dr. Barnard is of interest in this connection:

COLUMBIA COLLEGE, N. Y., PRESIDENT'S ROOM,

February 12, 1878.

*My Dear Lamar:* I sympathize with you with my whole heart. Your position is

one of cruel trial. A man in public life could not possibly have a heavier cross laid upon him, yet it rejoices me in the depths of my soul to see that you have the courage and the moral strength to bear it manfully. I could hardly read the notes you sent me without tears. In the sad simplicity of their tone they are indescribably touching, but there is something about them better than that: in the calm determination which they avow to be governed by the dictates of conscience, and to abide by the convictions of your deliberate judgment, there is something grand and noble.

My dear friend, if, when the time of trial comes, you utter nothing more nor less than those few words which you have here written down, you will have immortalized yourself as surely as if you had won a hundred battles.

I know how much it costs you now, and may cost you yet; but what it costs you now to be compelled to act in opposition to the views and instructions of your constituents is probably the severest of your trials, even though the future cost may be the seat you hold in the Senate. But should you suffer that loss, it will be a noble sacrifice, and one for which you will be honored so long as the political history of your country is read. But I will not believe this. You have intimated in these notes your purpose to appeal to the people of Mississippi, and I believe your appeal will, in the end, be successful. You have the confidence of that people to an extent almost without precedent among public men. They are devoted to you because they believe you to be upright, honorable, and inflexibly true to principle and to duty; and because they know you to be able and judicious, eloquent in speech, and powerful in argument. They will listen to you, therefore, with a willingness to be convinced; and when the present moral epidemic shall have begun to subside, and they shall be once more clothed and in their right mind, it will not, I firmly believe, be very difficult to convince them that they have been unconsciously eating of the insane root. . . .

I have read your great speech a second time. It improved on re-perusal.

What an astonishing thing that the best statesmanship, and almost the only statesmanship, we have now is furnished by the South, and that the truest friends to the Union are those who honestly tried once to get out of it! That was a capital hit of Hill's where he said he tried his best to make the bondholder who purchased at sixty cents lose the sixty cents that he gave, but now he was for giving him the dollar he was promised.

Sincerely yours,

F. A. P. BARNARD.

On the 14th of February Mr. Lamar wrote to his wife:

The Legislature has instructed me to vote for the Silver Bill. I cannot do it; I had rather quit politics forever.

On the 15th the debate on the Silver Bill was drawing to a close. The final voting was about to begin. Senator Lamar had made no further argument, being content with what he had already done; but now he arose in his place and said:

*Mr. President:* Having already expressed my deliberate opinions at some length upon this very important measure now under consideration, I shall not trespass upon the attention of the Senate further. I have, however, one other duty to perform; a very painful one, I admit, but one which is none the less clear. I hold in my hand certain resolutions of the Legislature of Mississippi, which I ask to have read.

The Vice President:

The resolutions will be read by the Secretary.

The Chief Clerk read the resolutions of instruction.

Mr. Lamar:

*Mr. President:* Between these resolutions and my convictions there is a great gulf. I cannot pass it. Of my love to the State of Mississippi I will not speak; my life alone can tell it. My gratitude for all the honor her people have done me no words can express. I am best proving it by doing to-day what I think their true interests and their character require me to do. During my life in that State it has been my privilege to assist in the education of more than one generation of her youth, to have given the impulse to wave after wave of the young manhood that has passed into the troubled sea of her social and political life. Upon them I have always endeavored to impress the belief that truth was better than falsehood, honesty better than policy, courage better than cowardice. To-day my lessons confront me. To-day I must be true or false, honest or cunning, faithful or unfaithful to my people. Even in this hour of their legislative displeasure and disapprobation I cannot vote as these resolutions direct. I cannot and will not shirk the responsibility which my position imposes. My duty, as I see it, I will do; and I will vote against this bill.

When that is done my responsibility is ended. My reasons for my vote shall be given to my people. Then it will be for them to determine if adherence to my honest convictions has disqualified me from representing them; whether a difference of opinion upon a difficult and complicated subject to which I have given patient, long-continued, conscientious study, to which I have brought entire honesty and singleness of purpose, and upon which I have spent whatever ability God has given me, is now to separate us; whether this difference is to override that complete union of thought, sympathy, and hope which on all other and, as I believe, even more important subjects, binds us together. Before them I must stand or fall; but be their present decision what it may, I know that the time is not far distant when they will recognize my action to-day as wise and just; and, armed with honest convictions of my duty, I shall calmly await results, believing in the utterances of a great American who never trusted his country in vain, that "truth is omnipotent, and public justice certain."

Of this incident the *Washington Capital* gave this account:

One of the most interesting incidents in Friday's proceedings in the Senate was Senator Lamar's explanatory remarks regarding his intention to vote against the Silver Bill. Allison had just closed his two-hour speech in favor of the bill, and the question was about to be put upon the first amendment, when Mr. Lamar arose. Remembering the embarrassing position of this gentleman with respect to the pending bill, every Senator immediately gave his attention, and the Chamber became as silent as the tomb. Mr. Lamar began by saying that he had already expressed his views on the question before the Senate (giving an abstract of the remarks above).

In delivering himself of these keenly felt, ennobling sentiments, Mr. Lamar's voice grew tremulous with emotion, and his body fairly shook with agitation. The scene was an impressive one, and as soon as Mr. Lamar sat down Senators of both sides of the Chamber crowded around him to shake his hand. Not only did several of his extreme political opponents warmly congratulate the Mississippi Senator upon his manly action, but his Southern friends who differ radically with him upon the question of finance gathered about his desk; and while they did not indorse his financial views, still they commended him for daring to do what in his mind he believed to be right. Among those who were first to grasp Mr. Lamar's hand were Senators Ransom, Morgan, Withers, Bailey, and Saulsbury.

Senator Lamar's course attracted much attention throughout the country; indeed, that goes without saying, the American people being what they are. His bold stand for conscience against popularity and

position excited universal interest and comment. No man was less a contriver of sensations than he, and yet he could not better have produced one had he tried ever so skillfully. Editorial notices and newspaper communications poured in on him in schools, as did also letters from every quarter—from lawyers, divines, professors, authors, bankers, editors, statesmen; from all sorts of men, and men of all politics. The great mass of this material is an embarrassment of riches, but a few typical selections will be presented. The attentive reader will perceive that they not only indicate the reception given to Mr. Lamar's action, but also cast interesting and valuable side lights upon this history:

NEW YORK, February 18, 1878.

*Dear Mr. Lamar:* Just from Chicago, and my two days on the cars were made delightful by the generous praise I heard in every mouth of your bold and noble act. The affecting speech with which you announced your vote was read aloud in the palace car that I was in, and men and women were moved as only good deeds can move the human heart.

Remember, too, that this was going through the West, where most people wanted silver and bad money; but none of them were so far gone as not to recognize the gold of an heroic act which is currency throughout the world. I have but a moment, immediately on my return, to express my delight and my confident assurance that you will never regret it.

Truly your friend,

WM. WALTER PHELPS.

WAPPINGER'S FALLS, N. Y., February 19, 1878.

*Respected Sir:* I am of a different political party from yourself; you have no acquaintance with me; I have no right to address you, except as each one of your countrymen is of your constituents. But I cannot resist the impulse to express to you my very hearty admiration and gratitude for the speech which you made in the Senate in reference to the resolutions of your State Legislature on the Silver Bill. My eyes were suffused with emotion while I read your words. Your act helps to bring to an end the evil results of the cruel war. It is easier for everybody in the whole land to act out the belief that "truth is better than falsehood, honesty better than policy, courage better than cowardice."

Respectfully yours,

(Rev.) JAMES OTIS DENNISTON.

NEW ORLEANS, LA., February 16, 1878.

*My Dear Sir:* You have displayed on many occasions great traits of head and heart, and have won the respect and applause of thousands of people who have not always agreed with you on political questions; but your manliness and courage of yesterday is the crowning glory of your illustrious life, and as one of your most ardent admirers I want to express to you my delight.

Sincerely,

H. C. WARMOUTH.

SENATE CHAMBER, WASHINGTON, D. C., March 7, 1878.

*My Dear Sir:* . . . Your manly course in obeying your own convictions of duty on the passage of the Silver Bill reflects great credit upon yourself, but will soon be claimed by your people as a greater credit to the State itself.

With highest regard, I am yours very truly,

BENJ. H. HILL.

DENT, O., February 16, 1878.

*Dear Sir:* Let me thank you for your remarks on the instructions of the Mississippi Legislature, because your conduct is the assertion of a principle of political science—to wit: that a matured public will must not implicitly obey an immature (inchoate) public will. To establish this principle as the guide in our politics is the great work of the present and coming generations of America. It means the rescue of true Republicanism from a false Democracy.

Truly yours,

CHAS. REEMELIN.

JACKSON, MISS., February 18, 1878.

*Dear Sir:* In view of your recent vote on the "Silver Bill," against the instructions of our Mississippi Legislature, it will be, perhaps, pleasing to you to know that there are many among your constituents here who not only agree with your views on that subject, as expressed in your recent speech in the Senate, but who also heartily approve of your whole course in the matter. I write to say that I am one of that number, and to express my very great admiration for the honest, courageous, and eloquent utterance of your convictions on the subject, as reported to us in the press dispatches, just before casting your vote.

Very respectfully,

WM. H. SIMMS.\*

GRENADA, MISS., February 16, 1878.

*My Dear Colonel:* With my vague understanding of the subject, I have been in favor of the Silver Bill. . . . Therefore, if I were in Congress, I would vote for the bill.

You have calmly reflected on the subject, and have gone to the bottom of it; and, anxiously and earnestly seeking for the truth, have risen from the labor with the conviction that it is best for your people that the bill should be defeated. You know, too, what it costs you personally to vote against your instructions, that your constituents may be benefited; and know as well, and have known all the while, how the popular tide was running. You know, too, the use some people will make of your action, though at heart they may know that you are right. And yet you had the patriotism and the courage to follow your convictions, and brave whatever storm may follow. Whatever others may have thought, I knew that you could burn for your principles; and that sublime exhibition of your fidelity and braveness of heart in the Senate yesterday, while it gave me no surprise, thrilled me to the soul with the loftiness and genuineness of your honorable stand.

Our sentiments are sometimes exemplified by other men's actions, which give them a strength and beauty with which we have not clothed them before. With me there is a sentiment of duty—never fully tested, however—which has never been so wholly met by any man's action as by yours yesterday. When I read your speech, submitting the resolutions from Mississippi, I said: "He has done it, but grander even than I thought; and now his claim to greatness is permanent and fixed."

The victory of truth *is* sure, and your full vindication will come. The people will save you from the machine work which has been set in motion against you, and which has not been moved by their hands. God bless you while you are waiting and standing firm! My wife sends her love and hearty approval and sympathy.

Your true friend,

E. C. WALTHALL.

On the 18th of February thirteen members of the State Senate wrote to Mr. Lamar a joint letter, the substance of which was that the confi-

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\* Lieutenant Governor, and President of the Senate which gave the instructions.

dence of the people in his fidelity to their interests and in his sound statesmanship remained unshaken, and that the people would sustain him in the independent exercise of his own judgment. To this communication Mr. Lamar made (undated) response about the end of March:

*Gentlemen:* I have the great pleasure of acknowledging the receipt of your letter of the 18th of February. From the time when, in the discharge of what I considered an imperative duty, I voted against the Silver Bill, until the adjournment of the Legislature of Mississippi, I have steadily forborne any correspondence with its members. I found myself unable to agree with the majority of them upon a very grave question of public policy; and, having done what I considered my duty, I felt that it was only proper that I should leave them to discharge theirs without explanation or suggestion from me. It was for them to decide what estimate they would place upon my action, free from any personal deprecation on my part.

As the Legislature has now adjourned without any expression of opinion upon the vote which I cast, I feel myself at liberty to return my thanks to those who have recognized, as you have done, the spirit in which I acted.

I do not know what your individual opinions are as to the merits of the bill itself; and I feel, therefore, only the more grateful for an approval of the independence of judgment which I thought it my duty to exercise.

This confidence in my character and approval of my construction of my Senatorial duty are infinitely more valuable to me than any popularity which a vote cast either way, on any particular measure, might achieve.

They are worth more, far more, than the personal honor they do me. They will serve as an encouragement to others who, representing you hereafter, may feel themselves burdened with similar responsibilities; and they illustrate the intelligence, the fidelity, the generosity of the State of which it will be, as it ever has been, my highest ambition to be a trusted representative.

I am, gentlemen, very truly and sincerely yours,

L. Q. C. LAMAR.

Of the multitude of newspaper notices let these suffice:

The *Vicksburg* (Miss.) *Herald*: "One of our little contemporaries wants to know when we intend to begin on Lamar. We hardly know. Perhaps not at all; then we may change our mind any day. But we can hardly see our way clear to attack a man who says that he did what he thought to be right. We don't mind handling the small timber in the Legislature, but dislike to tackle a giant. We can name several little contemporaries who, in all human probability, will be lauding Lamar to the skies before the next Presidential election. All of our readers understand fully that Senator Lamar voted against the financial policy that this journal has taught for years, and we were grieved that he did so. But the future is before us. His vote never hurt his State one particle; and if he, with his great ability and eloquence, can aid Mississippi in the future, the *Herald* will not throw one straw in his way. We are not of those who believe that he is untrue to the State whose honors he has never yet sought in vain, and, until we do believe that, we will not harshly censure, for fear that we may do an injustice. . . . Although Lamar has boldly voted directly against the wishes of his people, we still have so much confidence in him that we feel like saying of him that if Lamar is not an able, true, Southern statesman there is no timber in this State of which to make one."

The *Jackson* (Miss.) *Clarion*: "There will be no room for the charge that Senator Lamar is a timeserver, or wanting in the courage of his convictions. Nevertheless, the Senator who disobeys the clearly expressed will of his constituents, and votes contrary to their instructions, assumes a fearful responsibility. In doing so he violates the fundamental principle of free, popular government—that the representative is

the agent of the people, charged with the execution of their will, which is paramount to that of any individual, however exalted his office."

The *North American* (Philadelphia): "The action of Mr. Lamar, in disregard of the instructions of the Mississippi Legislature, is exciting various comment. Senators of the United States represent States, and Legislatures are their electoral constituencies. The doctrine of instructions appertains to that of State rights, as understood at the South, though Northern and Western Legislatures have occasionally instructed their Senators during the pendency of important Congressional legislation. . . . At first glance it would seem eminently proper for the people to express their opinions; yet, after all, the question of the binding force of such an expression remains unsettled. There can be no question touching the right of the people, either by themselves or by their Legislators, to express their will touching any proposed or pending legislation in Congress. They may by the same right instruct their Senators and Representatives to vote in accordance with their expressed will. Nobody questions these matters at all. The only variance is as regards the binding force or obligation of the instructions. . . . The conclusion is therefore inevitable that the doctrine of instructions is a dead-letter doctrine, and can never be anything else until the constitutional provision creating the Senate shall be radically changed, so as to give Legislatures the power to recall a recalcitrant Senator, and replace him with one more pliable and obedient. But there is a broader and deeper question than this of amenability to instructions. Technically a Senator of the United States represents his State; but in a larger, and we believe in a truer sense, he represents the entire nation. He is sent to legislate not for any locality, but for the whole country. The people of one State may demand something from which they could perhaps derive some temporary benefit, but which would entail loss or damage to the people of every other State. Under such circumstances a Senator is bound to regard the common interest, despite instructions or threats. . . . And unless they were selected with especial reference to some measure of policy put in issue, we do not see how they are bound to violate judgment and conscience simply because the people of their section demand it. A man going into a canvass, pledged if elected to advocate and vote for certain measures, is of course morally and in honor bound to fulfill his pledge, or resign. As to questions unforeseen, and not in issue at the date of his election, he is bound to vote as he thinks the best interests of the country demand. There was no issue made on the unlimited tender of silver when Mr. Lamar was elected. He went to Washington a known advocate of honest money and honest dealings with national creditors. He has not changed his mind, and his vote in disregard of the instructions of the Mississippi Legislature was perfectly proper. He was not elected to do the will of the people of Mississippi, but to legislate for the country at large. Mississippi, as a State, has nothing to do with the currency. It has no power (nor has any other State) to regulate the currency; that is the business of the Congress of the United States. Any State may advise and instruct its Representatives, but there its function ends. It cannot compel action in accord with its instructions. Mr. Lamar's action is worthy of highest praise, not only because of its manly disregard of self, but because it marks a new departure in Southern politics."

The *New Orleans Times*: "Some of the Mississippi papers display an animosity against Senator Lamar which appears to us to be as unjustifiable as it is unaccountable. . . . As Louisiana owes her redemption to Senator Lamar as much as to any one man in the United States outside this State, we feel at liberty to manifest our gratitude to him by repelling petulant and unjust accusations against him. We esteem his action on the Silver Bill both wise and courageous. Had he been a truckling demagogue, like many of the Senators who consulted only the prospects for reelection and supported the bill knowing it to be wrong in principle and unfortunate in its effects, he would have got on the popular side and voted for it. There was every inducement

for him to disregard his honest convictions; but he stood by them like an honest man, and did his best to avert the mischievous consequences of a prevailing popular lunacy. . . . Even if wrong in his convictions, his position is most creditable to him as a conscientious Representative."

*The Nation*: "The leading speakers in the silver debate in the Senate have been Messrs. Bayard, Eaton, Randolph, Hill, Lamar, Kernan, Blaine, Christiancy, Edmunds, and Morrill—six of them, and the strongest, being Democrats. Moreover, two of the Republicans (Messrs. Blaine and Christiancy) proposed compromises which were simply trifling improvements on the original proposition. Mr. Lamar is perhaps entitled to more credit than any of them, as his vote will probably cost him his seat. He presented to the Senate on Saturday resolutions of the Mississippi Legislature instructing the State Senators to vote for the Silver Bill, which, however, he announced his intention of disregarding, in a short speech, which, for manliness, dignity, and pathos, has never been surpassed in Congress. . . . At such a crisis a man of Mr. Lamar's courage serves his State best by thinking only of his country. But how absurd and quixotic his performance must seem to Blaine and Conkling!"

*Harper's Weekly*, March 9, in a column article upon "Senator Lamar," presumably from the pen of its chief editor, George W. Curtis, said:

The honors of the silver debate and of the defense of the national faith in the Senate of the United States have unquestionably rested with the Democrats. . . . No Senator has shown himself more worthy of universal respect than Mr. Lamar; for none has stood more manfully by his principles, in the face of the most authoritative remonstrance from his State. The dignity and heroism of his position are worthy of especial attention. [The article then sets forth the fact of the instructions, gives Mr. Lamar's speech of refusal in full, and proceeds.] There is a striking contrast to this position which has not escaped the attention of the country. The opposition to the Silver Bill has been largely Republican. . . . The Democratic Senator from New York has ably opposed it in Congress. The Republican Senator from New York has contented himself with a few words in presenting petitions. The Democratic Senator from Mississippi has shown the manly courage which becomes an American statesman; and his position, apart from its moral dignity, is the true position for a Senator in regard to the question of instruction. . . . Should Mr. Lamar be requested by the Legislature of Mississippi to resign, he may perhaps yield to the strong and general public feeling of his State; but we trust that he will see that the reason which is good for disregarding instructions to vote in a particular way is good for declining to resign.

Any presentation of the speech of Mr. Lamar upon the Silver Bill and of his whole course in that matter would be radically defective and altogether inadequate which should fail to emphasize this fact: that he was largely influenced by the same desire which colored his whole political course—a deep anxiety to restore the South to the confidence and good will of the Northern people. Let it be carefully remembered that from the close of the Civil War until the time when his speech was made there was a strong and constantly manifested tendency among that people to look with distrust upon the Southern attitude toward the national debt and the national credit. During the troubled and bitter period of reconstruction it was a common argument and prophecy of politicians and statesmen of that school of which Mr. Morton was the



type to deny the wisdom of reestablishing Southern States in their equality of rights within the Union for the reason that their people would war upon those vital interests, since it was through that credit and debt that they had been conquered. That feeling and that fear had been by no means allayed in the Northern mind.

There was, therefore, in the questions by which Mr. Lamar was confronted a double problem of statesmanship: First and chiefly, the question for the whole nation, as between the nation, on the one hand, and its citizens and the world, on the other; secondly, the question for the South, as between that section and the North—the same old, all-absorbing problem of the South's complete rehabilitation. He was convinced that, apart from all theories and all science of sound finance, the course he followed was the truest and wisest statesmanship as a distinctive question of Southern policy.

Yet the reader must not make any erroneous and unjust inference here. Senator Lamar's idea was not to buy Northern favor by a calculating and cringing course. The first and indispensable point was to be right on the main question; but, being convinced that his view was the correct one, then the wisdom, for Southern statesmen, of standing firmly and unmistakably by that view, and the good to be derived to their section from so doing, although on the whole a secondary consideration, was in his eyes of the greatest importance. The evidence of a nationalized South, the proof of a Southern people in full and generous sympathy with the most jealous sentiment of national honor—that was one of the great special needs of the hour. Much had been done by temperate, wise, and patriotic counsel among the Southern members of Congress during the previous winter in the controversy over the Presidential election. It remained to do more, if possible, of the same sort.

The full extent and practical importance of this view of Mr. Lamar's is to a slight degree indicated by the following editorial from *Harper's Weekly*, of February 16, 1878, being the same number which noticed at some length the course of the Southern Senators on the Matthews resolution. The article was entitled "North and South," and was as follows:

It has been said for a long time that there could be no really better understanding between the sections of the country that were divided by the war so long as the old party organizations continued. The dominant Southern population, it was argued, associate all the suffering that has befallen their States with the Republican party, and could have no other politics than the overthrow of that organization. It was assumed that Southern leaders in Congress would offer steady and unreasoning aid to every proposition to embarrass or discredit the national government; that they had no purpose but revenge in any way and at any cost, and that if they could embroil parties to the point of violence they would be only too glad to do so. It was this apprehension which alarmed "the North" during the summer of 1876 with the prospect of a "solid South;" and there were Republican leaders who relied upon this jealous fear to pro-

mote their personal advantage in the success of the party. It is but the truth to say that this apprehension has not been justified by events, and that the conduct of eminent Southern leaders in critical public situations has shown a patriotism, moderation, and wisdom with which they had not been credited.

Since the end of the war there have been two questions of vital importance to the public welfare. One was the electoral dispute of last year, and the other is the silver scheme which is now under discussion. It is now evident that, had the Southern leaders in Congress acquiesced a year ago in the schemes of Northern Democrats, *pro hac vice*, like David Dudley Field, civil commotion would probably have ensued; but they did not acquiesce. Many of them voted for the Electoral Bill, and they sustained the decisions under it, as they held that they were honorably bound to do. Their conduct was certainly not such as had been anticipated by the Northern feeling that they awaited only an opportunity of revenge, and they are entitled to all the credit of wise and patriotic action. . . . Their conduct was not that of disappointed rage and vengeance. It showed that great injustice had been done to them in this part of the country.

. . . It was still less to be expected that upon a question involving the full and fair payment of the war debt some of the most conspicuous representatives of Southern opinion should have so cordially and so powerfully advocated the honorable maintenance of the national faith. . . . The anticipation that Southern leadership, after reconstruction, would probably attempt some kind of evasion or repudiation of the debt, led to the adoption of the fourth section of the fourteenth amendment to the constitution. It was to baffle the probable action of men like Senators Lamar and Hill; yet now, when it is proposed virtually to dishonor the faith of the United States in the payment of the debt, Senators Lamar and Hill vigorously oppose, and Republican Senators like Messrs. Allison, Ferry, and Howe warmly support the proposition. Such action, with the declarations of the Charleston and New Orleans Chambers of Commerce, is another great step toward better mutual understanding. It shows that mere sectional politics are becoming more and more obsolete. It shows also that old party lines are disappearing, and that if good understanding was impossible so long as they were sharply drawn, another barrier is falling.

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Meantime how fared it with Mr. Lamar, the subject of so much discussion and criticism or praise? It fared ill, indeed; for he was very unhappy. It was not the probable loss of place or of power which weighed upon him, but the supposed withdrawal from him of their confidence by the people whom he loved. By those who knew him well then and afterwards it was commonly observed that unjust criticism or unfounded suspicion from Mississippi wounded him more deeply than could anything else. However, while Mr. Lamar was much distressed, he did not proclaim his grief in the marketplaces. It is only in the sacred penetralia of his letters to his wife that any utterance of his sorrows is found. One of those letters shows that he was anxiously and sadly questioning his heart:

Can it be true that the South has not the intelligence and public virtue needed to meet the emergencies upon her? Can it be true that she will condemn the disinterested love of those who, perceiving her real interests, offer their unarmored breasts as barriers against the invasion of error? Have the spirit of her fathers, the sagacity of Jefferson; the patriotism of Washington, the virtue of Clay, departed from her? And is

she to be the victim of the demagogue—blind leaders of the blind to their common destruction?

In another he speaks of his "heart almost mated to despair." In a third he says:

I have been the recipient of a good deal of praise here lately, but I take no further pleasure in it. If I thought I could do good by remaining in public life, I would care very little for either praise or blame; for my eye has long been fixed on objects far higher than any personal promotion can reach, and which, if attained, would be an overabundant consolation for any personal failures or defeats.

The only thing that depresses me (so far as I am personally concerned) is the fact that I am not in a pecuniary condition to vacate my office without doing my family great injustice. I feel more self-reproach at my not saving something for all of you than for anything else.

I am very thankful to Mr. Murray for his desire to make his paper my defender. I would rather, however, that he would not, at the outset of his editorial experiment, incur the risk of defending a cause so unpopular just now.

Again, he says under date of March 16:

I wish I was well off enough to quit politics. The South has now her destiny in her own hands; and my efforts in her behalf to promote her power and her influence, as well as the prosperity of her people, will be ineffectual unless fully and heartily responded to. I can quit public life with heart pure and hands clean, and I want to get away from it before I become so habituated to it that I can't live happily in my family. . . . This world is a miserable one to me except in its connection with you. . . . I get a great many complimentary letters from the North, very few from Mississippi. James Gordon, from Pontotoc, sent me one that gratified me very much. He voted against the resolutions commending Bruce and, by implication, censuring me.

To Hon. John M. Allen, then a District Attorney, Mr. Lamar wrote on the 17th of March:

Such kind expressions as those contained in your letter tend greatly to lighten the burden imposed upon me in consequence of my course on the Silver Bill. The trial through which I am going is one of the most painful of a life that has not been free from painful incidents. It is indeed a heavy cross to lay upon the heart of a public man to have to take a stand which causes the love and confidence of his constituents to flow away from him. But the liberty of this country and its great interests will never be secure if its public men become the mere menials to do the biddings of their constituents instead of being representatives in the true sense of the word, looking to the lasting prosperity and future interests of the whole country.

In the following year (1879) Mr. Lamar, giving, as he said he would, his reasons to his people for his vote on the Silver Bill, said:

Soon after my admission into the Senate the question of the remonetization of silver came up in that body. [Here he gave a rapid sketch of the financial legislation of the United States, and then continued.]

The Act of Congress stopping the coinage of the silver dollar was passed in 1873. At that time the coined value of the dollar of 412½ grains was equal to its bullion value all over the world, some say three cents higher. At the time when it was proposed to be remonetized it had fallen to ninety cents. Now, if it were true that it was the Act

of Congress which had caused this fall in the price of silver, all that was needed to restore the former price was to repeal the act of 1873 and remonetize the metal. Unfortunately, however, there were other causes quite independent of the action of Congress which operated to depress the value of silver. The Empire of Germany, whose legal tender money had been silver, discarded that metal as money and adopted the gold standard, establishing a gold currency. Other nations followed: Sweden, Norway, Denmark, and Holland. England had for many years given up silver money except as an assistant in the way of change; and in France, Italy, Belgium, Switzerland, and Greece the coinage of silver was indefinitely discontinued. In a word, silver ceased to be a money in the commerce of Europe. Along with this general stampede of the nations there were other causes which were sapping the foundations of this metal considered as money. The increase in the supply of silver was enormous just when the demand for it was lessening. In the United States alone, while the production in 1860 was only two millions, in 1876 it was forty millions. The demand for it diminished in almost equal proportion. The supply increased in a very short time one hundred per cent., and the demand fell off eighty per cent.

The result of all this has been a very great shock to the prosperity of mankind. It caused an absolute loss of actual productive capital and a depression in the wages of labor and in the value of property everywhere. In the meantime a large and an increasing number of able and enlightened authors, who predicted these effects, had been laboring to convince Europe that the restoration of silver was necessary to the prosperity of the world. In this movement no country had a deeper interest than the United States. We are the greatest producers of silver in the world. I was therefore an advocate of the remonetization of silver. I have always favored its restoration to the money of this country, and, while a member of the House, uniformly voted for measures looking to that end.

As I have been much misunderstood and misrepresented on this question, I ask you to listen to what I said in my speech in the Senate:

"I believe that there is a method of remonetizing silver—indeed, there is more than one method—so as to place that metal upon a solid and lasting foundation as a part of the currency of this country. I believe that it can be incorporated into the national currency so as to conduce to the prosperity of the country, satisfy the popular demand, and that, too, without any shock to the great interests involved, and even with strengthening effect to the public credit.

"By concert of action with all those nations *who are favorable to the remonetization of silver* I believe that a legal ratio between these two metals can be fixed so as to make what is called the double or alternate standard feasible, at least sufficiently so to advance all the practical purposes of commerce and trade and business. It must be a fair and an honest ratio, one in which the legal relation between these metals corresponds to their actual relation; and there must be coöperation in order to insure this result, for I think I shall be able to demonstrate that we can make but a slight impression in that direction standing solitary and alone."

To this end I voted in favor of a proposition to remonetize silver by opening all the mints of the United States to the coinage of silver dollars containing 425 grains each; and for a further proposition directing the President to invite the countries composing the Latin Union, and such others as he might see proper, to join the United States in a conference looking to the adoption of a common ratio of legal tender as between gold and silver, and for the purpose of establishing internationally a metallic money with fixity of relation between the two metals. I announced my readiness also to place the United States side by side with the nations that had established even the ratio of 15½ to 1.

It has been wisely said that money is an institution of nations, and not of one nation. That is true. The thing, the quality which gives money its value and curren-

cy as a universal instrument of exchange, that quality which severs it from all other commodities, whether in respect of intrinsic or exchangeable value, is the consent of nations; and, say what you may, the most authoritative form in which that consent can be given is the laws of those nations respectively. Withdraw that consent, and the material to that extent loses its function as money, and is remanded to the condition of a mere commodity. While, therefore, the leading civilized and commercial nations of Europe no longer acknowledge silver as money, it is as impossible for one nation to raise the mass of the world's silver from its consequent depression as it is for one man to raise the level of the sea by lifting up a bucketful of its water.

But I believed that something could be done by the United States in advance which would induce the nations of Europe to coöperate in the restoration of silver to its former relation to gold. To do this, however, it was necessary to coin a dollar which would have enough silver in it to make it equal in value through all the markets of the world to a gold dollar. Such a measure would not only have increased the volume of our currency, but it would also have made resumption easy.

The proposition to coin a depreciated dollar, one that was worth only ninety cents, and to make it legal tender for a dollar, I was opposed to, and voted against. I was opposed to such a debasement of our coinage, for reasons which I gave in my speech on that occasion; but there was one other reason which I desire to call to your special attention.

One of the most prominent points in the debate was as to the effect upon the public credit of the proposal to pay the national debt with this depreciated money so proposed to be coined. The advocates of the short coinage insisted that the acts of Congress to strengthen the public credit and to fund the public debt only pledged the solemn faith of the government to pay the bonded debt in "coin," and that the act of 1870 expressly provided that the bonds should be redeemed in coin of the then present standard; that, as the standard coin of the United States at that time included the silver dollar of 412½ grains, to pay the bonds in such coin was not, for that reason, any violation of the public faith, even if the coin had depreciated in value; and that the creditors had no right to complain, because the legislation on which they based their claim to be paid in gold was passed through fraud, and clandestinely, for the base purpose of enriching the bondholders at the expense of the people.

On the other side, the advocates of the full dollar insisted that, while the act in its letter said "payable in coin" (which included the silver dollar), yet in point of fact less than nine million silver dollars had been coined since the government was formed, and even that nine million had disappeared; that no such money as the silver dollar existed at the time of the issuance of these bonds or the funding of the public debt. It was further urged that a law was passed in 1873 prohibiting the coinage of the silver dollar and taking away its legal tender quality, and gold coin made the only standard of value; that after this law was passed demonetizing silver the government borrowed \$520,000,000 in gold from the people of this country and elsewhere; that the government got the money upon these bonds in gold, dollar for dollar; that it received the whole amount of them after silver ceased to be the legal coin and the legal tender of the country; that the creditors had loaned this money in gold at four per cent. to the government because they expected, and had a right to expect, that they would be paid in the same kind of money the government had borrowed and received from them, and which then constituted the only legal tender coin of the government; that the national honor required the United States to pay its debts in the manner its own legislation had authorized its creditors to expect; and that while it might have the power to make its creditors take their pay in depreciated coin, which its own action had helped to depreciate, and thus make them lose ten per cent. of the gold they had loaned to the government, it could not do it without a violation of the public faith and a derogation from the fame and dignity of the American Republic.

This issue produced a profound impression, not only in this country, but in Europe. It was the first time that the national credit of the United States was ever brought into question in the markets of the world; it was the first time that the public faith of this government was made in commercial circles a matter of argument and speculation. Before the war the United States Government had practically no public debt abroad. During the war the bonds issued were not regarded as the bonds of the United States as an entire nation. They were the bonds of the Northern section of the Union, fighting to reestablish national authority; but the creditors took the chance of the result, which depended upon the success of their armies in the field, like the Confederate debt depended on the chances of victory or defeat. It was not until the war was ended and the Union restored that the debt became national and the credit of the whole reunited Republic became pledged to its redemption.

This debt spread its connections throughout the whole land. It was incorporated, so to speak, through the industrial, social, and political transactions of that vast section which, at the close of the war, represented the strength, the manufacturing industry, the inventive genius, the accumulated gains, and the commerce of the nation.

One of the great, I may say the chief, apprehensions in the mind of the North about the restoration of the South to a participation in this government (an apprehension felt not merely by powerful corporations and public institutions, but shared also by many in private homes) was that the South would never sincerely in her heart maintain the sacredness of a debt which had been contracted in order to bring her back by force of arms into the Union, and yet the trifling with which would be a fatal injury to the great material interests of the country. It was feared, not that the debt would be directly repudiated, but that its stability, its full, punctual, scrupulous discharge would be endangered by wild schemes which would appeal to Southern prejudices and promise relief and plenty to an impoverished and heavily taxed section. Let me read you what a distinguished Northern man said, who afterwards formed a higher estimate of our people and advocated their restoration to equality in the Union and to their rights of self-government.

[Mr. Lamar here read a letter from Mr. Sumner to President Johnson in 1865, insisting that his policy of conciliation would abandon the freedmen to the control of their ancient masters, and would leave the national debt exposed to repudiation by returning rebels. He then continued:]

Now, fellow-citizens, I submit to you, on which side of this question should a Southern Senator, having due regard to the honor, the dignity, and the lasting interests of the Southern people, have ranged himself? I have already said that the eyes of the commercial world were turned to America; but their gaze was most especially concentrated, and that, too, with the intensest interest, upon the action of the Southern States and their Southern Representatives who had just been admitted back into the Union, and have so important a part to bear in shaping its policy. Bear in mind our solemn pledges that, so far as our influence would go, the national credit should be maintained inviolate; remember the pledge that I made as the chairman of the Democratic caucus in 1875; remember that Mississippi elected me to the Senate in a few days after that sentiment was uttered; remember our solemn pledge to support those amendments to the constitution, one of which declared that the validity of the public debt should not be questioned. Gentlemen, as a Representative of the South in the American Senate, I felt myself, with my Southern associates, to be a joint heir of a mighty and glorious heritage of honor and responsibility. The brightest pages in American history—whether colonial, revolutionary, or constitutional—are those which record the achievements of Southern statesmanship, Southern patriotism, Southern public virtue. Remember the South's Patrick Henry, who fired all hearts to strike bravely for liberty; remember her Thomas Jefferson, who penned the immortal Declaration of Independence; remember her James Madison, who, with his compeer,

Hamilton, but he the chief more than any other man, outlined the plan, laid the foundations, and reared the splendid fabric of the matchless Constitution of the United States; remember her Washington, the man whose equal no nation or epoch has yet produced. Then, after the constitution was ratified and the Union established, for nearly three-fourths of its first century Southern statesmanship conducted the administration of its government, and Southern eloquence guided and adorned its councils. When her representatives surrendered that government into the hands of her opponents, it was, in the language of one of the most eminent of those representatives, "without a stain upon its honor, matchless in its splendor, incalculable in its strength, the wonder and admiration of the world."

Then, during the four years' period of the war, with its direful desolations and mournful memories, Southern honor shone always—in deeds of valor on the stricken fields, in unyielding fortitude, in sublime self-sacrifice, and unfailing moral heroism—all over our land. I remember once witnessing a debate in the House of Commons, in England, when I heard Mr. Gladstone declare that the resistance of the Southern people against the tremendous preponderance in numbers and resources of their enemy was marked by achievements as heroic as any that could be found in the storied age of Greece or in the best days of Rome. And, gentlemen, could you have heard this tribute to Southern valor and honor received with cheers and acclamations in that great and historic Hall of Parliament, you could not have kept your blood from bounding with a quicker throb, or your hearts from swelling with a grander pride; and who does not feel, in their memories, some recompense for the struggles and sufferings of brave years?

Then the still darker period of the South's final defeat and surrender came, and that other and the darkest yet: the promethean agony and horror of carpetbag rule. I need not portray to you the hideous spectacle of our sufferings under that soul-crushing tyranny. I was about to say that they are fresh in your minds; but no! they are seared upon your brains, they are burnt into your hearts. During the past anxious summer our people have been praying to God to spare them from a repetition of the frightful epidemic which last year filled our land with desolation and mourning and woe; but if it were to be put to the vote of our citizens to-day, they would welcome the pestilence as a merciful release rather than to be made again the prey of that most deadly, loathsome, and crushing visitation that once fell upon our people from Carolina to Texas.

But, gentlemen, even in that doleful period when the Southern armies laid down their arms and surrendered the claim of their States to independence, even in that later horror, the memory of which is worse than that of the plague, the people of Mississippi gave not up their manhood nor their integrity nor their honor. Year after year the State of Mississippi presented the spectacle of a queen dethroned. The royal mantle had been torn from her beautiful limbs; the imperial scepter had been wrested from her grasp; the diadem snatched from her noble brow. Not unlike the Greek Slave she stood. Her lips were sealed; her helpless hands were crossed and manacled. Yet there was in her eye a proud and serene light, upon her palid lips a tender smile, of which her ruthless rulers could not rob her. The memory of all the past was hers. In her bosom she bore the consciousness of having given princes to the indestructible realms of thought. Her sons had won unfading laurels in the broad arenas of political strife, in the intricate labyrinths of legal lore, in the sweet fields of literature, on the lofty heights of Christian culture and ministerial toil. Though her bosom was naked, though it heaved with mighty sorrows and bore the burden of tears, yet still through the sorrow and the tears shone the memory of her children. The royal robe, the regal scepter, the jeweled crown, were gone; but she looked proudly upon the shining roster of her sons, and, with the Roman matron, exclaimed: "These are my jewels!"

But, fellow-citizens, that is now all past. Mississippi and her sister Southern States have now entered upon another era in their history. They are rehabilitated in their sovereignty. They stand, through their Senators and Representatives in the Congress of the nation, each State restored to her proud position of dignity and equality as a member of the Union; but she stands there on her parole of honor. And what is that parole? "The validity of the public debt shall not be questioned;" "the public credit must be sacredly preserved, and repudiation in every form and guise denounced."

Now, gentlemen, on the floor of that Senate I stood with this sacred trust in my hands: to preserve unscathed the spotless legacy of Southern honor, and to pass it on to my successors bright and untarnished. Tell me not that the letter of the law and of the contract allowed the government to pay those bonds in depreciated silver which the government had itself demonetized. It is not worth a moment's time to consider whether the contract may be so construed or not. Those who hold the obligations of the United States do not so construe them, and they were authorized to construe them as payable in gold by formal legislation of Congress making it unlawful to enforce their payment in silver. Believing that the United States would pay the bonds in gold, they took the bonds, giving gold for them, dollar for dollar. I appeal to the glorious worth of your Southern descent: should a Southern Senator vote to shear off ten per cent. (fifty-two millions of dollars) of its debt to those who trusted to the honor of this country and invested their money in it, especially when the borrowing was done in its struggle for national preservation?

Fellow-citizens, had the South voted against this proposition and insisted that the bonds of the government, if paid in silver at all, should be paid in such silver money as would be equivalent to their amount in gold, it would have given her a power and influence with all the ruling classes of civilization and in all the markets of the world that would have been to her a treasure richer than all the mines of Nevada and all the gold of California and Australia combined. She would have been regarded as the firmer supporter of the national credit. There would not have been a man in the country who would not have felt that her presence in the councils of the nation strengthened the tenure by which he holds his possessions, and everywhere in the civilized world the accession to power of a party of which she formed a part would have been regarded with confidence and approval. The appointment of a Southern man to a Supreme Judgeship or as a Minister abroad or to the Cabinet at home would have been hailed with pleasure by all of those classes. And more: the capital of Europe, owing to the disturbed condition of the nations, finds no safe investments except at very low and unremunerative rates of interest. Its holders were not disposed to invest further in Northern mines and manufactures. They were looking to the South, especially to the production and the manufacture of cotton and cotton goods. However much Northern men may haggle and quibble about their right to pay in silver a debt incurred in gold, I know that the South damaged herself in the eyes of the commercial world when she helped to enact that bonds understood to be payable in gold shall be hereafter payable in silver worth eight per cent less. While our lands are dead for the want of capital to make them boom, this voting is of a kind, in my opinion, to put an end to the coming of money South, either in the shape of loans or investments. So long as it is understood abroad that politicians can ride into power by exciting your passions against capital, by threatening it with hostile legislation, and by predicting its destruction by violence, the capital will stay away. It is these financial agitations which are obstructing the return of prosperity and wealth to our section.

Mr. Lamar closed this branch of his speech by saying:

I believe that the condemnation of my course has now somewhat abated. The



measure became a law in spite of my vote. I did no harm, at least; but have the results so confidently predicted from that measure been reached? Not one. No man has been enriched, no industry fostered, no debts paid, by the light silver dollar. Since, however, the policy has been adopted, I shall do all in my power to make it successful. I believe in and shall advocate bimetalism: an honest silver dollar, and the reestablishment of universal bimetalism by the concurrent legislation of all commercial nations.

The opinions and the policy thus announced by Mr. Lamar in respect to his own position he afterwards spoke and wrote of frequently. For instance, in a letter of November 3, 1885, he said:

My own opinion is that the coinage of silver was so limited by the act that the embarrassments have been postponed to a very late day, but that they will surely come, sooner or later. I think *sooner* rather than *later*.

In a subsequent letter to Judge James Jackson, of the Supreme Court of Georgia, he wrote on March 1, 1886, that

The issue between the President and the Congress on the silver question is one which I do not think will be productive of any disintegrating consequences upon the organization. . . . The thing to be regretted is that the South, against whom mistrust has been kept alive on this very point of its hostility to the material interests of the dominant section, confirms that mistrust, or furnishes additional ground for it in its solid opposition to the demand of the commercial and business classes of the North for a uniform standard of currency. Apart from the unstatesmanship of such a course politically, it is an unsound position financially for them to take.

Other expressions upon this subject will be found in their appropriate chronological places through this volume. Looking to Mr. Lamar's speeches, his subsequent letters and authentic conversations, his views on the coinage question may be thus summarized:

1. He was opposed to the exclusive use of either gold or silver as the sole legal tender metallic currency, but favored the use of both; and he believed this system to be practicable by any of several methods.

2. He favored the unlimited coinage of silver with legal tender quality, even at an arbitrary ratio between gold and silver, *within certain limits*, provided that the coöperation of European powers could be secured by international agreement.

3. In the formation of such a monetary alliance he was in 1878 willing to place the United States side by side with those States which were favorable to the remonetization of silver, and did not deem it essential to wait on either England or Germany.

4. He was willing to undertake the independent coinage of silver, provided, however, that in such case the ratio should be so adjusted as to place in a silver dollar a gold dollar's worth of silver.

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Mr. Lamar's next speech in the Senate was made on the 28th of February, in reference to a bill authorizing the holding of a special term of the United States Court at Scranton, Miss., in order to dispose more promptly and conveniently of a batch of timber depreciation cases. The

matter was of only temporary and local interest, for which reason the argument made is not embraced in this volume.

His speech upon the Texas Pacific Railroad Bill was of more general interest.

Since the year 1845 the question of a great transcontinental railroad, connecting the Atlantic and Pacific Oceans, had been in agitation. From almost the beginning of the discussion the South was in the field as a competitor for the location of the road, claiming that the Southern route was both shorter and more practicable than either the middle or Northern routes. The matter attained such dignity as to form planks in the party platforms before the Civil War. The exigencies of the war caused the actual construction of the present Central-Union lines. Upon the termination of hostilities the agitation for a Southern route was actively resumed, the principal argument being that the government aid and patronage extended to the Central-Union lines was a discrimination between sections, and, moreover, the maintenance of a gigantic private monopoly. The Southern people became very earnestly enlisted in the scheme for a Southern competing line and in the obtaining of government aid toward its building, advancing various arguments of military and postal and police and social benefits to the government and the people.

Mr. Lamar was much interested in the cause, and pressed it with all his power. It will be remembered that, in his opinion, his advocacy of the measure was one at least of the causes of the violent assaults made upon him in Washington in the winter of 1876-77, under cover of his advocacy of the Electoral Commission compromise.

The government, acting as the Legislature for the Territories, had incorporated the Texas Pacific Railroad Company in 1871, with a liberal land grant. The financial crisis of 1873 crippled the infant company, and in 1874 it appeared before Congress as an applicant for further aid in the shape of an extension of time for completion and a government guaranty of the payment of the interest of its construction bonds. This application was vigorously, and finally successfully, resisted. The opponents were principally the friends and promoters of the Southern Pacific of California, which company desired to work into the territory covered by the grant to the Texas Pacific. The friends of the latter company, however, claimed that the Southern Pacific was nothing but a branch of and feeder to the Central Pacific of the middle route, and that its success meant only a further continuance of the monopoly; while the Southern Pacific people contended that the Texas Pacific was being manipulated in the interest of the Pennsylvania Central combination, and would not be a Southern road in fact even if built.

When the Forty-fourth Congress was organized in December, 1875, Mr. Lamar, then being a member of the House, was appointed Chair-

man of the Standing Committee on the Pacific Railroad. He soon found that it was an exceedingly troublesome and vexatious office. In addition to all of the diverse interests and selfish controversies to be reconciled or decided against, in addition to the earnest, almost clamorous insistence of the South, there was the irrepressible question of politics. On the 4th of March, 1876, he wrote to Judge H. H. Chalmers, of Mississippi, that "The Pacific Railroad project cannot be pushed through this Congress in consequence of the apprehension of each party that the other will make capital out of it, and the desire of each to make capital against the other."

On the 24th of January, 1877, Mr. Lamar, as Chairman of the committee, submitted a majority report, prepared by himself, accompanied by a bill designed to reconcile the differences of the contending parties and to extend substantial government aid to the project. His report contains an exhaustive review of the principal matters involved at the time, and it was highly esteemed in the South. The report fully explained the general nature of the proposed bill, and showed that the interests of the government as guarantor would be fully secured, while the rights of the public would be fully guarded against extortion and monopoly. Various influences, however, conspired to prevent action by Congress, and the proposed bill did not become a law.

In the organization of the Forty-fifth Congress Mr. Lamar was assigned to the Committee on Railroads. The situation in respect to the Pacific Railroads was substantially unchanged, except that the compromise expressed in his own report to the House seems to have been abandoned, and the rivals were again at war *à outrance*. Several bills were introduced in each House. Among them was one favorable to the Southern Pacific, authorizing it to build eastward from Fort Yuma, its terminus theretofore fixed thus invading the line of the Texas Pacific; and others favorable to the Texas Pacific, extending government aid to it as a line through to the Pacific. On the 19th of March, 1878, Senator Matthews, for the committee, reported a bill in favor of the latter road; and on the 22d of May Mr. Lamar made his speech in support of that measure.

The peroration of that speech is here given, because of the forcible and statesmanlike manner in which he appealed to the Northeastern Senators to support it, and because of its lucid expression of his own views as to the position occupied by New England in our governmental constitution. It should be remembered, too, in connection with his debate with Mr. Blaine in December, as set forth in the next chapter. He said:

I am most anxious to commend this measure to the favor of Senators from the Eastern States. I regard that section of this Union as being now in a sense the especial representative of the most precious principle of our American Constitution at this time, the most conservative part of our government, that which alone will protect us from

democratic absolutism, which is always the sure forerunner of imperialism. I mean the federal principle of our system, that which coördinates the States of this Union and makes them coequal in dignity and power.

Sir, when we look at the power that the six New England States and two or three other Eastern States of still smaller population have in this government, we can but be struck with the extent of the political authority they exercise, the power of positive, affirmative legislation, to say nothing of their negative power, as compared with the population upon which it is based. Four millions of people have an actual affirmative force in the legislation of the nation as great as, perhaps greater than, that of fifteen millions in other States, simply by virtue of the principle of State sovereignty and State equality in this Chamber. It is a principle which is essential, in my opinion, to the preservation of liberty on the American continent; but the people in some parts of this country are growing restive under this inequality of popular representation; complaints are being made as to this great disparity. I have no sympathy whatever with such complaints. The right of these States to equality here, irrespective of population, is as sacred as the constitution itself; and if impaired in the least, the whole system of constitutional liberty in America will fall into irretrievable ruin.

But, Mr. President, this sentiment of reverence for the constitution is not, I fear, as deep and abiding in this country as it once was. The thought to which late events in our history have given most frequent expression is that "the will of the nation, as one people, is supreme;" and that this will must not be subordinated to a political form or a political dogma; and that if there be in the constitution any provision whereby the people in their action are prevented from effecting amendments to it, it will not be a revolution when the spirit of the people, in its real strength, breaks through the system by which it is gyved. This is the view which is now put forth with greatest acceptance by the political philosophers in this country of the present day. I do not concur in it; but if the contest for supremacy ever arises in this country (may God forefend that it ever shall!), it is a fact which the history of all popular governments attests that constitutional rights must give way before numerical power. The mere holders of the symbols of power cannot stand before the actual possessors of power.

Such a contest may be averted by exercising these vast powers in a spirit of correspondence with the will and interests of the whole people, and not as representatives exclusively of the local interests of their constituencies. It is in this way, sir, that the hereditary principle of the British Government has been preserved and made to accord and coöperate with the elective principle in the promotion of the greatness and glory of that empire. I would therefore invoke these Senators, when they come to act upon this question, to look in a large, liberal, and benignant spirit to the interests of the twelve millions of people who are deeply and directly concerned in its success; and if they can find it not inconsistent with the interests of the whole country to give it their support, that they will do it. Their constitutional power will thus have, sir, a solid foundation in the affections and gratitude of a constituency far wider than that whose suffrages have sent them here.

## CHAPTER XXII.

Returns Home—His Reception—The Epidemic of 1878—The Congressional Elections of 1878 and the Solid South—The Cincinnati Interview—The President's Message—Mr. Blaine's Investigation Resolution—The Debate—Mr. Lamar's Speech—Press Sketches—The Debate Resumed—Anecdote—Jefferson Davis' Open Letter on the Right of Legislative Instruction—The Bill to Pension the Soldiers of 1812—Senator Hoar's Amendment Excluding Jefferson Davis—Angry Debate—Mr. Lamar's Speech—Mr. Chandler's Speech—Correspondence with Davis—Symposium in *North American Review* on the Negro Question—Pen, Sketches and Anecdotes of Senator Lamar.

IN June, 1878, upon the adjournment of Congress, Mr. Lamar returned home, in order to obtain needed rest after the heavy labors of the session and also to render to the people an account of his course in the Senate. He had observed with much chagrin that, while his Pacific Railway speech met a favorable reception and had been highly complimented outside of Mississippi, but few of the compliments appeared in the papers of his own State. However, he soon had reason to know that the people were largely with him and for him, wherever the papers were.

His first appearance in public was at the University Commencement, which was in progress when he reached Oxford. On Commencement day, as he entered the chapel where the exercises were holding, the vast audience, catching sight of him, rose to their feet, and, with cheer after cheer and the waving of hats and fans and everything wavable, greeted him until the manifestation grew into a storm which was only stopped by sheer weariness. A more enthusiastic and magnificent ovation he had never received. Shortly afterwards, in a mass meeting of the people of Tishemingo County, held at Iuka, Gen. Reuben Davis, then a candidate for Congress on the Greenback ticket, made an assault upon him; but the audience stormed at the speaker until he was forced to desist—rallying, however, and continuing his address with the remark that such demonstrations could not prevent him from criticising their idol. Again, in the Congressional Convention for the Third District, which convened at Kosciusko on the 1st of August, some criticism was made upon Mr. Lamar by a speaker, and a friend who seized the occasion to reply and indorse his course was applauded to the echo. Such incidents were constantly occurring, and Mr. Lamar was soon satisfied that his place in the popular heart was secure.

Mr. Lamar's design of making a canvass of the State, in aid of the approaching Congressional elections and for the sake of his personal explanations, was defeated by the outbreak of the great epidemic of



SOME DEMOCRATIC SENATORS.

BY PER. FROM PHOTOS, BY C. M. BELL WASH., D. C.  
SENATOR THURMAN'S PHOTO COPYRIGHTED.



yellow fever. That terrible visitation was announced at New Orleans on the 22d of July, and thence it spread rapidly, mainly along the Mississippi River and the railroad northward. In a few days local quarantines were established all over the South, and in Mississippi by almost every town and village. Until the middle of November there were great distress and terror and an entire suspension of business. Even the mails were stopped during much of the time. The townspeople largely either left for the North or the mountains, or else took refuge in the country. Mr. Lamar, with his family, sought and found safety on a little farm ten miles out from Oxford, and there passed the late summer and the fall in unbroken retirement, and in quiet uninterrupted save by the harrowing news of the ravages of the fever.

The general Congressional elections of 1878 resulted in securing a working Democratic majority in the House. This result was mainly due to the fact that the South voted "solidly" for that party. Hardly were these facts ascertained when the report went out from Washington that the administration had resolved to change "its Southern policy, for the reason that pledges made to Mr. Hayes by the Southern leaders have not been fulfilled." The Southern newspapers began again to discuss and censure the "waving of the bloody shirt" by the Republican leaders.

The *New York Tribune* said editorially:

But let the currency question pass out of the way and the Greenback element return to the parties from whence it came, and what would happen? The solid South would then become the overshadowing issue of the canvass. It would be answered by a solid North. . . . A solid North, with two hundred and thirty-one electoral votes, will never be so broken as to be beaten so long as the South remains solid. After 1880, that division of parties remaining, the Republicans will be prepared to resume control of the Senate. . . . It will then be considered whether States in which free elections are not held, and the Constitution of the United States is systematically disregarded and defied, are entitled to cast electoral votes or to elect Congressmen at all. If we are to have forced upon us the unwelcome issue which a solid South invariably raises, a patient and enduring North will not be found wanting when it is settled.

Mr. Lamar, on his way to Washington, about November 20, was interviewed in Cincinnati, and, in answer to the question, "What are the prospects of the Greenback party in the South?" is represented as saying to the reporter of the *Enquirer*:

Well, as to that, so long as the right of the people of the South to self-government is made an issue in the national politics the people of the South will not, and in my opinion ought not, to allow any question as to currency to divide them. The South is more solid in favor of self-preservation than divided as to national policies.

The *New York Tribune* made the interview the occasion and the text of a very fierce assault upon Mr. Lamar, of the usual nature in such cases; and this action elicited the following "special" from the Wash-



ington correspondent of the *New York World*, under date of December 1:

Much indignation has been excited here among respectable Republicans, as well as Democrats, by the atrocious attacks of the *New York Tribune* on Senator Lamar. It is considered that Senator Lamar, more than any other man, made the existence of the Hayes administration possible, while Conkling was denouncing it everywhere as "infamous." He owes Hayes nothing, and Hayes owes him much. All the summer through Senator Lamar was at home in Mississippi with his dead and dying, while pestilence was busy in all homes. There was absolute peace throughout the State, complete acquiescence in the electoral results on the part of all, blacks as well as whites. The *Tribune* now attempts to drive the Southern people into general hostility to honest money by conspiring with Sherman and Hayes, whom Sherman now openly rules, to create a belief at the North and West of an attempt to revive sectional controversy. Senator Lamar, when interviewed in Ohio, said very truly that if the South found self-government assailed, or attempts made to overthrow order at the South by black Kearneyism, no question of currency could be listened to. The course of the *Tribune* is believed here to be a deliberate attempt of Jay Gould and his clique to disturb the business of the country, depress values, and weaken the influence of those Southern men who have bravely and loyally supported the keeping of public faith in the public treasury. The attack is also connected with the desperate attempt of the existing Pacific Railway ring to prevent any consideration of the Southern Pacific Railway, and involves Senator Thurman ultimately also, whose great victory over the existing Pacific Railway ring asserted the absolute supremacy of the government over all such corporations. The business men of the North and the thousands of unemployed laborers in all parts of the country are equally assailed by these "dynamite fiends" in politics, who, for purposes of private speculation quite as much as party combinations, seek to blacken the best men of the South, to excite the worst passions of both sections, to keep the currency troubles inflamed, and to prevent the revival of general industry.

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When Congress assembled, the President, in respect to Southern affairs, said in his annual message that

In some of those States in which the colored people have been unable to make their opinions felt in the elections the result is mainly due to influences not easily measured or remedied by legal protection; but in the States of Louisiana and South Carolina at large, and in some particular Congressional Districts outside of those States, the records of the elections seem to compel the conclusion that the rights of the colored voters have been overridden, and their participation in the elections not permitted to be either general or free.

It will be for the Congress for which these elections were held to make such examinations into their conduct as may be appropriate to determine the validity of the claims of members to their seats. In the meanwhile it becomes the duty of the executive and judicial departments of the government, each in its province, to inquire into and punish violations of the laws of the United States which have occurred.

On the first day of the session, and just before the coming in of the President's message, Mr. Blaine introduced in the Senate the following resolutions:

*Resolved*, That the Committee on the Judiciary be instructed to inquire and report to the Senate whether at the recent elections the constitutional rights of American citizens were violated in any of the States of the Union; whether the right of suf-

franchise of citizens of the United States, or of any class of such citizens, was denied or abridged by the action of election officers of any State in refusing to receive their votes, in failing to count them, or in receiving and counting fraudulent ballots in pursuance of a conspiracy to make the lawful votes of such citizens of none effect; and whether such citizens were prevented from exercising the elective franchise, or forced to use it against their wishes, by violence or threats or hostile demonstrations of armed men or other organizations, or by any other unlawful means or practices.

*Resolved*, That the Committee on the Judiciary be further instructed to inquire and report whether it is within the competency of Congress to provide by additional legislation for the more perfect security of the right of suffrage to citizens of the United States in all the States of the Union.

*Resolved*, That in prosecuting these inquiries the Committee on the Judiciary shall have the right to send for persons and papers.

On the 11th of December the Blaine resolutions were taken up for consideration, and Mr. Blaine made a speech in support of them which he had carefully prepared, and read from his manuscript; the general argument and sentiment of which was,

First, to place on record (by the inquiry called for), in a definite and authentic form, the frauds and outrages by which some recent elections were carried by the Democratic party in the Southern States;

Secondly, to find if there be any method by which a repetition of these crimes against a free ballot may be prevented. . . .

We know [said he] that one hundred and six Representatives in Congress were recently chosen in the States formerly slaveholding, and that the Democrats elected one hundred and one, or possibly one hundred and two; and the Republicans four, or possibly five. We know that thirty-five of these Representatives were assigned to the Southern States by reason of the colored population, and that the entire political power thus founded on the numbers of the colored people has been seized and appropriated to the aggrandizement of its own strength by the Democratic party of the South. . . . Thus it appears that throughout the States that formed the late Confederate Government sixty-five thousand whites (the very people that rebelled against the Union) are enabled to elect a Representative in Congress, while in the loyal States it requires one hundred and thirty-two thousand of the white people that fought for the Union to elect a Representative. In levying every tax, therefore, in making every appropriation of money, in fixing every line of public policy, in decreeing what shall be the fate and fortune of the Republic, the Confederate soldier South is enabled to cast a vote that is twice as powerful and twice as influential as the vote of the Union soldier North. . . . The colored citizen is thus most unhappily situated. His right of suffrage is but a hollow mockery; it holds to his ear the word of promise, but breaks it always to his hope; and he ends only in being made the unwilling instrument of increasing the political strength of that party from which he received ever-tightening fetters when he was a slave and contemptuous refusal of civil rights since he was made free. . . . And this injustice is wholly unprovoked. . . . Let me now remind you that the government under whose protecting flag we sit to-day sacrificed myriads of lives and expended thousands of millions of treasure that our countrymen of the South should remain citizens of the United States, having equal personal rights and equal political privileges with all other citizens. And I venture now and here to warn the men of the South, in the exact words of Macaulay, that we will "never suffer them to be more."

Mr. Thurman answered Mr. Blaine. He wondered why these resolutions were introduced, unless they were to be made a string upon which

to hang speeches to arouse sectional hatred in one portion of this Union against an almost defenseless people in another portion of the Union. It seemed as clear to him as anything in American politics could be that there was a deliberately formed purpose, under pretext that there was a solid South, to create a solid North to rule not only the solid South, but also nearly one-half, if not more, of the people of the North. The amount of the complaint of the Senator from Maine was that there were not enough Republican votes in the South, assuming, without a shadow of proof, that the negroes of the South were prevented from voting, or forced to vote the Democratic ticket. Property, intelligence, and education will rule the land, and ignorance cannot; which the Senator should have thought of when he was framing his fourteenth and fifteenth amendments. It was the Federal administration, working with its Freedman's Bureau, which drew the color line. The Senator's action seemed to him to be a note sounded to the Northern people to retrace their steps, and, declaring that the right of suffrage was prohibited to the negro in the South, to exclude Southern Representatives by the score. In the North there was a danger to American institutions greater than any abuses in the South: in the free use of money to corrupt elections, etc.

Before Mr. Thurman concluded it was whispered around by the Democratic Senators that there must be another answer to Mr. Blaine, and that Mr. Lamar must make it. Thereupon he consented, and engaged in the debate extempore. He said:

*Mr. President:* When these resolutions are printed and ready for action, I may have something to say upon the question of their adoption. Before the question passes off now I wish to make one or two remarks, not upon the resolutions, but upon one or two points submitted by the Senator from Maine.

Sir, it is not a surprising thing, nor is it an unnatural one, that that distinguished Senator should feel and manifest a deep interest in the affairs of the Southern States. The people of that section have but recently undergone a vast change, social and political. It is reasonable, it is eminently fit and proper, that one who bore so conspicuous a part in the adoption of the measures which brought about that vast transformation, who occupies so conspicuous a position at the present time, and who perhaps will occupy a still more distinguished position in the future, should scrutinize with anxious solicitude the progress of that people to reconstruction and to their readjustment to the healthy and normal conditions of our national life. Sir, had the Senator come forward with some well-devised scheme of public education by which this newly enfranchised race, who have had such exalted duties imposed upon them without culture, and without even the trained intelligence of practical experience, may be fitted to exercise their great duties as freemen and citizens, and as the participants in the sovereignty of Commonwealths, every one would have recognized the propriety and the patriotism of such a movement; for he would have proposed to give to that people what they most need, and what would protect them from every evil and wrong which he now alleges that they labor under.

There are other evils in that country which might call forth the lofty and enlarged measures of a patriot and of an American statesman, but I must confess to some regret that a Senator so distinguished, in looking upon this recently dislocated member

of this great American empire, instead of regarding it with reference to those great interests that affect the whole country through the long track of coming years, should have concentrated his whole attention upon its relation to parties and party contests; that nothing should have struck the Senator's notice or engaged his thoughts except the connection of that people with the ascendancy and defeat of parties and their influence in Federal elections. Party organizations are no part of the constitution, and they are agencies which work outside of the laws. But, sir, the gentleman's remarks were directed exclusively to the mere party and partisan aspects of this great subject; and, with no intent whatever to utter a bitter retort, I cannot but feel the regret that one of such resolute energies, of such tenacious purposes, such daring ambition, and such great abilities should have so narrowed his mind as to give to party what was meant for mankind.

But, sir, what is the point at last of the gentleman's argument this morning? It was remarkable for its significant omissions. It was directed exclusively to the suppression of the votes of a particular class of suffragans in the South. Mr. President, if I understood the debates at the time of the adoption of the amendment to which he refers—clothing the negroes of the South with the right of suffrage—it was to give them protection for their freedom and for the civil rights which the fourteenth amendment accorded to them. Through the protracted remarks of the Senator he could not utter one word (he could not, because it would not have been the truth if he had) to show that there was a single right of freedom or of citizenship belonging to the black race of the South that was not as secure and as well enjoyed as that of the proudest and freest white man in the land.

It is also a remarkable fact that in his indictment of the South there is no pretense that there is a single menace in her present attitude to any of the great interests of this country, not an imputation of that character; for, "solid" (according to the usual phrase) as the South may be, she stands in line with a majority of the American people upon nearly every question that is now discussed in this nation or argued here in her council chambers.

But, sir, to come to the direct point, the Senator asserts that, in consequence of the suppression of the negro vote at the South by means which he alleges are illegitimate and irregular, the South has a disproportionate party power in this government. Sir, before this discussion is over I will show that the negro vote has not been suppressed in the South; I will demonstrate that this political phenomenon which is the subject of so much discussion and misrepresentation is a phenomenon that would occur in any free society, and that it has been brought about by the influences which intelligence and virtue and sagacity and the other elements of civilization always bring to bear upon the classes that are ignorant and debased.

But, sir, assuming all that the gentleman says to be true—that there are in the House of Representatives one hundred and six Representatives elected of one party complexion, and elected by means that are not what he considers legitimate—let us see where we stand in this position. Now, sir, what interest of the North, what interest of this country is endangered by it? Sir, with the united vote of the South she stands a powerless section in this government; she is an impotent minority section in any event, unable to protect a single Southern right or to defend a single Southern interest.

But [says the gentleman] under the operations of these amendments the South has a representation not in proportion to the constituency which elect them, and the States of South Carolina and Mississippi and Alabama have much more power than twice the numbers of some of the Northwestern States which he mentioned. Mr. President, every member of that population in those States entitled to vote ought to be counted. You have no right to draw the line between the black and the white, and assume that the black man, because he did not vote the Republican ticket, is therefore a suppressed

voter. Is it to be assumed that in every Southern State the property and population of the State are in such necessary antagonism that no amount of local misrule can teach them the advantage of their natural alliance? What right has he to assume that whites and blacks are never to vote and act together as citizens of a common country? Now, sir, let me call attention to one point in the Senator's argument. If we are to enter upon a system of legislation and political movements in order to adjust representation and political power in this government according to the number of actually voting constituencies, the principle may operate further than the gentleman thinks.

What is the population of the State of Maine? I believe it is 625,000. It has been diminishing within the last twenty years. I cannot now recollect, but perhaps it is 623,000. Vermont, which is also solid, has not more than 350,000. And yet the State of Maine has as much power in this government with her 600,000 people as the State of New York with her 5,000,000.

A Senator: "You mean in this Chamber?"

Mr. Lamar: "No, sir; I mean in this government. Gentlemen correct me by saying 'in this Chamber;' but I adhere to the phrase. I say, and repeat, that they have the affirmative power of legislation this day; 625,000 in Maine are equal to 5,000,000 in the State of New York. A positive equality of States, whatever be their population, in either Chamber where concurrent legislation is needed, is positive affirmative power in the passage of any law. Why, sir, the whole of New England has not three and a half millions of population; and yet under the operation of the constitution and laws of the land, of which I make no complaint, and which is a legitimate thing, those three and a half millions of population have six times as much power as sovereign Commonwealths that have five millions. They have got as much power as twenty millions in the large Northwestern States that the gentleman called attention to.

"Sir, why is one man in these Eastern States equal to twenty in the Northwest, except by virtue of the constitution—the constitution which we are intending to abide by and to maintain?"

"But as the gentleman has vouchsafed advice to Southern men on this floor and outside, in all spirit of fairness and equity I will speak to the people of the New England States and tell them that in my opinion the direst foe they have got on earth is the Representative or Senator, whether from their own section or any other, that will kindle this fire whose subterranean flames will liquefy the very foundations on which these proud and free Commonwealths now rear their aspiring heads. Sir, the Senator is fishing in troubled waters upon this subject; and when you come to agitate questions of this kind you will find that changes of a more radical and fundamental nature will be necessary in order to adjust representation to numbers in this government.

"I will not now proceed, sir, any further in my remarks. At another time when these resolutions come up, if they are to be discussed, I may participate in the discussion."

Mr. Blaine: "Mr. President, I wish to give notice that at the very earliest opportunity that the business of the Senate will permit I shall ask a vote upon these resolutions; and I desire merely to say, in reply to the Senator from Mississippi, that in the little colloquy between him and the Senator from Vermont I understand this to be about the residuum: that if I move an inquiry into the unconstitutional representation of Mississippi in the other House he will move one into the constitutional representation of Maine in this branch." [Laughter.]

Mr. Lamar: "That will do pretty well for wit and pretty well for the Senator's peculiar species of perversion, but it will not do for the truth; for, sir, I protested that I not only would move no such inquiry, but that I would oppose and fight any such purpose. No, sir; the doctrine that I stated was that if the right of suffrage be invaded

anywhere or any constitutional right infringed upon in any quarter or by anybody it shall be maintained and enforced, if necessary, by all the constitutional power of the government."

Mr. Edmunds: "Then we are all at one."

Mr. Lamar: "Exactly so, but not upon the ground that States shall be deprived of any of their Representatives, because under the operation of the constitution, either in its original provisions or in its amendments, their political power may be not in exact proportion to their numerical power in this government. And I repeat the warning against this agitation about sectional power based on numbers; I warn Senators that in throwing their net into this troubled sea they may drag to the shore a vase like that of the fisherman in the 'Arabian Nights,' from which, when the seal was once broken, a demon emerged more potent than his deliverer and threatening his destruction."

Mr. Edmunds: "I do not know but he is here now. Now let us have the regular order."

Mr. Lamar: "I suppose that very witty remark was intended for private ears, and, as I did not hear it, I leave it without retort."

This passage at arms was thus described by the correspondent of the *New Orleans Picayune*:

The announcement that Mr. Blaine would call up his resolution drew a great crowd to the Senate to-day. The galleries and the floors were full to overflowing. A large number of members of the House were present. Blaine spoke with his usual fire and animation. His positions were specious and plausible; but, after all, it was only a stump speech.

Judge Thurman was in his best vein when he rose to reply. His answer was a perfectly triumphant piece of logic, and there was about him a sense of easy power and strength which formed an impressive contrast to Blaine's eager, ambitious effort at display. It was like a wise father rebuking a spoiled child for his petulance and foolishness. Mr. Lamar also made some very telling and effective points, which brought Edmunds and Blaine to their feet in an impotent attempt to misstate Mr. Lamar's position. Lamar's expression of regret that Blaine had not brought forward some liberal measure of education for the blacks made Blaine wince and look as if he had forgotten something. . . . It was well understood all over the floor that Blaine's demonstration was merely a Presidential bid—a device to get ahead of Conkling and Grant. Mr. Conkling went on writing in his usual contemptuous style during Blaine's speech, and Edmunds would probably have remained silent if Lamar had not referred to Vermont. The Republicans will not be willing to let the debate stop at this point. They will want to mend their hold.

Washington special to the *Cincinnati Enquirer*:

The brilliancy of the opening day at the Senate end of the capitol is overshadowed and forgotten in the greater spectacle of to-day. Admittance to either gallery was almost impossible at noon, and quite so at 1 o'clock, when Blaine walked into the Chamber and took his seat. . . . Companies of fair dames smiled upon him; prelates and politicians clustered around him; foreign ministers lent their presence; the press of the country were watching him and waiting for his words. It was a tribute of which any man might well be proud. . . . The entire space-way between the Senatorial benches was packed with public men. It seemed that half the House was gathered there. It was Blaine's crowd, without a doubt; but it had to see its idol son worsted by Thurman.

Lamar finished the good work in an eloquent speech, which took a broad, statesmanlike view of the subject. He regretted that a man of so much ability, so wise

statesmanship, and so great ambition had neglected to offer a comprehensive plan for the education of the negro at the South which would strike at the root of the whole evil, but had prostituted his great powers by contracting himself to the narrow limits of partisanship. It was the most dignified and cutting rebuke that has been heard in the Senate for a long time. . . . His effort was thoroughly impromptu. In the short though sharp badinage between himself and Blaine he held his own; and his keen retort that one of Blaine's assertions would do very well for wit, but not for truth, made rather a sensation.

The *Washington Post* said editorially that

Senator Lamar was heard from yesterday advantageously. The temperate and sensible words that fell from his lips will sorely disappoint and grieve the editors of the outrage organs.

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The further debate predicted took place five days later, on the 16th and 17th. The correspondent of the *Boston Post* wrote of it that

The debate in the Senate on the Blaine resolution last Monday and Tuesday was one of intense interest and excitement, not so much on account of the subject under discussion as the combatants engaged in it. It called out the best talent of the Senate, and reminded one of a war among the gods. Blaine stood his ground, almost single-handed, and entirely so on the second day. . . . Gen. Ransom had the best of the argument, however. He made a very fine point in favor of the amendment that the committee should sit with open doors, showing how very anxious Blaine had been to "turn on the lights;" and now that the Democrats were equally anxious to have the lights turned on and to have the fullest and freest public investigation, he is equally anxious to turn off the lights—that is, to investigate in secret, so that he can turn the light on only such facts as he may select for illumination. . . .

In his retort Blaine roused Lamar, of Mississippi, and I suspect that he wished that he hadn't. It was like Mars letting slip the dogs of war. Horse, foot, and dragoons descended upon him. Grape and canister, shot and shell rattled about his devoted head. He attempted resistance, and sped one swift shaft at his adversary, but it was instantly returned, tipped with acrimony; and the champion who had so gallantly withstood the repeated attacks of fresh adversaries apparently concluded that this was a stroke too much for even his Samsonian strength, and so beat an orderly retreat, or at least attempted no further defense. While watching this conflict I mentally characterized Blaine as the tiger and Lamar as the lion, the closely cropped iron gray whiskers and hair, as well as expression and motion of the former, and the flowing brown hair and beard of the latter, bearing out the similitude.

In talking with Senator Lamar afterwards I was somewhat surprised, considering the virulence of his attack upon him, to hear him say that he was very fond of Blaine; and indeed all of his opponents took occasion in the course of their remarks to bear witness to his ability, evidently feeling a genuine pleasure in jousting with a foeman whom they were proud to acknowledge as "worthy of their steel." In this respect the Democratic side of the House is more chivalrous than the opposition.

The "retort" of Mr. Blaine's which "roused" Mr. Lamar, and his further participation in the debate, are given below:

Mr. Blaine said: "I beg here to reply to a remark made by the honorable Senator from Mississippi [Mr. Lamar] on the day when these resolutions were debated before, and that remark implied that even if there might be some advantage for the South in the popular branch of Congress it was an advantage more than compensated by some countervailing advantage which we held in this branch. Sir, whenever that phase is brought to light, knowing that it is held up as a dreadful example, let me tell

the honorable Senator from Mississippi, and the country, that I can name six Southern States that send twelve Senators to this floor with one-half the white population of the six New England States and with less than the aggregate population. So that, if the remedy hinted at by the Senator from Mississippi should be resorted to, that scalpel would cut more deeply into the South than it would into the North. Let me tell him, sir, that of the thirty-two Senators who sit here from the Southern States and forty-four from the Northern States, a much larger number of constituents are behind each Northern Senator than behind each Southern Senator. Then, if you take it in classes between the North and South, the advantage is overwhelmingly against the South. If you take the frightful example of New England, always held up, I will gather together six States of the South that illustrate in a far more striking manner what the Senator intimated by the injustice of representation in this branch."

Mr. Lamar: "Mr. President, the Senator from Maine misunderstood the position which I took with reference to the representation of States in this Senate, owing entirely, no doubt, to the want of clearness in my own statement. If I did not misapprehend the Senator from Maine on that occasion, his argument was that, under the amendments which conferred freedom and citizenship and suffrage upon the black race, the South, through certain irregular methods, had obtained a representation in the House of Representatives disproportioned not to her population, but to the actual voters at the polls; and if I did not mistake him, he quoted from the Supreme Court Reports of the United States a decision that the power of Congress did not extend far enough to remedy that disproportion of representation in the other House. If I understood him, he said that that decision which denied the power of Congress to legislate so long as the laws of a State itself did not deny or abridge any of these rights to the negro population—that Congress was powerless to intervene—was indorsed by him as being true to the letter of the constitution which killeth. I understood him to say that the constitution as thus construed was a killing constitution, and that the letter of it stood up as a barrier to the enforcement of the rights conferred upon the colored citizens."

Mr. Blaine: "The Senator misunderstood me."

Mr. Lamar: "Owing to my own obtuseness, no doubt."

Mr. Blaine: "Such might be the ruling of the courts, I said, on the letter which killeth; but I protested against the equity and justice of it. I did not at all admit that that was what in my judgment the constitution was designed to be."

Mr. Lamar: "Precisely. He did not admit that it was what it was designed to be; but do I now understand the Senator to say that he differs with the court in its construction of the constitution?"

Mr. Blaine: "I do. That may not be a very great shock to the court, but nevertheless I do."

Mr. Lamar: "I differ from the Senator. The court will be greatly shocked, but perhaps will survive the attack. [Laughter.] Then, sir, I thought that it was not amiss to suggest that if there were remedies in the American people to prevent this disproportionate representation, and if we could so legislate as to make, not population, but actual voters at the polls, to be the limit of the representation of a State; and if Congress, or the people by their amending power, should thus interpose to reform the government and to make it a government based entirely upon numbers, not that New England alone, but that the South also might apprehend that you would go further and crumble into ruin our entire system. Sir, when the gentleman tells me that the South is in the same danger that the East is, that the New England States are, he only reiterates a fact that I have attempted to impress upon both sections, and that is that the inviolability of the constitution is the only shield and safeguard of New England, as well as of the South.

"Sir, the menace does not come from the weak and impotent South. When this



popular movement, this effort to bring this government to the pure principle of democratic absolutism, trampling down in its relentless strides the barriers of the constitution, arises, he will find the power not in the South, but in the mighty West, whose little finger is greater and more potent than the two thighs of South and East united."

In one of his short speeches on the last day of the discussion (the 17th) Mr. Blaine used this language:

Senators who have spoken more directly for the South . . . have asked us to believe miracles. They have asked us to believe that in a night, in the twinkling of an eye, more quickly than Saul was converted on his way to Damascus, vast bodies of colored voters were turned from the Republican into the Democratic fold. In what is called the "whiplash" district in Mississippi, where they placed in those cotton counties in the delta all the negro population that they could crowd into one district, and four to one—I do not believe I overstate it—as compared with the white men, represented at the time by one of their own race, who, I do not hesitate to say, is a man of commanding ability, considering his advantages and his birth, John R. Lynch, fitted to represent a constituency of white men, naturally and inevitably a favorite of his own color, at the very first election after this miraculous conversion, when the Democracy got hold of the State, he was beaten overwhelmingly by Gen. Chalmers. Of course the negroes saw it in a moment. They had no doubt the moment Gen. Chalmers was put up that it was their duty to support him and to vote against Lynch.

Of this the correspondent of the *New York World* told an entertaining story, which is given for what it is worth:

Lamar's merciless punishment of Blaine yesterday, which delighted even the Republicans, brought forth an amusing incident to-day. Lamar left the Senate early, and Chalmers, a Mississippi member of Congress, strolling in to hear what was going on, the House being abnormally stupid, sat innocently down in Lamar's seat. Blaine espied and recognized him; and, as Chalmers is not more than half the size of Blaine, the valiant Senator evidently thought he had a chance to apply the military maxim dear to the schoolboy's soul: "I cannot whip you, but I can make faces at your sister." He accordingly made a short turn in his speech, and, fixing his eyes ferociously on the unsuspecting Chalmers, began a tremendous tirade on bulldozing in the Vicksburg District, which Chalmers represents. Of course Chalmers could make no reply, but he is like Shakespeare's *Hermia*—though little, he is fierce; and, sternly facing his foe, he heard him through, and to-night there is music in the air. Chalmers is hard at work packing dynamite for Blaine, and he will explode it in due time on the floor of his own House. The drollest thing of the session was to see the care with which Blaine inspected the Senate Chamber, to make sure that Lamar had really gone, before he fell upon the helpless Representative seated in his chair. . . .

The debate being over, Mr. Blaine's resolutions passed without serious opposition. Only five Senators voted against them.

In January, 1879, Mr. Lamar received a severe blow from Jefferson Davis. The course of his political life had been such as to bring him but little into personal contact with Mr. Davis in the retirement of that gentleman at Beauvoir. There was but little communication between them; but still, through all changes of surroundings and history, Mr.

Lamar had retained a strong affection for Mr. Davis and a great admiration for his abilities and character.

So late as the 28th of August, 1878, Mr. Davis said, in a letter to a mutual friend, that Mr. Lamar "has in my adversity remained my firm friend."

During the entire year of 1878 a number of Mississippi newspapers had kept up a constant fire upon Mr. Lamar, direct and indirect, about his disregard of instructions from the Legislature. First of them was the *Clarion*. Every now and again would appear editorials bearing on the subject, and a shoal of open letters, over various signatures and pseudonyms, kept the matter constantly before the public. There was an evident determination to break him down with it, if possible.

Under these circumstances, his amazement and chagrin may be imagined upon seeing in the *Clarion*, of January 15, under conspicuous headlines, the following publication:

We are gratified to have the opportunity to publish the following letter, written by Hon. Jefferson Davis in reply to inquiries designed to elicit his opinion upon a subject of vital importance. It will be read by his countrymen with the interest which they attach to everything that emanates from its distinguished author:

BEAUVOIR P. O., HARRISON COUNTY, MISS., December 14, 1878.

*My Dear Sir:* I this day received yours of the 12th inst., asking for my opinion as to the right of the Legislature of a State to instruct her Senators in Congress.

Personally a disinterested observer, I stand upon the political river, earnestly watching whatever it may bear, but without any purpose ever again to launch my bark upon it. My opinions, however, upon any subject which interests Mississippi are, as they always will be, at the service of my friends who may desire to have them.

The Government of the United States is essentially representative, the necessary consequence of the admitted sovereignty of the people and the individuality of the State. To deny the responsibility of the Representative to his constituency would be to attack the foundation of our political system. The two Houses of Congress represent—the one, the people; the other, the States themselves.

If the people of a Congressional District were to assemble in mass and instruct their Representative upon any particular question, who will gainsay their right to do so, or his duty to obey?

In the compact of the Union it was provided that the Representatives of the States, their Senators, should be chosen by their respective Legislatures. Those Legislatures do, in that connection, express the voice of the State; and the Senator who accepts his election by the Legislature as such expression of the will of the State would seem to be estopped from contending at any future time that the Legislature was not the proper channel through which the State should speak to him.

It has been the practice of the Democracy either to obey instructions or to resign the office held from the people, so that their constituents might, if they so desired, select some one else who would more truly represent them. Nor has this been entirely confined to the Democracy. The statesman who has been called the expounder of the constitution, when the wild waves of abolitionism were beating against the bulwarks of the constitution and threatening its subversion, in view of the prospects of receiving instructions which he could not conscientiously obey, said that he hoped the event might not arise, and clearly indicated, though he did not express it, that in such a contingency he would vacate a seat which he could not consistently retain.

In the Democracy of Greece the people assembled in mass to discuss and to legislate. In the Republic of Rome the government was one of orders, the patricians and the people having conflicting powers. In neither of these could representation such as ours have been the foundation of government. Therefore we had to be a law unto ourselves. Whereas all other modern Republics were based upon preëxisting feudal systems, we had no compromises to make with abuses and with privileged classes;

but we offered a clear sheet on which the charter of human liberty and the supremacy of law might be written.

The people of each independent State possessing sovereign power organized each for itself a government of their own, and by the compact of union delegated to the general government such powers and functions as they were willing to confide to it.

In the State governments, as well as in that of the United States, power was attended by a correlative responsibility of those who from either received authority and trust. It was a wise organism when it was adopted, more wise, perhaps, than the builders knew. For our experience has taught us that corruption which works in darkness and unseen, may undermine the fabric which could resist direct and external blows. We have been by the Divine Master taught the danger of being led into temptation.

In the growth of wealth and luxury we have seen arise, as the consequence, increased extravagance; waiting on the necessities of which was an army of lobbyists, the agents of powerful corporations, of special interests, and of the monied power. Against the influence of these it were safer to trust the body of the people who are beyond the reach of temptation than the few who are immediately exposed to it.

In opposition to the right of the constituency to instruct, I know of no argument which deserves notice, unless it be that which denies to the people the requisite amount of intelligence. If that be true, the corner stone of our temple is crushed, and it were vain to attempt to prop the superstructure. But is it true? I hope not, I think not, and repel the assumption of any man that he has more wisdom than the aggregate of his neighbors.

So, sir, I end, as I began, with the expression of the belief that the coexistence of liberty and power require the direct responsibility of the Representative to his constituency. This is the characteristic and especial merit of our political system, State and Federal.

In conclusion let me express the conviction that, unless this be maintained, and the virtue and intelligence of the people keep pace with the demand for both in the exercise of the high power they possess, we must look forward to corruption among officials, and anarchy, to be followed by despotism.

Very truly your friend,

JEFFERSON DAVIS.

The letter was widely published, not only in the press of the State, but also in that of the nation. For instance, it appeared in the *New York Herald*, of January 25, with quite caustic editorial notice. The letter was generally understood to be a direct attack upon Mr. Lamar. Of it he wrote to his wife as follows:

My enemies have inveigled Mr. Davis into writing an article against my position on the instructions of a State Legislature to a Senator. I shall be driven into a canvass of the State. . . . I am surprised that I *should be surprised* at his letter. But it is not the first time that such a thing has befallen me. When the war closed I knew that there would be men whom we loved and honored who would go over to our oppressors; and yet when — and — did so, I could not reconcile myself to it, and could not keep from being overwhelmed with amazement. So when I went into politics I expected to be abandoned and assailed by former friends. But Jeff. Davis! I had no idea that he could do such a thing as to put such a letter into Ethel Barksdale's hands.

His course does not shake my confidence in men at all. I know but few men in politics who would have done what he has done. To strike a man who grew up a young man under him, his friend, admirer, and unwavering supporter! If he thought I was going wrong, why did he not write to me and advise me not to carry my opposition to the extent of disregarding the instructions of the Legislature? But not a word of counsel or suggestion did he give me while the question was open. It was after I had acted that he struck at me. I can bear it.

In fact, Mr. Davis' letter did Mr. Lamar no hurt politically. His enemies needed no confirmation of their hostility, and his friends were

either indignant or disgusted. He himself said a little later to Gen. Walthall:

I wish his letter were stronger. It does not present that side of the question for half its worth. I hate to see anything trashy come from him.

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A few days later, on the 1st of March, the Senate was considering a proposition to extend the act of Congress granting pensions to the soldiers of the war of 1812 and their widows, so as to make it applicable as well to the soldiers and sailors who served in the war with Mexico. Senator Hoar offered this amendment:

*Provided further*, That no pension shall ever be paid under this act to Jefferson Davis, the late President of the so-called Confederacy.

The introduction of this resolution precipitated an exciting debate. Senators Bailey of Tennessee, Hoar of Massachusetts, Garland of Arkansas, Shields of Missouri, Maxey of Texas, and Thurman of Ohio, had taken part; and Mr. Hoar, in his last speech, had said:

The Senator from Arkansas alluded to the courage which this gentleman had shown in battle, and I do not deny it. Two of the bravest officers of our Revolutionary War were Aaron Burr and Benedict Arnold.

These remarks called out Mr. Lamar. He said:

*Mr. President*: It is with extreme reluctance that I rise to say a word upon this subject. I must confess my surprise and regret that the Senator from Massachusetts should have wantonly, without provocation, flung this insult"—

The Presiding Officer (Mr. Edmunds in the chair): "The Senator from Mississippi is out of order. He cannot impute to any Senator either wantonness or insult."

Mr. Lamar: "I stand corrected. I suppose it is in perfect order for certain Senators to insult other Senators, but they cannot be characterized by those who receive the blow."

The Presiding Officer: "The observations of the Senator from Mississippi, in the opinion of the Chair, are not in order."

Mr. Lamar: "The observations of the Senator from Mississippi, in his own opinion, are not only in order, but perfectly and absolutely true."

The Presiding Officer: "The Senator from Mississippi will take his seat until the question of order is decided."

Mr. Lamar: "Yes, sir."

The Presiding Officer: "The judgment of the Chair is reversed, and the Senate decides that the words uttered by the Senator from Mississippi are in order, and the Senator from Mississippi will proceed."

Mr. Lamar: "Now, Mr. President, having been decided by my associates to have been in order in the language I used, I desire to say that, if it is at all offensive or unacceptable to any member of this Senate, the language is withdrawn; for it is not my purpose to offend or stab the sensibilities of any of my associates on this floor. But what I meant by that remark was this: Jefferson Davis stands in precisely the position that I stand in, that every Southern man who believed in the right of a State to secede stands."

Mr. Hoar: "Will the Senator from Mississippi permit me to assure him"—

The Presiding Officer: "The Senator from Massachusetts will address the Chair. Does the Senator from Mississippi yield to the Senator from Massachusetts?"

Mr. Lamar: "O yes."

Mr. Hoar: "Will the Senator from Mississippi permit me to assure him and other Senators on this floor who stand like him that, in making the motion which I made, I did not conceive that any of them stood in the same position in which I supposed Mr. Davis to stand. I should not have moved to except the gentleman from Mississippi from the pension roll."

Mr. Lamar: "The only difference between myself and Jefferson Davis is that his exalted character, his preëminent talents, his well-established reputation as a statesman, as a patriot, and as a soldier, enabled him to take the lead in the cause to which I consecrated myself and to which every fiber of my heart responded. There was no distinction between insult to him and the Southern people, except that he was their chosen leader, and they his enthusiastic followers; and there has been no difference since.

"Jefferson Davis, since the war, has never counseled insurrection against the authority of this government. Not one word has he uttered inconsistent with the greatness and glory of this American Republic. The Senator from Massachusetts can point to no utterance of Jefferson Davis which bids the people of the South to cherish animosities and hostilities to this Union, nor does he cherish them himself.

"The Senator—it pains me to say it—not only introduced this amendment, but he coupled that honored name with treason; for, sir, he is honored among the Southern people. He did only what they sought to do; he was simply chosen to lead them in a cause which we all cherished; and his name will continue to be honored for his participation in that great movement which inspired an entire people, the people who were animated by motives as sacred and noble as ever inspired the breast of a Hampden or a Washington. I say this as a Union man to-day. The people of the South drank their inspiration from the fountain of devotion to liberty and to constitutional government. We believed that we were fighting for it, and the Senator cannot put his finger upon one distinction between the people of the South and the man whom the Senator has to-day selected for dishonor as the representative of the South.

"Now, sir, I do not wish to make any remarks here that will engender any excitement or discussion; but I say that the Senator from Massachusetts connected that name with treason. We all know that the results of this war have attached to the people of the South the technical crime of rebellion, and we submit to it; but that was not the sense in which the gentleman used that term as applied to Mr. Davis. He intended to affix (I will not say that he intended, but the inevitable effect of it was to affix) upon this aged man, this man broken in fortune, suffering from bereavement, an epithet of odium, an imputation of moral turpitude.

"Sir, it required no courage to do that; it required no magnanimity to do it; it required no courtesy. It only required hate, bitter, malignant, sectional feeling, and a sense of personal impunity. The gentleman, I believe, takes rank among Christian statesmen. He might have learned a better lesson even from the pages of mythology. When Prometheus was bound to the rock it was not an eagle, it was a vulture, that buried his beak in the tortured vitals of the victim.

"I send to the desk a letter written by Mr. Davis upon this subject to Mr. Singleton, a gentleman who represents one of the districts of Mississippi in the other House; and with the expression of my opinion that the Senator from Massachusetts does not represent Massachusetts in the step that he has taken and the sentiments that he has uttered this day, I shall take my seat."

The Presiding Officer: "Does the Senator from Mississippi desire to have the letter that he sent to the desk read?"

Mr. Lamar: "I do, sir; I wish it read as part of my remarks."

The Presiding Officer: "The letter will be read, there being no objection."

The Secretary read as follows:

MISSISSIPPI CITY, 1878.

*Dear Sir:* I am quite unwilling that personal objections to me by members of Congress should defeat the proposed measure to grant pensions to the veterans of the war against Mexico, therefore request and authorize you, should the fate of the bill depend upon excluding me from its benefits, in my behalf, to ask my friends and the friends of the measure silently to allow a provision for my exclusion from the benefits of the bill to be inserted in it. From other sources you will have learned that not a few of those who then periled their lives for their country are now so indigent and infirm as to require relief, and it would be to me sorrowful indeed if my comrades in that war should suffer deprivation because of their association with me.

While on this subject I will mention that it did not require a law to entitle me to be put on the list of pensioners, but it rather requires legal prohibition to deprive me of that right. As an officer regularly mustered into the military service of the United States and while serving as such I was "severely wounded" in battle, and could, under the laws then existing, have applied for and received a pension. My circumstances did not require pecuniary relief from the government, and I did not make the requisite application, therefore my name has never been upon the roll of pensioners and offers no obstruction to the restoration of those names which have been stricken from it.

Respectfully and truly yours,  
HON. O. R. SINGLETON.

JEFFERSON DAVIS.

This tilt between Mr. Lamar and Mr. Hoar was thus described in a Washington news-letter, which was extensively circulated at the time by the papers:

Lamar rose. There was a dead silence as he began to speak. Senators on both sides leaned forward expectantly. He had left his seat in the outer row of desks, and taken his stand midway on the Democratic side in the front row, with Harris, of Tennessee, on one side, and Wallace, of Pennsylvania, on the other. An open volume of the *Congressional Record* lay on the desk before him. He began very deliberately, saying that he must confess his surprise and regret that the Senator from Massachusetts should have wantonly, without provocation, flung this insult. But almost the first sentence he uttered was punctuated by the sharp, quick rap of the President's gavel. Edmunds was in the chair, as grim and severe-looking as fate itself. He said sharply: "The Senator from Mississippi will suspend, as he is out of order."

Lamar, with a surprised expression on his face, looked up inquiringly at the Chair. Edmunds had risen, and stood with one hand resting on the President's desk, his tall form towering above the exhausted clerks below. With great deliberation he said: "In the judgment of the Chair the Senator from Mississippi is out of order in using unparliamentary language."

Lamar straightened up, folded his arms, threw back his head, and, deliberately enunciating every word, said: "In the judgment of the Senator from Mississippi he is entirely in order, and his language is not only parliamentary, but literally and strictly true."

"The Senator from Mississippi will take his seat," sharply retorted Edmunds, emphatically punctuating the command with a rap of the gavel; "the Chair has decided that the Senator from Mississippi is out of order, his language being unparliamentary."

Lamar sat down, but quickly came to his feet, and said calmly: "I appeal from the decision of the Chair;" and then he took his seat.

Garland demanded that the words of the Senator from Mississippi should be taken down and read.

Edmunds said: "The reporter will read;" and Shuey, the assistant Senate reporter, read from his notes, in a clear, distinct voice, the interdicted sentence of Lamar's speech.

"Is the Senate ready for the question? Shall the judgment of the Chair be sustained?" was the formal demand put to the Senate.

"The yeas and nays!" exclaimed a half dozen Democratic Senators.

"The yeas and nays are demanded; is there a second?" quietly said Edmunds.

Up went a score of hands on the Democratic side.

"The yeas and nays are ordered; the clerk will call the roll," continued Edmunds, almost in the same breath. The roll was called, and by a large majority the decision of the Chair was reversed. With great suavity of manner Edmunds turned his face toward Lamar, and said: "The Senate decides that the Senator from Mississippi is in order. He will proceed."

There was a faint effort at applause in the galleries; but Lamar threw up his hands deprecatingly, and the President's gavel came down with a quick, sharp sound, and perfect stillness reigned. With an effort at self-restraint, and slowly and deliberately, Lamar began again. Senator Blaine, who of all men is certainly a competent critic, says he never saw a man display more tact than Lamar, under the trying circumstances in which he was placed. He made no apology for the language that he had used, but he said that if there was one Senator who felt aggrieved he would willingly withdraw whatever he had said. Pausing an instant, as though for a reply, he proceeded as deliberately as before. Usually Lamar is an impassioned speaker, but on this occasion he seemingly weighed every word he uttered.

In speaking of the motives that inspired Hoar's motion, Lamar used a singularly appropriate figure of speech. He was referring to the persistent attack upon Davis, a broken and aged man. He said that the Senator from Massachusetts, he believed, classed himself among those who were called Christian statesmen. He might have learned more charity even from heathen mythology.

At this point the speaker paused, turned, and in a stage whisper asked: "Who was it that was chained to the rock?" and Thurman, across three rows of desks, whispered: "Prometheus."

Without more than a deliberate rest, Lamar went on: "When Prometheus was chained to the rock it was not an eagle that plucked at his vitals, but a vulture." The action was suited to the utterance. As he said, "It was not an eagle that plucked at his vitals," the arms were thrown up, and the curving swoop of the king of birds was described in the gesture; and as he hissed out, "It was a vulture!" the right arm straightened out, and the index finger pointed at Hoar. It was as fine and effective a piece of oratory as I ever witnessed. Hoar felt the sting.

So soon as the reading of Mr. Davis' letter to Mr. Singleton was finished, Mr. Blaine entered the discussion. He said, among other things:

Mr. Blaine: . . . "When the honorable Senator from Mississippi comes to his defense the first word he had to speak for Mr. Davis was that he never has counseled insurrection against the government. . . . He has never counseled insurrection! Let us be thankful. Why should we not pension a man who has shown such loyalty that he has never counseled insurrection? That is from the Representative of his own State. I took the words down when he spoke them. I was amazed. . . . Let me tell the honorable Senator from Mississippi that in all the years that I have served in Congress I have never voluntarily brought the name of Jefferson Davis before either branch, but I tell him that he is asking humanity to forget its instincts and patriotism to be changed to crime before he will find impartial history place Mr. Jefferson Davis anywhere in the roll that has for its brightest and greatest names George Washington and John Hampden."

Mr. Lamar: "Mr. President, I shall only say one word in reply to the Senator from Maine. I was not presenting the title of Jefferson Davis to a pension, or pleading for anything in his behalf, when I made use of the expression that has excited the Senator's criticism. I was seeking not to prove the loyalty of Mr. Davis, but to repel the charge of disloyalty that was made against him by another Senator. I meant to

repeal the idea that he stood isolated, separate and distinct, representing a different order of ideas, a different class of society, from the people of the South at large. I stated that his position was that of all in the South who were acquiescing in the results of the war and coöperating in giving them a harmonious and successful development. I will state a single typical fact in illustration.

"Two or three years since a riot occurred in a Southern State, where Mr. Davis was temporarily residing, in the course of which violence was done to several negroes. A meeting was called to express the indignation of the community and their determination to put down these lawless violations of the rights of the newly emancipated portion of our citizens. Among the most prominent and eloquent speakers in that meeting was the man who has been singled out for this public reproach, and whose name has to-night been characterized by the worst epithets which the vocabulary of abuse can furnish. He denounced riots and outrages, showed that violence could not and would not be tolerated, and that relief from wrongs must be sought by peaceful and lawful means.

"Mr. President, I state this fact not for the purpose of pleading for Jefferson Davis, as the Senator from Maine states it, or of presenting his claim for a pension. We only insist that, he being summoned to the leadership of the Southern people in the late war, there is no reason why he should be set apart for disgrace and punishment on account of a political offense which was the offense of the whole people who called him into their service.

"Such a policy is, in my opinion, neither wise nor just; it is not the course that even the monarchical governments of Europe, the most arbitrary among them, have pursued. Who for years has been the Prime Minister of the Austrian Cabinet? A man who was the leader of the Hungarian revolt, and was for a long time a fugitive from Austria under sentence of death, and a reward put upon his head. And there is the great and eloquent Kossuth, who was the chief of the revolutionary government of Hungary, the leader of that war, afterwards admitted to a seat in the Parliament, the legislative body of Austria. This political intolerance is not worthy of the present age. In all enlightened governments political offenses are dealt with in the light of a broad and comprehensive policy looking to the future interests of the whole country. They are not regarded in the light of crimes. In great revolutions, where large masses of society are arrayed as belligerents against each other, it is now considered that to punish the defeated party as criminals, to go a single step further than to make secure the results of the victory won, is the dictate of dwarfed statesmanship and ignoble vengeance. There is no longer any distinction between the Southern people and the Northern people with reference to any of the results of the late war. The relations of the States to the Federal Government, the relations of the people to the States, the social, civil, and political rights of the people, are recognized alike at the North and the South; and it is my opinion, sir, that this proposed measure does not represent the sentiment of the people either North or South. With regard to the status of Mr. Davis in the political history of this country, whatever may be the opinion of the Senator from Maine, or whatever may be my own, will have to undergo the revision of posterity; and I cheerfully remit the question to that tribunal."

Mr. Blaine: "Why, Mr. President, does the honorable Senator from Mississippi declare that the policy of the Government of the United States, administered as it has been through the Republican party, has been one of intolerance toward those who were prominent in the war, if I may use a euphemism, and leave out rebellion, which is offensive to his ears? Do I understand the honorable Senator to maintain here on this floor that the Government of the United States has been intolerant? Certainly the Senator does not mean that."

Mr. Lamar: "Do you yield, sir?"

Mr. Blaine: "Certainly."



Mr. Lamar: "Why does the gentleman from Maine ask me that question? It was not one that I was discussing."

Mr. Blaine: "But it is the very language the gentleman used."

Mr. Lamar: "No, sir."

Mr. Blaine: "The gentleman spoke of intolerance."

Mr. Lamar: "I was speaking of the intolerance involved in the legislation now proposed. But, sir, I have no disguises whatever on this subject. I do not wish to go back now and discuss the policy of the reconstruction laws nor the general policy of the Republican party. I have in the other House repeatedly given my views very fully upon each of these topics. I will say that a policy which emancipated the servile class of the South and disfranchised the Southern people, excluding them from all participation in the governments maintained by force over them, was rank intolerance. I say, sir, that a harder and more ungracious system of legislation could not be devised than to thus disfranchise a whole people and put them under the domination of their slaves. I assert that it was a policy more severe in its punishment and more terrible in its consequences than if a general confiscation had been inflicted upon that people. It not only subjected them to that humiliation which is the greatest of all tortures to a proud and manly race, but it held them down by force while they were being robbed and plundered by their dishonest officers. In these and many other respects, which I will not mention, the policy of the Republican party was intolerant.

"But, sir, there were some things in the history of reconstruction to which I can refer with pleasure.

"Many Republicans in this Senate and many in the other House have been always willing to remove the political disabilities imposed upon the Southern people by the proscriptive section of the fourteenth amendment, although they have inexorably required a formal petition in every instance to be made by the party relieved. I have always considered this action by Republicans, with their views in relation to the war, as magnanimous. I have so felt it in my own case. I have, therefore, no hesitation in saying that there has been in this respect much of an imposing character in the action of the victorious section in its treatment of the section that was conquered. Sir, the very fact that the Representatives of a people who were in insurrection against the national authority—for that is the status to which the fortunes of war have assigned us in history—are now participating in the exercise of that national authority is a great, imposing, and inspiring spectacle of the benignant power of free institutions, and it gives me pleasure to express my admiration of it."

This debate proceeded after quite a rancorous fashion for some time, the proposed amendment being finally adopted. Mr. Lamar took no further part in the discussion. A very violent and sensational short speech was made by Senator Chandler, of Michigan, who said:

*Mr. President:* Twenty-two years ago to-morrow, in the old hall of the Senate, now occupied by the Supreme Court of the United States, I, in company with Mr. Jefferson Davis, stood up and swore before Almighty God that I would support the Constitution of the United States. Mr. Jefferson Davis came from the Cabinet of Franklin Pierce into the Senate of the United States and took the oath with me to be faithful to this government. During four years I sat in this body with Mr. Jefferson Davis and saw the preparations going on from day to day for the overthrow of this government. With treason in his heart and perjury upon his lips he took the oath to sustain the government that he meant to overthrow. . . . Mr. President, I little thought at that time that I should live to hear in the Senate of the United States eulogies upon Jefferson Davis, living—a living rebel eulogized on the floor of the Sen-

ate of the United States! Sir, I am amazed to hear it; and I can tell the gentlemen on the other side that they little know the spirit of the North when they come here at this day and with bravado on their lips utter eulogies upon a man whom every man, woman, and child in the North believes to have been a double-dyed traitor to his government.

To this onslaught by Mr. Chandler Mr. Lamar made no reply. The reason for his silence is obvious: Mr. Chandler's statement was of such nature that it opened up, if anything save mere vituperation was indulged in, the old, often debated, and inexhaustible subject of the right to secede from the Union—a question of manifestly a national, rather than a personal, nature.

The following letter from Mr. Davis needs no interpreter:

BEAUVOIR, HARRISON COUNTY, MISS., March 15, 1879.

*Hon. L. Q. C. Lamar—My Dear Sir:* Please accept my thanks for your defense of me against the petty malignity of Hoar, Blaine, and others. I am truly thankful for the kindness of the other Senators who spoke in my behalf; but it was needful, for my entire satisfaction, that Mississippi's Senator should be heard in my vindication.

The vulgarian, Chandler, has nursed his wrath long, and taken a characteristic method to revenge an insult I gave him when we were together in the Senate. No one need call him an ass, for he has saved all men that trouble by confounding an oath to support the United States Constitution with a like solemn obligation to support the government. Such ignorance might relieve from responsibility for aiding the government to destroy the constitution it was formed to administer.

If a convenient opportunity should occur, you will oblige me by giving my cordial thanks to those Senators who united with you in repelling the paltry attack so gratuitously made upon me.

I am, as ever, truly your friend,

JEFFERSON DAVIS.

In the March (1879) number of the *North American Review* appeared the symposium on the questions: "Ought the negro to be disfranchised? Ought he to have been enfranchised?"

To this symposium Messrs. Blaine, Lamar, Hampton, Garfield, A. H. Stephens, Wendell Phillips, Montgomery Blair, and Hendricks contributed, the first opening and closing the discussion. The article of Mr. Lamar is given in the Appendix.\*

It will interest the reader, perhaps, and forward the purpose of this volume, to reproduce a few pen sketches of Mr. Lamar, made about this critical and eventful period of his life, showing how he appeared to competent and typical observers of different sorts.

Mr. William Preston Johnson, in January, 1879, published an elaborate sketch of him, which went the rounds of the papers. From it the following extracts are made:

Among Southern Senators, the man who most interests, puzzles, and influences the

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\* Appendix, No. 17.

Northern mind is Lucius Quintus Cincinnatus Lamar, of Mississippi. He is by all odds, "to the mind's eye," the most picturesque figure in the Senate. The popular imagination, dwelling on some phases of character not commonplace, has converted him into a political sphinx. A few plain, intelligible passages from his life and some outline touches of character will solve the riddle which people have chosen to make for themselves.

The Lamars are Huguenot in origin. . . . The fatal dowry of genius was on that house. All that came forth from it felt its touch, its inspiration, its triumphs, and some share of its wretchedness. Mirabeau B. Lamar is known as the second President of the Republic of Texas; as the soul of chivalry on the battlefield; as the impassioned orator of the Texas revolution; as a large-hearted, gifted, unhappy, lamented son of the South. A constitutional hypochondria at times pursued him and other members of the family. . . .

It makes a great difference to men in middle life whether the mighty embattled array of thoughts, sentiments, convictions, and active efforts with which they have moved and identified themselves is triumphant or overthrown. Life is generally a series of skirmishes, and men die of old age expecting the reverse of to-day to be made good by the success of to-morrow. In the Confederate struggle it was different. The world was put at stake, and failure meant the final disruption of society and the crushing of every material interest and every political principle esteemed sacred by the Southern partisan. Plunder and tyranny did their worst. . . . Little do the happy sons of the North, who have never felt the bitterness of subjugation or the tender mercies of a wicked proconsul, know what the people of the South have had to endure since the war. Any other race less intelligent, less manly, or less hopeful would have sunk into utter degradation. It was to face this reign of terror that Col. Lamar returned to his home. . . .

When he entered the House it was still the correct role for the Radical patriot to perform on the floor of the House the melodrama of "The Rebellion Crushed," with immense applause. . . . Lamar, it will be remembered, administered some of the most effective rebukes received by this spurious patriotism. At the same time he has conceded to the national sentiment as much as it was possible for any Southern man to do. He has, in fact, taken a position in which any man would have failed who lacked either the courage of his convictions or the confidence of his constituents. He has maintained it because of the Southern estimate of his statesmanship and integrity. . . .

Senator Lamar has been recognized as the zealous friend of all measures for internal improvements in the South, and especially for improvements of the levees of the Mississippi and for the Texas Pacific Railroad. He has been a very effective and eloquent champion of this last named enterprise. His views on finance are quite high church; he is of the straightest sect of the hard money men. His Democracy is as unimpeachable as that of Andrew Jackson. . . .

The writer heard not long ago two anecdotes, from a source absolutely unimpeachable, which seem to evince that Lamar has already secured in part that confidence in the best Northern bosoms which is the surest precursor of genuine reconciliation. It happens that all the parties in both anecdotes belong to the medical profession, which is perhaps that vocation farthest removed from machine politics and nearest set to the hearts and hearths of men. An eminent physician of Northern birth said to a Southern surgeon of the first rank, on a steamer returning from Brazil, that the man he most desired to see in America was Senator Lamar. Again, lately, a Boston gentleman, who, if named, would be at once recognized as of national reputation in his profession, said to a friend that, on being presented to Lamar, he was speechless from emotion, and that when he turned away he could not restrain his tears at the thought of that man's sacrifices for reconciliation.

Lamar is about five feet, nine inches in height, heavy set, long barrelled, with handsome feet and hands. His profile is regular, his features regular, but rather massive, with brown hair and pointed beard, and heavy eyebrows over clear, gray, brilliant eyes. There is no play to his facial muscles; but power is not lost thereby, for the voice and flashing eyes and ever present evidence of tremendous intellectual activity seem to derive an additional force from what is seemingly the expressive force of the will controlling the countenance.

As Lamar walks the streets, cold and impassive in aspect, often abstracted and far away in realms of thought outside the living, moving world around him, the casual acquaintance might believe him hedged by a barrier of unsympathetic reserve and egotism; but let the circumstances alter a little; let even accidental companionship open up some natural avenue of communication, throw open some postern gate and admit him within the walls, and he discovers a realm such as when

"In Xanadu did Kubla Khan  
A stately pleasure-dome decree,"

with its splendors in Oriental profusion all at his behest. He is astonished to find poured out for his private behoof and benefit floods of thought and feeling beside which the studied efforts of the orator seem pale and cold. He treads upon the lava and feels beneath the heat of a volcanic soul. Lamar is at once ardent and sagacious, tender, sentimental, and romantic; or metaphysical, analytical, and laborious, as the mood sways him. In that face which, submitted to final tests, exhibits an antique French type, you imagine that you can read, as under a mask, Abélard looking from the luminous eyes and speaking in the full sonorous tones; and again, when images of the Gallic breed rise from the historic pages to confront you, with a full armory of poetry and eloquence and epigram. Lamar is a man constant in friendship; and, however much his absence of mind may ruffle an acquaintance or friend, such is the power of his generous and genuine contrition that he has rarely lost a friend or alienated an ally. He is eminently a public man. In him all private feelings are subordinated to a broad philosophy which makes the destiny of the nation its daily food. The lesser matters of life concern him very little. Success has sought him out. May it continue to attend him!

After Mr. Lamar's death, Mr. John A. Cockerill, of the *New York Advertiser*, published the following reminiscence of him:

I recall with interest an hour's conversation held with Mr. Lamar in Washington in 1877. He was then a Senator from Mississippi. At a reception given by Mr. Hutchins (whom I had aided in founding the *Daily Post*) to Senator Thurman and some of his colleagues, quite a crowd of the casual Washington flaneurs gathered. Mr. Lamar was one of the honored guests. I was sitting on a sofa in a corner contemplating the venerable Albert Pike, then almost an octogenarian, who, lying supinely in a big chair, surrounded by a little *coterie* of listeners, was indulging reminiscences in his peculiar, garrulous way. Senator Lamar came and dropped himself on the sofa beside me, languidly and apparently much bored. The little that I had seen of him about Washington that winter had not particularly pleased me. I was not drawn to him. He seemed to me shrewd, cold, and a shade haughty; and he had, in my eyes, the air of a man suffering the pangs of disappointment. On the evening to which I refer he was leonine, but kindly. Turning to me, after resting his eyes for a few moments on Gen. Pike, whose long white hair and philanthropic face recalled poor Richard in his last estate, he said: "Behold the one thing in all this life that I dread." I said: "What's that?" Nodding his head toward Pike, he answered: "The calamity of long life, the sad penalty of gray hairs, the simulated sympathy of the young." He spoke with an intensity of feeling which saddened me. Seeing this, he glided into a sunnier mood, and told one or two amusing stories of backwoods life which he had picked

up when a young lawyer practicing in Georgia and Mississippi. He had a Southern dialect which he brought to the relation, as quaint as that which has made Proctor Knott famous as a *raconteur*. I was anxious to know something of his experiences when the diplomatic agent of the Southern Confederacy seeking the aid of France and England. He chatted pleasantly on this phase of his career, and, among other things, said: "We lost our cause, but we won the respect of the world by our courage, our endurance, and our devotion. Europe had long regarded the Southerners, I think, as a lot of braggarts. We had talked and threatened much. When the war came we were equal to it. We made a proud name for ourselves; and I can honestly say that I had rather be where we are to-day, with an unexampled record, than to be back where we were twenty years ago, with our slaves and the contempt of a great mass of mankind." This showed the heroic mold of the man. Speaking of Napoleon III., with whom he had many interviews, he said that he had gone to France with a natural dislike for the man who had grossly betrayed a republic to found an empire. He regarded him as a thick-headed, conscienceless, reckless man, who, conjuring with a name, had achieved vast power without deserving; but as he came to know him he learned to respect him. "I tell you," he said, "that man was forceful, and he had elements of true greatness. He astonished me on several occasions by the fertility of his mind, his power of assimilating facts, and his grasp on affairs. He was by no means the dull, accidental creature that many believed him to be. He was weak in that he could not shake off the corrupt and designing men who had helped him to power and then dragged him down to ruin and disgrace. The first Napoleon would have sent some of them to the Temple, would have exiled a half dozen, and shot a dozen more. The nephew feared the knaves who had aided his knavery."

Mr. Lamar, on this occasion, related an amusing journalistic experience which he had in London during the period when he was begging alternately at the doors of St. Cloud and St. James for aid for his Southern cause. He said that he was anxious to win the friendship of the London press. He prepared one day a careful article gently leading up to the point of interesting the English Government in the struggle for Southern independence. He called upon Mr. Delane, of the *London Times*, and submitted it. After a careful reading the editor accepted it, and said that he would use it as a leader in the *Times*. "I waited for days," said Mr. Lamar, "for the appearance of that article, which I fondly hoped would open the way for others more direct and forcible. Time rolled on, and the article did not appear. I was anxious, for our cause could not well wait. I had kept a copy of the article. Concluding that Mr. Delane had decided on reflection not to use the article, I carried it to the editor of the *Telegraph*. He accepted it. Two days after he printed it as a leading editorial, and, by a most singular coincidence, it came out as an original article in the *Times* of the same morning, word for word. I was never so mortified in my life. I could not explain. I never saw either editor afterwards, and I have never been able to estimate just what the Confederacy lost by that *faux pas*. I know that it stopped my writing for the London press."

Hon. T. C. Catchings, of Mississippi, many years later, in speaking of Mr. Lamar as of this period, said:

During all this time the searching gaze of curious, as well as anxious and just, scrutiny was full upon him. There was a subtle and indefinable influence emanating from, rather than exerted by, him that made him an object of interest, even in the quietest moments of his private life. In public life it attracted to him an eagerness of attention that within all my observation was without a parallel. It made him not merely the central figure in every event with which he was connected, but so unique and imposing that public curiosity regarding him was never satisfied. His dress, his personal habits, his methods of conversation, his peculiarities of manner, in fact, any

and everything pertaining to him, directly or remotely, were constant topics of conversation among those who knew him.

In truth, this gossip about Mr. Lamar began immediately after his Sumner eulogy was delivered, and continued so long as he lived. The secret of that curious interest was not merely his reputation as a speaker and a bold, independent thinker, but also what Senator Hoar noted in him, and after his death commented on in a letter to the writer. He said:

He was a very interesting and very remarkable and noble character. The late Matthew Arnold used to say that American public men lacked what he called "distinction." Nobody would have said that of Mr. Lamar. He would have been a conspicuous personality anywhere, with a character and quality all his own.

So it was that people and the newspapers gossiped much about his habits and personality; and many anecdotes were in circulation about him, some of them true, others having a small foundation of truth, and still others without any foundation whatever. One, which was widely circulated, and was probably true (for he could fence), was this:

Beneath Mr. Lamar's quiet and dreamy exterior one would not recognize the fact that he was a man of passionate nature, and that at one period of his life he was much devoted to athletic sports. He was an excellent swordsman, and was also skilled with the gloves. He was always happy to take up the foils with any one who pretended to be skilled in fencing, and at one time he was possessed of wonderful physical strength. His arms and shoulders were almost as solid as those of a prize fighter. Those who have only considered him as dreamy and scholarly would have been surprised if they could have seen Mr. Lamar behind a foil. He had great agility and vigilance, and he often crossed swords with professional teachers of fencing, and rarely could one of them touch him with the button.

A gentleman who knew him well, and who would not care under the existing circumstances to have his name mentioned, once had an amusing experience with Mr. Lamar as a swordsman, which he thus describes: "I am a swordsman of no mean ability myself, and when I was employed at the capitol several years ago I had a pair of foils which I brought across the ocean with me. I had lots of fun up there with the other employees, and occasionally the Senators would take a hand. Conkling and Ingalls both used them. One day I was in the room of the Committee on Public Lands just shaking the foils for my own amusement, when Senator Lamar came in. He had just recovered from a severe illness, and was very weak. He eyed me for a moment, then, coming forward, said: 'I used to use the foils myself once, but I have almost forgotten.'

"I then began to twist them with the fancy twists and all that, just to show off, as it were, and he said again: 'Let me feel that.'

"I did so, and got the other one, noticing in the meantime that he handled his blade as though he knew something about it. I struck an attitude, but he said: 'Not now; I will come in some other time.' I told him I wouldn't hurt him, but he wouldn't try.

"It was about a month after that when he came in again, and he had by this time fully recovered his strength. He said that he would like to try, and I got the foils down and adjusted the buttons, chuckling over the prospect. I changed my mind, however, when I saw him take off his coat and pick up the foil to test it. He had a very flexible wrist, and he made that blade cut lightning. Well, when we were ready he put up his guard, and I knew then I had bit off a large mouthful. I made

some thrusts; but he was always there, and I couldn't get through to save my life. Then I resorted to all the tricks I knew, but every thrust was parried as neatly, and a grim smile was on the Senator's face. He had been acting on the defensive, but when I got through amusing him that room was full of sword cuts. He hit me ten times a second, and I might just as well have had a straw to defend myself with. He came under and over, and I have an indistinct recollection of seeing the finest constellations that man ever looked on. When I got my breath, which I did while he was putting on his coat, with that grim smile still on his face, there were thirty chalk marks on me, five of which were right over my heart. I was blue for a week afterwards. While I was putting up the foils he went out, stopping at the door to say: 'I thought I had forgotten how to use them, and I sadly needed practice.'

This anecdote, also commonly circulated, is authentic:

Mr. Lamar was naturally a very courteous man; but when he became absent-minded he often saluted his best friends with a stony stare, and answered questions at random. One day, as Mr. Ellis, of Louisiana, was sitting in his committee room at the capitol in Washington, Mr. Lamar walked in, and, seating himself, said in his grave and gentle way:

"Ellis, I don't believe you like me."

"No," said Mr. Ellis, "I don't. Lately you have hardly spoken to me. I pass you, and you don't look at me; and such conduct has offended me."

"But, Ellis," said the Senator, "you know it's my way."

"I don't care," said Ellis; "it's a blanked bad way."

"My dear fellow," said Mr. Lamar, throwing his arms around Mr. Ellis' neck, "the next time you see me in that blanked bad way just come up and punch me in the ribs. Now, promise me, and let's be friends."

Mr. Ellis promised, and punched also.

## CHAPTER XXIII.

Struggle in Congress over the Army Appropriations—Troops must not be Used at the Polls—The Debate of 1879—Mississippi Opinion—Senator Conkling—The Mississippi River Commission Bill—The Army Bill—Republicans Filibustering—Senator Conkling's Speech—Mr. Lamar's Reply—Exciting Personal Collision—Current Comment—Mr. Lamar's Letter to Gen. Walthall—Press Comments on the Incident—Effect in Mississippi—Mr. Lamar's Views on Dueling.

THE outcome of the Presidential campaign of 1876 called public attention, and especially Democratic attention, very sharply to the abuses possible through the use of United States troops in connection with State elections and with controversies over State offices. Accordingly, at the second session of the Forty-fourth Congress the Democratic House, in the Army Appropriation Bill, incorporated as Section V. a provision which, in substance, forbade the use of the army, or any part of it, in supporting the claims of any State government, or officer thereof, until such government should have been duly recognized by Congress; and also forbade the use of any of the moneys appropriated, in upholding the claims of any of the contestants in Louisiana. This bill, not being acceptable to the Senate, that body, on motion of Mr. Blaine, adopted as a substitute the bill passed by the preceding Congress; but in this amendment the House refused to concur, and Congress adjourned without passing any army bill, the army being supported from July to October, 1877, without any lawful appropriations. For this reason President Hayes convened the Forty-fifth Congress in extraordinary session.\*

In this Congress Mr. Abram S. Hewitt, former Chairman of the Democratic National Committee, was placed in charge of the Army Bill. He felt that it would be unwise, under the circumstances, to array the Democratic party against the administration which had just come into power, and reported into the House a bill without any reductions and without any provisions restraining the use to be made of troops. For this course he was severely criticised in some quarters, but the bill passed. At the next session, however, being still in charge of the Army Bill, he arranged with Hon. Proctor Knott, Chairman of the Judiciary Committee, that Mr. Knott should offer an amendment to the bill, by which the use of the army as a *posse committatus* for the enforcement of the laws was forbidden, except as expressly authorized by the constitution or by act of Congress. The bill finally passed in that form.

At the third session of the Forty-fifth Congress (that of 1878-79) it was determined to take the further and final step of repealing the Unit-

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\* *Congressional Record*, Vol. VI., p. 49; *Id.*, Vol. V., pp. 2151, 2157, 2251, 2252.



ed States statute which, in effect, allowed the use of troops to preserve order at the polls, and which, in practical operation, it was claimed, enabled the administration to control elections under pretense of apprehended disorders. Accordingly the repealing amendment was offered to the Army Bill for that year, and, strange to say, passed without objection. The bill went to the Senate, and there the amendment, as well as the clause providing for the reorganization of the army, was rejected. The two Houses failed to agree; and again Congress adjourned without an appropriation for the army, and again the President had to convene the next Congress in extra session.\*

The Forty-sixth Congress, therefore, met on the 18th of March, 1879. The Army Bill was the first offered in the House. The sixth section repealed those clauses of the existing laws which permitted the use of troops "to keep the peace at the polls." There was a protracted debate in which, in the Senate, thirty-two Senators took part, more or less. The bill was finally passed in both Houses by the 25th of April, but on the 30th the President returned it with his veto. His objections were, mainly, that as to State elections it was unnecessary, since the act of the preceding Congress prohibited the use of troops therein; and as to Federal elections, the law being so written that it also prohibited civil officers from using armed men to preserve peace at the polls, it withdrew the legitimate powers of the Federal Government in that respect; and, moreover, it was objectionable as incorporating general legislation into an appropriation bill. An effort was made in the House to pass the act over the veto, but it failed to receive the necessary votes; whereupon other bills were introduced, particularly House Resolution No. 2175, which was brought into the House from the Committee on Appropriations on June 6th, and finally became a law. It contained a clause to the effect that no money appropriated by the act was to be expended in using the army as a police force to keep the peace at the polls at any election held within any State. This clause again provoked a protracted debate, which lasted until the 20th of June.

This policy of the Democrats in both Houses of forcing a repeal of the objectionable legislation by appending such repealing clauses to the appropriation bills did not by any means meet with universal approval in the South, or with universal commendation from the Southern members. Mr. Lamar, although voting with his party since the matter had been determined in caucus, took no part in either of the protracted debates.

The *Jackson Clarion* (then, it will be remembered, unfriendly to Mr. Lamar) said editorially May 7, after stating the position of the controversy, that,

Since the question has been reduced to this complexion, we are strengthened in

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\* "Three Decades," Cox, p. 680; *Congressional Record*, Vol. VIII., p. 898.



SOME REPUBLICAN SENATORS.

BY PER. FROM PHOTOS, BY C. M. BELL, WASH., D. C.



the opinion heretofore intimated that the proposition originally supported by Senators Bayard, Morgan, Lamar, Hill, Coke, Maxey, and others, to introduce separate appropriation and repealing bills, would have been preferable. It would not have admitted of the insane cry of "starving the government," and of "revolution," which the Republican agitators have raised with damaging prospects to the Democracy in the Presidential election; and, though defeated in the present Congress by the veto, they would have entered the contest before the people upon the question, pure and simple, divested of extraneous issues, of free elections, no Federal interference with voters, and the supremacy of the civil over the military power. In the preliminary skirmish for position in the great Presidential battle of 1880 this course would have been better.

A conspicuous figure in those debates was Senator Conkling, of New York. He had much to say, and his speeches were not relished by the Democrats. It was not so much what he said, as his unfortunate manner, which gave offense. No man was ever a fiercer antagonist or a harder hitter than was Senator Blaine; but yet his flowing courtesy, his *bonhomie*, his personal magnetism, were such that, as a rule, his political foes liked him, and took his assaults in good part, returning such good measure as they were able. Senator Conkling, however, was generally regarded differently. He was considered to be, not aggressive only, but also contemptuous, overbearing, vain, imperious. The relations between Mr. Lamar and Senator Conkling were not kindly—an exception to the usual terms existing between the former and his fellow-members of the opposite side. About two years before, Senator Conkling had a controversy with Senator Gordon in which, as Mr. Lamar thought, he had treated Gordon badly. Resenting his course in the matter, Mr. Lamar had discontinued all personal relations. At the same time he expressed great admiration for Senator Conkling's voice, oratory, and intellectual powers, and respected his rights, as he did those of all others. About a year before, one of Mr. Conkling's intimates had quarreled with him, and had published several of his private conversations in a newspaper. Some of those conversations referred to Mr. Lamar; and a friend of his, who had some knowledge of what had really been said, proposed to communicate the same to Mr. Lamar, but was stopped at once with the remark: "I do not wish to hear the private conversation of any one. Mr. Conkling has been shamefully treated. I will not encourage such conduct by listening to what he never intended me to hear." About this time he remarked to Gen. Walthall: "I know Conkling is going to jump on me, and I wish he'd keep off. My conservative speeches and position have irritated him, and he will try to make me lose my temper and say something foolish and rash. I've a dozen things laid away for him, but I'm afraid he won't come at me any of those ways."

Mr. Conkling did at last "come at him," and it was in this wise:

The second debate of the extra session on the Army Bill was in progress. It was the 18th of June. The Democratic majority were eagerly

pressing the bill to a vote, with the clause in it prohibiting any expenditure of the money voted in using troops as police to keep the peace at the polls; and the Republicans, seeing defeat ahead, had resorted to "filibustering." Mr. Lamar, it will be remembered, took no part in the debate, although voting uniformly with his party. Very early in the day, before the Army Bill was taken up for consideration, and, of course, before the Republicans began to filibuster on it, he called up the bill to create a Mississippi River Commission, a bill in which he was much interested, reported from a committee of which he was chairman. The consideration of the bill consumed the morning hour, and the hour appointed for taking up the Army Bill as the special order arrived. The following colloquy then occurred:

Mr. Lamar: "I think we shall get through with this bill in a few moments. I ask unanimous consent."

Mr. Withers: "In view of the fact that I yesterday gave notice that I should ask for a vote on the Army Bill to-day before adjournment, I cannot consent that it shall be withheld by the bill that has been under consideration unless it can be agreed to have a vote on that at once without further discussion."

Mr. Allison: "In a few minutes."

Mr. Withers: "If a vote can be had at once, I will yield."

The President *pro tempore*: "The Senator from Mississippi asks unanimous consent that the unfinished business, which is the Army Appropriation Bill, may be laid aside temporarily, subject to call, and that the bill under consideration may be proceeded with. Is there objection?"

Mr. Conkling: "Are we to understand that, notwithstanding this unanimous consent, if it is given, the Senator from Virginia will insist on a vote to-day on the other bill?"

Mr. Withers: "That is precisely the position I take. I shall ask the Senate to dispose of the Army Bill before adjournment to-day."

Mr. Conkling: . . . "I submit to the Senator from Virginia that it is not at all likely that he will advance the ultimate completion of the Army Bill by one hour if he succeeds in getting a vote this afternoon rather than a vote to-morrow; and, further, I say to him that I understand that there are several Senators on this side of the Chamber who want to make some remarks on the Army Bill, not, of course, with a view to consuming time, but simply to speak to certain features of that bill, as it stands, which they wish to discuss. Inasmuch as the Army Bill has been before the Senate but one single day, and a considerable part of that day occupied by other business, I see no occasion for the Senator's demanding that the bill shall be concluded to-day. I see no occasion for a night session and no need of attempting to incommode or crowd any Senator on either side who wishes to submit remarks on that bill.

"Therefore I suggest that the Senator from Mississippi had better have his unanimous consent to conclude the consideration of this bill; and if, when a reasonable hour of adjournment is reached to-day, there be other Senators who want to be heard on the Army Bill, in place of trying to incommode each other and sitting out the bill in the night, it had better go over, and the more so, because, for reasons I have given, I do not believe it will make one hour's difference in the end whether we vote this afternoon or whether we vote to-morrow upon the Army Bill."

Mr. Withers: "I have arrived myself at a different conclusion from that reached by the Senator from New York. I think it important that we should have a vote upon this bill to-day. He is mistaken, however, in supposing that I demanded a

vote. I simply gave notice of a purpose to request the Senate to dispose of the bill before it adjourns. Of course the whole matter remains with the Senate. If they are in favor of an adjournment, when that motion is made they can adjourn. I shall, however, resist it as the organ of the Appropriations Committee."

Mr. Conkling: "Yes, sir; and if the Senator appeals to his party associates to stand with him, that makes a majority against adjournment. If we consent to take up the Mississippi Bill, and two or three hours are devoted to it, then the result will be that Senators who want to make some observations about the Army Bill will be driven into the night or denied the privilege altogether. I do not think that is fair."

Mr. Gordon: "Mr. President, I have looked into the bill somewhat as to a number of amendments that have been acted on and those still pending on the bill now before the Senate. I am satisfied that, having acted on all the committee's amendments (as there is but one more to be acted on so far as the Senate has been advised), we can get through with it in ten or fifteen minutes."

The President *pro tempore*: "The Senator from Mississippi asks that by unanimous consent the Appropriation Bill may be informally laid aside, subject to be called up at any time, and that the Senate proceed with the Mississippi River Bill. Is there objection?"

Mr. Conkling: "For one Senator I will give my consent, and trust to the courtesy of the other side of the Chamber, when we reach an ordinary hour of adjournment, if any Senator wants to be heard, that he shall not be cut off or pushed into the night."

Mr. Withers: "The Senator must not trust to my courtesy in the matter, if he alludes to me"—

Mr. Conkling: "I did not indicate the Senator from Virginia as one to whose courtesy I would trust."

Mr. Withers: "I am on 'the other side of the Chamber;' and as the bill is under my charge, I supposed that perhaps I was alluded to."

Mr. Conkling: "I did not select the Senator from Virginia as the Senator to whose courtesy I intended to trust. Therefore I do not think there is any occasion for a reprimand from him."

Mr. Harris: "I will say to the Senator from Virginia and the Senator from New York that I have the assurance of the Senator from Mississippi that he will not ask for more than twenty minutes. This bill can be passed in ten, I think; but he limits his request to twenty minutes' time."

Mr. Lamar: "I do."

Mr. Harris: "I appeal to those two Senators to consent to the twenty minutes being devoted to this bill, regardless of the notice given by the Senator from Virginia yesterday."

Mr. Davis, of West Virginia: "I do not rise to object to the consideration of this bill even until half past one; but I want to say, after what the Senator from Virginia has said, that I think we ought to sit this bill out this evening, and there was a sort of general understanding yesterday that it should be done."

Mr. Conkling: "O no; not at all."

Mr. Davis, of West Virginia: "I think there was a sort of general understanding that we should remain and sit the bill out to-day. I do not know whether the Senator from New York agreed to it or not. I do not say he did; I do not say that other gentlemen did. But there is another view of it. The Senator from New York has said that it will not forward the appropriation bills to pass the Army Bill to-day rather than to-morrow. I beg to differ with him on that. It will be one day in advance, I think; and that one day will count in the final adjournment. If we propose to adjourn, I think each day we stay here continues the time that much longer. The Appropriations Committee that has charge of the adjournment resolution from the House has been desirous for several days to propose a day and report the resolution

back to the Senate; but they have thought they were not warranted in doing so until such time as all the appropriation bills had passed, and we hope to see them concluded here to-day."

The President *pro tempore*: "Is there objection to the request made by the Senator from Mississippi?"

Mr. Lamar: "For twenty minutes."

The President *pro tempore*: "The Chair hears none, and the Mississippi River Improvement Bill is before the Senate as in Committee of the Whole, subject to be displaced by a call for the regular order."

On the expiration of the "twenty minutes" devoted to Mr. Lamar's bill the Army Bill was taken up, and then came one of the protracted sittings which sometimes result from filibustering tactics. The day's session was prolonged until noon of the next day. The Republicans adopted the method of fictitiously absenting themselves upon roll-calls, and thereby breaking the quorum; of making all sorts of dilatory motions, and calling for yeas and nays, etc. Late in the sitting (it must have been after midnight) a wrangle occurred between Senators Blaine and Saulsbury, in which the latter charged the former and his party with obstructing the needed legislation; and then Senator Conkling arose. He said, among other things, that

At the end of the morning hour the Democratic Senator from Kentucky, who had occupied twenty minutes in a political speech yesterday, was entitled to the floor. Then the Democratic Senator from Mississippi [Mr. Lamar] made to the Senate and made to me an appeal which, for one, I regret that I did not refuse. I have been annoyed, since this monstrous and offensive proceeding which we have resisted, that I did not refuse an appeal which I was weak enough to listen to. He appealed to us to give way to allow him to proceed with his bill about levees upon the Mississippi. I rose, and said that if time were to be subtracted from the beginning of the day, as we wished to debate the Army Bill, I should repose on the courtesy of Democratic Senators for the expectation and in the belief that no final vote would be pressed to-day. Looking to that side, I received a nod, not from one, not from two, not from three, but from five Democratic Senators. Thereupon the Senator from Virginia [Mr. Withers] cautioned me not to rely upon his courtesy, and I promptly informed him that his courtesy was not the reliance upon which I rested; and the Senator from Virginia no doubt had technically and individually the right to do what has followed.

When a little more than thirty minutes after the morning hour had been consumed by the bill about the levees of the Mississippi, the Chair announced that the unfinished business was to be taken up, and that the Senator from Kentucky was entitled to the floor. Thereupon the Senator from Kentucky proceeded to devour one hour and forty minutes of the Senate's time in a Democratic political speech, which, he said, was designed for the hustings in his State, but which he would regale the Senate by delivering. That over, a Senator on this side, the Senator from Maine [Mr. Blaine], as I am told by an associate—I did not observe the clock—occupied exactly twenty-two minutes, at the end of which time the ornate and eloquent Senator from Indiana [Mr. Voorhees] proceeded with a very brilliant speech for something over two hours, and sat down at ten minutes after six o'clock; the entire day, save twenty-two minutes, having been consumed by those two Democratic speeches, delivered, one by a Democratic member of the Committee on Appropriations, from which the bill came; and the other, by the Democratic Senator from Indiana.

Meanwhile the Senator from Wisconsin [Mr. Carpenter] wished to address the

Senate. I may remind the Senate how little time that Senator has consumed during this extra session; I may remind the Senate that that Senator has found himself suffering from ill health; and I may remind the Senate that it was well known before he sought the floor that he wished to speak, not at undue length, upon the Army Bill. I went to the Senator from Arkansas, who now hears me, who then sat in the chair [Mr. Garland], and I said to him: "If the Senator from Indiana is to occupy all day, even to the hour of adjournment or afterwards, I take it for granted no vote will be pressed to-day." If I do not quote that Senator correctly, I hope he will set me right. He said: "I suppose not. I wish myself to make a brief speech upon this bill; and, if need be, I will go down myself and see to it. I do not think there will be any such disposition." I spoke to three other Senators, two of whom are within the sound of my voice, on the Democratic side, and from each of them received assurance that there would be no question about an adjournment, the day having been occupied by these two Democratic speeches. I so informed the Senator from Wisconsin who had borrowed the seat of his friend from Illinois (Mr. Davis), on which his books and papers were, and carried them away and dismissed his preparation, and assumed, as he had a right to do, that after a day of fasting and more than an hour after the customary hour of adjournment, when the Democrats had swallowed the whole day, he should not be subjected to a proceeding so insulting as to say to him that he must go on and deliver his argument then, or he should not deliver it at all.

The Senator from Wisconsin had the floor, yielded to the Senator from Maine to read something from a book, and, resuming it, I, at his request, made a motion to adjourn, prefacing it with a statement that we had had no opportunity to debate this bill whatever, and that therefore I assumed that there would be no objection. The Senator from Virginia rose with such a disclaimer as he had a right to make, in order that he might keep within the bounds of his instruction from the committee; but when I heard every Democratic Senator vote to commit such an outrage as that upon the minority of this body and upon the Senator from Wisconsin, I do not deny that I felt my full share of indignation; and during this evening, Mr. President, I wish to assume all my own responsibility, and so much more as any Republican Senator feels irksome to him, for what has taken place. I have endeavored to show this proud and domineering majority—determined apparently to ride roughshod over the rights of the minority—that they cannot and they should not do it. But I am ready to be deemed responsible in advance for the assurance that while I remain a member of this body, and, at all events, until we have a previous question, no minority shall be gagged down or throttled or insulted by such a proceeding as this. I say, Mr. President (and I measure my expression), that it was an act not only insulting, but an act of bad faith. I mean that. . . .

Mr. Lamar: "Mr. President, I desire to make one statement personal to myself in reference to this matter. I do not intend to go into the discussion of the question concerning this measure that the Senator from New York has been discussing. I learn for the first time that an impression exists on the mind of any Senator on this floor that further time was to be extended for the discussion of the bill which the Senator from Virginia reported, based upon any proceedings or upon any occurrence connected with the measure that I had the honor of reporting this morning, and asked unanimous consent to consider and have passed. I am not aware of anything that occurred which would produce such an impression. If I had, although I would not have been instrumental consciously in producing such an impression, I should have felt myself bound by it, and would have made the motion myself for an adjournment, in order to give the Senator from Wisconsin an opportunity to discuss this bill.

"I repeat, sir, that if I had imagined that any Senator had any such expectation from anything that occurred in the incidents of that proceeding, it would have been



my pleasure to have made that motion. In fact, sir, I was not here. I was not aware of the fact that the Senator from Wisconsin had risen for the purpose of addressing the Senate. I came in at a later stage of these proceedings.

"With reference to the charge of bad faith that the Senator from New York has intimated toward those of us who have been engaged in opposing these motions to adjourn, I have only to say that if I am not superior to such attacks from such a source I have lived in vain. It is not my habit to indulge in personalities; but I desire to say here to the Senator that in intimating anything inconsistent, as he has done, with perfect good faith, I pronounce his statement a falsehood, which I repel with all the unmitigated contempt that I feel for the author of it."

Mr. Conkling: "Mr. President, I was diverted during the commencement of a remark, the culmination of which I heard from the member from Mississippi. If I understood him aright, he intended to impute, and did, in plain and unparliamentary language, impute, to me an intentional misstatement. The Senator does not disclaim that."

Mr. Lamar: "I will state what I intended, so that there may be no mistake"——

The Presiding Officer: "Does the Senator from New York yield?"

Mr. Lamar: "All that I"——

The Presiding Officer: "Does the Senator from New York yield to the Senator from Mississippi?"

Mr. Lamar: "He appealed to me to know, and I will give"——

The Presiding Officer: "The Senator from New York has the floor. Does he yield to the Senator from Mississippi?"

Mr. Lamar: "But the Senator declines to yield to me to know"——

The Presiding Officer: "The Senator from New York has the floor. Does he yield to the Senator from Mississippi?"

Mr. Conkling: "And I am willing to respond to the Chair. I shall respond to the Chair in due time. Whether I am willing to respond to the member from Mississippi depends entirely upon what that member intends to say, and what he did say. For the time being, I do not choose to hold any communication with him. The Chair understands me now; I will proceed.

"I understood the Senator from Mississippi to state in plain and unparliamentary language that the statement of mine to which he referred was a falsehood, if I caught his word aright. Mr. President, this not being the place to measure with any man the capacity to violate decency, to violate the rules of the Senate, or to commit any of the improprieties of life, I have only to say that if the Senator—the member from Mississippi—did impute or intended to impute to me a falsehood, nothing except the fact that this is the Senate would prevent my denouncing him as a blackguard and a coward." [Applause in the galleries.]

The Presiding Officer: "There shall be no cheering in the galleries. If there should be any more, the Chair will order the galleries to be cleared. The Senator from New York will proceed."

Mr. Conkling: "Let me be more specific, Mr. President. Should the member from Mississippi, except in the presence of the Senate, charge me, by intimation or otherwise, with falsehood, I would denounce him as a blackguard, as a coward, and a liar; and, understanding what he said as I have, the rules and the proprieties of the Senate are the only restraint upon me.

"I do not think I need to say anything else, Mr. President."

Mr. Lamar: "Mr. President, I have only to say that the Senator from New York understood me correctly. I did mean to say just precisely the words, and all that they imported. I beg pardon of the Senate for the unparliamentary language. It was very harsh; it was very severe; it was such as no good man would deserve, and no brave man would wear." [Applause on the floor and in the galleries.]

The Presiding Officer: "The Senate must be in order, and there can be no cheering upon the Senate floor."

Mr. Conkling: "What is the question before the Senate, Mr. President?"

This incident created quite a sensation throughout the country. The newspapers scattered it broadcast, and their notices of it were many and long and varied. Of course all sorts of positions were taken about it. Mr. Lamar's mail was filled with correspondence on the subject from every direction and from every sort of people. Telegrams and letters came in quantity, many offering services in the anticipated duel; little homilies about the obsolescence and sinfulness of the "code of honor;" letters exploding most ecstatically over the "removal of plantation manners northward" and "the happiness of your friends;" others protesting against his violation of the proprieties or against his imperiling the cause of the party by his loss of temper; and still others filled with the most savage denunciation and scurrilous personal abuse. Among Southern Democrats, however, there seems to have been but one sentiment: that Mr. Conkling had received what he had been long hunting for, and had received it in full.

In order to understand justly the position of the two actors in this scene it is necessary to note exactly the course of the personalities of the debate. Mr. Lamar had taken no part whatever in the discussion of the pending measure. Mr. Conkling opened his remarks in response to the speech of Senator Saulsbury by a direct reference to Mr. Lamar, saying that he had "made to the Senate, *and made to me*, an appeal which, for one, I regret that I did not refuse." Concluding, he charged the Democratic Senators as a body with an effort to gag down and throttle and insult the Republican members; and then he said: "I say, Mr. President (*and I measure my expression*), that it was an act not only insulting, but an act of bad faith. *I mean that.*" Thus was Mr. Conkling careful to exclude the idea that he had permitted either an unconsidered or an exaggerated expression to escape him in the haste and heat of debate. Manifestly he meant, as he himself declared, deliberately and advisedly, to fasten upon all the Democrats, and upon Mr. Lamar in particular, a charge of duplicity. Then it was that Mr. Lamar spoke.

The following accounts, taken from papers of the day, describe the reception of the incident in the Senate Chamber:

The *Chicago Tribune* (Radical): "Referring incidentally to the course of the Democrats on the appropriation bills, Conkling said. . . . The extraordinary character of these statements startled the Senate. There was breathless silence in the Chamber, when Lamar arose and said: 'I have only to say that the Senator from New York understood me correctly. I beg pardon of the Senate for the unparliamentary language. It was very harsh and severe. It was such as no good man would deserve, and no brave man would wear.'

"The silence that followed was broken by a sharp clap of the hands from Vance, of North Carolina, who had seated himself near Lamar, and was noticed to make suggestions to him. The excitement overcame the temporary presiding officer (Cockrell,

of Missouri), who seemed to try to regain his equanimity by raps of the gavel. This ended at 1 o'clock A. M. The Democratic Senators immediately commenced telegraphing to all their paired colleagues to return.

"On the floor Senators are talking of nothing else. Southern Senators unanimously sustain Lamar, and have overwhelmed him with congratulations. One Senator, who is Lamar's most intimate friend, and who, in the event of a challenge, expects to act as his second, says: 'I don't think that Conkling will fight. I don't regard him as a man of courage. Lamar will only be delighted to have Conkling challenge him. Of course everything rests with Conkling, as he is the insulted party. Of one thing you may be assured: no effort will be made to fix up the matter, as was the case when Conkling had his difficulty with Gordon. There is no power on earth that will induce Lamar to withdraw his words.'

"On the Republican side great regret is expressed; but all agree that Lamar was the aggressor, and made his attack on Conkling without requisite provocation. No idea is entertained by the Republicans that Conkling will send a challenge, but some think it possible that he may call Lamar to account at the first opportunity outside the Senate Chamber. The Republicans were too much startled to call Lamar to order.

"Conkling, being asked about the situation to-night, laughingly replied that they had a different method of settling personal difficulties in his State, and that he could not be led by an ambitious Southern man into a dueling scrape. If assaulted or insulted outside of the Chamber, he would know how to take care of himself. It is certain that Conkling will send no challenge."

Donn Piatt (*Washington Capital*): "That Conkling's bearing was that of a bully suddenly brought to taw no Senator present doubts or questions. In the dead silence that followed Lamar's subtle and fatal stab Conkling was to the last extent unnerved and confused. His assumed nonchalance of repose and swagger of acting both deserted him; and, looking wildly about him, he stammered, hesitated, and lost control of both thought and voice. This was evident not only from his vulgar retort, after being pronounced a liar, of 'You're another!' but in committing himself to a line that he has not since had the courage to carry out. He served notice on Lamar that at some other time and at some other place he would attend to the insult. We all know what this means. It is either a duel under the code or an assault on the street, and there is no getting away from the cruel conclusion: either Conkling did not know what he was saying, or he lacked the nerve to carry out what he had said.

"The point in the whole affair, however, is the fact that the terrible thrust came from the coolest, politest, and most self-controlled member of the Senate. Lamar, of Mississippi, has been noted for his courteous bearing in both public and private life. . . . All who know him united in saying that his character and life gave more point to his assault than the deadly words in which it was uttered. Exit Conkling."

"*Mr. Blaine Enjoyed It.*—Mr. Blaine hugely enjoyed the spectacle of Lamar's torture of Conkling and the latter's towering rage in the Senate last Wednesday. While the Maine Senator was descending the steps of the capitol, shortly after the affair, he encountered one of the members of the House from Massachusetts, who questioned him in relation to it.

"'O, it was exceedingly rich!' exclaimed Blaine; 'I don't think I ever saw Conkling's wattles quite so red.'" (*New York Star*.)

On the next day (the 20th) Mr. Lamar wrote to Gen. Walthall as follows:

I send you by this morning's mail a "Record" containing what occurred between

me and Conkling. In personal controversies it is the custom to allow the reporter's notes, *unrevised*, to be the sole evidence of what was said. If corrections are made, they must be made by statement, or "personal explanation," in open Senate. So you will find here almost all that happened, except a few little things that could not well be reported. Conkling has been building up this trouble for some time. He has noticed my silence—a disciplined silence—through all the extra session. He knows that it is giving me some moral power, which may be of some use hereafter for the South, and he had determined to make me take part in the silly and unwise discussions that our party has been carrying on. My success in the morning, in getting the Mississippi River Bill through by an unprecedented majority, a large number of Eastern men voting for it (avowedly on my account), stung him very deeply. It was all a lie about my appealing to *him*, except so far as asking unanimous consent made it an application to each Senator. I have not spoken to him, privately or personally, for two years. I have no purpose of making any call upon him. The Southern Senators were delighted at the affair, and showed their exultation too much. There was a general coming in, yesterday morning, of Southern Representatives to see me and congratulate me. But I was not in the Senate. It was not a wise thing to do.

Besides, the matter is not yet over. Conkling will probably not send me a challenge; but his friends declare that he will give me a *tremendous beating*, which will just leave me alive. He is very proud and vain, and terribly sensitive. He has been much applauded for his *game*, and has mixed a good deal with club men and that sort of society which makes personal responsibility an important element in a gentleman's status. He cannot well rest under what he has got, and he is a cunning man, all of whose abundant resources of intellect are devoted to the one point of his own personal interests and ends. But all this I knew and counted on before I opened my lips. The advantage I got of him was not merely what occurred in the Senate, but also in having him in a position that *he did not expect, and was unprepared for*. I doubt if he has yet made up his mind what he will do, and I can judge of his ultimate purpose and the influences which will determine it as well as he can. A great deal will depend on what the *Times*, *Tribune*, *Herald*, and *Sun* of to-day will say. If they say fight, he will do so; but if the sentiment at the North says he has done enough, he will resort to some other method to get me down. He is no ordinary man, either in intellect or energy of purpose, or physical strength and animal spirits. But for once in my life I feel that I am *right*, even in the most extreme alternative.

One or two letters and editorials from typical Southern sources will serve to show that sentiment in regard to the affair:

The *Daily Democrat* (New Orleans), June 22, 1879: "*Bully Dawson*.—Three days have passed since Mr. Conkling received the lie, 'with circumstances,' from Mr. Lamar; and he has made no response to the insult save the disgraceful one from his place of safety in the Senate Chamber. It is therefore safe to conclude that Mr. Conkling does not belong to that class of brave men who will not bear such epithets, and it is competent to inquire whether he can be assigned to the class of good men who do not deserve them. To this end let us briefly review the quarrel and its consequences. . . . Mr. Lamar paused a moment; and then, amid that profound stillness which always attends intense but repressed excitement, he deliberately rejoined:

"I have only to say to the Senator from New York that he understood me most correctly. I said precisely the words that he understood me to say. My language was harsh and unparliamentary, and I beg pardon of the Senate for it; but my language was such as no good man would deserve, and no brave man would wear."

"An answer perfect in its temper, tone, and tact. It was final, absolute, conclusive. The preparation of a lifetime could not improve on it. It has all the Toledo's keen glitter and elastic swiftness, with the ice-brook's temper. Mr. Conkling was silent, of

course. The thrust was through the heart. The only sound heard was that of the shell against his breast, as the deadly blade was driven home.

"And Mr. Conkling and his friends—*noscitur a sociis*—aver that the blow which has left him dead on the field of his dishonor was avenged, if not parried, by his brutal billingsgate.

"Better and braver men than Mr. Conkling have borne as bitter insult without retaliation; but they were gentlemen—men of charitable lives and gentle manners, with peaceful thoughts in their hearts and words of peace upon their lips. Not of such is Mr. Conkling. . . . By general consent he is 'a fighting man.' When Gordon challenged him he sought no shelter under the cloak of a civilization 'superior to the code.' On the contrary, he, or his friends for him, sought to impress on the gaping public that 'Barkis is willin'.' Even now there is no talk about his unwillingness, on any moral grounds, to 'fight a duel.' Mr. Conkling, therefore, not disavowing the code, must be judged by the code. What is the verdict? That Conkling is a cad.

"No gentleman would have spoken of a great political party, his superiors in numbers and influence, as 'sneaks and frauds.' None but a man of low instincts and mean habits of thought would have charged upon a rival advocating a cause of transcendent importance to his people that he was acting in bad faith. If he did not lie when he asked what the member said, implying that he did not hear or understand him, his duty was to have waited for Mr. Lamar's answer. . . . Like the bully that he is, he turned his back upon his man, and broke out into a wild tirade of abuse, in language such as only vile men use. From the safe security of his place in the Senate he vaped about what he would say or do if not restrained by a sense of that decency which he utterly outraged.

"And Mr. Conkling contents himself, like Horace's bargemen, with a *tu quoque*.

"He has placed himself forever beyond the pale of honor. His passive acceptance of a deadly affront renders it impossible that any gentleman should recognize him henceforward. A cartel from such a poltroon would be rejected with contempt. He has eaten his leek at the butt of the halberd, and his strut and swagger will hereafter provoke only derision."

The foregoing is the view of the duelist and the Southerner; the following are more pacific in temper, but Southern still:

From the *Louisville Courier-Journal*: "The angry passage between Senators Lamar and Conkling is very much to be regretted, and on many accounts. It is, in the first place, a rude disturber of the illusion that the Senate is a place of dignified resort and the scene of perpetual courtesy; in the next place, it gives extreme and embittered partisans fresh and still more inflammable fuel for the bonfires of hate which they have kindled and seek to keep blazing at the North; and, lastly, it personalizes the already too violent issues which divide parties.

"We all know what that means. As long as the private relations of 'honorable gentlemen' are kindly, as long as Mr. Thurman can crack jokes with Mr. Edmunds in their committee room, and Mr. Voorhees can stick his shins familiarly under Mr. Blaine's mahogany, and Mr. Bayard can quiz Mr. Anthony as they go to prayers, and Mr. Beck can take a drink with the Rev. Mr. Hoar downstairs in the restaurant, the country is measurably safe. . . . But when two party leaders, each popular with his class and possessed of a following, not merely 'get mad' in earnest, but embody in their anger the exciting question of the moment, there comes over the minds and hearts of men a different and a more serious mood, boding good to no one. . . . Each side defends, stands by, its man, unless he be totally at fault; and, as this is done with even more heat than the original encounter, the case does not mend its tone as the discussion proceeds. Neither set of disputants can finally see any good in the other set.

“Reading the naked report of the proceedings, both Senators appear to have been hasty. Mr. Conkling had made an insulting general assertion in coarse words. They touched Mr. Lamar more nearly than any one else. . . . He retorted impulsively: ‘If the gentleman says that I acted in bad faith, he says what is untrue.’ Mr. Conkling might very well have explained or qualified his offensive language. Instead of doing so, he advanced in a menacing way, and flowered out in a tirade of vulgar epithets, worthy only of a stable yard or a fish market. Mr. Lamar, by this time quite himself, answered with perfect decorum that he had applied to Mr. Conkling that ‘which no good man deserves, and no brave man will wear.’ . . .

“Such is the case as it appears on the face of the record; but behind this there is a story to tell. The true inwardness of the occurrence lies back of it.

“No man in America has a sweeter, gentler, more womanish nature than Lamar. He is a dreamer, a poet. His life has been passed among books. Just enough of active, practical experience as a soldier and as a traveler he has had to give him somewhat of the knowledge of a politician and a man of the world. But he makes a poor figure in either character; he is a statesman and a philosopher, a man of profound convictions, and owes his great place in popular esteem to his genius, sustained by his physical and moral courage of so high an order that his enemies respect him. All men who know him at all know him to be incapable of premeditated discourtesy or offense. Known to be a fearless man, he never had a difficulty or altercation in his life; and nothing short of the intolerable insolence of Mr. Conkling could have stung him into the kind of rejoinder which he made.

“And who is Mr. Conkling? The country knows him chiefly through the description of Mr. Blaine. But it is not so familiar with him as his colleagues. . . . Vulgar by nature, and rapidly growing very coarse and common in his exterior—the result of habits which are no longer a secret at Washington—he has for two or three years attempted to make up his moral and intellectual losses by mere swagger. Selecting for the victims of his rage an entire people, instead of a single individual, he has, like the poor coward that he is, strutted his strut, exploding his miscellaneous vulgarity at long range, but carefully avoiding to tread upon approximate toes. This sort of thing generally comes to grief.

“Of course the Republican press will take another view of it. Yet there is not a Republican editor who has sense enough to carry him to Washington and hack who does not know that Conkling is what we have represented him to be.” . . .

The *Seashore Gazette* (edited by Joseph R., nephew of Jefferson Davis), of Pass Christian, Miss.. “For about a week some Senators on both sides have been airing their grievances, deriding States and sections represented by their opponents, and bragging about themselves and their appurtenances. They were, for the most part, men of good temper, who can give and take, and know how to refrain from offensive personalities; but they produced a belligerent atmosphere, which was inhaled by the Senator from New York to a dangerous degree of inflation, producing the disastrous consequences with which the whole country is now familiar. . . .

“Col. Lamar’s quick and determined check on the impudent assertion of the dictatorial New Yorker is the best proof that his conduct was unwarrantable; for he is one of the quietest of men, and, even when subjected to great annoyance, uses no defense but a cold reserve.”

Thus the strophe; hear the antistrophe:

From a paper the name of which is torn off: “*It Had Better Be Stopped*.—Roscoe Conkling deserves the thanks of his constituents and of all sensible men for the promptness with which he met face to face the attempt of Mr. Lamar to revive the old fire-eating practices on the floor of the United States Senate. The Mississippi Senator violated parliamentary rules in a very gross manner when he denounced a

statement made by Mr. Conkling as a falsehood, and accompanied the impertinence with the declaration that he held the New York Senator in utter contempt. If Mr. Conkling had suffered the insult to pass unrebuked, we should next have been entertained by the production of the revolver and bowie knife as an aid to Southern Senatorial eloquence, and the 'chivalry' would have become as rampant as when the South Carolina bludgeon wielder, Butler [*sic*], exercised his prowess on the head of the sitting and defenseless Sumner, who was old enough to be his father. Mr. Conkling's language was probably a trifle more blunt than elegant; but his spirit was aroused, and he is not accustomed at such a time to measure his words with nicety. At all events, he met an attempt at browbeating in an appropriate manner and with an earnestness and decision that will probably check the fire-eating tongue in the Senate for some time to come. Mr. Lamar got no more than his insolent allusion to the leading statesman in the Senate richly deserved. The chivalry may learn from this lesson that their attempt to return to the old method of Southern debate had better be stopped."

The *New York Evening Post*: . . . "It is hard to speak with patience of the Conkling-Lamar affair. Some of the newspaper correspondents are carefully tracing the course of the debate on the Army Bill, as if to find some excuse for the Senators from Louisiana [*sic*] and New York. We are told that the irritating opposition of the Republicans made Mr. Lamar angry; that the sharp practice of the Democrats in applying the gag filled Mr. Conkling with indignation. This is not to the purpose. . . . What happened before Mr. Lamar and Mr. Conkling set to beating each other about the head with the rhetorical bludgeon of personal invective and vituperation is wholly irrelevant. For this breach of the peace of the Senate they are responsible, without regard to the circumstances of the case.

"For his share in the scandalous performance Mr. Conkling has an account to give to the constituency which he has misrepresented for so many years in so many ways. Let there be no mistake about the matter. Mr. Lamar has no right to complain. He began the scandalous conflict of foul words. He is without the shadow of excuse. Surprise that a man so widely known for scholarship, refinement, conservatism of opinions, and moderation of expression, should suddenly become envious of the reputation of a fishwoman, and should be fired with an ambition to excel in scurrility of speech, will not mitigate in the slightest degree the general censure which he has incurred. . . . It is said that Mr. Conkling's retort upon Mr. Lamar in kind—of its vicious kind a more vigorous specimen—was received in silence. No doubt the silence was partly due to astonishment. We suspect that the Southern members were amazed at such words from the side of the Chamber where they have seldom been heard. The surprise is a compliment to Northern civilization of which the North may well be proud.

"But the State of New York has a right to complain of the shame which one of her Representatives has put upon her. Looking over the list of Senators who have served her, sometimes with brilliant ability, sometimes with respectable mediocrity, she sees the name of none who has conspicuously disgraced her until her eye falls upon that of Roscoe Conkling.' . . .

And so the quarrel spread and unfolded itself, but there is no evidence in Mr. Lamar's papers that he lost any prestige among the Senators because of it. The effect, unexpected but none the less welcome, in Mississippi, is described in a letter from Hon. S. A. Jonas, editor of the *Aberdeen Examiner*, dated July 1:

You will remember that I assured you on the night—or rather morning—of that memorable encounter with the burly braggart of New York that its effect would be

to crystalize public sentiment in our beloved State and rally your people in solid phalanx to you; but I had no conception of the strength of the sentiment until I reached home, and no idea that the enthusiasm which I believed would pervade the hearts of all political allies would be shared alike by friends and foes in politics; but so I found it. Greenbackers and Republicans were as ready as Democrats to indorse your action; and the timely rebuke administered to the man who "measured his words" when he sought to insult, but paused to *measure his antagonist* when the insult was hurled back compounded beyond the forbearance of any brave man, was regarded as a vindication of Mississippi upon the floor of the Senate, and, as such, entitling you to the thanks of Mississippians "without regard to race, color," or political affiliation.

Mr. Lamar did not cherish any hostility to Mr. Conkling because of their collision. He soon recovered of his anger. In later years it was no uncommon thing to read in the newspapers statements to the effect that the two men had become "boon companions," that they held boxing bouts, etc.; but there seems to have been no truth in those reports. It is more than doubtful whether they ever assumed anything like cordial relations. However, Mr. Lamar never failed to do full justice to the ability and position of the Senator from New York; and in 1881 he is reported by the *Vicksburg Herald* as follows:

While Senator Lamar was in the city Mr. Conkling was casually referred to, and Mr. Lamar was asked what he thought the great New York Senator would do. The question referred to Mr. Conkling's future political course and his influence and connection with the present administration. Mr. Lamar answered the question at some length. "Mr. Conkling," he said, "does not need to hold official place to wield vast influence in the United States. He towers above a vast majority of the officeholders; and a vast number of the American people have confidence in his ability, his statesmanship, and his incorruptibility. As the people esteemed and honored Clay, Calhoun, and Webster in their day, and as they honor Seymour now, they honor Conkling. This, of course, is not spoken in any party sense. Mr. Conkling is a great orator, a bold leader; and any man in his own party or the opposition who does not take him into the account in making up the political calculation will be largely at fault. The uncertain condition of his great State, and the great need of both parties to secure it, give Mr. Conkling a preëminently commanding position; and the past history of the gentleman leaves us no room to doubt his ability to use it. Many superficial observers do not get beyond Mr. Conkling's mere personal peculiarities. They think of him as he is pictured in the cartoons: as tumbled out of the Senate, knocked off the railroad track by the administration train of President Garfield, or the way he arranges his hair, or his haughty demeanor. These are mere specks on the portrait of a really great man. It is a mistake to imagine that a man of such power over men must hold a Senatorial position to accomplish great political purposes. While a Senatorial position has advantages, it also has its drawbacks. How could such a place add to the greatness of Horatio Seymour? It is hardly to be doubted that Mr. Conkling could go into the Cabinet, but it is very doubtful that even a Cabinet position would increase his power in his party. His party would have been overwhelmingly defeated last year without Conkling, and it will never be so strong again until Mr. Conkling is one of its active, leading spirits."

In connection with this incident it will be appropriate to consider the phase of Mr. Lamar's character brought prominently into view.

He was a fighting man. Reared in a community where, and at a pe-



riod when, every person who aspired to be regarded as "a man" was expected to be prepared to fight on just provocation; when and where the only questions were whether the provocation was adequate and the fight made was manly, he never rid himself of the inclination to beligerency, nor ever sought to do so. At the same time he was not, even to the slightest extent, either a braggart, a bully, or a brute. He never paraded his readiness to be held personally responsible, or his readiness to hold others so; he never vaped about what he would or would not do; he never pressed personal responsibility upon noncombatants; he never used his physical prowess and animal courage as a means to humiliate others or to override their rights; he never "punished" his adversaries unduly or sought to do them a permanent injury. When aroused he was of fierce temper, and there was that about him which warned aggressors that he was a man "not to be fooled with;" but his unflinching courage and genuine kindness of heart prevented his using any deadly weapons upon any person, or, so far as is known to the writer, attempting to do so, although he occasionally carried a weapon when anticipating an attack. In his later life he occasionally recalled with interest and narrated amusingly the "scrimmages" of his earlier days in Georgia and Mississippi, especially those in which he had been worsted. On the 15th of May, 1879, for instance, he wrote, among other things, to a friend prominent in Washington, who had been assailed personally:

No man could have been more indignant and outraged than I was at the ruffianly assault made upon you; and had I been present, I would have knocked that fellow down. I may do it yet if he struts and talks around me any. But . . . the truth is, my dear —, my own dear bought experience in the varying fortunes of such scrimmages has perhaps caused me to look upon them in a different light, and to think that you attach too much importance to it. Frank Nelms knocked me down in the courthouse in Covington, Georgia, and I have to this day a vivid recollection of the stunning effect. Frank was a big, six-foot country fellow, whose long arm, when it fell upon me, made me think of an elephant's snout. Three days after that I had it over again in Dick Burns' grocery: was knocked down again by Newt. Skelton, and was beaten until I think I should have "hollered" if my Democratic friends had not "took him off." The next night (in the dark) in the courthouse square I whipped Newt. like a sack; but the boys had no idea that I had a small pair of iron tongs in my hand just as the fight started.

A short time before I was elected to Congress (since the war) I had the misfortune to have to knock down the United States Marshal and dislocate his jaw right in the presence of the court. So you see these affairs will happen to the most prudent. My dear friend, you must not be morbid. Avoid brooding over such things. Your friends admire and love you as much as ever.

In theory Mr. Lamar was a duelist; in practice, through all his exciting and eventful life, he never fought one. Standing upon the strictest punctilio of the code of honor, so that he occasionally figured as a referee in affairs of that nature, his career was a signal example of that working of the code which its better advocates insist upon for its justi-

fication: a tendency, when temperately, wisely, and bravely applied, to heal quarrels rather than to inflame them or lead them to deadly conclusions. He never consented to interfere in such a matter but what, with his great tact and authority, he procured its adjustment. He never acted as a second in a duel, and in early life formed a resolution, to which he always adhered, and sometimes under very trying circumstances, that he never would do so.

Nor did he fail to recognize the fact that there was a higher law than the code. He conceded frankly and fully that every man has a right to repudiate it, especially if he be a Christian. It is remembered that while in the Senate he said to a young friend who mentioned the fact that he anticipated an insulting assault, and was pressed between his nervousness about his reputation and his sense of piety, in substance this: "If that misfortune should visit you, stand by your higher convictions. Every Christian man—every true man, even if he be not a Christian—has a right to live his own life and to stand upon his own principle of action. No just or truly brave man will now respect him the less for doing so. The sentiment of the world has changed in that respect, even here in the South. But if called upon so to take your stand, do not make a mistake and offend the sensibilities of those who feel differently; for if you claim your privilege, you must allow to them their own. Never say that you look down upon the code of honor, or that you regard it as barbarous, or anything of that sort. Say only that your aspirations and your hopes lie in other directions than the achievement of a reputation for the combative spirit; that, without detracting from those who want to live differently, you have pitched your own life upon a different plau, and have other things in view. To that position all right-feeling people will respond, whether they be themselves duelists or not."

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The following item was current in the newspapers a few years later:

In the Senate, Conger, of Michigan, once snarled some innuendo at Lamar about his fighting proclivities; but the Mississippian paid no attention to it until the next day, when he stepped to Conger's desk, and said: "Conger, you are always talking about fighting, but never fight; that's where you and I are a good deal unlike. I don't talk about fighting, but I am ready for it any time." Then he made his way back to his seat in the coolest manner possible. It was some time before Conger heard the last about his "duel," and his Republican colleagues tried their best to egg him on to a fight with Lamar.

## CHAPTER XXIV.

Mississippi Politics in 1879—Democratic Party Threatened with Disruption—Mr. Lamar's Position Before the People—Letter to Wright—The Epidemic of 1879—Cavass of 1879—The Right of Legislative Instruction Again—Question Kept in Agitation—Mr. Lamar's Argument and Discussion of It—His Power as a Stump Speaker—Reception of His Speeches—Death of Mrs. Troutman—The Succession to Senator Bruce—Judge George Elected Senator—Mr. Lamar's Illness.

**I**N the year 1879 the condition of affairs was very unsatisfactory to Mr. Lamar, in two respects: first, in respect to the general State politics of Mississippi; and, secondly, in respect to his own attitude as Senator.

So far as the general aspect of State politics was concerned, his dissatisfaction was of course only such as was shared, in greater or less degree, by all who were of his school. Still, since he was regarded as the political leader in the State, his was by far the greatest responsibility.

The Democratic party of the State was threatened with disruption. That party was, as it still is, a fabric in one sense unnatural. It was, and to a less extent is still, composed of incongruous and unsympathetic elements. It was, however, the necessary creation of the reconstruction policy of the Federal Administration by which those discordant elements were welded into one mass, in a common, all-controlling struggle for white supremacy, universally regarded as a struggle for the very existence of Southern society. The developments of the preceding five years in national politics—mainly the renaissance of the national Democratic party as evidenced by the elections of 1874 and later, and the gradual substitution to a considerable extent of financial and other kindred issues for those of negro citizenship and suffrage—had greatly relieved the tension of the situation in the South, and by the partial removal of an overmastering terror had apparently given opportunity for the development and play of those diversities and antipathies between the Southern people themselves which had been repressed. The Greenback party had been recently originated; and, with a view to relieving the distresses of the panic of 1873 and the later financial stringency, it was advocating an unlimited issue of greenbacks, based upon "the resources of the country." This movement was drawing away something of the Democratic strength, and it had begun its encroachments even in Mississippi. Within the party itself there was schism; the class called *Bourbons*, who were characterized as men who neither learned anything nor forgot anything, came prominently to the front. They were not content to accept the war amendments to the Federal Constitution as fully

and as generously as other Democrats. They were called "unreconstructed." They controlled a large proportion of the newspapers of the State, and, through that fact and their aggressiveness and the attention which criticism always attracts, seemed to be both more numerous and more potent than they were. Added to all of these centrifugal forces was the demoralizing and disintegrating power of the personal ambitions of aspirants for office, who began to manifest a new readiness to foster discord and, in their struggles for personal promotion, to pull down patriotic leaders.

To Mr. Lamar, and to those Mississippians who were of his way of thinking, this condition seemed full of peril for the State's future. Recognizing the fact that, as a general rule, the existence of more than one political party among the dominant race of a State is necessary to a wholesome and happy working of its government, they still believed that the time had not yet come when the Democratic party of Mississippi could safely be dismembered. Only four years had passed since the political revolution of 1875, by which the Radicals had been expelled from power. There were still in the State many of the men who had ruled it then by negro votes; and at every subsequent election, both Federal and State, while the Democrats had been successful, organizers had appeared who had marshaled the negroes in great numbers and voted them as before. The stalwart wing of the Republican party, both by its Representatives in Congress and through the press, was still and continually giving forth the most threatening and ill-boding utterances. The present repose of the South was by no means assured as a permanent condition. It was felt, and felt deeply, that in continued union alone was safety.

As regards Mr. Lamar's personal relations to the State as Senator, there were certain unsettled balances of account still outstanding. His course in respect to the Electoral Commission, his vote upon the Matthews resolutions and the Silver Bill, and his refusal to obey the instructions of the Legislature, were all to be answered for or justified. The epidemic of 1878 had prevented the canvass of the State which he had purposed making in that year, and the work still remained to do. Opportunity for a State canvass more or less extended was never lacking; for what with general State elections, county elections, and those for Congressmen and President, there were elections to hold and canvasses to make every year.

The following letter from Mr. Lamar illustrates the situation in both aspects:

WASHINGTON, D. C., February 21, 1879.

*C. E. Wright, Esq.—My Dear Sir:* . . . Upon reflection you will hardly censure me for my past and present reluctance to seek to control or influence the utterances of even my friends at home. Especially have I been unwilling to inspire or to request friendly newspaper articles. I have always preferred a support which should be en-

tirely voluntary, self-suggested, and spontaneous, with perfect freedom of dissent at any time. The able support that you and others have given me has been much more highly prized than if I had sought it, because it resulted from the accord and sympathy created by independent observation of my public career.

Respecting your reference to my personal relations to Mississippi politics I have little to say. I note what you say of the combinations hostile to me there. I have not been unobservant of their extent and force. My view of the delicate relation of the State to national politics (a relation fraught with peril and difficulty) has repressed all obtrusion of my own personalism among the grave political questions pressing upon our people. It will be a sad day for the politics of Mississippi when they degenerate into a mere personal conflict of Senatorial aspirants. With my views of public duty, I should be guilty of little less than a crime were I to seek so to obtrude myself. I need not point out to you the extent to which the politics of the State would suffer if permitted to degenerate into such a conflict.

Your suggestion of the probability of a split in the Democratic organization in Mississippi gives me great concern, for it is the prophecy of unnumbered woes to our people. In the contemplation of such a calamity as would be a rupture of the organization that has delivered Mississippi from the hand of her ruthless despoilers, mere declamation would be in poor taste and of no use; yet I cannot forbear to characterize with the strongest terms of reprobation any measure or steps looking to disintegration of the Democratic party in Mississippi. Such agencies lead logically to renewed Radical ascendancy in the State, and we should soon find ourselves enduring all the calamities suffered by civilized society when it permits itself first to be divided and then plundered until the plunderers are gorged or the victim utterly impoverished.

I do not doubt the presence of these disturbing agencies, or of the selfish aspirations that threaten the integrity of our organization; but we must not think of secession from the organization, or doubt our ability to win such an overwhelming victory within the party as shall put at rest the clamor and demagogueism that now disturb its unity. Should we surrender the organization into the hands of the Bourbons, who unwisely invite upon themselves and the State a restoration of the evils from which, since Democratic supremacy was established, we have been slowly recovering by means of conservatism and moderation, we shall yield them much advantage in prestige. We shall surrender not merely the organization that is now invincible, but we shall also give up the symbols and slogans of our political faith and all the visible tokens of the triumphs that we have won in the name and for the sake of Mississippi. Think, too, of the infinite discredit that would be brought upon the Democracy of Mississippi in its relation to the Democracy of the country. Double delegations contesting for seats in national conventions, unseemly wrangles, and the washing of dirty linen in the presence of the whole country, are a few, and not the greatest, of the evils that would inevitably follow a division in our ranks. Besides, who would be our allies in a fight with our present party associates, who, whatever their present error, have fought as valiantly and efficiently as the most courageous and able, in the past struggles of Mississippi for good government? Begin the list with —, and go through with it; and you will find among the future allies all of those Democrats who have abandoned their party organization in the hope of doing better, every Radical leader in Mississippi who, in the evil days of the State, was active in promoting her humiliation and despair—save the carpetbaggers, who have fled from her soil. Let us always remember that the very shortcomings of the Democrats of Mississippi are virtues when compared with the best acts of the men whom they have displaced. Another fact which will not fail to strike so intelligent a thinker as yourself is the universal lesson of the failure of parties born of coalition, in the name of reform, to effect either reform or amelioration of existing evils. Experience,

indeed, teaches that they are of all organizations the most exposed to the approaches of demagogueism, and the most certain to fall into the hands of bold adventurers, of boisterous brawlers, and rapacious self-seekers. The safety of Mississippi lies in the maintenance of the Democratic organization and in its wise direction by conservative leaders who will not forfeit the confidence of the country.

From Washington Mr. Lamar, so soon as the Conkling incident was disposed of, went immediately to Brookhaven, Miss., at which place, on the 24th of June, he delivered an address before the students of Whitworth College at their annual Commencement. Thence he went home, with the expectation of spending the summer; but an outbreak of yellow fever in Memphis on the 9th of July causing his family to go to Virginia for the summer, and threatening a repetition of the inactivity of the preceding season, he returned to Washington City. Later in the summer, however, it became apparent that the epidemic would not be so widespread or virulent as before, and that there would be opportunity for campaign work in politics. Numerous letters came to him, representing that the party was in a most disorganized and unsatisfactory condition for want of a recognized leader, and urging his speedy return to the State. Accordingly he did return about the middle of September, and then immediately began a series of speeches at different points in the State, of which the first was delivered at Oxford on the 29th of September.

In previous chapters account has been given of those speeches in so far as they touched upon the Electoral Commission and upon the Silver Bill. It remains to notice them in respect to the right of instruction, which was the remaining point of difference, and in respect to the general "Greenback" and other current politics.

The *Clarion*, and a few other papers in sympathy with it, still kept the matter of the legislative right of instruction before the people. Express allusion was not made to Mr. Lamar, but the intent and application were unmistakable. In February Hon. H. H. Chalmers, of the Supreme Court, "provoked at seeing Mr. Davis lending his great name to so palpable an absurdity," published in the *Clarion* a communication over the *nom de plume* of "A. B. C.," in which he argued against the right. This led to an animated newspaper discussion between himself and the editor of the *Clarion*, which was protracted through several weeks. Several other writers appeared on either side. E. D. Clarke, Esq., of Vicksburg, under the pseudonym of "Third Citizen," summed up the argument against the right, so far as it had then progressed, with admirable clearness and conciseness. These gentlemen were in constant correspondence with Mr. Lamar upon this subject. Their communications were not furnished by him, but he and they were in close touch; and his subsequent discussion of the matter embodied their views, besides many others of his own conception.

Mr. Lamar's own view about the right of instruction was formulated by himself thus, in a letter to Gen. Walthall:

*Resolved*, That we believe in the right of the Legislature of a State to instruct the United States Senators for such State on any question of public policy; that such instructions are addressed to the patriotism and sense of duty of Senators, and to the respect due from the Senators to the expression of any opinion by the Legislature of the State which they represent; and that no Senator should depart in his votes from an opinion thus expressed or given, unless in case of a clear and conscientious conviction that in following such instructions he would be violating the constitution or injuring the interests of the whole country.

The manuscript from which it has been possible to present quite a full outline of those portions of Mr. Lamar's popular speech of this year, which deal with the Electoral Commission and with the Silver Bill, unfortunately comes to an abrupt conclusion with the completion of those topics. His argument on the right of instruction and his attack upon the platform of the Greenback party exist only in brief notes and in meager newspaper reports. From those sources the general drift of his treatment of the right of instruction is given.

He did not question the right of the Legislature to express to the Senator its opinion upon any question of public interest, but he denied that such resolutions are mandatory.

He did not say that under no possible circumstances should the Senator consider the will of the State, even as expressed by the Legislature, imperative upon him. There may be, and sometimes there are, supreme issues upon which the fate of the country manifestly depends, which are so simple, or so intimately known, as to be within the grasp and knowledge of any intelligent mind, and which are so positive as to touch the personal rights of every citizen. Upon such issues no Representative or Senator is more than the mouthpiece of the people to express their will, but in the ordinary functions of legislation the very purpose for which the office of Senator was created would be defeated by a right of mandatory instruction.

Nor did he deny that a majority of the Democracy of the United States had long held the opinion that such right of peremptory instruction does exist; but, on the other hand, he affirmed that a formidable minority of the party, led by that greatest of American statesmen, John C. Calhoun, had denied it, wherefore it was never received Democratic tenet. Among the Whigs the weight of opinion has been reversed, a majority there denying, and a minority asserting it. It might surely be said, therefore, that in the existing party, called Democratic, which embraced certainly in the South nine-tenths of the old Whigs, it was an open question.

First. The assertion of such a mandatory right would be violative of the rights and duties of the Senator as prescribed by the Federal Constitution. That this is true is shown by the following considerations:

The Senators are created, not by State, but by Federal, law. The Constitution of the United States is the spring of their existence. That constitution was prepared with most careful solicitude, and it was dealing with, in this respect, a most vital feature of governmental organization. If its sagacious framers intended that Senators should be subservient to the control of State Legislatures, and should hold their offices by the tenure of obedience to legislative instructions, is it not certain that some expression of such intent would be found in the organic law, and that some provision would have been made for the ejection of unruly and disobedient Senators? It is now said that Senators must obey or resign, but numbers of them have refused to do either; and not only does the constitution, as originally framed, fail to supply any remedy, but also no human being has ever thought of offering an amendment whereby such recusant Senators might be ejected from office.

Pursuing this thought, read the constitution. There is not a clause in it which gives any countenance to such a theory.

The negative argument can be pressed much further. There is no such clause in the State Constitution. There was none such in any of the constitutions of the old States. Is it credible that, even if it be conceived that the framers of the Federal Constitution might slur over a matter so important, all of the legislators of the old States should have omitted to guard a privilege so weighty as that of virtually controlling by direct action one of the branches of the Federal Legislature?

Again: an Act of Congress passed in disobedience of such instructions is nevertheless as valid and binding as if no such instructions had been given and violated; this none would deny. Nor is there any known or conjectured mode by which instructions, when given, can be enforced. Such a rule or principle would, then, be utterly without sanction, either as respects the validity of the law or the title of the Senator to his term of office. It would be futile and inept. Manifestly, then, the right to instruct is confined to that influence already pointed out: the Senator's respectful consideration under all circumstances and his obedience under certain limitations.

In fact, such a doctrine was unknown to the framers of the constitution (referring to the *Mudison Papers*). It is true that the convention refused to "secure the independency of the Senate" to the extent of making the tenure for life; but it is also true that a power to *recall* the Senators was proposed as an amendment in some of the State conventions, and met with but little favor.\* If the true theory is that of the right of mandatory instruction, then the framers of the constitution committed a capital blunder in fixing the term at six years without qualification. The right of recall should have been given as a sanction, or at least the term should have been made to expire with that of the

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\* "Elliott's Debates," Vol. I., p. 257; *Id.*, Vol. III., p. 303.



Legislature which elected the Senator; but such was not the intention. Accordingly, we find Mr. Madison saying in the *Federalist* (Nos. 62 and 63) of the Senate, that

It ought, moreover, to *possess great firmness*, and consequently ought to hold its authority by a tenure of considerable duration. . . . As the cool and deliberate sense of the community ought in all governments, and actually will in all free governments, ultimately prevail over the views of its rulers, so there are particular moments in public affairs when the people, stimulated by some irregular passion or some illicit advantage, or misled by the artful representations of interested men, may call for measures which they themselves will afterwards be the most ready to lament and condemn. In these critical moments how salutary will be the interference of some temperate and respectable body of citizens in order to check the misguided career, and to suspend the blow meditated by the people against themselves, until reason, justice, and truth can regain their authority over the public mind! What bitter anguish would not the people of Athens have escaped if their government had contained so provident a safeguard against the tyranny of their own passions!

So also the great writers on American constitutional law emphasize the fact that the Senate was organized, not merely to create an equivalency between the different States, but also to secure a legislative body which should be removed from the impulsive but fugitive movements of popular excitement. The three features of mature age, long tenure, and gradual change, have been uniformly considered by the ablest commentators as plainly and directly intended to make of the Senate a stable and conservative body so constituted. History had furnished no instance of a long-lived Republic which had not such a body, and the founders of ours were deeply impressed with the necessity for "an anchor against popular fluctuations," as it was termed by one of them. So Chancellor Kent says:

The small number and long duration of the Senate were intended to render them a *safeguard* against the influence of those paroxysms of heat and passion which prevail occasionally in the most enlightened communities, and enter into the deliberation of popular assemblies. In this point of view a firm and independent Senate is justly regarded as the anchor of safety amid the storms of political faction.\*

Judge Story, in his work on the constitution, says:

"It [the Senate] combines the period of office of the Executive with that of the members of the House, while at the same time, from its own biennial changes (as we shall presently see), it is silently subjected to the deliberate voice of the States."† Further on he emphasizes the view that the biennial changes are the means reserved to the people of subjecting the Senate to the influence of their changing opinions.‡

These authorities seem clearly to enforce two conclusions:

That the Senate was intended to be a body both *stable* and *independent* in character, free alike from the shifting extravagances of public opinion and from the domination of other organized parts of the government; and that the opportunity to change biennially one-third of its members is the only means provided to the people for subjecting an

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\*"I. Kent's Commentaries," p. 227. † Section 714. ‡ Section 723.

obdurate Senate to the influence of their deliberate convictions, neither of which conclusions can stand if the doctrine of instruction be sound.

Secondly. The positive argument drawn from the provisions of the constitution is even stronger. Examine that instrument.

(a) The constitution itself defines the relations between the State Legislatures and the Senators. In Article I., sections 1 and 2 declare that all of the legislative powers of the United States shall be vested in a Congress, which shall consist of a Senate and a House of Representatives, and provide for the composition of the House. Then come sections 3 and 4, the most pertinent features of which are the provisions that "the Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years;" that vacancies occurring during a recess of a Legislature may be filled by Executive appointment; and that the times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof, but Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators. These clauses present all the relations between the Legislatures and the Senators. There is in them nothing but the right to choose. That function once exercised, the powers and rights of the Legislature in the premises terminate. Even the power of election is but a qualified one, for the constitution expressly reserves to Congress the right to regulate both the time and the manner of making such choice. Congress, for instance, would have the power to direct that the election should be by joint ballot of the two branches of the Legislature, or by a distinct ballot of each branch uniting upon one man.

(b) If the State Legislatures can control the votes of Senators by instructions, how can Congress exercise the powers conferred upon it by the constitution? Will not the legislative power of the United States be, in effect, vested in the State Legislatures? If those bodies can command the Senators, is not that a most material participation in Federal legislation?

The idea is at war with our whole system of government, under which the State and the Federal Governments, acting each within the scope of its powers, are coördinate and sovereign. If allowed, it would lead inevitably to the most glaring inconsistencies and intolerable anomalies.

For instance, the constitution declares that no State shall, without the consent of Congress, lay any import or export duties, and that all such State laws shall be subject to the revision and control of the Congress. Can it be said that a State may command its Senators that they shall give their consent that it may lay such duties or direct them in their sworn duty to revise and control the State's law? It would be absurd.

Again, as stated above, the constitution declares that Congress may make or alter regulations as to the time and manner of choosing Senators and Representatives, thus conferring upon that body a supervisory power over the State in those particulars. Can it be claimed that the Legislatures may instruct Senators how that supervisory power shall be exercised?

Again, the constitution provides that the Senate shall be the judge of the elections, returns, and qualifications of its own members. Those elections are the work of the State Legislatures, and their work is under examination. Can they instruct Senators how they shall decide?

Such illustrations, of greater or less force, might be greatly multiplied.

The theory is not, and cannot be, the true theory. The members of the Legislatures and the members of the United States Senate perform wholly different duties, and act in wholly different orbits. Each discharges his duty as the dictate of his conscience under his official oath demands, and neither has any control over the other. Both are responsible at the end of their terms to the people, and to the people alone. By that wise system of checks and balances which marks every feature of the Federal Government the State Legislatures, rather than the people themselves, choose the Senators; but when they have done so, they have exhausted their functions in the matter, and have thereafter no further control over the Senators than they would have over governors or judges whom they might be called upon to elect.

The doctrine, so far from being salutary in its tendencies, is inconsistent with the true character of our government, which is that of a *constitutional*, as distinguished from a *pure*, democracy, and is opposed to its spirit and methods of action, all of which are, or were meant to be, regulated by laws. It seeks to introduce into the governmental machinery a force for which no place is provided, with the certain consequence of jarring and confusing its operation. We have the authority of Mr. Calhoun for saying that in none of the free governments of antiquity can the least trace of the doctrine be found, and that it is inconsistent with the plan and principles of our own.

Every such attempt is, indeed, nothing less than an attempt to subject the government to the action of a higher law than the constitution; and it is just because the doctrine in question proceeds outside of the constitution and independently of it that it has been a source of contention, irritation, and discord among those who have formally acknowledged it, and has received the unmeasured condemnation of those who have openly denied it. How it would surely tend to corrupt and degrade our political system, if it should ever unfortunately become an acknowledged feature of it, cannot be more strongly presented than in the following noble language of Mr. Burke, when standing the second

time for the suffrages of the electors of Bristol, in a speech, of which Mr. Calhoun has said: "That mind must be greatly different from mine which can read that speech and not embrace its doctrines:"

"Depend upon it," said Mr. Burke, "that the lovers of freedom will be free. . . . If we degrade and deprave their minds by servility, it will be absurd to expect that they who are abject and creeping toward us will ever be bold and incorruptible asserters of our freedom against the most seducing and formidable of all powers. . . . If we do not permit our members to act upon a very enlarged view of things, we shall at length infallibly degrade our national representation *into a confused and scuffling bustle of local agency.*"

The opponents of this doctrine do not deny "the responsibility of the Representative to his constituents." That is a principle which applies to all officers, Senators not excepted. They say, however, that when he comes to be judged it is not upon any question of obedience to instructions or other expressions of popular sentiment, but upon the ultimate question of the right or the wrong of his conduct under all of the circumstances. And when that test comes, instead of compassing his destruction, it may be set down to his credit that he "did not look to the flash of the day;" that he did not kindle with the passions of the people, or obey their instructions, but "conformed to the instructions of truth and nature, and maintained their *interests* against their *opinions.*"

Thirdly. It is said that this mandatory right of instruction arises from the relation of Representative and constituent—that is, because the Legislature elects the Senator. Hence it is argued that he who, by accepting the office of Senator at the hands of the Legislature, has recognized that body as uttering the voice of the State is estopped to question its authority when it directs him how to discharge his official duties. Is it true, then, that power to select an officer carries with it a right to control his action? Does the right of election, when conferred upon an agency intermediate between the people and the officer to be elected, confer the power to control the person so chosen in the discharge of his official duties? These questions are unhesitatingly answered in the negative. Where a fixed term of office is prescribed, and there is no express power of control or removal, the authority of the appointing agent is exhausted in making the selection; and thenceforward the person chosen is wholly independent of the body or individual making the appointment, and is accountable only to the sovereign people, the common master. The sovereigns of Mississippi are the people of Mississippi, and not her Legislature. By the State laws and constitution the Governor is made the agent of the people for the appointment of many officers. Can he direct those officers how to discharge their duties? Can he instruct a judge how to decide a case, or direct a sheriff, appointed to fill a vacancy, whom to arrest? Could a mass meeting of the people of a county direct the court clerks or the

county treasurer in the discharge of their duties? Manifestly not; and because those duties are prescribed by a power superior to the county.

These considerations apply with especial force to holders of Federal offices, and most strongly of all to United States Senators. If the Legislature may instruct a Senator, why may not a Governor, when he has appointed the Senator? In fact, the Senator is not a Representative of the Legislature any more than he is of the Governor. The office is created, not by the State, nor by the Legislature of the State, but by the United States in its constitution. Nor do the laws enacted by Congress operate exclusively upon any Legislature, or even any one or all of the States. Their operation is coextensive with the limits of the whole Union, and is direct upon the individual citizens. Most strikingly is this true in respect to the matter of money.

True, the Federal, no less than the State Government, derives its authority from the people; the people constitute the States; the States constitute the Union. It therefore remains true that the ultimate authority of the Federal Government springs from the people; and yet it is wisely so ordered by the Federal Constitution that the people have almost no direct connection with the government, and its whole vast machinery is put in motion by intermediate agents. Though it has a countless swarm of officers, no man ever votes for any of them, save one. The members of Congress, each in his own district, are the only officers connected with the government who are directly chosen by the people. All the others are selected by intermediaries. The President is selected by the Electoral College; is he subject to their orders? The Judges are appointed by the President and the Senate; are they to be instructed by the same powers? Of all the departments of the government it was intended that the Senate should be the most independent, conservative, and free from violent changes. How then can it be that Senators *alone*, of all Federal officers, were intended to be subject to the commands of the appointing agents, the State Legislature in their case? How vain the scheme if they can be ejected from their seats or forced to violate their conscientious convictions with every change of opinion in a Legislature! Senators are delegates, in the nature of ambassadors, of sovereign States in council assembled. But also each Senator is more than that: he is also, in his capacity of a Legislator for the United States, a representative of that part of the totality of a perfect sovereignty which, by the Federal Constitution, was conceded by the States to the Federal Union. He occupies a twofold relation, and owes a double duty. He is under a double responsibility, and subject to accountability therefor. But where does the sanction for that accountability rest? Certainly with that body where sovereignty resides, and with it alone: the people, not the Legislatures. Legislatures possess power over State affairs only; with Federal matters and in the Federal

Government they have no concern. United States Senators and State Legislators are equally servants of a common master, charged by that master with different duties in wholly different spheres. Each is the equal of the other, but neither is superior. Both are responsible to the common master, but neither is responsible to the other.

Fourthly. It is a doctrine which has never been asserted in any Democratic national platform. It has frequently been denied by many of the most distinguished national and Democratic leaders. The *Madison Papers* may be searched in vain for any indication that it was claimed as reserved to the States in the convention which framed the constitution. The fathers of the Republic, Washington and Adams, advanced no such doctrine; nor, if it be said that they were Federalists and not Democrats, did Jefferson. Madison denied it. In 1810 Senator Giles, of Virginia, the bosom friend of Jefferson, the defender of his administration, and by many regarded as his organ, was instructed, and, in an elaborate speech on the subject, denied the right of instruction, stating that his vote was given on the question, and not in obedience to the Legislature.

John C. Calhoun, the great Democratic link between the fathers and the present, always denied the right. In a biography of him by R. M. T. Hunter, on page 452, is to be found this passage:

The theory of this government was for many years his study. He was perfectly familiar with our foreign relations. Upon the currency question he was especially at home; and he discussed it with the sagacity of a philosopher, the foresight of a statesman, and the practical skill of a financier. Independence and integrity were conspicuous traits in Mr. Calhoun. "I never know," he said, "what South Carolina thinks of a measure. I never consult her. I act to the best of my judgment and according to my conscience. If she approves, well and good; if she does not, and wishes any one else to take my place, I am ready; we are even."

Nor does this last quoted expression mean that he would resign. It was only an allusion to the common rule of ultimate responsibility to the people. In his speech of January 17, 1817, to the House, he said:

The ear of the House on this subject is closed to truth and reason. What has produced this magic spell? Instructions! Well, then, has it come to this? Have the people of this country snatched the power of deliberation from this body? Have they resolved the government into its original elements and resumed their primitive power of legislation? Are we, then, a body of individual agents, and not a deliberative one, without the power, but possessing the form of legislation? If such be the fact, let gentlemen produce their instructions properly authenticated. Let them name the time and place at which the people assembled and deliberated on this question. O no! They have no written, no verbal instructions; but they have implied instructions. The law is unpopular, and they are bound to repeal it in opposition to their consciences and reason. Have gentlemen reflected on the consequences of this doctrine? Are we bound in all cases to do what is popular? If this be true, how are political errors, once prevalent, ever to be corrected? Suppose a party to spring up in this country whose real views would be the destruction of liberty; suppose that, by management, by the patronage of offices, by corruption of the press, they should delude

the people and obtain a majority (and surely such a state of things is not impossible), what, then, will be the effect of this doctrine? Ought we to sit quiet? Ought we to be dumb? or rather, ought we to approve, though we see that liberty is to be engulfed? This doctrine of implied instruction . . . is very different in its character and effects from the old doctrine that the constituents have a right to assemble and formally to instruct the Representative; and though I would not hold myself bound to obey any such instructions, yet I conceive that the doctrine is not of a very dangerous character, as the good sense of the people has as yet prevented them from exercising such a right, and will, in all probability, in future prevent them.

I too am an advocate for instruction. I am instructed. The constitution is my letter of instruction. Written by the hand of the people, stamped with their authority, it admits of no doubt as to its obligations. Your very acts in opposition to its authority are null. This is the solemn voice of the people, to which I bow in perfect submission. It is here the *vox populi* is the *vox Dei*. This is the all-powerful creative voice which spake our government into existence and made us politically as we are. This body is the first orb in the political creation, and stands next in authority to the original creative voice of the people; and any attempt to give a different direction to its movement from what the constitution and the deliberate consideration of its members point out I consider as an innovation on the principles of our government. . . .

I hope I shall not be misunderstood. . . . The state of public feeling is a fact to be reasoned upon and to receive that weight on any particular question to which it may fairly be entitled; but, for my part, I prefer that erectness of mind which, in all cases, is disposed to embrace what is in itself just and wise.

On the same subject Mr. Webster said:

If there be any matter pending in this body while I am a member of it in which Massachusetts has an interest of her own not adverse to the general interests of the country, I shall pursue her instructions with gladness of heart and with all the efficiency which I can bring to the occasion; but if the question be one which affects her interest, and at the same time equally affects the interests of all the other States, I shall no more regard her particular wishes or instructions than I should regard the wishes of a man who might appoint me an arbiter or referee to decide some question of important private right between him and his neighbor, and then instruct me to decide in his favor. If ever there was a government upon earth, it is this government; if ever there was a body upon earth, it is this body, which should consider itself as composed by agreement of all, each member appointed by some, but organized by the general consent of all, sitting here under the solemn obligations of oath and conscience, to do that which they think to be best for the good of the whole. (Webster's Works, Vol. V., p. 356.)

In 1834 Senator Mangum, of North Carolina, was instructed on a question of currency, and refused to obey; while in 1838 the Legislature of that State passed resolutions condemning the action of Senators Brown and Strange, and giving them certain instructions, which were disobeyed; and the Senators addressed the Legislature, giving publicly their reasons. Mr. Berrien, of Georgia, also disobeyed instructions; while in 1842 Henry Clay refused to follow instructions to vote for the repeal of the Bankrupt Law, and said that if the Legislature of his State should instruct him in his duties as Senator he would instruct it in its duties at home. In 1849 Senator Benton, of Missouri, an Andrew Jackson Democrat of the strongest, and Jackson's especial friend and

supporter, was instructed to vote against the Wilmot Proviso, and refused. In the same year Senator Lewis Cass was instructed to vote for the same measure, and refused, for which he was extolled to the skies by the Democrats of the South, and three years afterwards was the favorite candidate of many of them, at Baltimore, for the Presidential nomination. Again, in 1854 Senator Cass was instructed to vote against the Kansas-Nebraska Bill, and refused. He was requested to resign, and refused contemptuously and defiantly. Afterwards, with the entire approval of the Democracy throughout the Union, he was appointed Secretary of State by President Buchanan. In 1855 Senators George E. Pugh, of Ohio, and Jones, of Iowa, both Democrats, were instructed to vote for the exclusion of slavery from the Territories, and refused, for which they were greatly lauded by the Southern Democracy. In 1858 John Bell was instructed by the Legislature of Tennessee to vote for the admission of Kansas under the Lecompton Constitution, and refused to obey. In 1850 Senator Foote, of Mississippi, disobeyed the instructions of the Legislature by voting for the Compromise Measures after inviting the expression of its opinion (as narrated in a previous chapter of this work), and at the next election was chosen Governor of the State over Mr. Davis. In later times Senator Eaton, of Connecticut, perhaps the sternest Democrat in New England, when he was instructed in 1877 to vote for the Electoral Commission Bill, declared his purpose to disregard the instructions and vote according to his convictions. He had no idea of resigning. The Legislature afterwards rescinded their instructions, but the Senator had avowed that he would not move one inch from the position he had marked out for himself; and, in fact, he was the only Democratic Senator who did vote against the bill. Later still, Senator Thurman, when instructed by a Republican Legislature to vote for the confirmation of Hon. Stanley Matthews as Justice of the Supreme Court, took the same position.

There are precedents the other way, but the point is that there is no established rule, Democratic or other, that the Senators are subject to such control; and the reason is all against it.

Better to follow the example of the illustrious men whose names have been given than to abandon altogether judgment and conviction in deference to popular clamor, no matter in what shape it comes.

Fifthly. The doctrine of the legislative right of mandatory instruction is not only without just foundation in history, and unconstitutional, but it is also degrading to the Senator and the Senate.

If it be correct at all, it must hold good in every case; and a Senator, sitting as a member of the highest court of impeachment known in the land, may be instructed as to his vote by the State Legislature. Such a proposition shocks the moral sense, of course; but it is only the *reductio ad absurdum* of the principle.



The United States Senate, for the first time in eighteen years, has a majority of Democratic Senators. Among the latter are many Senators from Northern States, but there is only one State Legislature (that of Indiana) which is not Republican. Can those Republican Legislatures command the Democratic Senators to vote against their conscientious convictions of duty, or else resign their seats, and thus by new elections alter the political complexion of the Senate? If Senator Pendleton be instructed to vote for the repeal of the Silver Bill, and Senators Eaton, Kernan, Randolph, and McPherson are instructed to vote for the enactment of a Force Bill and the suspension of the writ of *habeas corpus* in the South, must they violate the cherished principles of their lives, or, by resigning, make way for Republican successors? Suppose that in some Southern State the carpetbaggers should, by some untoward event, succeed in again capturing the Legislature; may they instruct the Senators out of Congress?

No doctrine fuller of evil promise for the South could be established; and its evil promise for her is but an example of its possible hurtfulness in any other part of the Union, or to the whole Union, at any time. It leads to this: that the Senate may be revolutionized and torn to pieces and the Federal policy unsettled by even one State Legislature at its will, when parties are equally balanced in that body; or by two or three Legislatures at almost any time, practically. It leads to this: that the Senator, instead of being the independent, conservative, and honored citizen and statesman, holding his term for six years as contemplated by the constitution, is either reduced to a dependent, insignificant mouth-piece, or else he holds his term by legislative will.

It is no answer to this argument to say that the Senator shall only obey a Legislature of his own political faith. The question is one between the Legislature, as the representative of the State, and the Senator. It is incontrovertible that, as members of the Legislature, all are equal in weight of authority, without respect of politics. No one has ever asserted otherwise.

In conclusion, he would say: "I have always thought that the first duty of a public man in a Republic founded upon the sovereignty of the people as the legitimate source of power is a frank and sincere expression of his opinions to his constituents. I prize the confidence of the people of Mississippi, but I never made popularity the standard of my action. I profoundly respect public opinion, but I believe that there is in conscious rectitude of purpose a sustaining power which will support a man of ordinary firmness under any circumstances whatever."

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In this canvass Mr. Lamar spoke at Oxford, Coffeerville, Jackson, Vicksburg, Meridian, Columbus, and other places. His speeches were remarkably successful. In this work he was at his best. Impressive

as he was in Congress, and highly as his efforts there were applauded, it was before the people that he became fully aroused. Familiar as he was with the most refined and exclusive types of modern society, he still had a thorough knowledge of the modes of life, the habits of thought, and the processes of reasoning of plain people. He united a clear perception of the springs of their feelings, an unflinching sympathy with their better emotions, and a wide charity for their faults. He had no selfish or sinister designs upon them, but was possessed of a consuming desire for their welfare and happiness. When he stood before them their presence and attention were an inspiration to him. He would then rise to flights of imaginative and passionate oratory, of graphic and thrilling narrative, which his congressional speeches never presented, without any sacrifice of their clear, historical statement or strong and logical argument. He never spoke down to the people; for he believed that, if only their faith were secured, they could and would follow all flights of the finest sentiment or fancy or reasoning.

He was conscious of his power. On one occasion, about this period, a friend asked him: "Colonel, how is it that, in the face of the war which so many of the leading politicians of the State are making on you, you manage so well to hold your ground against them, the passions and prejudices of the people being all invoked against you as they are?" His response was an amused ejaculation characteristic of him—half snort, half laugh—and then: "Well, I'll tell you. When I hear of any of those men forming a combination against me anywhere I just go there and make a speech to the people, and break it up."

The speeches of this year, as a group, were the most elaborate, the most impassioned, and perhaps the best he ever made. The subjects to be discussed were so numerous, varied, interesting, and important—important both to the people and to himself—that he exerted himself to the utmost. For three and a half hours he would hold his audience enchained. It was commonly remarked that he swept all opposition before him. Men who were so hostile that they could hardly be persuaded to hear him at all would mount upon the benches and tables, swinging their hats, and huzzaing until hoarse. Mr. Catchings said of him, some years later, that,

While his orations in the Senate Chamber were models of elegant diction, ornate rhetoric, and resistless logic, yet it was on the hustings before the people that he was most powerful and superb.

I doubt if any man ever lived who excelled him in the power to touch the hearts, stir the emotions, and sway the judgment of such an audience. I have seen assembled thousands hang breathless upon his words, laughing, crying, elated or serious by turns, as with the hand of a master he played with their emotions and subdued their judgments. It was not so much by beauty of speech or logical sequence of statement that he did this, for in these respects many, perhaps, have equaled him; but there was peculiar to him a passion, an intensity, a charm that spoke less from his tongue than

from his soul-lighted and changeful countenance, as he himself was dominated by his masterful emotions.

The newspapers of the day were filled with notices like this from the *Grenada Sentinel* about the Coffeerville speech:

Whenever Lamar touched upon his own political course and action, cheer after cheer rang out from his auditors; which was the most convincing and emphatic proof of their indorsement of his course, belief in his fidelity to his people, and pride in his great statesmanship. If the commendation of a people to a public servant be sweet and pleasant, Mr. Lamar, after his speech at Coffeerville, must have been highly gratified in the unanimous and enthusiastic approval of his hearers.

The speech at Vicksburg was thus noticed editorially in the *Herald*, of October 24:

The speech delivered by Senator Lamar Thursday night was one of remarkable power. . . . The whole address, which was of something near three hours' duration, was remarkable for its elevated tone, its lofty patriotism, and its pure morality. There was not a single appeal to the selfishness, the prejudices, or the passions of his audience. . . . It was evident that Col. Lamar's purpose was not so much self-vindication as the vindication of the *principles* upon which he has acted, and to recall his constituents to a just and accurate perception of the *political* attitude which the South occupies toward the North, and to the essential conditions upon which she can hope to enjoy her full share in the councils, benefits, and advantages of the Union. We sincerely wish that every citizen of Mississippi had heard this speech, full as it was of noble thoughts, grand truths, elevating sentiments, and profound wisdom. . . . We believe that if the people of the South would put their destinies in the hands of such men as Senator Lamar it would be but a short time before all sectional issues would disappear from American politics, and we would be lifted into an atmosphere of tranquillity, confidence, and prosperity, such as it has not been the fortune of the South to enjoy since the beginning of the agitation over the subject of slavery. It has been a great misfortune indeed that Mississippi has not always stood unanimous and unwavering in her support of Col. Lamar; for, as he said Thursday night, a public man with his constituency at his back, indorsing, supporting, and upholding him in his purposes, is a power, an institution in the land; but without it he is only an integer, often a mere cipher.

The judgment and discrimination, as well as the enthusiasm, with which his remarks were applauded were, we think, something unusual in a popular assemblage. It is not often that such an audience will applaud mere logical and philosophical deductions, but this was done Thursday night repeatedly and with great animation. On one occasion the manifestations of approval were so loud and continuous as to remind one of the enthusiastic encores of a dramatic performance.

They were not only Democrats whose approval was secured by Mr. Lamar's speeches; the admiration of even the political opposition was compelled. His speeches opened with a strong arraignment of the Greenbackers. He exposed their "boundless, bottomless, and brainless schemes;" and said that, however those schemes might delude for a time, they would eventually, if put into practice, entail upon this country the direst calamities from which it had ever yet suffered. He illustrated in many ways the utter futility of the fiat money idea, and declared that of all humbugs this was the most senseless and the most unfathomable in the extent of its folly. He read from Calhoun's works the utterances of

that statesman which had been quoted by the Greenbackers in support of their theories, and demonstrated by the context and by unmistakable convictions, elsewhere repeatedly expressed, that Mr. Calhoun never countenanced any money not convertible into coin, and that good faith to the creditor was with him one of the cardinal principles of governmental finance. He reviewed the record of the Democratic party on the money question, showing that it had been uniformly true to the faith of the fathers. He cited Washington, Jefferson, Patrick Henry, Madison, Calhoun, and others as great statesmen who had been identified with agriculture, and all of whose sympathies and interests were with the farming people, and who had yet left beacon lights to warn us against the perils of an irredeemable currency. No man would say that they were the servile tools of a money power.

In spite of this arraignment of his party, the most prominent Greenbacker of the State, said, as Mr. Lamar passed from the speaker's stand at Oxford, amid the wild huzzas of the audience and the booming of the cannon: "That was the speech of a statesman; only a noble and a patriotic man could have made it."

On the 5th of December Gen. Walthall wrote to Mr. Lamar:

You ought to be more than satisfied with the results of your canvass in the State. You worked a complete revolution wherever you went, which has had a wonderful effect in all parts of the State. If your speech had been published in full and generally distributed, the work would have been complete in all quarters.

The end of this year was made very sad to Mr. Lamar and all members of his family by the sudden death of his noble mother, at Macon, Ga., on the 31st of October. Her virtues and the general tenor of her life were inadequately touched upon at the conclusion of the first chapter of this work.

A question of great interest and importance in the politics of Mississippi for this year was that of the succession of Mr. B. K. Bruce, the colored Republican Senator for Mississippi, whose term was to expire in 1881. The Legislature to be elected would make the choice. The Senatorial question, therefore, came early to the front.

It was Mr. Lamar's most earnest wish—a wish which outweighed his personal interests—that Gen. Walthall should be chosen as his colleague. So early in the year as the 17th of February he wrote to a friend in Vicksburg:

I think that Gen. Walthall should be the man. I say this not because he is my friend, but for the reason which has made me his friend: he is the noblest man that I ever knew, in the varied experience of a somewhat eventful life. His intellect is of the highest and finest order. There is not a commonplace trait in it.

Now here I must tell you of a conversation that I had with McCardle a few evenings since, as a preface to another view of this matter which I want to impress upon you as my friend. . . . He said: "You see, Barksdale and Chalmers and Singleton are

candidates for the Senate. I expect to have a hand in that matter myself. I mean to do what I can to beat 'em all with a man that *it is not for your interest to have elected*. I mean Ed. Walthall. The people ain't going to have you and him both in the Senate, and his election this time will be your defeat next time." I replied that I was glad that he intended to support Walthall, and that I hoped that he would do so without any reference to its effect upon me; that I would try to take care of myself when the time came, but that if I knew that Walthall's election would be my defeat I would be glad to give him my place in the Senate. . . . I would love to give him my place, and my gratitude will go out to any man who will help me in his support.

This ardent wish of Mr. Lamar's was doomed to disappointment. When the Legislature assembled in January, 1880, and the Democratic caucus took up the Senatorial question, it appeared that three prominent candidates were in the field: Messrs. Barksdale, Singleton, and Walthall. The support was nearly equally divided, Mr. Barksdale having a slightly larger following than either of the two others. On the seventh night of the caucus, when thirty-four fruitless ballots had been taken—with the vote ranging from forty-four to sixty for Barksdale, thirty-four to forty-four for Singleton, and thirty-two to forty-four for Walthall—Gen. Walthall, by letter to the caucus, withdrew his name from the contest; and his friends immediately placed in nomination Chief Justice James Z. George, of the Supreme Court. The balloting then proceeded without change of any consequence, until, on the ninth night and after the forty-eighth ballot, Mr. Barksdale withdrew, in order to break the deadlock and to preserve the party harmony. Judge George was then nominated on the next ballot by the united votes of the original Walthall and Barksdale following, receiving seventy-nine votes to Singleton's fifty.

The event was without any significance, so far as Mr. Lamar's personal relations to Mississippi politics was concerned, although an effort was made by certain papers most warmly enlisted for Mr. Barksdale to create a different opinion. Judge George was of the same political school in State politics, and was brought forward by the supporters of Gen. Walthall.

The interest taken by Mr. Lamar in this election, his desire to forward the cause of Gen. Walthall (who was not making a personal canvass), and the fact that he had been advised by his friends at Washington that no measures were then pressing before Congress which required his personal attention, caused him to remain in Mississippi and to go to Jackson in order to be near the caucus. This was unfortunate for him in one respect. The excitement of the contest and the anxiety about results, several days before Gen. Walthall's withdrawal, brought on another of his apoplectic attacks, quite severe this time, followed by partial paralysis, from which he recovered but slowly. The news of it excited much comment, and many of the papers discussed the likelihood of his retirement from public life because of it.

A letter of date January 20, from a friend at Washington (Mr. S. A. Jonas, editor of the *Aberdeen Examiner*), says:

Every one in Washington rejoices to hear of your improvement, and it would almost have compensated you for the suffering that you have endured to have heard the many kind things said of you by even those of your stalwart political opponents who have no compliments to pay or kind words to speak when you are in your chair.

Under date of January 27 Mr. Frank H. Alfriend wrote:

I doubt if the political and journalistic community of Washington has ever mourned more sincerely over the sickness of any public man.

## CHAPTER XXV.

Returns to Washington—Interview with Blaine—The Exodus—Mr. Lamar's Views—The Voorhees Investigation Resolution—The Debate on the Committee's Report—Mr. Lamar's Speech—Speech at the Democratic National Convention of 1880—Lafayette Springs Speech—Letter to Hon. J. W. C. Watson—Mrs. Lamar's Failing Health—Holly Springs Speech and Fall Canvass—The "Grant Bill"—The Executive Session of March, 1881—Political Complexion of the Senate—Virginia Readjusters—Senator Mahone—Struggle in the Senate over the Committees—Struggle over the Election of Officers—The Debate—Mr. Lamar's Speech—Its Reception.

**A**BOUT the 10th of February Mr. Lamar had so far recovered from his illness as to be enabled to return to Washington—not well, however, but walking by the assistance of crutches.

He wrote to his wife:

WASHINGTON, February 17, 1880.

. . . I took my seat in the Senate yesterday, and received many cordial hand pressures. Conkling was not among those who welcomed me. He stood aloof and eyed me gloomily. . . .

My own health is good. I am easily fatigued, and writing makes my head swim. My arm is heavy and weak; but I have thrown aside my crutches, and walk with a stick.

Under date of March 1 he wrote:

I had a brief conversation with Blaine to-day. Said he was glad to see me, and expressed himself with the utmost cordiality. He asked me if I thought Grant could get any Southern State. I understood him to refer to the nomination, and not to the election; but I soon saw that his mind was running on Grant's chances if nominated. He said that he thought the stupidity of the Democratic party would give Grant a Southern State in the only Presidential contest which would justify the South in giving a solid Democratic vote. He did not express it so strongly as that, but this was what I understood him to imply. His words were: "I can see nothing that could produce such a result [the giving of a Southern State to Grant], except the unflinching stupidity of the Democratic party." I told him that Grant could not get Mississippi, and that the only thing that would give him any Southern State would be fear. "What would they have to fear?" said he. He expressed the opinion that present indications pointed to Grant's nomination, but was quite positive that he would not get the solid vote of either Pennsylvania or New York, not even on the first ballot.

In the early part of the year 1879 began the so-called "exodus" of negroes "from the Southern to the Northern States"—that is to say, an emigration of quite a large number, first from Mississippi and Louisiana, and later from North Carolina, to Kansas and Indiana. The newspapers began to discuss the movement about the month of February. The extent of it was considerably exaggerated. It never, in fact, attained any very great proportions; but it was treated quite sensationally.

The Republicans wrote and spoke of it as being at once the fruit and the proof of both political and industrial cruelty and oppression inflicted upon the negroes by the Southern people; and they were prolific in forecasts of the dire results which must follow from perseverance in such methods, and in suggestions as to the reversals of policy by which only could the ills wrought and threatening be avoided. The Democrats, on the other hand, asserted that the exodus was an artificial and designed phenomenon contrived by Republican leaders for political purposes. The stream of emigrants at first set almost wholly to Kansas, but after a time it was largely diverted into Indiana. It was charged that certain Republicans had induced the movement by holding out false hopes of better wages and free homes, with the view, in the beginning, of affecting the approaching Presidential election by creating a revival of the old cry of Southern outrages against the colored race, and also of reducing the Southern and increasing the Northern representations in Congress and the Electoral College, under the new apportionment of the approaching census; and, later, of accomplishing the vastly important result of changing the political complexion of Indiana from Democratic to Republican.

Of Mr. Lamar's personal thought about the social significance of this movement, the following letter to Col. W. B. Montgomery, of Starkville, dated March 24, 1880, will give account:

From the first moment when the agitation of the negro exodus question began I have looked upon the movement (if it were only real) as the dawn of a new and grand era for the South. I believe it would be an auspicious event for both races, white and black—I mean the two *races* as contradistinguished from the *individuals* who may be immediately affected. Doubtless there would be great embarrassments, and even bankruptcies, among the larger planters; and no doubt a very large number of negro emigrants would be subjected to great suffering and mortality. But these would be the incidents of all great social transformations. It would be the beginning of a veritable reconstruction of the South. If the negro race is destined ever to become on this continent an integral element of civilization, freedom, and political order, it must be under other stars than those that have so long looked down upon its slavery and degradation. It is a great mistake to suppose that the warm, genial climate and bounteous soil of the South are the proper conditions to mold that race into active, intelligent, self-sustaining, and self-restraining citizens of a free and enlightened Commonwealth. They need an isothermal shock (if you will permit the phrase) to infuse into them the qualities which do not show themselves in their present conditions. The only mode by which they can ever get rid of their characteristics as a *parasite race* (sticking on a civilization without partaking of its nature and identity) is to remove it from the structure to which it is attached. If incapable of striking its own roots into the soil, it must die; but, in my opinion, it would not die out at the North. Climatic forces have been much modified in their effects upon human and race life by the modern appliances of science and art. Certainly the negro race ought to be placed, if it will voluntarily go, where it will be modified by the surrounding civilization, instead of remaining where it is, with such numbers and under such influences as cause it to pervert and poison the civilization on which it has been superimposed—that is, if it is ever to be redeemed. The disappearance of negro labor



has no terrors for me. I would hail it as the beginning of a glorious Southern renaissance.

When Congress met, under the inspiration, apparently, of the idea that Indiana was being colonized by pauper Republican votes, Senator Voorhees, of that State, introduced in the Senate, on the 15th of December, 1879, a resolution as follows:

Whereas large numbers of negroes from the Southern States, and especially from the State of North Carolina, are emigrating to the Northern States, and especially to the State of Indiana; and

Whereas it is currently alleged that they are induced to do so by the unjust and cruel conduct of their white fellow-citizens toward them in the South; therefore be it

*Resolved*, That a committee of five members of this body be appointed by its presiding officer, whose duty it shall be to investigate the causes which have led to the aforesaid emigration, and report the same to the Senate; and the said committee shall have power to send for persons and papers, compel the attendance of witnesses, and to sit at any time.

The resolution was adopted, and the Vice President appointed as the committee: Senators Voorhees, of Indiana; Vance, of North Carolina; Pendleton, of Ohio; Windom, of Minnesota; and Blair, of New Hampshire. On June 1, 1880, the committee reported; Senators Voorhees, Vance, and Pendleton presenting a majority, and Senators Windom and Blair announcing a minority report. Some discussion followed, not a very protracted one. Senator Voorhees spoke at length, presenting the Democratic view outlined above, with elaborate evidence to support it, and declaring, in effect, that Senator Windom himself had started the movement by a suggestion thrown out in a speech of the previous year made in the Senate. Senator Windom then presented the Republican view, making the common "Southern outrages" speech.

Senator Lamar then availed himself of the opportunity to make one of his best defenses of the South, in which he presented most fully the relations between the whites and negroes of the South in industrial matters. The argument is one of Mr. Lamar's most excellent, and the array of facts most convincing. It attracted universal attention on account of its ability, its temperate refutation of unjust charges against the South, and its proofs that the condition of the Southern laborers is equal in comfort, protection, fair treatment, and profitable results, to that of any laborers in the world. The sum of the speech may be gathered from the peroration that

The truth is, all these statements, so far as they represent the condition of things at the South, are unjust and deceiving. The South is no such country as is represented. I do not deny that there has been violence there. I deplore it; I condemn it. Respecting these cases of violence, you will find when you get down to the bottom facts that they are generally precipitated by unscrupulous political demagogues and tricksters, who inflame the prejudices and passions of the races for their own political purposes. But these cases of violence no longer occur to any appreciable extent.

The great trouble has been that the investigating committees which have been sent to the South, and have brought hither their reports, went with purposes hostile to the character of that people. Accordingly, their entire social and political system has been uncovered to hostile eyes. Every evil, every fault, has been searched out as with a microscope, and dragged pitilessly into view; all that is good has been utterly ignored. Sir, no society on earth can undergo such a process of investigation as that to which the South has been subjected without becoming a spectacle of shame.

Sir, you may distort the most perfect specimen of human beauty, by searching only for its blemishes and defects and looking at these through a magnifying and refracting glass, into a hideous deformity.

Sir, the enemies of the South have pursued this course. Every act of violence, every murder, every uprising of an angry mob, which has neither the head to think nor the heart to feel; every instance, every incident, which can bring reproach upon a community, has been hunted out and magnified and multiplied and grouped together and presented to the world as the portrait of the South.

The just and equitable operation of equal laws; the administration of justice; the constitution, safe in the affections of the people; the colleges, academies, and schools; the busy hum of industry; the plenty that rewards the toil of the laborer; the worship that ascends to heaven from thousands of Christian churches; the flame of domestic love, ever burning and ever pure upon the altars of happy homes—have been steadily ignored and concealed.

And, sir, I say to-day, with all the emphasis of truth, that if, in the history of the last ten years, the coming of peace has been delayed; if in that time the good have been disheartened and the base encouraged; if the two races have not moved forward with the progress which was expected toward a common prosperity, it is because the Senators and public men who wielded the powers of this great government, and had the confidence of the mighty constituencies behind them, have not risen to the level of their duty and opportunity to bring, as they could have done, rest and quiet and love and universal patriotism over this troubled land.\*

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The *New Orleans Times* said of this effort that

Senator Lamar's speech is invested with a melancholy interest by the fact that his ill health made it an effort exceedingly dangerous to himself; in fact, physical exhaustion compelled him to leave unsaid many things which few men in public life could say so well as himself.

The following interesting account of the circumstances under which Mr. Lamar made "the exodus" speech is taken from the *Aberdeen (Miss.) Examiner*. The relations at the time existing between the editor of that paper, who was in official position at Washington, and Mr. Lamar, were such as to make the account quite reliable:

The great event of the late session of Congress was the masterly speech by Col. Lamar in reply to Windom and in vindication of the South, and more particularly Mississippi, from the foul aspersions of malicious and unscrupulous enemies.

It had been apparent to the Senate for weeks that the Minnesota aspirant for "dark horse honors" was preparing an elaborate speech in reply to Mr. Voorhees; for he was continually writing at his desk during the session, and for days could be seen referring, at frequent intervals, to the printed volume of testimony taken before the "Exodus Committee;" and it leaked out through his admirers that the larger portion of the remarks was to be devoted to our State. Learning this, Mr. Voorhees

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\* Appendix, No. 18.

called upon Col. Lamar to reply, a demand which was readily assented to, with the understanding that no mention should be made of the matter, as Col. Lamar was fearful that he might not be well enough to take the floor when the time arrived. Probably there were not a dozen persons who knew of this agreement; but somehow or other Windom happened to be one of them, and, with the prudence that usually characterizes those who anticipate crossing swords with the great Southern statesman and orator, he abandoned four-fifths of his carefully prepared speech (in fact, dispensed with every allusion to Mississippi that could be eliminated from his manuscript), and when he took the floor, on the 14th inst., confined himself in great measure to the stale and "oft told tales" of outrages alleged to have occurred in Louisiana years ago, and, to the surprise of every one, yielded the floor at a very early hour. This apparently left Col. Lamar at great disadvantage. He had made no preparation to speak on that day, and, relying upon answering the speech as he found it in the next morning's *Record*, had not taken notes. But the session was so nearly at an end that it was "now or never," and, always equal to an emergency, Col. Lamar took the floor only fortified by a book he happened to be reading at the time and the clippings and statistics he had in his desk; and the result may best be described in the language of Senator Hoar, of Massachusetts, who, walking over to the lounge where Bruce sat listening with delight to what he pronounced "the fairest exposition of the Southern situation that ever fell from the lips of man," exclaimed: "Brother Bruce, that is a great speech, sir; the greatest speech of the session, sir. It's the very best speech that could possibly be made on that side of the question. Your colleague is a very able man, sir; a great statesman and orator." This is the universal opinion expressed of the speech by all men of all parties; and it is generally conceded that, if it shall be largely circulated and read in the North, it will have the effect to eliminate at once forever the "bloody shirt" from politics and place the South and her people of both races in a new light before the reading and reasoning world.

The influence wielded by Col. Lamar in Congress is peculiar and wonderful, and it is fair to say that no man's utterances are so attentively regarded and considered by the members of all parties in both Houses; while in the North and East he always has an audience, and commands a degree of respect and confidence that has not been accorded to any other Southern man of this generation. If it is known that he is to speak, the galleries are crowded to their greatest capacity; every official of the capitol deserts his office for the Senate Chamber; while all the members of the House of Representatives who can get away from their own hall are found on the floor of the Senate. It is also noticeable that when Lamar speaks it is always to a full Senate and to a quiet and attentive Senate. There are no calls to order after he takes the floor; no pause at the request of the presiding officer "to enable honorable Senators to take their seats or get through with their private conversation;" no reading of newspapers, as is usually the case when other men are speaking; but the "ambassadors of States" gather as closely around him as possible, listening attentively, each man feeling that, in the remarks that are falling from the lips of the distinguished Mississippian, his peculiar political faith or belief is receiving the strongest possible support, or is being absolutely undermined and crushed.

At the conclusion of the great speech referred to, Senator McMillan, of Minnesota, walked across to Lamar's seat to thank him for the handsome tribute he had paid to the statutes of his State, and to compliment him otherwise. Col. Lamar shook hands with him, and said he was very much prostrated. "Yes, I know you are," replied the Minnesota Senator; "but you are not half so badly prostrated as my colleague is."

At the earnest request of Mr. Bayard, whose intimate friend and political supporter he was, Mr. Lamar attended the National Democratic

Convention, which met at Cincinnati, June 22. On the second ballot the nomination was made of Gen. Hancock for the Presidency, and Mr. English for the Vice Presidency. Among the numerous short ratification speeches then made, none was better received than that of Mr. Lamar.

The summer of 1880 Mr. Lamar passed at home. His health was not good. Indeed, he was impressed with the idea that he might be suddenly and fatally stricken at any time. About the middle of September he made at Lafayette Springs a political address of about two hours, on the Presidential issues, to the people of his county, in which he spoke of his expectation of the summons to the other world, of the sword of Dantocles suspended over his head by a hair.

Having been requested to speak at Holly Springs, and having promised to do so, he wrote on the 1st of October to Hon. J. W. C. Watson, as follows:

It was a moment of great weakness in me when I yielded to importunity and promised to speak at Holly Springs next Monday, and I cannot think of it without dismay. I have been in the room of my invalid wife for twenty-one days, scarcely an hour of which has been spent in freedom from pain. She is indeed seriously ill; suffers from constantly recurring fevers that seem to defy medical skill. She sleeps but little, and in the morning finds herself enfeebled and trembling from the effect of cold night sweats. She also has a cough that grows worse and more settled. Her sister and my sister and my daughter are all depressed with fears of a rapid decline. Dr. Isom has said nothing to me that indicated his belief that she has consumption. I learn, however, from others that he has some apprehension about her lungs; and in this opinion I know that Dr. Branham concurs. What my own feelings are I need not state. You, who have been blessed with a good and beloved wife, can understand how impossible it is for a man in the shadow of such an affliction to think about public matters or to discuss political topics.

The speech that I may make will have to be offhand in its details; and, I fear, will be rambling and disconnected and dry.

It was not my purpose to refer at all, in my speech at Holly Springs, to Gen. Garfield's character. I think the issues of the canvass are above party vituperation or personal defamation. The tendencies of these issues, when determined by the election, will be more controlling than the personal characters of the respective candidates. If I can make the speech which I have as yet only very faintly outlined in my own mind, the points will be something like these:

First, the broad national character of the issues involved; bearing upon the constitution; the tranquillity of the Union; the upholding of public virtue in the administration of national affairs; the protection of liberty, of property, and of the rewards of industry; the maintenance of the national honor, and the advancement of the prosperity of all sections. I desire then to allude to the fact that the deep and earnest interest of the whole American people in the promotion of these objects has led them to change the majority in both Houses of Congress and in the Electoral College; and, in this connection, I should like to quote from your article signed "Observer." Please have it ready for me. The leading Radicals, seeing that the inevitable effect of the discussion of these great objects is to bring about this great change in the administration, are seeking to bring the canvass down again to the arena of sectional animosity and party passion. I will give, almost in their own language, the Radical argument

about a solid South. I do not believe that any plea or defense which the South may make will be accepted as a refutation. The North itself must see the fallacy of it if her people are in earnest in their desire to effect the great reformatory measures at stake in this contest.

I will show that it is easy for them to make the South a minority in the Democratic party, as it is already a minority in the government. I will then discuss the solid South, and show that it is the result of an imperious local necessity, having no connection with schemes of sectional aggrandizement in the Federal Government. I then propose to show that its support of the Democratic party is in the line of the best interest and the most earnest aspirations of the Northern people themselves. Of course this brings me to a discussion of the principles and character of the two parties. I hope I may be able to say something on this latter subject which will tend to bring all our friends to the support of Hancock and of Manning.

I am, however, so liable to attacks of vertigo that I cannot prepare a detailed speech. I cannot study documents without a painful swimming in the head, nor bend over to write without a rush of blood to the brain.

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On the same day when the foregoing letter was written Mr. Lamar received a sad confirmation of his worst fears about his wife. The physician informed him that, without doubt, hers was a case of consumption. Thus upon that simple and happy home fell the supreme calamity of the almost, or quite, hopeless decline of the central figure: the devoted and beloved wife and mother. To one constituted as was Mr. Lamar, whose heart was great and tender and true, in whom all of the domestic instincts were constant and strong, no other grief could have been so poignant. More than thirty years of married life had left with him still the subtle and romantic sentiments of the lover; and the sorrow which came to him now was of that complex sort which, apart from the unapproachable spectacles of the higher religious experience, is at once life's noblest spiritual achievement and its heaviest burden—the rending asunder of ties which combine the blooming idealisms of love still young and fresh, with the clinging tenacity of a lifetime habitude. Indeed, that was a cruel ordeal—to watch the jocund spirit in whose pure brightness his own soul for a lifetime had refreshed itself like a jaded bird in some sparkling fountain of summer, sadden and fail; to witness, month by month, the slow but sure fading away of a life which had blessed and crowned his own! During the next four years (until the end came in December, 1884) Mr. Lamar devoted himself to his wife with extraordinary constancy, patience, and tenderness. There were periods when she appeared better, and hope stirred faintly within him for her recovery; but they were brief. At such times as her illness was more distressing he stayed much with her, day and night, nursing and comforting her with all of his man's strength and a woman's loving sympathy. As for himself, his own infirm health, his sleepless and anxious nights, his ever present grief about his wife, his political complications and annoyances, his party



MR. LAMAR'S CHILDREN



and his official duties—all made this period one of extraordinary physical and mental distress.

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Mr. Lamar's Holly Springs speech was made, according to appointment, on the 4th of October. Of it *The South* (Holly Springs), a paper not then friendly to him, said:

Mr. Lamar has done us the honor of a welcome visit on Monday to address our people on the subject of politics; or, to speak more truly, to advise us as to our real duty and the promotion of our true interests in a manner just to all. . . . The speech was really a great one, of the most patriotic character, and worthy of himself. . . . He has the thanks of our community, and has withal made his mark, and led some to think somewhat more seriously as to their duty in this great issue. . . .

A "special" to the *Memphis Appeal* gave this account of the speech and of the occasion:

By invitation of the Hancock and English Club, Senator Lamar spoke in the courthouse to-day to an audience of five hundred persons, the negroes being largely represented, and, like the whites, were deeply interested. Mr. Lamar's speech was one of the ablest efforts of his life, being logical in style, comprehensive in scope, replete with data, admirably delivered, and thoroughly unanswerable. His eulogy on Hancock is the best yet uttered. He said that there was nothing in the English language equal to Hancock's Order, No. 40. Although learned men for centuries have written on the science of government, Hancock in a few short sentences stated the true theory of government, viz.: The right of trial by jury, the *habeas corpus*, the liberty of the press, the freedom of speech, the natural rights of persons, and the rights of property, must be preserved. He said that English was an honest, upright, and able statesman, never found wanting, and would fill the position with satisfaction. He arraigned the Republican party for its crimes, venality, and corruption, his castigation of Garfield being cruel, though true. In criticising the corruption and dishonesty of the carpetbag governments of the Southern States, he, in support of his denunciations, read extracts from the speeches and testimony of Gov. Foster of Ohio, Congressman Hall, Senator Hoar of Massachusetts, ex-Gov. Stevenson and Judge Shellabarger of Pennsylvania; all showing them to be the most iniquitous and oppressive governments that ever existed, and this, too, upon Republican authority.

He also read an extract from President Grant's last message on this subject, and reviewed the platforms of the Democratic and Republican parties. He showed that Garfield and the Republican party were for strong government, bottomed on corruption. He read from Jefferson and Hamilton, to show the difference in the parties and to prove that Garfield and his party are Federalists. He demonstrated conclusively that the Republican party could not correct the abuses of government. To do so would be contrary to its creed. He said that among the things most needed by the people were the rectification of the abuses of the government, with its one hundred thousand officeholders, honest civil service reform, and honesty and economy in its administration. The country also needed a reduction of taxation. He discussed the tariff, and proposed a tariff only for revenue purposes. He discussed the solid South, showing the cause of the South being solid. The South was driven to it by the corruptions, oppressions, and outrages of the Republican party. The Democratic party is national, and draws no sectional lines. When it carries into effect its tendencies and principles, it will be the same from one end of the country to the other. The solid vote of the South should be cast for Hancock and English. He appealed to the Greenbackers to abandon their organization, even if they deemed their views to



be right, and to vote the Democratic ticket; as this, under existing circumstances, was their duty as patriots and friends of the South, the great struggle being only between the Democratic and Republican parties. . . . Senator Lamar's speech was attentively listened to, and made a deep impression.

Mr. Lamar's speech at Holly Springs was followed, during October, by an active canvass along the Mobile and Ohio Railroad, in which he spoke at West Point, Macon, Meridian, and other places.

The result of the election was, of course, a disappointment to the Democrats; but Mr. Lamar, by his labors, had still further strengthened himself in the State. The *West Point News*, for instance, brought out a biographical sketch of him, with a portrait, which was reproduced in many of the State papers. Its conclusion was this:

The whole South feels a pride in Senator Lamar, and the Radical North confesses that in him its theory of government finds a foeman who can parry its heaviest attacks and rebut its strongest arguments. He stands a great, central, conservative power in himself, able to repel force with force when the attack is directed against his people, able to restrain impolitic impetuosity when his own people rush to the attack. In heart, in interest, in high commission, a Mississippian, he is a great national conservator of the peace, whose sphere and influence are almost limitless.

In December, after escorting his wife and her sister to New Orleans, at which place Mrs. Lamar, who seemed to be improving, intended spending the colder months of winter, Mr. Lamar repaired to Washington about his official duties. On the 25th of January, 1881, he alone, of all the Democratic Senators, supported the motion of Senator Logan, of Illinois, to take up a pending bill to place ex-President Grant on the retired list of generals of the army, making a short speech upon the question.\* For his course in this matter he again encountered a good deal of criticism at the hands of certain Mississippi and other papers. On the 16th of February he wrote to his wife:

I am glad that you liked my speech on Grant. It was very short, but it had a good deal in it; and its pure English has been remarked upon. It has not estranged any Democratic Senator from me. They speak of it kindly.

If I had an income that would furnish you and Jennie with the comforts of life, I would quit politics forever, and live at home. I think that I am entitled to have "Emeritus" written opposite my name. I shall hate to be defeated, but I will have a good deal of comfort in it.

Pursuant to the proclamation of President Garfield, the Senate convened on the 4th of March, 1881, for the usual executive session.

The results of the elections of 1880 had materially altered the political complexion of Congress. The incoming House had been transferred to the Republicans by a small majority. The terms of office of twenty-five Senators had expired with the Forty-sixth Congress, and

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\*Appendix, No. 19.

the new Senate was composed of thirty-seven Republicans and thirty-seven Democrats; while Senator Mahone, of Virginia, and Senator Davis, of Illinois, were classed as Independents. The latter had been elected by a majority of the Illinois Legislature, composed of Democrats and Independents, and was avowedly an Independent; while the former was elected by the Readjuster wing of the Democratic party and a few Republicans, and seems to have left his future affiliations in the Senate in doubt.

The position of Gen. Mahone was peculiar.

The State of Virginia had incurred an indebtedness prior to the Civil War amounting to about \$31,000,000. Various causes, among them the war, caused this debt to accumulate largely, by nonpayment of interest, until in 1871 it aggregated about \$45,000,000.

It was one of the consequences of the war that the State of West Virginia was carved out of Virginia by the action of the Federal Government, thus reducing her territory by one-third, her population by one-fifth, and consequently her debt paying power—to say nothing of the general shrinkage of values.

After the war various unsuccessful efforts were made by several Legislatures to arrange for this debt. In 1871 an act was passed, called "the funding bill," by which the accumulated interest was capitalized, the total liability fixed at about \$45,000,000, of which two-thirds, or about \$30,000,000, was treated as that owing by Virginia, and made fundable; while the remainder was deferred and certified to as the debt of West Virginia. This apportionment of the debt between the two States, although unilateral, seems to have been generally acquiesced in by the people of Virginia.

A large part of the people of the State, however, were dissatisfied about the debt, even so reduced, and claimed that it should be further scaled or "readjusted" by "eliminating," as they phrased it, or by "repudiating"—as their opponents, the "funders," called it—all of the interest which accumulated during the war and the period of reconstruction, by which readjustment the principal of the debt would have been cut down to about \$20,000,000. This difference gave rise to the *Funder* and the *Readjuster* factions, a division within the Democratic party.

Prior to the State elections of 1879 the two factions held separate conventions. The Readjusters bid for the colored vote. They adopted a platform advocating the readjustment of the public debt on the stated basis of about two-thirds, with interest at three per cent per annum, and denouncing the capitation tax of the State as a restriction upon free suffrage. They put out a fusion ticket, with a Republican and a Greenbacker upon it. The Funders met in convention also, and declared for the maintenance of the public credit of the State, denounced "repudiation" in every form, and pledged every effort to secure a set-

tlement of the debt "with the consent of her creditors," and resolved 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."

The Readjusters won the election. They organized the Legislature with a majority of seven, even excluding Republicans and Greenbackers; and that majority elected Gen. Mahone to the United States Senate.

So soon as it became apparent that the Senate would be closely divided politically (if not before), public curiosity became much excited as to Senator Mahone's position. The newspapers discussed much the question whether he would cooperate with the Republicans or the Democrats. As it turned out, he had the balance of power. If he and Senator Davis should vote with either party, it would give that party a majority of two; if they should divide, it would make a tie, and the Republican Vice President held the casting vote. When that body met, therefore, a struggle for its control began immediately, and all eyes were centered upon Senators Davis and Mahone.

Each party held a caucus, but neither Judge Davis nor Gen. Mahone attended. On the 10th of March Senator Pendleton submitted the Democratic list of standing committees, and moved their appointment. The Republicans had declined to fill in the places on those committees reserved for their party according to custom, and the Democrats had arranged the entire membership, giving to their opponents the customary minority representations. The Republicans resisted the adoption of Mr. Pendleton's resolution.

Then began one of the most heated debates ever held in the Senate. Mahone's party attitude was made the subject of severe criticism by Senators Hill of Georgia, Voorhees of Indiana, and others. The method of conducting political canvasses and elections in the South was brought under discussion, and the suffrage laws of some of the Northern States were denounced. There was scarcely a question of recent or current politics which was not made a subject of discussion. Crimination and recrimination, angry passion, ruled the Senate; and one can hardly read the *Record* without a mixture of wonder and mortification that the truly noble and patriotic men who constituted that august body could be so far overcome, even by the frenzy of political bias.

It was early developed that more was conceived to be at stake than the organization of the Senate committees and the selection of the Senate officers. The Republicans entertained the hope of breaking up the solid South through the State of Virginia and her Readjusters.

It was on the 10th that Senator Pendleton introduced his resolution on committees. The Republicans determined at once to fight it, and their opposition proceeded upon the idea that four of their number had

not yet arrived, who had been newly elected to fill vacancies caused by death and the transfer of three Senators to the Cabinet.

On the 11th Senator Davis had made the first speech, declaring that he should, on that question, act with the Democrats. Then followed a discussion over an objection from Senator Conkling, that immediate action on the Pendleton resolution was not in order. In the course of that discussion Mr. Conkling taunted the Democrats with attempting to do on Friday what they would not be able to do on the following Tuesday, and said that when the vacant chairs on the Republican side should be filled that party would be in the majority. To this Senator Pendleton replied on the 14th, among other things, as follows:

I do not know whether or not an effective working majority under the constitution and laws will be given to that side of the Chamber when the vacancies are filled; I have no means of knowing. I do not know what arrangements or proffers or suggestions have been made or accepted; but those omnipresent and omniscient gentlemen of the press have whispered about the Capitol, and have put in their newspapers, that there have been unusual and extraordinary visits to the other end of the avenue; and they have connected oddly the name of a distinguished Senator, who sits near me (certainly it was out of the exuberance of their imagination, for there could be no foundation in fact for it), with the dispensation of Federal patronage and the organization of the Senate. It has been whispered by them in and out of their papers that there have been conferences in the Capitol in which champagne and satisfaction were equally enjoyed; and that, too, has been connected with the statement as to the organization of the Senate. As I said, I do not know what truth there can be in these suggestions, but they have filled the air for the last few days.

Senator Pendleton said further that it was the obvious duty of the majority of the Senate, even if it were only a temporary majority, to put that body in a condition to attend to the public business with which it was charged.

Senator Conkling made another speech as before, and then Hill, of Georgia, proceeded to call out Senator Mahone. Among other things, he said:

The Senator from New York has repeated over and over again, in language too plain to be misunderstood, that within a few days the Republicans will control a majority of the Senate, and that that constitutional majority will have it in its power to select the committees. . . . I have believed that when every seat shall be filled the Senate will be Democratic, precisely as it is now. . . .

I have the list before me. I state what every man knows: that the Senate, when full, consists of seventy-six members. Thirty-eight members of the body now sitting here were elected to the body as Democrats. . . .

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. . . .

If you have got one, the vote will be thirty-eight to thirty-eight. 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?

Senator Mahone then arose and made a short speech in his own defense, concluding thus:

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 that 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 criticize 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.

Then followed more acrimonious debate over Mahone's Democracy, between Senators Mahone, Logan, Hill, and Hoar, in the course of which the last used again the old cloud-compelling remark about slave masters. Said he:

It is none of the business of the Senator from Georgia how any other Senator in this body shall cast his vote. Each of us is responsible to his country, to his State, to his conscience, to his God; and in whatever part of this Republic we may dwell, no slave master or plantation overseer is to wave his whip over the heads of American Senators.

On the 18th, the new Republican Senators having arrived, the resolution of Senator Pendleton was indefinitely postponed. Senator Anthony, of Rhode Island, then introduced a similar resolution for the Republicans, with the list of the committees as proposed by that party; and the same was adopted without delay, Senator Saulsbury (Democrat), of Delaware, saying:

I call the attention of the Senate and of the country to the proud position which the Democratic party occupies in this regard before the whole country, in striking contrast with the action of the other side, which for nearly one-half of a month has obstructed the public business in order that they might put themselves in a position to seize upon the organization of the Senate.

The Democrats then determined to make a stand for the organization of the Senate itself as it then stood, with the retention of the existing Secretary, Sergeant-at-arms, and Clerks. Mr. Lamar and Senator George opposed in the caucus the adoption of this policy, but they stood almost alone.

The Republicans, on the other hand, determined in caucus to displace those officers, and nominated George C. Gorham for Secretary, and Harrison H. Riddleberger, a prominent Virginia Readjuster and a leading supporter of Senator Mahone, for Sergeant-at-arms. The Democrats, in opposing the resolution to proceed to the election of officers,

contended that the Senate was already fully provided and in working order, and adopted the same dilatory methods which the Republicans had used to prevent the organization of the committees.

Senator Beck, of Kentucky, opened another hot debate, which was, in effect, only a continuance of the other, by saying:

*Mr. President:* Notwithstanding the great number of very important nominations that the President of the United States has sent to us, and in the face of another communication just received, it is evident that the majority of this Chamber do not propose to go on with the business for which we were called together. I find on the table among the caucus nominees the following resolution:

*Resolved,* That Harrison H. Riddleberger, of Virginia, be, and hereby is, elected Sergeant-at-arms and Doorkeeper of the Senate.

As I have heard it whispered that some man of that name (I assume that it cannot be this man, but the similarity of names is striking) was the person who introduced what was generally known as the Repudiation Bill that passed through the Legislature of Virginia, I should like to inquire into that matter, and I move that the Senate adjourn in order to give us time for the inquiry.

The debate was taken up by Senators Brown, of Georgia, and Logan, of Illinois. In the course of Senator Brown's remarks, he said:

We, as Democrats in this hall, were ready every moment to go forward and do the business the Republican President had called us here to do. You declined until you could fill your vacancies, and with the aid of the Senator from Virginia could get matters in shape to control the committees. Now you have the committees. The reorganization of the offices of the Senate is in no way necessary to the business of the Senate or the session, and you propose now that it shall be a question of endurance whether you reorganize them. Well, we say we will endure with you. We are ready at every moment to go into executive session and do the proper business of the session, the business which you said on that side yesterday was the only proper business to be done. If you are not ready to do that, then we will invite you to adjourn; and if you will not adjourn, we will invite you to go back to the business for which you were called together by your President; and we will continue that operation until we see justice done to the few remaining Democrats. We may be here till June; we have till December.

To this Senator Hoar replied, saying, among other things:

*Mr. President:* I wish before the vote is taken to say one word, which I feel constrained to do by what has fallen from the lips of the honorable Senator from Georgia [Mr. Brown], whom I do not now see in his seat. If I understood him, he gave notice that it was his purpose, and the purpose of those who agree with him, to occupy the time of this body from now until the 1st of December in alternating two motions: one to adjourn, and one to go into executive session to prevent the expression of the will of the constitutional majority of this body in regard to the selection of its executive officers. I regard that declaration as containing the very essence of revolution and treason to the institutions of this country.

Southern "bulldozing" of negroes into casting Democratic votes was reopened; secession was overhauled, and Senator Brown's record as a secessionist or a Union man. Senator Kellogg (Republican), of Louisiana, declaimed against the Democrats of Louisiana as repudiators of the worst, by way of vindicating Riddleberger.

The debate and the filibustering dragged along. On the 31st of March Senator Cameron, of Pennsylvania, said:

The contest, however, in which we are engaged is not simply to secure the officers and employees to party friends, as the Senators on the other side pretend; nor is it solely a struggle of the majority to maintain its right to control the organization of the body. There is something higher than and above all this, something the great importance of which has not escaped the attention of our opponents here. It is the coming political contest in Virginia.

In the coming State election the struggle will be a bitter one. I believe the right is going to prevail, for the law-abiding citizens of Virginia who were Confederates will go into that great contest with the knowledge that our hearts are with them.

The election of Col. Riddleberger to a responsible office in this body will be the best proof that could be given that for all true men who uphold the laws the Republican party has confidence, respect, and coöperation. We give our votes to that gentleman as an earnest that we are not sectional, and that we have no prejudices on account of old conflicts. Whoever is right at the present time is our friend, and we are his. This, and this only, is the "bargain" we have to offer to all our Southern friends who will come out from that party of reaction and grow with the nation's growth. All that we ask is that they shall stand with us in favor of securing to each lawful voter the right to cast one free and unintimidated ballot, and to have it honestly counted. We know, and our opponents know, that if Virginia takes her stand upon that platform the solid South is a thing of the past; and this is the true meaning of the present struggle.

Such was the condition of affairs when Mr. Lamar made his speech of April 1 on the course of the Republican Senators and on the solid South.\*

He began with an elaborate examination of the course adopted by the Republican Senators in the matter at issue and of the motives which impelled them to that course, and showed that, in spite of its repudiation platform—a platform repugnant to the interests, feelings, and policy of the Northern people—the Republican members were holding the Senate inactive, and were preventing the discharge of the public business, in order to subserve the interests of the Readjuster campaign in the State of Virginia. He pointed then to the avowal of Senator Cameron as confirmation of that view. He warned the opposition that the Northern people would not tolerate any such alliance with repudiating movements in the South; that, besides, any such movement would fail in the South itself; and he declared that no party could be fabricated in the South by the mere agencies of Federal power and patronage; that, to succeed, its foundations must be laid on broad sympathies and deep in the social, political, and business life of the people.

Mr. Lamar then passed to the direct question of the solid South. Why, argued he, should the solid South be broken? What harm has it done to the prosperity and glory of this country? It was but a short time since that it became "solid" by the cessation of the reign of force and bayonets; and during that time, while her Representatives sat in

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\* Appendix, No. 20.

the halls of Congress, the world had held its breath in astonishment at the progress the country as a whole had made in all that adorns, fortifies, and ennobles a nation. In the existence of the solid South, and its presence in Congress, there was no such menace to any interest of the country as would justify such a coalition. Since that period no such corruption had revelled in the high places of the government as had existed before. The South, even solid, could never, under any combination of parties, again obtain control of the government and direct its powers independently of the will of the North. The latter was the majority and the dominant section of the country.

He denied that there was, as a distinct organization with a distinctive policy, any solid South in either House of Congress; there was greater diversity of sentiment among the Southern members upon every subject of national interest than there was in the representation of any other section of the country. Said he:

There is one point, and one only, upon which they are solid, on which they will remain solid; and neither Federal bayonets nor Federal honors will dissolve that solidity. They are solid in defense of and for the protection of their own civilization, their own society, their own religion, against the rule of the incompetent, the servile, the ignorant, and the vicious. . . . I here challenge any Senator upon that side, with two exceptions that I will not name, to write fairly in his own language the condition of the Southern people in any State while under carpetbag government. I will consent that he shall write the history of that government, the character of its officials, the nature of its administration, and the operation of its laws. I say that I will consent for any Senator upon that side of the House, with but two exceptions (whom, out of respect to them, I will not name), to write the history of the Republican government in the South—its nature, its character, its influence upon the happiness and prosperity of that people. I will agree to accept his description of it in his own language, and then I will submit the question to any tribunal in the world, to any community in the world, as to whether there is anywhere on earth a people who ought not to summon every energy, every man, every woman, every child, interested in the priceless and precious heritage of humanity, to throw off that government, and to keep united and solid to prevent its reestablishment.

Mr. Lamar then fortified this point by quotations descriptive of the corruption of Southern administrations under Republican rule, from Senator Hale, of Maine; Hon. Charles Foster, Governor of Ohio; Gen. Grant; Bishop Simpson, of the Methodist Church; and others. He then concluded:

Mr. President, I am too much exhausted to detain the Senate longer. I have said nothing to-day that was intended to stir up any feeling of animosity between individuals or sections. I belong to that class of public men who were secessionists. Every throb of my heart was for the disunion of these States. If that deducts from the force of the statements that I have made to-day, it is due to candor and to you to admit it. I confess that I believed in the right of secession, and that I believed in the propriety of its exercise. I will say, further, that it was a cherished conception of my mind—that of two great, free Republics on this continent, each pursuing its own destiny and the destiny of its people and their happiness according to its own will.

But, sir, that conception is gone; it is sunk forever out of sight. Another one has



come in its place; and, by the way, it is my first love. The elements of it were planted in my heart by my father; they were taught by my mother, and they were nourished and developed by my own subsequent reflection. May I tell you what it is, sir? It stands before me now, simple in its majesty and sublime in its beauty. It is that of one grand, mighty, indivisible Republic upon this continent, throwing its loving arms around all sections; omnipotent for protection, powerless for oppression, cursing none, blessing all. [Applause in the galleries.]

The dignity and courtesy which Mr. Lamar always preserved in his speeches were in none more noticeable than in this, strongly contrasted as it was by many of the others. The Republicans especially were extremely violent and aggressive. But Mr. Lamar's speech was none the less keen, incisive, and damaging to his adversaries. It seems to have had the general range of the newspaper press, and to have been published, in whole or in part, by papers in all the States, accompanied by a running fire of comment from friends and foes.

The Democrats won the contest finally, the Republicans consenting, on the 4th of May, to go into executive session without changing the officers.

## CHAPTER XXVI.

Candidate for Reëlection—Opposition and Complications—Cross Currents—Voice of the Press—Address at the A. and M. College—Progress of the Senatorial Question—The State Convention—A Setback or No?—Mr. Lamar's Great Canvass of 1881—The DeKalb Speech—The Canton Speech—The Yazoo City Speech—Letter to McIntosh—The Forest Speech—The Hazlehurst Speech—Interest Outside the State—Reëlection and Vindication.

THE year 1881 was a trying and eventful one for Mr. Lamar. A general State election was to be held, at which was to be chosen the Legislature which was to select his successor. The question of his indorsement or his condemnation, and the more important question of the State's position on national politics, as declared by its action on his succession, were up for decision in effect, although not so directly. For the second time he was before the people on his political record.

His enemies, avowed and secret, and those who coveted his position, with their friends, aided by a *coterie* of selfish or shortsighted newspapers, were quite busy in the effort to defeat him. The old charges against the Electoral Commission, the Silver Bill, and the legislative instructions were brought to the front again, with additional criticisms, based on his later votes: that on the question of unseating Senator Kellogg of Louisiana, his support of the motion about Gen. Grant, and his vote for the confirmation of Hon. Stanley Matthews as a Justice of the Supreme Court. A feature of special discomfort was the fact that the fight against him was not generally an open one, but was largely disguised by a veil of personal respect, and by unremitting, hostile discussion of measures associated with his career without naming him frankly. A prominent exception was the *Vicksburg Commercial*, under the editorship of Hon. James R. Chalmers, member of Congress; another was the *Brandon Republican*. Those papers and a few others made a hard and bitter fight from start to finish.

A troublesome complication was the gubernatorial succession. Several gentlemen of prominence and influence were understood to be aspirants for the office of Governor, and there was danger that in the intricacies and resentments of that complex rivalry the case of Mr. Lamar should become involved and prejudiced without reference to its own merits; while, on the other hand, there was reason to fear that the contest over the Governorship might even be manipulated with a view to the ultimate defeat of Mr. Lamar as Senator.

The following editorial from the *Natchez Democrat and Courier*, of April 7, illustrates this complication:

Although there are as yet no avowed candidates for Governor of Mississippi, there

is, for what reason we cannot exactly perceive, a disposition to general contrariness among the Democratic newspapers of the State as to who shall be nominated. There is a constant cross fire kept up, which to us, while it talks Governor, seems to mean Senator. There is evidently more than one man in the State who would be willing for the Senatorial toga to fall upon his shoulders, and we are inclined to think that if a successor to Mr. Lamar were settled upon there would be but little difficulty in regard to the gubernatorial nomination. That the distinguished gentleman who towers head and shoulders above nine-tenths of the members of the United States Senate, who is certainly the peer (if not the superior) of any of them in intellect, in eloquence, and in the calm, clear inspirations of real statesmanship, will be chosen again to serve Mississippi in the Senate, we can scarcely believe to be a doubtful matter.

By the month of June the Senatorial question had been made a prominent issue. Many papers hoisted the name of Mr. Lamar, and declared that they would support none but a Lamar man for Governor. The papers themselves were spoken of as "Lamar" and "anti-Lamar" papers, and applied those terms to each other.

Another point of difficulty was in the fact that some of the papers of the State, and numbers of the people, friendly to Mr. Lamar, failed to comprehend the true significance of his candidacy. They did not understand, apparently, the far-reaching results of the defeat of a Senator of unquestioned ability and integrity because of his conservative and conciliatory record. Seeing a division threatened in the party within the State; seeing that division about to crystallize around two men of strong character and wide personal popularity, each with great claims on party support, as such claims are understood ordinarily; confounding Mr. Lamar's labors with the lower struggle for personal supremacy, they thought to avoid a rupture, and to hold the scales of patronage fairly, by declaring that the honors must be divided. The *Grenada Sentinel*, in June, put the point thus:

The way that a portion of the State press now figure up the slate is: Lamar for Senator, Barksdale for Governor. At least some few of our exchanges are generous enough so to figure. But they say that in the event that Stone shall be Governor, Barksdale will go to the Senate, etc.; or, in other words, if Lamar is to be elected to the Senate, he needn't expect to see one of his friends head the State ticket.

Over such and so numerous cross currents had Mr. Lamar to steer his bark; but he was not without his legions of friends, leal and staunch, who were for him and what he stood for, "first, last, and all the time." Pages might easily be filled with enthusiastic editorials from papers, at home and abroad, urging his reelection as a political necessity. Only a few shall be given here, as examples of the general tone:

The *Vicksburg Herald*, May 6, 1881: "*The Motives*.—The informed, thoughtful people of Mississippi are aware of disciplined, persistent efforts to defeat the reelection of Senator Lamar. Although many of these efforts have not been *directly* made, they are none the less the work of shrewd politicians. There is method in them also. The feelings of the prejudiced have been skillfully wrought upon, and plausible assertions have been made to catch the better informed. The value of iteration is fully understood by those politicians, and they have rung the changes on everything done by

the great Senator which they think may possibly injure him among the masses. No matter how perfect and valuable his record as a whole may be to his State and to the South, these men persist in making 'trifles light as air strong as proofs of holy writ.' . . . It is as plain as plain can be that no danger would threaten the better elements of the party, which are a guarantee of good, conservative local rule, if this faction would cease its irritating, causeless, but hurtful, attacks on our senior Senator. Their motive is to put in another leader who will change methods and men to suit the views of extreme men. It is a selfish motive, and it is dangerous, extremely dangerous, to attempt it. Lamar is a safe, wise man, and the people should sustain him with greater confidence than ever before."

The *Memphis Avalanche*: "A concentration of the Mississippi Democratic mind on Lamar may save the party, and it can safely be said that nothing else will save it."

From the *Memphis Appeal*: "The *Mobile Register* regrets to note that an effort is being made in Mississippi to oppose the reëlection of Senator Lamar, and hopes that it will fail 'in view of the fact that Senator Lamar's reputation is national, and that he has not only done good service for the State of Mississippi, but also for the whole South. His retirement from the Senate of the United States would be a loss to the whole of this section and to the country at large.' In this view all the leading journals of the South heartily concur."

From the *Augusta (Ga.) Constitutional*: "L. Q. C. Lamar has been one of the most prominent of American statesmen, and one of the strongest individually. . . . On all issues he assumes an independence honorable to himself and his constituency. He is the master of his own soul, and sad indeed will it be for the State of Mississippi when his voice is no longer heard in her councils and his seat is vacant in the Senate."

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On the 6th of July Mr. Lamar delivered a literary address at the State Agricultural and Mechanical College, at Starkville, from an account of which, as given by a Columbus (Miss.) paper, these extracts are taken:

Col. Lamar very soon elevated his audience into the lofty, pure atmosphere where his great mind soars, and that, too, on commonplace subjects. He aimed principally at the mind of the student body. If there was a student present faltering in his purpose to overcome all obstacles in achieving noble aims, the Senator's eloquent words, urging patient toil and continuous labor, were sufficient to reassure him and lead him to final triumph. . . .

His words to the poor boy struggling against poverty, and to the boy beset with an appetite for strong drink, were words of comfort, of encouragement, of assurance.

Eloquence reached its climax when he came to discuss patriotism, duty to one's country. It is commonly said that there has been no such grand speech delivered in this State for years. He made it very plain to appear how it *was* noble, honorable, patriotic, to be true to the cause of the Confederacy, and how it is *now* equally noble to be true to the Government of the United States.

He paid a worthy tribute to the character of President Garfield, and deprecated in burning, blistering words his attempted assassination. He alluded to the fact that millions of hearts in the South and in the North were praying earnestly for the recovery of the suffering President.

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In July the people began to be heard from in respect to the Senatorial question through their county nominating conventions. By the end of the month nearly every county in the State had indorsed Mr.

Lamar. In most, particularly in those regarded as political centers, the indorsement was most enthusiastic, and frequently without an opposing voice. In Monroe, for instance, when the resolution of approval was read, a dozen voices throughout the audience shouted, "Standing vote! standing vote!" and delegates and spectators alike sprang to their feet and upon the tables and benches, passing the resolution with prolonged cheers and tossing of hats in the most ardent manner.

A letter of this month, from Col. J. F. H. Claiborne, a lifelong editor and politician and the historian of Mississippi, contains this passage:

I am delighted to find from my letters and the papers that your reception in Adams County was all that I wrote you it would be; and I believe that, in spite of narrow, partisan efforts in some quarters, the same feeling pervades the State. Your wise, just, and liberal course on all questions and your conservative views and the support you have given the Executive to enable him to carry on the government command, in my opinion, the approbation of two-thirds of our people. We are tired of perpetual party warfare and an indiscriminate opposition to the government. . . .

It is unnecessary to follow the intricacies of the gubernatorial contest. Although many of the newspapers tried most assiduously to ring Mr. Lamar into it, although especially many leading friends of Mr. Barksdale insisted that he should give active support to that gentleman as the price of his own return to the Senate, he held himself entirely aloof from that struggle, and trusted his case to its own merits, without bargaining or combinations. Of course he had his personal preference as between the rival candidates, and did not disguise it; but no man felt the weight of his hand during the campaign preliminary to the nominating convention.

The State convention met on the 3d of August. The result of its deliberations was the defeat of all candidates, as the result of a deadlock, and the nomination of a "dark horse," Gen. Robert Lowry, of Rankin County. The contest in the convention had not been made on the Senatorial issue, and many of Mr. Lamar's friends supported Mr. Barksdale; but still Gen. Lowry was brought forward by an anti-Stone caucus to defeat Gov. Stone (who was handicapped by a "third term" candidacy), the favorite candidate of that element of the party which sympathized with Mr. Lamar's views. His nomination, under the circumstances, was, for that reason, looked upon as a setback for Mr. Lamar. The situation was curiously involved. Mr. Barksdale's defeat further embittered many of his friends, who immediately set in motion a movement to elect him as Mr. Lamar's successor; while Gov. Stone's defeat greatly discouraged and demoralized many of Mr. Lamar's friends, and caused them to speak of "our crowd" as "all broke up."

"My opinion is," wrote Mr. Lamar to his friend, Mr. Clarke, "that the result of the action at Jackson is not a favorable one for me; but it is less unfavorable than the preëxisting conditions were capable of working out. . . . I must begin to work, but I am greatly at a loss what to speak about. There is a lull in national politics,

and it is not easy to attack a party whose chieftain lies dying, amid the sympathies of the whole people.

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The canvass made by Mr. Lamar in the autumn of this year is spoken of as his great canvass of 1881; but, in fact, it was no abler or more energetic than some others made by him. The exciting and somewhat sensational circumstances of its making drew rather more attention to it; that was all.

In previous years his labors had been devoted almost exclusively to the northern and middle parts of the State. The people of the southern third, speaking roughly, had seen little or nothing of him. It was there that the principal opposition to him existed, and there he planned to do the greater part of his speaking for this season.

The course of local politics soon furnished the Senator a topic for discussion, one fraught with great interest to the State, and about which the Democrats of the period felt no little concern. The Greenbackers and a large part of the Republicans combined and put out a fusion ticket, led by Benjamin King, of Copiah, an ex-Democrat, as candidate for Governor. This established a most threatening situation. How Mr. Lamar regarded it is thus set forth in a letter written to Mr. R. H. Henry, editor of the *Brookhaven Ledger*:

I am afraid that we are going to have a hard contest with the selfish and unscrupulous men who have publicly made a shameless partnership with the negroes of Mississippi to capture the government of the State, and to run it in the interest of their own ambitious schemes and selfish designs. It is simply *negro government*, to be reestablished by carpetbaggers and a few ambitious natives, taking the role of the scalawags under the names of Greenbackers and Independents. It will be the domination of the negro vote, just as it was before 1875, with not one feature of mitigation, and with many other elements of aggravation and degradation.

I believe that life will be unbearable in Mississippi if it succeeds. The government thus established will be identical in spirit and purpose with the constituency which places it in power and is to hold it there; and it will revel in its high places of power, utterly irresponsible to that class which has the intellect, the morality, and the true knowledge of the real aims and functions of government—not merely irresponsible to any virtuous public sentiment, but defiant of it and rejoicing in outrages upon it; for such outrages upon it will be the tenure by which they will hold their ill-gotten power.

The negroes are far different now from what they were. They have become more estranged from, and more antagonistic to, and less assimilated with, our political habits and aims than they were when under the lingering influence of old relations of dependence and protection. Never was there a time when Mississippi's safety so depended upon the perfect union, harmonious coöperation, of all her best social and political forces and the utmost development of their resources. I can't express to you my anxiety about this crisis. It has put my own Senatorial aspirations almost out of sight. I am surprised that our people don't see the danger.

The political *power* of a body politic is as absolutely in the hands of that part which *elects* the officers and the agents to whom it is delegated as if that part exercised such power directly. If Ben King and Yellowly and their associates were black negroes, they would not give us a more unmitigated negro rule than they will as white

men seeking the overthrow of the present government through the organized negro vote. Buckle on your armor, and fight this black confederation.

Entertaining these views of the special emergencies of the times in the State, Mr. Lamar began his fall work. His first speech, made on September 5, was at DeKalb, the county seat of Kemper County. The *Kemper Herald* gave this account of the occasion and of the speech:

Last Monday will long be remembered by the people of Kemper and surrounding counties. The occasion was the presence in DeKalb of our gifted and beloved Senator, L. Q. C. Lamar.

Col. Lamar's appearance was greeted with rounds of applause, which only ceased when he ascended the stand. He then proceeded with his speech, which was logical and eloquent, and a most searching analysis of the aims and principles involved in the recent coalition of the Greenback and Radical parties of this State. He thoroughly satisfied every one within the sound of his voice that, if this State was captured by such a combination, it would be run in the interest of the Radical party. His exposure of the pretensions made by the leaders of that movement—that they were organized to make the fight in the interest of a free election and a fair count—was convincing and overpowering.

He presented in a forcible and a most interesting and striking manner the constitutional duty enjoined upon voters of going to the polls and selecting competent men to represent them in the Legislature, in the gubernatorial chair, and indirectly on the bench; and that a voter had no more right to disregard this duty than did either of the above named agencies of the government to abnegate the duties enjoined upon them. He contrasted the condition of the black man under Republican and Democratic administrations in this State, and quoted from the testimony of English travelers and Northern visitors to show the falsity of the charges of violence and intimidation at elections. His contrast between the government that existed before 1875 and the present government in Mississippi was generally conceded to exceed in power and impressiveness any of his previous speeches in this State.

Col. Lamar had but little to say in regard to the criticisms upon his course as a Senator, what little he did say on this subject being responded to by the audience in such a manner as to show that he needed no defense. The Colonel certainly must feel that in Kemper County his course in the Senate was not condemned by the people, but was cordially approved and indorsed. Every reference to his votes was received with demonstrations of enthusiastic applause; and we can safely say that there are not ten men in this county who do not feel that Col. Lamar's course was dictated by broad, liberal, and conservative views, which, in our opinion, are fully in line with those of the people of his State.

The distinguished gentleman said "that he desired and had almost hoped that there would be a unanimous election of Gen. Lowry, whose broad and progressive spirit appealed to the hearts of all patriots; whose spotless honor and high principles as a gentleman, added to distinguished abilities and services, should command the confidence of all parties." At this point he was asked by some one in the audience if, in his opinion, Gen. Lowry was a party to any combination which had for its object opposition to his return to the Senate. To this the distinguished gentleman replied: "I have not the slightest idea that Gen. Lowry is a party to any combination of the kind, assuming that such a combination exists. [Applause.] I have no intimation, either directly or indirectly, from that gentleman on this matter; nor have I any sources of information in relation to it not open to the public. But from my knowledge of Gen. Lowry's character, from what I believe to be his personal feelings to me, and from the fact that he took the earliest occasion to disconnect himself from the at-

tacks that had been made upon me, I am quite sure that he has to me no antagonism of the kind to which Capt. Brame refers. He may have his preferences, as all others have, and as it is unquestionably right to have. If in the exercise of his right of private judgment he should think that another worthier than myself should represent Mississippi in the Senate, I shall have no right to complain. I do not know whether Lowry is for Lamar for the Senate or not, but this I do know, and wish it understood once for all, that Lamar is for Lowry for governor. [Applause.]

"The truth is, Gen. Lowry cannot in his present position of trust and responsibility wish to antagonize anybody. He is like the Indian chief who was captured by a company of white men, and, compelled to carry the cooking utensils of his captors, soon tired of his burden, and flung it down, saying: 'White man, look here; let every fellow tote his own skillet.'" Amid the uproarious laughter the Colonel added: "Gen. Lowry has got his own skillet to tote just now, and I have no wish to burden him with mine. [Applause.] For the present the question of paramount moment is whether the election of the able and honorable gentlemen named by the Democratic Convention shall continue to us unbrokenly the blessings of good government here at home." [Applause.]

His speech was almost exclusively directed to the discussion of the vital issues involved in the State election, and touched scarcely at all on national politics.

His main point, the one which he pressed with earnestness and eloquence, was that the union of the intelligence and virtue and public spirit of the South in the coming election was demanded, not as a party policy, but as a principle of self-preservation. He discountenanced all resort to violence, to frauds, or unfairness in the election, and said that the union and active coöperation of the conservative and orderly elements of the State would be sufficient to secure the Democracy of Mississippi a grand and lasting triumph over the forces of ignorance, incompetence, and social disorder.

Amid the wildest applause he closed one of the grandest speeches we ever listened to in our lives, one which instructed and at the same time aroused the people, and convinced them that the duty enjoined upon them of maintaining good government was imperative.

Mr. Lamar's next speech was at Canton. The *New Orleans Times* gave this account of it:

He seems to have lost sight of himself and his own aspirations for reëlection to the United States Senate, and to be devoting all of his powers to the defense of the Democratic-Conservative ticket and to the defeat of the Fusion ticket. At a recent meeting at Canton, which was largely attended, a correspondent writes, he spoke for more than three hours, the effect of his speech being the reconversion to the Democratic-Conservative standard of very many good men who had manifested a disposition to depart from its fold and to align themselves with the opposition party. His wise words of counsel harmonized, to a great extent, the discordant elements in the party in that county, and strengthened the hearts and hands of the people who favor a continuance of the wise and healthful civil administration that has obtained in that State ever since the Democratic-Conservative party came into power. Col. Lamar discountenanced all plans of influencing the election through any irregular methods; either violence, intimidation, direct or indirect, or any unfairness; saying that these means would defeat themselves in the end and be an element of disintegration in the party. He insisted upon it that the union and active and energetic coöperation of the best classes of society, with the use of those methods which are employed by the intelligent and responsible classes in all free governments to guide and control the incompetent and ignorant, will prove adequate to the preservation of the present healthy civil administration in Mississippi. He insisted on this union,



not as a party policy, not as a scheme of ascendancy to any set of men for ambitious purposes, but as a matter of principle, and that principle self-preservation.

It must not be imagined from the foregoing extracts and reports that Mr. Lamar had descended from his former patriotic and just stand, and taken to making White Line speeches, as a few partisan papers charged against him. In none of his speeches did he fail to invite warmly the coöperation of the colored people for good government. So far from desiring the whites as whites to organize against the blacks as blacks and exclude them from their political rights, he urged the other course. His idea was to keep the Democratic party solid against disorganization, in order to prevent unscrupulous office seekers from ruining the State by the aid of ignorant and prejudiced votes, mainly colored. His central notion is expressed in a private letter to a friend at this date:

The object is with me to arouse the white people and to impress them with the necessity of union against negro government. I argue at some length to show that an election carried by a negro vote will be a negro government, irrespective of the character and purposes of the men whom they elect. And in this respect I have to demonstrate the insulation of the negro as a political element in our system, his refusal to assimilate with our political habitude and methods, and our failure hitherto to get him to unite with us in reaching any equilibrium of power between the two races.

I undertake to show that this refusal is not the result of any attachment to the Republican party; that they refused to vote for Dent, a Republican, and supported Alcorn because they saw the white race supporting the former; and that when we supported Alcorn they in a body forsook him and elected Ames. I attribute this to an instinctive race oppugnation that dominates an ignorant body which acts from instinct and not reflection.

I make no attack upon the negro race. I insist upon the observance of all his rights, even that of participating in government; but I press the point with great earnestness and with all the power I command that the white race should use all the methods which the intelligent classes in every free society employ to control the ignorant and the incompetent. I say that they should combine and unite to prevent, by such means, the negro from grasping the power of the State as his own exclusive possession. If, in the accomplishment of this purpose, the government necessarily falls into the control of the white race, it is a less evil than the one which we are seeking to prevent, especially if we so carry on the government as to make its action fair and just and protective to both races.

The *Sentinel*, of Yazoo, City, thus reports his next speech, made in that city on Monday, the 12th of September:

Long before the hour appointed, 7:30 o'clock P.M., the hall was filled with the elite of the town and surrounding county, to hear the address delivered by Col. Lamar last Monday night. . . . He delivered, in substance, the following speech: My fellow-countrymen, I thank you for this most grateful reception. It touches my heart and inspires my tongue. A political canvass is now upon us grave in its character, and critical as regards the future welfare of our State. At no time since the war has there been greater necessity for consultation between Representatives and their constituency. Centuries ago the oracle at Delphi had said: "Know thyself." What was true of individuals was equally applicable to nations composed of individuals. They must

know themselves, their own character, political history, government, the principles upon which it is based, and their own weakness. Two great principles of government divide mankind, with which the minds of the world are on fire: the one, despotism, based upon monarchy; the other, organized liberty, upon which is based the government of these United States, wherein the sovereignty resides in the people. That there were four essential elements in our government: the legislative, judicial, executive, and electoral; that these were independent of each other, and each had its duties imposed by the constitution. He defined the functions of legislative, judicial, and executive, and said that the electoral department—the people—were great bodies of functionaries, whose duty it was to vote, and not to do so was a violation of the constitution, and that by not voting they assist and give their sanction to the passage of injurious legislation. There was too great a lethargy of late in view of the importance of this subject. Intelligence, conscientiousness, bravery, and truth—these are the qualities that should be stamped upon a government; and it will take its hue and character from those who cast their suffrage at the ballot box. On November next the entire circle of civil administration in this State will be put in motion. The importance and character of the contest will call into play the excitement and ambition of political parties. Elections indicate something more than a mere class of officers: they say not only what men shall rule, but also what ideas shall govern. A man of broad, progressive principles, brave in war, true and honorable in peace—such was the character of Gen. Lowry, and such that of the honorable gentlemen associated with him on the Democratic ticket, soliciting the suffrages of the people of Mississippi.

My object this evening is to show you that union, harmony, and coöperation of sentiment among the people, not for the purposes of ambition, but for self-protection, are necessary. I admit that political parties are a necessity, yet state that in the history of every nation which has risen to any prominence great epochs have existed which thrilled a community into concert of action, and caused them to combine against some impending danger. Such is the crisis that has been, and is now, upon the people of this State. Need I tell you the peril which threatens our civilization, order, and prosperity? Does it not press upon each aching head and throbbing heart? If I must tell you, I will. It is that mass of incompetence, of ignorance, which has been incorporated in our system, and sullenly refuses to assimilate with our political habits, and which created a pandemonium, over whose political marl our women and children had to walk with unsandaled feet, whose pent-up vengeance has been awaiting leaders reckless enough to undertake to guide it—waiting (as was suggested by one of the audience) for Ben King. This new combination was essentially the same as carpetbagism. Its objects are the same, its purposes the same; and I see no element of mitigation, but much of aggravation.

In a speech made in the Senate I said that the South on one point was solid, and will remain solid, which solidity neither Federal bayonets nor honors nor emoluments can dissolve; that point was opposition to a government controlled by this mass of black ignorance. I made an offer to Northern Senators that they should describe the carpetbag governments of the Southern States, in the most favorable terms possible, and I would appeal to the civilized world that my people were justified in summoning all their energies and using all means in their power in kicking off such governments.

The speaker then read several extracts from reports of Northern men as to the character of those governments. One especially we will notice—the report of Senator Hoar, of Massachusetts, in which he, speaking of these governments, characterized them as governments of speculation, fraud, and corruption. In that political caldron there was none to dare to strike a blow for the right stronger and harder than one for the wrong. The contest was one in which banded might was opposed to eternal right; and when the struggle was at an end, and the dust and smoke of battle cleared away, there stood Mississippi triumphant. Contrast the government of these States under Democratic

rule with those under the former *régime*; and as great, if not greater, difference would be observed than that between the most civilized and barbaric governments.

The people of Mississippi were a noble people, enlightened and Christianized. They deserve not this curse. Why was it imposed upon them? What explanation can be given for the character of those governments? The answer can be found in the fact that it was nonelective, not responsible to any moral constituency.

What do these gentlemen propose who recently met at Jackson? Who are they? They claim to be part of the National Greenback party, whose object is to relieve the laboring men from a false financial system and from monopolies; yet they ally themselves with a party which is the very author and creator of that system and of monopolies. By what suffrage do they expect to go into power? Is it by the enlightened white vote? No. They raise the cry of a free ballot and fair count. Be not deceived by it. It is a feigned and false issue. Their leader says that, though he was nine years in the Democratic party, he never was a Democrat. When I read that, I was struck with amazement. Old Ben King, a wheel horse of Democracy, not a Democrat! Why, I was always too liberal for him. He would not have much to do with me. "Old Lamar" was too conservative. This conversion of old Ben reminds me of the little boy and his grandmother. When asked how his father was, he replied: "Well for him." "How is your mother?" "Well for her." "How is your grandmother?" "She's dead." "Dead?" "Yes." "She died rather suddenly?" "Yes; sudden for her." This conversion seems to me rather sudden for old Ben.

The fundamental issue in the contest is the restoration of Republicanism. They propose, not so much to change the character of the elected, as to change the character of the people who elect. The result would not be a government based upon the intelligence, civilization, and wealth of the State. However pure the men may be, they will derive their hue from the constituency that elects them. Just as the constituency is, so will be the government.

He was not hostile to the black constituency, but was their friend, and would allow them every right guaranteed by the constitution and amendments. They might not believe him, but if this coalition was successful, he saw in store for them a dire future. Suffrage was secure to them. Every page of our statute books bears evidence of this, and each Legislator felt the potency of this vote. There was no limitation of this suffrage to protect their freedom and rights, but there was one limitation: they could not use it to force negro government upon us.

The speaker here said that he had received communications from certain gentlemen asking him to explain his position on certain questions. We regret that we are unable to give his defense in full. It was able and exhaustive, and left untouched no charge against him.

He remarked that in the few speeches he had made he took some credit to himself that he was instrumental in changing animosities into feelings of kindness and sympathy to his people. He wanted no better epitaph on his political tomb than that he was able to overcome the estrangement of a nation to his people.

As to the Electoral Commission, he said that nearly all the Democratic Senators were with him, and, with one exception, the Representatives of Mississippi; yet he had been singled out solely for the object of animadversion. As to the merits of the question, the Electoral Commission was the only peaceable solution of the question. Tilden could not have been seated without force, and the opposition had the Executive, Army, Treasury, and Supreme Court on their side; and if it came to war, it would have been between the North and South, for the Northern Democrats assured the Southern Representatives that they could not give them a corporal's guard.

On the Stanley Matthews case, he said how he voted was a matter of secrecy; but upon the same testimony that charged him with voting in favor of Stanley Matthews

(and he reckoned it was true), the men who are now censuring him for that vote, if they had been in the Senate, would have been found voting with the most venomous of Radicals against the cream of the Democracy, such as Hill, Voorhees, Pendleton, and other prominent Democrats.

With regard to the Hamburg matter, he said that President Garfield (then a member of the House), in the main a good man, turned and said: "What has the gentleman from Mississippi to say with regard to this outrage? Was it sporadic? Could he explain or palliate it?" That in obedience to this challenge he made his speech; and though both parties were probably to blame, yet he distinctly said that the blood of that massacre would rest upon the head of South Carolina's carpetbag Governor, Chamberlain; that he alone was responsible for it; that the press of South Carolina sustained and thanked him for that speech; that Senator Butler, a perfect specimen of manly beauty, chivalry, and honor, was at Hamburg, and when he was elected to the Senate and his seat contested, he came to "old Lamar" to defend his cause; and "old Lamar" defended it, speaking against the most prominent men on the other side, at the hour of midnight, until he fell prostrate on the floor; but he pulled Butler through. Do you suppose that Butler would crawl like a despicable worm up to the man who had cast aspersion upon his noble State, to ask him to defend him?

With regard to his vote on the Grant Bill, he said that his object was to write *emergens* opposite Grant's name, and that the Democrats, in the cases of Gen. Shields and Gen. Porter, had sanctioned the principle of voting to retire generals. To the inquiry how the other Democratic Senators stood, he replied that they stood all around him; then went on to explain that, though he was alone in voting to call up the bill, it was decided that the Democratic side of the Senate should vote for the measure on its final passage, with the third clause stricken out, which clause he had opposed.

He voted as he did on the Kellogg case, because it was *res adjudicata*. It had been unfairly settled, but could not be opened.

On the Silver Bill, he said that the expectations of those who differ with him had not been realized; that he, too, favored remonetizing silver, but he wished to make the silver dollar equal to the gold dollar, and upon the same basis that the Latin Union have proposed and which will be advocated by the United States Commissioners, Thurman and Howe; that as it is now you could stand on the New York side and flip a silver dollar over into Canada, and it would be worth only eighty-four cents.

With regard to instructions, he said that he admitted the right of the Legislature to instruct—that is, to teach; but there was no constitutional obligation, either Federal or State, to obey. This doctrine was directly opposed to the Constitution of the United States, especially that clause of the constitution which vested the legislative power in a House of Representatives and a Senate; and if the State had a right to instruct their Senators, it would invest the legislative power in the respective States; that he did not arrogate to himself any superior intelligence or virtue over the people; that he might strain his intelligence to the highest point, that he might strain his virtue to the highest point, yet it would never equal the aggregate intelligence and virtue of the people; that during the war he was coming over from Europe, and when near Charleston the captain sent a lad (whose name he never shall forget, Willie Summers) to climb the mast for the purpose of seeing if the port was blockaded; that Willie, after reaching the top, replied that he saw twelve ships on the north side of the harbor. The captain said: "Willie, that can't be so; they must be on the south side, for on the north side there is a sandbar upon which they will be stranded." Willie replied that they are on the north side, and that he saw thirteen now. The captain was a smarter man than Willie. He had as good eyes, but he had sent Willie up there to see, where he would have opportunity to observe; and he was willing to abide by his decision. Thus it is, my countrymen, you have sent me to the topmost mast, and I tell you what I see. If you say I must come down, I will obey

without a murmur; but you can't make me lie to you; but if you return me, I will be true to love of country, truth, and God.

Col. Lamar spoke for three hours and thirty-five minutes, and during the whole time the large audience appeared not in the least fatigued, and he was frequently and heartily applauded.

During the delivery of this masterpiece of eloquence, wisdom, and logic, the Colonel was so much fatigued by his effort that a greater portion of the time he spoke while sitting.

Yazoo County, through considerations of former residence, family influence, and other matters, was regarded as a specially strong county for Mr. Barksdale; and there Mr. Lamar was bearding Douglass in his hall. A partisan of Mr. Barksdale was selected, whose business it was to propound to Mr. Lamar questions "on his record," with a view to breaking the force of his speech. Something of this will be seen in the report of the occasion given by the *Yazoo City Herald*, this extract being from a long synopsis:

It was one of the best speeches he ever made before a popular audience. It made him friends on every side; it conquered the prejudices of hundreds who had been led to believe that his views on certain points were better adapted to the latitude of New England than to that of Mississippi. They were honest in their opinion, and they are equally honest now in believing that he has been more sinned against than sinning.

The speech he set out to make was only in part delivered, as his time was consumed in answering the written questions put to him by a number of gentlemen who wanted light upon certain matters with which he was prominently connected as a public man, and whose votes thereupon they desired to have explained. This took him off the main line of his argument—tending to show the nature of our government and the principles upon which it is based; but he was equal to the occasion. He rose to the "height of great argument" in explanation of his course as one of the Senators from Mississippi.

He defended himself in grand style; he was as the lion at bay. . . .

He was giving his views upon the issues involved in the present campaign, when his attention was called to the interrogatories above referred to, and which he took the pains to answer so satisfactorily to the audience.

His peroration was a splendid piece of eloquence, and was received with every demonstration of delight by one of the most appreciative audiences that eyes ever beheld. The liberality of his sentiments, the largeness of his views, and the earnest interest he seemed to take in everything that concerned Mississippi, won the hearts of all. The colored people, many of whom were present, could not but feel that in Senator Lamar they had a friend who would gladly see them enjoy for long days to come, even as they are now doing, the rights guaranteed them by the constitution, which it is every man's duty to respect.

The *Vicksburg Herald* said of the same speech:

Mr. Lamar strikes a note in our State campaign which will ring beyond our own borders. It is that the fight that the Democratic-Conservative party of Mississippi is making is not for party, but for the preservation of all the essential interests of society and government from the rule of ignorance, incompetence, and moral irresponsibility. The keynote is that no party can be trusted to govern which, morally and practically speaking, has no constituency to which it is responsible.

After Yazoo City Mr. Lamar spoke at Kosciusko, Brandon, Quitman,

Waynesboro, Scranton, Handsboro, Pascagoula, and Raymond, reaching the last place on the 30th.

From Quitman, on the 21st, he wrote to Hon. J. R. McIntosh, of Chickasaw County, as follows:

I do not hesitate to say that I neither indorse, nor acquiesce in, the purpose which you tell me has been publicly announced in your county, to subordinate the election of the members of the Legislature and county officers to the return of myself to the Senate. I do not for an instant tolerate the thought that the election of Ben King and others is to be looked to as any possible result of my Senatorial aspirations. If I lived in Chickasaw County, and knew that Messrs. Wilson, Crawford, and Buchanan favored some other aspirant to the Senate in preference to myself, I would not only support them myself, but would urge my friends to do so, with a zeal and energy undiminished by any such preference: First, for the reason that they are the chosen nominees of the party for their respective offices, and I am not (as yet at least) their chosen nominee for United States Senator; second, I deem the choice of a United States Senator, between Democrats, as of less importance than the defeat of this new attempt to band the negroes of this State together for the purpose of restoring Republican misrule.

On the 30th of September, after the Raymond speech, Mr. Lamar was forced to suspend his appointments in Mississippi, in order to attend a called session of Congress. That session adjourned on the 29th of October, however; and, leaving a few days earlier, Mr. Lamar was back in the State on that day, prosecuting his canvass further. He spoke both at Hillsboro and Forest on the 29th, and by the 7th of November (the day before the election) he had addressed the people at Brookhaven, Hazlehurst, Natchez, Fayette, Port Gibson, and Holly Springs.

Of the Hazlehurst speech a special correspondent of the *New Orleans Democrat* said, among other things:

His eloquent and masterly array of indisputable facts, in argument on both State and national questions, and his strong, emphatic points in support of the Lowry ticket, were received with the most enthusiastic applause.

He denounced Kukluxism and ballot box frauds, and was opposed to bulldozing and violence of every character, and believed that there was a peaceable way to adjust all grievances without resorting to unlawful expedients.

It was not in Mississippi alone that the pending campaign and the canvass of Mr. Lamar attracted close attention and excited a profound interest. The press from end to end of the Union spoke of it continually. Two or three extracts from representative papers must suffice for examples:

*Illinois State Journal* (Republican), of September —: "Senator Lamar is making a hard fight down in his State (Mississippi) for reelection. He supports the regular Democratic ticket, but is, on the contrary, opposed by many regular Democrats. The rivalry between him and his competitors is severe, and the prominent question with all candidates for the Legislature is: Are they Lamar or anti-Lamar men? It would be a great misfortune to Mississippi and the whole South if some Bourbon of mediocre abilities should be elected to succeed Mr. Lamar. He is a partisan, it is true; but he is at times something more. There are events when he rises above partisanship and becomes the patriot. . . . He is a man of talent, of pure life, of tried states-

manship, and of commanding influence in the nation. The South has few men of real ability in Congress, and it cannot, for the honor of its section, afford to retire its ablest and best. Still, Lamar is able to give the Republicans some hard blows, and were we to speak simply from a partisan standpoint, and not from a desire to see the Senate composed of strong and honorable men, we too should desire to see Mr. Lamar relegated to private life."

The *Louisville Courier-Journal* (Democratic), of October 3: "Senator Lamar is making an active and thorough canvass of Mississippi, and is meeting an enthusiastic reception from the people wherever he appears. There is good reason to hope that the Democrats will carry the State; and if they do, Mr. Lamar will be returned to the Senate. Nothing more hurtful to Democratic interests at large could happen in the South than the defeat of this eminent person by his own party. Mr. Lamar stands as the foremost representative of all that is liberal, progressive, and genial in the South. In type essentially Southern, he is known to the country not merely as an eloquent pleader and brilliant politician, but by its best intelligence he is recognized as a thoughtful and enlightened statesman, capable of assimilating ideas and events and of deducing out of the chaos of things current the philosophy of political action and the exigencies and ethics of party policy. A refusal on the part of the Mississippi Democrats to return him would be a declaration of war upon the principles of the new era. It would announce a reaction in the South, and be hailed as a godsend by the stalwarts. . . . Those who snarl and carp at the record made by Mr. Lamar the last ten or a dozen years are composed of two classes: they who are honestly perverse, and perverse because they are benighted; and they who seek to bring the bigotry of these to the uses of a petty system of local cross-road politics, in whose extravagancies and follies only the malignant and the mediocre can shine. The former of these classes we sincerely pity. Ignorance is a disease, and needs to be treated by the slow, painstaking process of conciliation and instruction. . . . From among the masses it is rapidly disappearing. The people are fast coming to see through the chimera of the demagogue, and to realize the need of a system of nationality reaching out the hand of fellowship and reform into every nook and corner of the Republic. They are heartily with such men as Lamar. It is the canting and cheating mountebank, who, to get a little notoriety and office, tears his passion to tatters and swears great oaths, and is wiser and truer, braver and purer in the assertion of "principles" than all others. In the North this person is a stalwart, who worships Roscoe Conkling and waves a "bloody shirt;" in the South he is a Bourbon, whose stock in trade consists for the most part in a bundle of obsolete documents relating to the rights of property in the Territories, and the Confederate record, which, on investigation, usually turns out to be worthless. . . . Mr. Lamar has stood resolutely against this class. He has sought to serve the people by timely and truthful instruction, setting the while an example of wholesome good sense manifested in the wisdom of forbearance. Doing all that becomes a man to do on occasions where Statehood or manhood required, he has not thought it his duty to fill in the long, dull intervals of work by warlike posing and noisy declamation; but, instead, he has devoted his leisure to studies in the art of government as it affects the business of our daily lives, to the development of ideas relating to the material resources and industries of the country, and to the propagation of a spirit of good will among the politicians and the people. Such a man, though possessed of sincerity alone, would have been invaluable to the South during her period of travail. But in Mr. Lamar, to character has been joined intellect; and as a result we have a statesman who honors us as a people more than we can honor him as a man; for if we should retire him from office to-morrow, we could not obscure either his personality or his influence, while we should surely bring both loss and discredit upon ourselves. Sixteen years ago the South, weak and wretched, shivered in rags outside the doors of the constitution and the Union. Blood-stained from head to foot, heartsick

and desolate, without a friend in this world having power to help, with none to do her reverence, and very few to cheer, she faced a sea of angry passions that beat upon the rock to which she clung. All had been lost save honor. She had brought from off the wreck a spirit, not defiant, but undefiled; and, trusting to this, wrapping it about her nude and shrunk figure as a garment, she waited for the executioners of her destiny to do their worst. How fares the South to-day? Like the enchanted princess of the Arabian tale, the touch of a magic hand has restored her to herself. The skies have cleared, the waves are stilled; she stands in her majestic beauty within the portals, clad in the habiliments of rank and power, the strong breastplate of her ancient nationality blazing upon her bosom, nor obscured by the draperies with which her own rich products and handicraft decorate her person. What has wrought the miracle? Not surely the finger of hate and scorn, pointing morals only in lost traditions, and putting practical benefits away. No, truly; but the hand of work and peace and love, receiving thankfully what came to it, and disposing each good gift with a thrift at once sagacious and methodical. Thus the South, ruined by its demagogues, was saved by its statesmen. Among these Mr. Lamar is of the foremost; and the South, no less than Mississippi, owes him a debt of gratitude.

The *Memphis Appeal* (Democratic), November 15: "The elections in Mississippi have attracted the attention of the whole country. Thither the eyes of the nation have been turned with eager anxiety since the opening of the canvass three months ago. This solicitude was inspired by two causes. The first was a desire for the triumph of the party which had brought order out of chaos, reduced taxes, increased educational facilities, and given peace and prosperity to the State. The other cause was prompted by a deep and all-pervading desire to see a Legislature elected which will return Hon. L. Q. C. Lamar to the Senate of the United States. The Democracy of Mississippi, the party subjected to many wrongs and tried by many great calamities, and which endured and triumphed over all of them, is again triumphant. . . . But this great victory would be incomplete without the reelection of Senator Lamar to the place he has adorned by his genius, his patriotism, and his statesmanship. The people of Mississippi are capable of managing their own affairs in their own way; but in other days, when the names of such men as Clay and Webster and Calhoun and Douglas and Andy Johnson were before their respective Legislatures as candidates for the United States Senate, the contest became one of national concern. . . . It is therefore in no spirit of dictation that the Democratic party, East, West, North, and South, outside of Mississippi, cordially unite in expressing the ardent and sincere hope that Hon. L. Q. C. Lamar will be returned to the Senate, where he has already towered among the proudest of his compeers, reflecting honor upon himself and the State he represents. Senator Lamar has been fortunate enough to achieve a position of eminence and influence among the leading public men of the country, of which the people of his State are proud, and which—whether due to his merits, as his friends insist, or his lucky star, as his enemies claim—is an equally established fact, recognized by the whole country and throughout the world. A career so brilliant and uniformly successful can be ascribed to nothing but transcendent talent and statesmanship. His capabilities have stood every test by which they have been tried, and he has risen to the full measure of his opportunities. Indeed, he has come out brightest in the severest ordeals, and has developed as rich a promise of realization as any other man in America. But for the ostracism of the South, on account of the war and sectional hatreds, Senator Lamar would now be as formidable a candidate for the Presidency as he is for United States Senator. . . . In the struggle between purity and corruption he has been found invariably battling on the side of honesty. His whole record has been distinguished for its elevated tone and its moral grandeur; and after a long and illustrious service, before and since the war, he still remains comparatively a poor man. . . . He does not covet leadership in the Senate, but



when forced to grapple with great questions in a general debate with such men as Blaine and Conkling, he has shown that he is not only a political critic, with a mind gifted with rare insight and power of analysis, but that he has all the tact and aggressiveness of a successful leader. Senator Lamar has that native fondness for reading which one who does not care for it is apt to regard with contempt. With, perhaps, the exception of John Q. Adams and James A. Garfield, no man in Congress was ever such a lover of books as L. Q. C. Lamar. Amid all the bustle of public life, and in spite of the demands upon his time and attention, he has always retained a classical taste. This enables the Mississippi Senator to surpass all others in thoughtful and instructive eloquence. . . . The whole country points to him with pride, and, if reflected, the State that has honored him will be made still more illustrious by his commanding eloquence and solid statesmanship. No man in the Union has contributed so much to the obliteration of sectional hatreds as L. Q. C. Lamar. As a member both of the Senate and House of Representatives, he has, in glowing and persuasive eloquence, reminded the children of a common heritage of their ancestral glory and their future greatness, and has let no occasion pass without lifting his voice to strengthen the bonds of fraternal union and to counteract those estranging and alienating influences which the selfish ambitions of designing men have been so fruitful in producing. Blessed is the peacemaker; and doubly blessed is the man, like Lamar, who has given his influence to the reconciliation of States. His eloquent words have not passed away with the vibrations of the air that made them audible; they have sunk deep into the hearts of the people."

Before this powerful and brilliant canvass what opposition to Mr. Lamar's reelection existed in the State melted away like November frost before the rising sun. His positions were so high, so unselfish, and so patriotic; his arguments were so clear and strong; his illustrations and anecdotes so graphic and scintillating; his personality so magnetic, and the sweep of his passion so dynamic, that none could stand before him. It was literally true that, as to most of those who came to criticize and impede, they remained to enjoy and applaud; many of his most inveterate and caustic opponents leading in the cheering and the resolutions of indorsement. In the county of Yazoo, for instance, where the stronghold of the opposition was, when the county convention was held, on the 22d of October, the following resolution was "adopted by the assemblage by a rising vote:"

*Resolved*, That we view with pleasure and approbation the course, opinions, character, and statesmanlike intellect of L. Q. C. Lamar, our present distinguished Representative in the Senate of the United States, and hereby instruct our Representatives in the House and Senate of the next Legislature to vote for him and work for him, first, last, and all the time, as the choice of this people for United States Senator.

Years later, in speeches about him, Congressmen Catchings and Hooker said this of his canvass and of his wonderful oratory:

Mr. Catchings: "Upon his return to Mississippi he sought to vindicate his course, and delivered a series of the most eloquent, impassioned, and dramatic orations that ever fell from the lips of any man. His exposition of the relations existing between a United States Senator and the Legislature of his State could not have been excelled in power and logic by John Marshall himself, that greatest of all expounders of the constitution. Upon this point his victory was absolute. When he had thus made it

clear that he had violated no obligation of his office, opposition ceased. With one acclaim the people said that, whether right or wrong in his views upon the silver question, he had discharged his highest duty to them by voting as he saw and believed the truth to be. No triumph of the Cæsars was more complete, more spectacular, more imposing, than that so decreed to this great and courageous statesman by the people whom he so loved and honored and who so loved and honored him."

Mr. Hooker: "When he returned to Mississippi and entered into that memorable contest I had the pleasure to be with him on more than one occasion. . . . He spoke like the mountain torrent, sweeping away the bowlders in the stream that attempted to oppose his course, and anon he was like that mountain torrent when it has reached the foot of the mountain, and in its pilgrimage to the sea winds through many winding nooks to the wild ocean. His power of argument was manifested in the influence he had over popular audiences. When he closed that canvass he closed it with the State of Mississippi behind him, though the men to whom he spoke, many of them, had diverse views, and hold them still to-day. . . . It was by the wonderful power by which he drew his audience to him, looking them in the eye and they looking in his, and all the muscles of his body and face seemed to be palpitating with excitement while he was speaking. The very platform seemed to be surging with emotion as he rose with his periods. No more powerful orator has ever lived than Lamar. He was as brave and savage as the lion when disturbed in his lair; he could be as gentle as a woman."

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When the Legislature met in January, 1882, it was resolved that there should be no caucus of the Democrats on the subject of Mr. Lamar's succession. There was no opponent in the field about whose pretensions a caucus was needed. The matter was broached for the first time in the legislative halls, and in each House he received on the first ballot the unanimous vote of the party, the small number of Republicans casting a complimentary vote for one of their own political faith. To this complimentary vote, however, there was one exception. Mr. J. A. Shorter, a colored Republican Representative from Hinds County, arose, and in a short speech stated that, without wronging his party, he had an opportunity to cast his vote for Mr. Lamar, "the eminent statesman," who was "the choice of a very large majority of the intelligent and substantial citizens of my county and of the State."

Thus was Mr. Lamar returned as his own successor in the face of a most aggressive and bitter opposition, with a calcium light turned on his whole record, so that every incident of it was illuminated; and returned in such fashion that no vindication could have been more triumphant and conclusive.

The most striking and valuable feature about his victory, and that which all the papers in their current discussions emphasized, was what ex-Senator Eustis, of Louisiana, in a congratulatory letter to him, expressed thus:

To have secured such a triumph by bravely following your own convictions in the most trying moments, relying upon the sober judgment of your constituents for vindication, must fill the measure of your ambition.

To which observation let this be added: that only thus could *such* a triumph be secured; or, indeed, any triumph really worth securing.

How convincing and final Mr. Lamar's vindication was may be judged from the following editorial item in the *Clarion*, of December 24, 1884:

Brother Frantz, of the *Brandon Republican*, points a moral by saying that several years ago he disapproved the course of the Hon. L. Q. C. Lamar; but when he found that he was almost alone in his opinion, he came to the conclusion that it was possible he might be mistaken, and he ceased his war on the Senator. This shows that, among his other virtues, Brother Frantz is impressionable. To our brethren of the press we commend the habit of taking an occasional view of the surroundings.

## CHAPTER XXVII.

Mrs. Lamar's Failing Health—The Tariff Speech of 1883—Press Comments—Speech on National Aid to Education—Presidential Campaign of 1884—The Holly Springs Speech—The Aberdeen Speech—The News of Cleveland's Election—Death of Mrs. Lamar—Senator Edmunds' Condolences—Letter to a Friend—The Sherman-Davis Imbrolio—Senator Hawley's Resolution—The Debate—Mr. Lamar's Speech, and His Last—Letter to West on Davis and Secession.

**N**OTWITHSTANDING his great political triumph, the year 1882 was perhaps the saddest and most trying of Mr. Lamar's life. The health of his wife had been failing for two years. In April she became suddenly much worse, her illness developing some very distressing complications. For several months Mr. Lamar devoted himself wholly to her, with infinite patience and tenderness.

In September he wrote to his sister, Mrs. Ross:

*Dear Sister:* You have shared with me so much of the burden of my affliction that I shall not cast upon your spirit the shadow which now darkens my life. But I must tell you that, in all this desolation, you have filled to overflowing the measure of a true sister's devotion and tenderness. In my blackest moments of gloom the recollection of your kindness and sympathy and love sheds a sweet and steady light upon my soul. Please believe this; and if I have ever seemed impatient or moody or abrupt, ascribe it to anything except a want of grateful appreciation of all that I have received at your hands.

I have not yet gathered myself up, and am still without any definite plan for the future. But I shall not remain in this state long. A death of hope and happiness has fallen upon me. But, though it has crushed all ambition and desire for the pleasures of life out of me, it has left in me an unabated sense of the duties of life; and I think that I shall arouse to full activity in the discharge of them.

In December Mrs. Lamar's health had somewhat improved, and Mr. Lamar was present at the opening of Congress. On the 1st of December he wrote to a friend:

A very sad domestic affliction has for many months withdrawn my attention from my public duties, and I resume them under many disadvantages. I fear that I shall need indulgent consideration in order to escape unfavorable criticism, but shall not murmur if it comes.

Under such unpropitious conditions was it that he prepared and delivered his speech of February 7, 1883, on the tariff.\*

That important subject, which has since played so leading a part in national politics, making and casting out parties, was then coming into a new prominence. Mr. Lamar's speech will be found to be a most excellent presentation of the condition of the question and of the debate;

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\*Appendix, No. 21.

and it embraces a remarkably clear and instructive analysis of all the previous tariff legislation, in its practical relations to, and results upon, the industries of the United States.

Of this speech the *Evening Star* (Washington) said:

The feature of the Senate proceedings to-day was the speech of Mr. Lamar on the Tariff Bill. He was listened to with marked attention by the Senators of both sides of the Chamber, and, though apparently suffering somewhat from hoarseness, he made a strong and able speech. He reviewed the history of manufactures in this country, from the colonial period down, and went into the history of tariff legislation. Many members of the House occupied seats on the floor.

The *New York Tribune* commented thus:

It is a misfortune for Mr. Lamar, and not for Mr. Lamar only, that his brilliant rhetoric and impressive oratory have not always been employed for the public welfare. When a man of such gifts makes a mistake, and gives his aid to the wrong side, the fact is sure to be remembered. Thereafter men may admire the orator, but they distrust his reasoning, and do not dare to follow his leadership. There are men living in poverty who lost everything they had in the world because they followed the brilliant Lamar in defense of slavery and in secession for the sake of slavery. There are men living who know now that the white people of the South never made a more costly mistake than when they pushed the former slaves into an attitude of permanent political hostility by resisting reconstruction and by the modes of that resistance. The colored people were thus thrown into a solid and compact body, utterly without confidence in the good faith or good will of the property-owning whites, and liable to be misled by demagogues and knaves. Yet no one was more earnest or eloquent in resisting reconstruction than Mr. Lamar, and in no other State have extreme means been more systematically employed to put the majority of the people at the mercy of a minority than in Mississippi, where his influence is so great. In short, for more than a quarter of a century Mr. Lamar's eloquence has been employed to lead his people into disastrous errors; and some of them have been the most fatal mistakes ever made by a civilized community. If the South has fallen into deep ditches, it has been not so much because the people were blind as because they persisted in following blind leaders.

Now Mr. Lamar employs his eloquence to defeat reasonable modifications of the tariff. . . . As usual, Mr. Lamar is strong in rhetoric and weak in reasoning. His premises, if granted, would not support his conclusion. We do not propose to follow him this time into a debate about the theory of protection. The people have decided that question, and Mr. Lamar is shrewd enough to know that his party would have not the slightest chance of success if it did not retain some means of cheating a part of the voters with the idea that it was really in favor of protection of their industries. But if it were true that the country ought to move as fast as it safely can toward a tariff for revenue only, as Mr. Lamar urges, still it would not be the part of good sense to reject at this session the moderate reductions which protectionists have proposed. Mr. Lamar is trying to lead his people into another disastrous blunder, even from his own point of view. He thinks that they ought to get down from the top story to the ground, but insists that they must not use the stairs, but must jump out of the eighth-story window.

In a peroration more impassioned than accurate, Mr. Lamar advises the manufacturers of this country to take the lead themselves in reducing the tariff, lest worse befall them. He does not seem to know that this is exactly what they are trying to do, and exactly what he is resisting. . . . Had Mr. Lamar been as careful about facts as he is about metaphors and polished phrases, he would have realized that such a

peroration, recommending the precise course which he was opposing, was not calculated to give his speech great weight with reasonable men. Apparently his judgment was drowned in the flood of his own eloquence. Once more he is a blind leader of the blind.

The *New York Evening Post* said:

There is an effort made by the advocates of protection to cry down Mr. Lamar's speech in the Senate against the protective system as the utterance of a man who was always given to wild fancies, and who had many times in the past misled the people of the South, greatly to their own detriment. This will not do. There is no public man of prominence in the South to whom such a description would be more unjust than to Mr. Lamar. . . . With such a record of patriotic and statesmanlike endeavors and of self-sacrificing fidelity to his convictions behind him, Mr. Lamar may claim that respect for his utterances which established character and ability command; and no doubt he will have that respect from all fair-minded men among his fellow-citizens.

While a great part of his argument against protection as a system is not novel in character, and in the nature of the case cannot be—for it is a well-worn subject—he sets forth two ideas with peculiar force, which deserve the most earnest reflection on the part of the American people. One is that this is probably the only country in the world whose people were severely and superfluously taxed for a series of years only because their rulers were unable to devise a mode of reducing that taxation, and this only because taxes were not imposed for the only legitimate purpose of raising revenue, but for the purpose of paying bounties to certain business interests. We present, therefore, the curious spectacle of a people complaining of excessive taxation, possessing also the supreme power, through our Representatives, to do with that taxation what we please, but vainly struggling to get rid of the burden because it conceals and disguises itself in a variety of specious pretences. How true this is, and how pitiable is the exhibition, the debates in Congress demonstrate every day.

The other leading thought in Mr. Lamar's speech is that the protective system has brought forth a vast organization of capital and labor which professes itself to be dependent for existence, not upon the natural development of resources and the natural growth of industries, but upon taxation by the government; "two thousand millions of capital and millions of people—the one for profit, the other for bread and butter—depend upon an eye and no vote of the government." And after a high tariff of twenty years' duration the industries so propped up profess to be in a state of embarrassment, tottering on the verge of disaster, their respective representatives declaring on oath that if the duty affecting them be reduced their business will be destroyed. It needs no further argument to show that such a condition of things is, in the long run, intolerable and untenable, especially in a country with free institutions.

It is of especial importance that this lesson is so clearly understood and so philosophically and impressively taught by a Southern statesman. The Southern people, after the enormous waste and losses of the war, are naturally anxious to repair their fortunes; and to this end they are inclined to grasp at any device that bids fair to help them on. The building up of manufacturing industries in the Southern States strikes their minds as eminently desirable, and justly so. As a protective tariff is by many said to be the most efficient means to start up manufacturing enterprises over night, a multitude of Southern men, whatever their political creeds may have been in the past, suddenly conceive the idea that a protective tariff is just the thing that they need, as some years ago they thought that the inflation of irredeemable paper notes was just the thing to make money in the South cheap and plenty. And the belief in these things is to-day thought by many in that region to be evidence of a progressive spirit. It is to such seductive fancies that Senator Lamar's argument and appeal addresses itself with peculiar perti-

nency, and we hope with effect. They have to learn that solid prosperity must be based upon a safer foundation than a deceptive system of taxes; that industries will grow really strong only upon a kind of food very different from artificial stimulants, and that business will never be safe as long as its success or failure depends upon an aye or no vote of Congress. Senator Lamar rendered a great service to the South when he took so bold a stand upon the financial question against the disturbed fancies of his own people. He does the same thing now when combating the false notions of progress entertained by many of them.

All of the Republican papers did not treat Mr. Lamar's speech as did the *Tribune*. Many of them complimented it in the highest terms, and the Democratic papers generally pronounced it a grand contribution to Democratic literature from one thoroughly a Democrat in every fiber. The New York Free Trade Club passed a formal resolution of thanks, and ordered five thousand copies for general distribution. The *Herald* characterized it as "the most masterly speech yet made in Congress on the tariff question."

During this session of Congress Mr. Lamar prepared another elaborate speech on the Southern question, apropos of an investigation into alleged election outrages in Mississippi, especially in Copiah County; but the speech was never delivered.

His next speech, and the last of any considerable length which he made in the Senate, was that of March 28, 1884, on the Senate Bill No. 398, to aid in the establishment and temporary support of common schools.\* As he himself said, he had "watched the progress of this scheme with deep interest and intense solicitude, from the time it was first introduced into the other House, many years ago, down to the present time;" and in his opinion it was "the first step and the most important step that the government has ever taken in the direction of the solution of what is called the race problem."

It will be remembered that in the debate with Mr. Blaine, in December, 1878, one of the points which he made against that distinguished statesman was that he was bringing forward a partisan election outrage resolution, instead of "some well-devised scheme of public education by which this newly enfranchised race may be fitted to exercise their great duties as freemen and citizens and as the participants in the sovereignty of Commonwealths." —

The great events of the year 1884 were of course the nominations of the Presidential candidates and the elections in the fall. Mr. Lamar's choice for the Democratic nomination was Mr. Bayard, and he supported that gentleman with great zeal; but, acquiescing of course in the nomination made by the convention, he took active part in the fall campaign, and made a number of speeches in the canvass. Of these the most notable were delivered at Holly Springs and Aberdeen. In re-

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\*Appendix, No. 22.

spect to the Holly Springs speech, before making it he wrote to Gen. Walthall as follows:

My idea of the speech is this:

I shall say that since 1857 I have made more speeches to the people of Marshall than to those of any other county in the State, and am unable to say anything new to them. The subjects of interest are very much the same as those which we have been discussing ever since 1875-76. The topic is unchanged; my opinions on it are unchanged. Those opinions are well known to you; and I am here in response to your invitation, not to announce new doctrines or to advance new arguments, but to reiterate convictions deeply fixed and often expressed.

All can be expressed in one sentence: *We white people ought to keep united.* So much of our highest interest, of our truest prosperity, and of our best hope depends upon this union, that brethren of the same blood must not allow themselves to divide between contending parties or over the claims of party candidates; for here in Mississippi unity of purpose and concert of action (and very vigorous action at that) are not a policy, not a sentiment, not a principle, but a supreme necessity of self-preservation, an only refuge from ruin and woe.

Let me read you some words from the borders of eternity. A short time before the death of Senator Ben Hill (a few descriptive remarks about him) I received this letter from a friend in Georgia:

*“My Dear Cousin Lucius:* A few days since, in company with a friend, I called upon Senator Hill. I had not seen him since the early days of the Hancock campaign, at a time when his grievous affliction had just begun to excite apprehension. Met at the door by the faithful son who bears his name, we were warned that we could but pass into his room and shake his hand, as his strength was fast going with the deepening shadow of the close of the summer day. In a comfortable sitting room, near a window, sat the great Georgian in an invalid’s chair, while the tender hands of a daughter fanned his fevered brow. There was nothing left of Ben Hill but the great gaunt form, and those luminous eyes which, made larger by suffering, seemed to be surcharged with soul and almost capable of speech. With his collar thrown open at the neck, his hands lying listlessly upon the arms of the chair, and his head slightly inclined downward and forward, he reminded me of the dying Napoleon as illustrated in the celebrated statue in the Corcoran Art Gallery; while his eyes followed one with a sad and questioning power, like those of Charlotte Corday peering through the bars of her prison window. Motioning us to chairs near his own, he grasped our hands and sat for many moments in silence, gazing fixedly into my face as if to read my thoughts. Alas! he read but too plainly that thought, which was: ‘The hand of death is upon him.’ He suddenly raised himself, and, fronting us fully, with a mighty effort, as if in direct response to my unuttered thought, he said: ‘I had desired to live for two reasons. The chief one was that I might make one more speech to the people of the whole country, which I have partly prepared, upon the relations between the white man and the black man. I am in favor of giving the negro equal and exact justice; nothing less and nothing more. My friend, we cannot have good government or stable society when one party seeks to dominate the other by the use of the negro vote.’ His voice had grown stronger and more distinct as he spoke; and then came the old flash to his eye, the familiar poise of his head, and his remarkable gesticulation. His attendants gave evident signs of alarm at this unusual effort, and in obedience to their suggestions we arose to go, telling him that we could not permit him to injure himself by an attempt to talk.”

Though there is much else in this letter descriptive of this sad and pathetic scene, I shall not read further.

Fellow-citizens, if I felt free to follow my own wish, this is all the speech I should



make to you to-day. When I think of the miraculous deliverance Mississippi had in 1876, I am breathless with wonder and filled with unspeakable gratitude; but if we undo now the results of that work, we shall undo it and undo ourselves for a whole generation, if not forever. There may be many questions on which there have been wrong decisions. Those wrongs are not irretrievable. We can correct them, and must do so. Evils may have crept in—evils of legislation, evils of administration. They, too, can be repaired. They are not so vital and permanent as should tempt you (and I say this with deep conviction of its importance) to allow them to divide you. You must keep united if you would preserve whatever is dear to you in government, precious to you in society, and priceless in humanity.

I then go into the Presidential election. Mississippi is part of the nation. Her people cannot abnegate the rights or decline the duties of American citizens. They must take part.

The letter then goes on to sketch the body of the speech, dealing with (1) the universal and deep disapproval of the then existing administration of Federal affairs manifested all over the country, and the causes of that disapproval; (2) the extravagance of the public expenditures and the burdensome taxation, including the viciousness of the tariff—all as more fully shown in other connections in this chapter—and then proceeds:

Winding up with the proofs of the friendship and regard of the Democratic party to the people as contrasted by the subservience of the Republican party to the privileged classes of capital. One striking illustration is this:

The Democratic party gave to the agricultural interests of the country territory and land exceeding in area the limits of the original thirteen States: Louisiana, Texas, New Mexico, California, Florida, Arizona, etc. The Republicans, on the other hand, took from the people and donated to railroad corporations two hundred and seventy-eight thousand seven hundred and fifty-eight square miles. Sam Cox says this was more than the area of the original thirteen States by seventy-five million acres. Blaine, in his recent work, states that the acquisition of Louisiana added to our empire more territory than was wrested by the Revolution from England.

On reducing the burdens of taxation, I think that the interests of the South are with the country at large in voting for Cleveland and Hendricks.

Now suppose that these reforms could be effected in some way *before* this election takes place. If the one hundred thousand officeholders were forbidden to contribute, or could not be assessed any money for the elections; if marshals and revenue collectors were made to stand aloof from interference, and district attorneys forbidden to intimidate judges of election; if corporations had no longer any motive to pay their hundred thousand dollars to buy a State; if the tariff monopolist had no longer any hope of perpetuating his organization for plunder; would there be any doubt of Blaine's defeat? Would not Cleveland be elected by an almost two-thirds majority?

I shall try to condense all the foregoing as much as possible in order to give my full time to the importance of maintaining our control of our own affairs, the interest which the Republican party has in putting us under negro rule, etc. I have not even begun to elaborate my thoughts on that part of it as yet.

The speech, delivered on the 6th of October, was thus reported by the *Memphis Appeal*:

HOLLY SPRINGS, October 6.

One of the greatest gatherings ever witnessed in Marshall County assembled here

to-day, the occasion being the raising of a mammoth Cleveland and Hendricks and Morgan pole. The speakers were Gov. Lowry and Senator Lamar. Gov. Lowry first addressed the crowd, from a platform which had been erected in front of the courthouse. At the conclusion of his speech the audience repaired to the courthouse, which was filled to overflowing, where Senator Lamar took the stand and delivered one of the ablest speeches of the canvass.

After some introductory remarks, the leading feature of which was an allusion to a scene around the deathbed of Senator Ben Hill and the dying utterances of Georgia's great statesman as to what should be the policy of the South, Senator Lamar said that, while he thanked the people for the cordial reception given him, he must not forget that he had been invited to Holly Springs, not for the exchange of compliments, but to give to the people of Mississippi his views as to the part they should take in the pending election; that he should enter upon that duty with a purpose to avoid as far as possible all reflections upon men and all unjust imputations upon parties. He believed that among the vast majority of the people of this country there exists a profound sentiment of discontent and dissatisfaction with the manner in which the government of the country has been for years administered. This disapproval and condemnation is not characteristic of any one or more sections of the country, but is general throughout the whole country. It is not manifested in excited or noisy demonstrations gotten up to influence voters and arouse enthusiasm (there never had been a canvass so calm and unimpassioned), but in the convictions which sensible and solid men express as to their duty in this crisis. Many thousands of Republicans who have heretofore supported that party, and who are still devoted to its principles and determined to make no sacrifice of them, are foremost in this protest against the vices of national administration, its lawless usurpations, the corruption which revels in high places, the prostitution of public offices to private gain, the depression which presses upon the material interests of the country; and that with this protest was a feeling that some change, some relief, some new departure is essential. Hitherto this sentiment, though strongly manifested in Congressional and State elections, has failed to change the methods of the national administration, or expel from power the party which directs and controls it. Mr. Lamar then spoke of the influences which up to this time had enabled the Republican party to maintain its power and continue its policy in spite of the opposition of a majority of the people, and said those influences lost much of their force in this canvass. One cause which has heretofore restrained thousands of honest Republicans is the sentiment of allegiance to party, attachment to the name of the "grand old party," pride in its past achievements, faith in its creed, reverence for its leaders, and a hope that it would slough off its corrupt elements, bring to the front its best and purest leaders, and itself effect the reforms demanded by the people. These expectations have been frustrated. The history of each successive administration is a history of disappointed hopes and violated pledges. The *Crédit Mobilier* in one administration, embezzling Cabinet officers under another, gigantic *Star Ronte* frauds under a third, a President shot down, the shameless purchase of a State publicly boasted of, open interference in popular elections by Federal officers, systematic assessments upon salaries drawn from the public treasury to influence and control elections, have convinced them that only by ejecting the Republican party from power can the people realize a pure, economical administration of the government. They feel that they cannot longer support such a party, and have declared their purpose to vote for Cleveland and Hendricks. [Applause.] This determination seems strengthened by the actions of the respective conventions of the two parties. That section of the Republican party which, in the Chicago convention, represented the demand for reform was a powerful one in numbers and character and influence. It included some of the purest and ablest and most eloquent leaders of the party. The

nomination made by the convention was regarded as an overwhelming defeat of that wing of the party, an ignoring of its demands, and an offensive defiance of its opposition. The nomination of Gov. Cleveland was forced on the Democratic convention over the heads of leaders beloved and honored in the party, simply because his name was associated with reform. He had fought with intrepidity and success against corruption and official abuse in every station to which he had been called. His nomination, if ratified by election, will inspire every young man of ambition with confidence in the efficiency of virtue and ability to secure their appropriate rewards in the honors and offices of the Republic. His defeat will teach the opposite—namely, that the record of fidelity to public trust and of a reformer of public abuses is no element of strength in a candidate for the suffrages and confidence of the American people. Another cause which has operated in previous elections against the coöperation of all friends of administrative reform, was the prejudice against the Democratic party, an unwillingness to restore it to power, and a distrust of its ability to effect the needed reforms. This prejudice is fast wearing off. The Independent Republicans now feel that the work of reform cannot be accomplished as long as the Republican party is in power. To admit that it cannot be done through the Democratic party is to give up the cause of reform. To allow their dislike of the Democratic party to make them continue the Republican party in power is to ratify the existing system and to surrender all hope of good government. Independent Republicans realize this; and when warned that by defeating the Republican party they endanger important interests, they reply that the influences and tendencies now debasing the character and tone of the public service, the corrupt use of public patronage to perpetuate its power, the narrow and violent partisanship which has usurped the place of a broad statesmanship, the methods which have lowered the standard of official honesty, inevitably lead to greater dangers than any now in sight. The defeat of the party responsible for these evils, and under which they have grown up, they believe, will give a deathblow to the system; and if the result is the ascendancy of the Democratic party, it will come into power with a warning of like fate should it pursue like methods. But the distrust of the Democratic party is rapidly wearing off with liberal and patriotic Republicans. The country is now accustomed to seeing Democratic majorities in Congress without apprehension of unwise or hurtful legislation. It now sees, and expects to see, the legislation of those Democratic majorities free from venality and corruption. Powerful corporations and the agents of plundering capitalists exert no influence upon the action of a Democratic Congress. DeGolyer contracts are not made with the chairman of its Committee on Appropriations. *Crédit Mobilier* frauds are not placed in the hands of the chairman of its Committee on Ways and Means, or of any other important committees, or any of its Speakers. No scandal or charge of corruption or official indecorum is made against Mr. Carlisle, Mr. Randall, or Mr. Kerr. True, a characterless adventurer attempted to smirch the fair name of Mr. Kerr; but the House, by a unanimous vote of both sides, put its brand upon the calumny and its author.

The system of retrenchment in expenditures and reduction of taxation, to which the Democratic party is pledged, and which it has sought to carry out, assumes an avoidable means of cutting off one of the greatest sources of Federal patronage and administrative corruption. The effort to raise the cry of a solid South is again made, but this cry has lost much of its efficacy in checking the aspirations of the people North for progress and reform in the government. They know the unreality of any danger from that cause; they know that the North is the dominant section of this country, and will continue to control the national policy, whatever party be in power. Whenever a majority of the thoughtful people deem a change in the national administration necessary, they can make it without any relative change in Southern sentiment or influence. Six Northern States alone have a larger electoral vote than all

the South combined. Each of those States, save one, has given Democratic majorities at different times within the last few years. Should these States for the time being choose to wield this government through the instrumentality of the Democratic party, they can do so, and hold the solid South as a minority, as impotent in a Democratic caucus as it is now in the government. The just and intelligent people of the North have no apprehension that the South, either solid or divided, can control the action of the government against the interests of the North. They have seen the South, through her Representatives and Senators, present in Congress, sometimes as part of the minority, and then as part of the majority, in both Houses, without deducting anything from the national honor or doing any harm to national prosperity. There is no such thing as a solid South as a factor in legislation. Upon every question of national policy affecting either our foreign or our internal interests the Southern members show as great diversity of sentiment and independence of action as any other section, and perhaps more. Senator Lamar said that he could instance measure after measure of currency, of taxation, of appropriations, on which the affinities of political affiliation and legislative coöperation are in no sense of the term sectional. The effort to maintain their power by kindling anew passions which ought to subside, and destroying peace and reconciliation by lighting up the campfires of conflicts that are ended, he has strong grounds for believing will not meet with success. Senator Lamar said that the South has as great stake in this election as any other section. The grounds upon which the Independent Republicans have bolted their party under its present organization, though taken with no reference to the South, are as vital to her interests as they are important to the interests of the whole Union. No portion of the Union has experienced so sorely the corrupt and oppressive uses of Federal patronage. We are having them now in this very election in full operation. Senator Lamar then spoke at some length of the present system of excessive taxation now maintained by the Republican party, which annually accumulates in the national treasury a large amount of surplus over and above the most extravagant expenditures of the government. He exposed with great power the different pretenses upon which the Republican party had refused the universal demand for the reduction of these burdens of taxation. He showed that the maintenance of manufactures did not require these large surpluses of revenue and the excessive and needless taxation which creates them. He refuted the pretense that the object of the Republican party, in keeping up this burdensome war tax, was to increase or sustain the wages of American labor. He spoke of its blighting effects upon the interests of agriculture. This part of his speech was very elaborate, and the audience listened to it with great interest and frequent marks of approval. Mr. Lamar here referred to the effort, evidently made at the North, to divert attention from the issue of reform in the government by appealing to sectional prejudices, and read from a book recently put out by Raum, indorsed by Republican Senators. He also read extracts from a speech purporting to be delivered by Senator Hoar, at Tremont Temple, in which he was reported to have said: "There are three States, Mississippi, Louisiana, and South Carolina, to say nothing of others, in which, beyond all question, the electoral vote recorded at the coming election will have no relation whatever to the will of their people. Unless the brave and gallant men who are acting with Mahone can win justice from the fears of the Democrats, we must add to these States Virginia. These three States cast twenty-six electoral votes; with Virginia, they cast forty. Now, giving Gov. Cleveland all the States that his most enthusiastic supporters can hope for, he will fall far short of an election unless the votes of these States, wrested from their Republican majorities by crime and fraud, be counted in his favor. The young reformer who votes for Gov. Cleveland cannot help to elect him. He can only help to make possible the successful accomplishment of the crime by which a minority shall usurp the government of

the country. The process is very simple and familiar; it is known as the Mississippi plan. . . . My friends, I know whereof I speak. I was charged a few months ago with the duty of investigating the election methods in the State of Mississippi." Had he said that he believed whereof he spake, he would have spoken more accurately—for Mr. Hoar's belief. It is true, Mr. Hoar was chairman of the committee to investigate certain occurrences in this State. As to his method of investigating, I will speak directly. He made to the Senate a report of which I believe he is admitted to be the author. I wish to read you one extract from that report: "A company, consisting of about one hundred and fifty persons, was organized, under the command of Erasmus Wheeler, who had the title of major. These men were mounted, ninety of them armed with guns; the remainder, with pistols buckled around them, army style, or hanging on the horns of their saddles. About two weeks before the election the armed company above named began riding about the country, taking with them a cannon. They began operations at the lower end of Beat No. 3, but for twelve days ranged over the county. Their operations were very largely conducted at night. They kept up a constant firing with their guns and cannon. The cannon was burst, but was replaced by another. These disturbances, which are compared by several witnesses who had been soldiers, to the firing in a hotly contested battle, were committed in the dead of night in the localities where the colored people dwell in large numbers. They killed, wounded, whipped, and otherwise outraged, a large number of persons." Now, fellow-citizens, I ask you to note this statement: "They killed, wounded, whipped, and otherwise outraged, a large number of persons." You will observe how explicit and unqualified that statement is. How many persons would you suppose from reading that sentence were killed? How many are meant by the phrase, "a large number of persons?" When it was ascertained that seventy-five persons were slain in the Cincinnati riot the telegraph announced that "the number of persons killed was not so large as supposed." But what does a "large number" mean when applied to Copiah? Would not half of seventy-five be implied in such a phrase? Would not at least twenty? Fellow-citizens, the fact is that the testimony taken by that committee proves that but one person was killed, and he by unknown persons. That statement has been read by every Senator and member of Congress. The report has been circulated all over the North. Republican speakers are to-day reverberating the statement that a large number of persons were killed in the county of Copiah during the two weeks before the election. And the good people of the North who believe it regard Mississippi as a State filled with a population of blood-stained desperadoes. The investigation of that committee was confined to the alleged disturbances in one county, Copiah; but the committee did not go to Copiah at all. Not a member of the committee set his foot within the boundary of the State, unless he did so when they were in transit along the gulf coast on their way to New Orleans. Had he done so, he would have seen the just and equitable operation of equal laws (without a trace of privilege) upon both races. He would have seen the blacks sitting on juries, often in equal numbers with the whites, and sharing in the administration of penal and civil law; he would have seen colleges, academies, and schools for both races, supported by the self-imposed taxes of the whites, to an extent that has won the admiration of that noble and able educator, Dr. Mayo, of Massachusetts; he would have seen Christian churches all over the land, but he would have heard no lectures upon the "mistakes of Moses;" he would have seen in Jackson a Legislature in session, and white and black Legislators harmoniously cooperating in the enactment of laws looking to the interests and prosperity of both races. And these colored Legislators would have informed Mr. Hoar that, with the exception of the disturbances in Copiah and one or two other points, the election he had come to look into was as fair, free, and peaceable an election as ever was

held in any State of the Union; that no violence, either in the canvass or at the polls, occurred to deter voters; nothing, indeed, to hinder a full vote, and not even a complaint that the votes as cast were not counted; and that it was also conducted with a good temper on both sides, such as had never been seen in the State before. They would have found a white population busy in energetic work upon their own business, with scarcely a man among them who was not earning a support for himself or providing for his household by the toil of hand or brain; they would have found the blacks a contented and cheerful population, secure in the wages that reward labor, and happy in their homes—in a word, they would have seen and heard in the fields and on the streets, in the factories and in the shops, the unsummoned and unsummoned testimony of the daily life of the State, and would have been furnished with the measure and balance by which to appreciate the exaggeration of partisans and to discriminate between the accidental outbursts of local passions and the deliberate action of an entire community. And perhaps they would have been struck with the fact that all this was the work of their fellow-citizens of their own blood, wrought upon a commonwealth which eight years ago was the seat of a political and social pandemonium, a pandemonium created by a hideous rule that some men, under false cry of outrage on the ballot box, are seeking to revive and fasten again upon the State. But none of these things did Mr. Hoar and his committee see, and hence they do not appear in the report nor in his late speech. Mr. Lamar then discussed the measure reported by the Republican Judiciary Committee to the last Senate. He cited some of its provisions, to show that it was designed to practically divest the State courts of every vestige of jurisdiction over cases arising under the laws of the State in which a negro is involved, either as a party or a witness or a juror. Another bill was introduced, to make the elections in the States still more subject to the supervision and influence and persecution of Federal officers; and he declared it to be more violative of the constitution than the bill already declared by the Supreme Court to be unconstitutional. He also referred to the recommendations of the Committee on Elections, to disfranchise the State of Mississippi in certain contingencies. This part of his speech, his denunciation of these measures, was in a strain of invective and reasoning.

The *Appeal* devoted three editorials to this speech, of which the principal was this:

Senator L. Q. C. Lamar's great speech delivered at Holly Springs, Miss., yesterday is more likely to make a deep impression than anything which was ever before presented from this great statesman. Senator Lamar never appeals to the public judgment except on questions of political conscience and duty as a citizen and patriot; and his acumen, force, and moral intrepidity, lay strong grasp on all minds intelligent enough to follow his train of argument, to comprehend his lofty patriotism and matchless statesmanship. The speech is broad, able, and conservative, and yet ablaze with enthusiasm and ringing in every sentence with the earnestness and honesty which characterize all of Lamar's utterances. We are told by private dispatches from Holly Springs last night that the speech was regarded as one of the noblest efforts of patriotism and eloquence ever delivered in that place. The immense assembly listened to it with the most profound attention, and never was attention more munificently rewarded. It is reported that from the first sentence to the close the Senator held sway over the minds and hearts of those present, weaving one of the most beautiful, solid, logical, and resplendent chains of reason and truth that ever bound a crowd to the spell of mighty and resistless eloquence. Lamar's tribute to the Independent Republicans will electrify the whole country. The speech will be generally read and attract the attention of the nation, for no public speaker now in political life in the United States so closely rivets the attention of the public as the bril-

liant Senator from Mississippi. In the Senate of the United States he has repeated again and again the triumphs of parliamentary eloquence which used to illustrate the era of Clay and Webster and Calhoun, and this last great speech will attract as much attention as the utterances of this triumvirate upon the hustings. . . .

These brilliant and thrilling speeches were Mr. Lamar's last campaign efforts. It was his great good fortune that the last echoes of his voice from the hustings should be lost in the pæan of victory for his people.

The November elections came. Oxford was but a small railroad town in Mississippi, and did not receive telegraphic news so quickly as the great commercial or political centers; but, for some unexplained reason, on this occasion the great tidings that there was in fact a possibility of the final success of the Democracy was unusually slow in reaching that community. The election was over by two days, and all of the excitement about it had died away in the belief that the usual defeat had been sustained and the Republicans were again triumphant. Mr. Lamar was staying with his son-in-law, Mr. Mayes, in the outskirts of the town. He was in bed, half sick, worn out with his canvass, and disheartened by another defeat. A young man from the village came hallooing and leaping, waving a telegram for "the Colonel." It was from Gen. Gordon: "Thank God! Cleveland is elected. Turn the rascals out!" He glanced at it, and said: "I don't believe it. Gordon is too impulsive; he is deceiving himself." However, in a very few moments confirmation came from other and various quarters. He then sat up in bed, and, without the least sign of exultation, but looking very serious, exclaimed, "It is a terrible responsibility!" and fell into a long and deep reverie, one of those phases in which those who knew him rightly knew that he was engaged in earnest thought. The overwhelming flood of twenty-eight years' duration had rolled away; the Democratic party, which had ruled the destinies of the country for sixty years of its existence and then had been overturned in a ruin apparently hopeless and irremediable, had been restored to power. The labors of his later life were about to be crowned in the success of his party, and the dead past had buried its dead; but the current of his feelings was too deep and strong to break out into the sparkle and bubble of jubilation in the sunshine. He took no part in the merrymaking, for the spell of the future was upon him.

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On the night of December 30 Mrs. Lamar died. The Senator was in Washington. Her health had not further failed visibly. She had regained something of her old-time vivacity, but it seems that her vital powers were ebbing. On the 28th she became feverish, and the members of the family grew somewhat uneasy. Mr. Lamar was telegraphed for without her knowledge. During the entire day of her death she was

moving about the room, even after her pulse had become imperceptible. She retired at her usual hour; and, apparently under the impression that it was the last day of the month and year, said to Mrs. Ross: "Sister Mollie, wouldn't it be a curious coincidence if I should wake up in heaven?" Those were her last words. She passed away in her sleep as a babe sinks into slumber upon its mother's bosom.

Mr. Lamar arrived in time to take a last look at the sweet face of her who had blessed his life for thirty-seven years. He was a strong man. The frozen stillness of his sorrow might by a stranger to him have been mistaken for insensibility; but the writer saw in his eyes that which he wants never to see in a human face again.

Among the numerous letters of condolence which Mr. Lamar received upon this sad occasion, the following from Senator Edmunds are of interest as showing the kind relations between the two gentlemen, notwithstanding their strong political differences:

WASHINGTON, D. C., December 31, 1884.

*Dear Mr. Lamar:* I have learned from the morning papers of your affliction, and I feel that I must intrude on your sadness to tell you of my deep sympathy. I know—alas! too well—how little friends and friendly feeling can do for the hearts that ache and souls that taste the bitterness of such occasions; but still every true heart feels that it must express itself to those who suffer, in words of consolation and encouragement. May the Good Father of us all give you and yours in this hour of trial every blessing! Sincerely yours,

GEORGE F. EDMUNDS.

WASHINGTON, D. C., January 15, 1885.

*Dear Mr. Lamar:* Your kind and sad note of the 4th came duly. Do not grope. There is a hereafter; there must be. Every rule of logic even leads to this result. Do not give yourself up to sorrow and seclusion. Strive—I know you do already—to help your fellow-men, high and low; and in so doing I feel sure you will find peace and rest for your soul. Then

We front the sun, and on the purple ridges  
The virgin future lifts her veil of snow;  
Look backward, and an arch of splendor bridges  
The gulf of long ago.

Such men as you have great duties, for they are given great powers which they have no right to leave unused. I know too how hard it is—ah me!—for one situated as you are, and as I have been and am, to go on with work and duty as if the voyage of life had always been with favoring gales. But work for good brings resignation and rest; and so working we see more and more clearly

Those shining stairways of the brain  
That rise from our diminished days  
To spacious sunshines free from pain.

Up those shining stairways some that you love and some that I love have gone to rest and happiness. Let us work bravely on till we join them. Come on, then, my dear sir, and put your strong shoulder to the wheel of government and to all the good things to be done, and all will be well.



The foregoing was written, save the date, immediately on receiving yours; and I now send it to you with my sincere sympathy and esteem. GEORGE F. EDMUNDS.

A week after his wife's death Mr. Lamar wrote this letter to a friend in Macon, Ga.:

OXFORD, Miss., January 4, 1885.

*My Dear Friend:* Jennie Longstreet's pure and gentle soul has left me and gone to heaven. There are now not many people living that you and I knew before we knew her. Ever since she became my betrothed wife she first liked and then loved you. Our memories were all the same, and our married life was full of happiness even in the midst of some sorrow. I can't tell you why I think of you in the midst of this black darkness. But I do; and if I were able to accept relief from any source, I feel that it would give me some to know that you realize the awful thing that has fallen upon me, and that you are sorry for it. Doc. Flewellen's face also comes up before me. My wife was very fond of him, and so was I. Do you know where he is? If you do, send him this note; or, if you prefer, keep it and send him a copy, and tell him I cherish for him a warm affection.

Your old friend,

LUSHE LAMAR.

Mr. Lamar returned to Washington about the 10th of January. He had hardly arrived before another exciting debate arose about Mr. Davis; and his few remarks upon this occasion were the last of his political life.

It seems that in the previous October Gen. Sherman, then a citizen of St. Louis, had attended a meeting of the Frank P. Blair Post, No. 1, of the Grand Army of the Republic, held in that city; and in a speech made to that body he had made certain statements in respect to Mr. Davis, which that gentleman afterwards noticed as follows:

BEAUVOIR, Miss., November 6, 1884.

EDITOR ST. LOUIS REPUBLICAN.

*Dear Sir:* I have to-night received the inclosed published account of remarks made by Gen. W. T. Sherman, and ask the use of your columns to notice only so much as particularly refers to myself and which is to be found in the following extracts:

The following is taken from the *St. Louis Republican*:

"Frank P. Blair Post, G. A. R., opened their new hall, corner of Seventeenth and Olive Streets, last night. Gen. Sherman addressed the assemblage. He had read letters which he believed had never been published, and which very few people had seen. These letters showed the rebellion to be more than a mere secession: it was a conspiracy most dire. Letters which had passed between Jeff. Davis and a man whose name it would not do to mention, as he is now a member of the United States Senate, had been seen by the speaker, and showed Davis' position. He was not a secessionist. His object in starting the rebellion was not merely for the secession of the South, but to have this section of the country so that he could use it as a fulcrum from which to fire out his shot at the other sections of the country and compel the people to do as he would have them. Jeff. Davis would have turned his hand against any State that would secede from the South after the South had seceded from the North. Had the rebellion succeeded, Gen. Sherman said the people of the North would have all been slaves."

The following is from the *Globe-Democrat's* account:

"Referring to the late war, he said it was not, as was generally understood, a war

of secession from the United States, but a conspiracy. 'I have been behind the curtain,' said he, 'and I have seen letters that few others have seen, and have heard conversations that cannot be repeated, and I tell you that Jeff. Davis never was a secessionist. He was a conspirator. He did not care for divisions from the United States. His object was to get a fulcrum from which to operate against the Northern States; and if he had succeeded, he would to-day be the master spirit of the continent, and you would be slaves. I have seen a letter from Jefferson Davis to a man whose name I cannot mention, because he is a United States Senator. I know Davis' writing, and saw his signature; and in that letter he said he would turn Lee's army against any State that might attempt to secede from the Southern Confederacy.'"

This public assault, under the covert plea that it is based upon information which regard for a United States Senator does not permit him to present, will, to honorable minds, suggest the idea of irresponsible slander.

It is thus devolved upon me to say that the allegation of my ever having written such a letter as is described is unqualifiedly false, and the assertion that I had any purpose or wish to destroy the liberty and equal rights of any State, either North or South, is a reckless, shameless falsehood, especially because it was generally known that for many years before, as well as during the war between the States, I was an earnest advocate of the strict construction of the State rights theory of Mr. Jefferson. What motive other than personal malignity can be conceived for so gross a libel?

If Gen. Sherman has access to any letters purporting to have been written by me which will sustain his accusation, let him produce them, or wear the brand of a base slanderer.

Yours respectfully,

JEFFERSON DAVIS.

Gen. Sherman announced that he would reply to Mr. Davis' letter through the files of the War Department. Afterwards Senator Vance, of North Carolina, who was Governor of that State during the war, and who was understood to be the man indicated by Gen. Sherman's remarks, published a statement exculpating Mr. Davis, and produced a letter from him which proved the reverse of Gen. Sherman's charge. Later Gen. Sherman sent to the War Department a communication, to be made a part of the Rebellion Record, into which he incorporated a letter from Mr. Alexander H. Stephens, Vice President of the Confederacy, written during the later days of the war to Herschel V. Johnson, in which Mr. Stephens expressed distrust and suspicion of Mr. Davis and of his ultimate designs in the war; also a message of Mr. Davis to the Confederate Congress, in which he recommended a suspension of the writ of *habeas corpus*; but the communication contained no letter from Mr. Davis.

On the 8th of January Senator Hawley, of Connecticut, in order, as was charged by Southern Democrats at the time, to "bolster up" Gen. Sherman by the countenance of the Senate, introduced a resolution calling upon the President to communicate to the Senate Gen. Sherman's historical statement. This brought on an angry debate on the 12th. Senators Harris of Tennessee, Vest of Missouri, George of Mississippi, and Morgan of Alabama, resisted the resolution, mainly upon the grounds that the matter was merely a personal issue between Mr.

Davis and Gen. Sherman; that the step was unnecessary and improper, since no action of the Senate was to be based upon the document when it should come in, and the Senate was not a historical bureau; that, so far as historic truth was concerned, the document would be just as well preserved and just as valuable as a file of the War Department, etc. The resolution was pressed by Senators Hawley, Conger of Michigan, Ingalls of Kansas, and Sherman of Ohio. The speeches of Senators Ingalls and Sherman were especially bitter. They claimed that the question was not a personal issue between Mr. Davis and Gen. Sherman, but a public matter. The latter concluded his speech by these remarks:

Mr. Davis is an old man. I do not desire to say anything personally unkind of him; I do not desire to wound his feelings; but, great God! will it ever be disputed in this country of ours at any time, even a thousand years hence, that Jefferson Davis in the war and before the war was a conspirator and a traitor to his country? Never, I trust. . . . I cannot while I live at least see that great truth and fact in history challenged, and Jefferson Davis praised as a patriot any more than our Revolutionary fathers would have allowed in their time and their day the name of Benedict Arnold to be praised at least without entering their most solemn protest. . . . Whenever the motives and causes of the war, the beginning and the end of which I have seen, are brought in question, I must stand, as I have always stood, upon the firm conviction that it was a causeless rebellion, made with bad motives, and that all the men who led in that movement were traitors to their country.

Mr. Lamar then said:

Mr. President, I have just stepped into the Senate, and have not yet heard the resolution which is under discussion. I presume that it refers to a publication of some papers relating to the war of secession that are now on file in the War Department. Without knowing the position occupied by my friends on this side, or upon the part of the Senators on the other side, I desire here to say that I have no objection to any publication which will throw light upon the true character of that movement for the separation of the States of the South from the States of the North; and I should not have made any remarks except to have followed and to have given my vote silently upon this question, but for the speech that I have listened to of the Senator from Ohio. That speech, sir, is marked by flagrant inaccuracies in his statements of the issue between Gen. Sherman and Mr. Davis. The issue between those two distinguished gentlemen is not the issue which the Senator from Ohio represents, and the issue which does exist between them he has not brought to the attention of the Senate.

Now, sir, according to the publication in the press, and which went not only to the extremities of this nation, but to the extremities of civilization, it was not merely that the secession of the Southern States was the result of a conspiracy. That is a question, as the Senator properly remarked, of historical truth, and is to be ascertained by the facts of history as read in future generations. Whether it was a conspiracy of a few ambitious individuals, or whether it was the uprising of a whole people, to preserve, as they thought, their autonomy and their institutions, is a question which I am willing shall be remitted to the verdict of posterity.

But, sir, Gen. Sherman went further—and I wish here to say that there is no man on this floor who personally has kinder feelings for Gen. Sherman than myself; no Senator here entertains a higher admiration for his military sagacity and genius. But

Gen. Sherman was betrayed by his feelings and by misinformation into an allegation and charge against Jefferson Davis that he cannot sustain, and that no man can ever sustain, and which is not the truth; and that is that he saw a letter from Jefferson Davis asserting that if a Southern State should secede from the Confederacy he would put that down by military coercion of the Confederate Government. That is the statement which Gen. Sherman made. There is no question of historical fact in relation to the character of that movement between Gen. Sherman and Mr. Davis. It is outside of the record, and when he says that there is no personal controversy between these two distinguished gentlemen, his statement comes in direct conflict with the assertion of Gen. Sherman himself; for when he was interviewed by the press of St. Louis as to Mr. Davis' denial, he refused to make a statement, and said: "This is not for the press of the country; it is a personal matter between me and Mr. Davis." The personality of it is made by Gen. Sherman himself.

And, sir, the discussion which is brought out here can throw no light whatever on that naked, bald issue of fact, whether or not Gen. Sherman saw a letter written by Jefferson Davis to a Senator now in the United States Senate, saying that he would coerce a Southern State if it should secede from the Confederacy. I assert that no such letter is in existence; and, in my opinion, no such letter was ever written; and, in saying that, sir, I wish to disclaim here any reflection whatever upon the veracity of Gen. Sherman. That is not my purpose. What I do mean to say is that he has been misled and misinformed; and when the proof comes before him that he has made an assertion, even against a political enemy, which he cannot sustain, it would comport better with his high character and high position to acknowledge the inadvertent and unintentional injustice than to change the issue before the American people and raise a question as to the character of the secession of the Southern States.

Now, sir, I have a reason for saying this: Not more intimate than other gentlemen, but still a friend of Mr. Davis, and often in consultation with him, if he changed his opinion, if he varied one hair's-breadth from the beginning of that controversy to its close, as to the importance of maintaining that government upon the consent of the people engaged in it, and not upon any force to be brought upon them, his most intimate friends were ignorant of any such revolution of sentiment. No man stood more firmly by the doctrine that it should be a government based upon consent, and not upon force, through all the eventful scenes of the struggle, than Mr. Davis did; and Gen. Sherman was simply mistaken; he was misinformed. No such letter was written by Mr. Davis, for no such letter could have been written, entertaining the views that he did.

Sir, I have made these remarks very unexpectedly to myself; for I was not aware that the simple issue of fact, whether or not Gen. Sherman saw such a letter, was to be remitted to the arena of the United States Senate.

One other thing. We of the South have surrendered upon all the questions which divided the two sides in that controversy. We have given up the right of the people to secede from this Union; we have given up the right of each State to judge for itself of the infractions of the constitution and the mode of redress; we have given up the right to control our own domestic institutions. We fought for all these, and we lost in that controversy; but no man shall in my presence call Jefferson Davis a traitor without my responding with a stern and emphatic denial.

The ideas of Mr. Lamar upon the subjects involved in this debate, and which he did not pretend to elaborate, are well set forth in a letter written by him in the year previous. Mr. William A. West, then of St. Louis, a connection by marriage, addressed to him, in 1883, a letter of inquiry about an interview of Judge Jere Black's, which had recent-

ly appeared in the *Globe-Democrat*. Judge Black, who was Mr. Buchanan's Attorney-General, had, in response to a published letter of Mr. Davis', undertaken to defend the course of Mr. Buchanan in respect to Southern matters at the period of secession, and had severely criticised the course of Mr. Davis. Apropos of this interview, Mr. Lamar wrote to Mr. West, under date of September 13, 1883, as follows:

The first part of this article is a very fair representation of Judge Black's view of secession. He says, and he has before said, that "Mr. Davis was engaged in the worst conspiracy ever organized against any government." Now if you suppose that this denunciation springs from any deep, fervent patriotism and love of the Union, you will have a very mistaken idea of Judge Black's character. It was not the indignation of an outraged patriot, but the rage of a defeated and thwarted partisan, which filled his heart with bitterness toward the South. The very next sentence after this denunciation shows the secret of his animosity toward the Southern leaders. He says: "The Southern political leaders were untrue to their *party obligations* and untrue to their political friends at the North." Again, he says: "Because they could not have everything their own way, they deserted the *Northern Democracy*, when the *party coming into power hated a Northern Democrat worse than a Southern secessionist*." And still, in this very connection, again he says: "They deserted us in a time of great peril." I have often conversed with Judge Black on this subject, and I never was much impressed with the ardor of his love for the Union, but have often been profoundly impressed with his furious hatred of the Republican party. But his charge against Mr. Davis is unjust and untrue. The latter, at the time that he speaks of, was not engaged in a conspiracy against the United States Government. He was anxious for a peaceable settlement within the Union. I know whereof I speak; and I know that all his efforts at that time were directed to the end, first, of securing from the North such guarantees as would make the South feel safe in the Union; and, secondly, of inducing the South to accept those guarantees, and to remain in the Union.

Judge Black, or his interviewer, is as unphilosophical and inaccurate as he is unjust when he attributes secession to a *conspiracy of individuals*—"Mr. Davis and those who acted with him." It was not brought about in that way at all. On the contrary, it was the culmination of a great dynastical struggle—"an irrepressible conflict" between two antagonistic societies—a culmination which had been foreseen and predicted by the wisest statesmen of the nation. Webster, Clay, Calhoun, and even Jefferson, had warned their countrymen that the designs of the antislavery party would lead to a dissolution of the Union. This culmination was a result of the operation of political forces which it was not within the power of any individual man or set of men to prevent or postpone. Judge Black, in characterizing such an event as a conspiracy of Jefferson Davis and those who acted with him, illustrates the difference between a passionate party man and a philosophic statesman.

Mr. Davis and the Southern leaders had no personal motive to break up the Union. They were in the enjoyment of the highest honors of the Republic, and the ascendancy of the Republican party simply fastened the tenure by which they held them. But there was an uprising for secession at the South which, if they attempted to resist, would have swept them all from their positions of honor and trust.

But Judge Black utters an extravagant heresy when he speaks of those events as the "*worst conspiracy* ever organized for the destruction of a government." This sort of denunciation was once the fashion, before the passions, fired in the flames of war, had cooled; but it is not the judgment of the world now, and it will not be the verdict of posterity. In this very paper Judge Black is made to vindicate the secession of the Southern States from his charge of being "*the worst conspiracy*," etc. In the

first part of his letter he speaks of "the *coming into power of a party* that hated a Northern Democrat worse than a Southern secessionist." In the latter part of this paper he thus describes that "party," which he says was then coming into power. He says that it "had no respect for the constitution when it stood in the way of their schemes." "They proclaimed it a league with death and a covenant with hell." Now what was the "*scheme*" which this party would not let the constitution stand in the way of? No one has denounced it more strongly than Judge Black. It was to destroy and overthrow the institutions of the South which that constitution sanctioned and protected. I am not going to argue the *right* of secession here, but simply call your attention to this important admission of Judge Black's: that the party which had come into power designed to disregard the obligations of the constitution and to subvert the constitutional and fundamental institutions of the South!

There is no better settled principle of international law than that when one people interfere with and make war upon the fundamental institutions of another people the latter have the right, if they can, to change their political relations to the former. Mr. Webster said: "A compact broken on one side cannot be of force on the other side."

I repeat that I am not seeking here to *justify* secession, but to show how extravagant and false the declaration and narrow the view that it was a *conspiracy*—"the *worst* conspiracy ever organized," etc. It was no conspiracy at all. It did not seek to overthrow *any* government. Suppose that it had succeeded. Would not the Government of the United States have still existed? Would it not have retained all its departments and all its functions? Would it not have had its President, its Congress, its judiciary, and its constitution and laws, all supreme over a territory and population that would have still ranked it among the nations of the earth? Secession may not have been right, as a political right; but simply as a movement to change the boundaries of the country, by sovereign States in their capacity of States, it can never be confounded with such conspiracies as that of Cataline and the cabals of ambitious traitors.

I was once present at a dinner with Judge Black. He sat near the head and I near the foot of the table. Near the close of the dinner he said to me: "Mr. Lamar, you Southern Democrats treated us badly when you seceded and left us to the tender mercies of the Northern Republicans." I replied: "Judge Black, you Northern Democrats treated *us* badly when you abandoned State sovereignty and left us to the tender mercies of Federal arms and coercion." He rejoined: "We have never abandoned the doctrine of State sovereignty. We have always maintained it, but we deny the right of a State to secede." I rejoined: "Judge Black, how can you say that a State is *sovereign* and yet has not the right to secede from other States? Sovereignty is the *highest* power in a State; it is the *supreme* power, which no other civil power can control or coerce. Now if a State has this sovereign power, how can you assert the power of any other civil authority to check or control that State's action?" He rose from the table and paced the floor, up and down, twirling his tobacco box as if in a brown-study. I repeated the question: "Judge, how can a State be *sovereign* if there be in the political organization an authority which can limit its action?" He made me no reply. I then repeated: "Judge, if there be any power in our political system *higher* than that of the State; if there be in this government an authority *paramount*, to which the State is amenable, such State cannot be *sovereign*, but must be a *subordinate* and subject member." He answered: "Mr. Lamar, I admit that it is a very difficult matter to solve that problem."

A day or two afterwards I asked Donn Piatt (who gave the dinner) if he observed that the Judge waived the further discussion of the subject. He said that he did. I then asked if there was anything unpleasant in the temper of it. "O no," said

Donn; "you put a point to him that he could not answer, and it really put the old Judge into an agony. He had never, evidently, thought of the proposition before as you stated it."

And here is the weak point which he is attempting to defend in Buchanan's policy. It is not capable of defense. *He* denied the right of a State to secede, but he also denied the right of the United States Government to coerce a State by armed force. The truth is, a State has the right to secede (or had before the war), in which case the United States Government had no right to coerce; or it has no such right, in which case it is the right and duty of the government to coerce the State into obedience to Federal authority.

Either the South was right in asserting the political authority to secede, or the Republican party was right in denying the right to secede and asserting the power to coerce. I therefore think that Black's attempt to vindicate Buchanan on this point will prove a failure.

## CHAPTER XXVIII.

Mr. Lamar Discussed as a Possible Member of the Cabinet—Cleveland's Inauguration—The Cabinet Named and Confirmed—Comments and Congratulations—Calls for Resignations of Heads of Departments—Mr. Lamar's Methods—Sale of the Government Carriages—The Land Office—The "Backbone" Patents—The Death of Jacob Thompson—The Throng of Office Seekers—Views on Officeholding in Washington—Limitations in the Bestowal of Offices—Civil Service Reform—Watchfulness over Character of Subordinates—Freedom from Nepotism—First Annual Report—Management of the Indian Bureau—The Report on the Indians—The Report on the Public Lands—The Report on the Railroads—The Report on the Pensions—Minor Subjects—Education—The Second Annual Report—The Third Annual Report—Third Report on Public Lands—Adjustment of the Railroad Land Grants—Third Report on Indians—Minor Titles.

NO sooner was the election of Mr. Cleveland definitely ascertained than a general discussion began as to the probable membership of his Cabinet. It seemed to be universally conceded that at least two of that body would come from the South. So early as December the name of Mr. Lamar was widely and freely mentioned in that connection, and there was much discussion as to whether he would accept the position if it were offered him. He gave no encouragement to the suggestion; rather, on the contrary, discouraged it. He was exceedingly anxious to draw his friend, Gen. Walthall, from the comparative retirement of his law practice, and to secure his public services to the country. To that end he was urging upon Mr. Cleveland the expediency of calling that gentleman into the Cabinet as one of the Southern members.

Under date of February 3, 1885, he wrote to Gen. Walthall:

*My Dear Friend:* From some hints thrown out by two or three friends of Mr. Cleveland I am led to think it probable that he desires me to share in the management of his administration. It has given me a great surprise, for I have put my foot upon every movement to recommend me to him. If, therefore, he asks me to go into his Cabinet, it will be the result of his own felt need of my influence, etc., and not of any management; but rather, in spite of some considerable management, to compliment me out of the list of possible selections. It may not come at all, for everybody here seems to be flattering every other body; but I am inclined to think that it is possible, as he has sent for me to come to see him, by Gorman, who gives me a pretty plain hint as to his purpose.

I am by no means clear as to what I shall do in case Gorman's hints prove to be well-founded. While I think that I might serve him better in the Senate, I am apprehensive of inferior and obscure men being imposed upon the President. I have been astonished at the headway that commonplace men make in getting up combinations to support aspirations for positions for which they are not fitted, either by genius or abilities or knowledge of affairs or devotion to principle or any special character for public virtue and honor. If they get in, the whole thing will be a farce; and



get in they will, unless some of us take hold. Cleveland, I am told, realizes the importance of having the best men in the party in his Cabinet.

My present purpose is to talk freely with the President-elect on every subject that he sees fit to broach. I shall certainly tell him that he can get more good out of me in the Senate than in the Cabinet, and that I can give him a man my superior in every respect, and better fitted for a Cabinet office than any man in the Democratic party, North or South. If, however, he presses me to become a member of his Cabinet, I shall not give him a definite answer at once, but will take time to consider it.

One other point: I know all I give up if I leave the Senate. I close my career in Congress, and will go into private life at the close of four years, perhaps sooner. If my present feelings are any test of what my feelings will be four years hence, I shall be perfectly willing to quit. I have thought much about it. I really think that my public career has been one of honorable usefulness and great benefit to my people. I know that it has been honest and true, without one element of disregard for the welfare of my people. I can see some mistakes in it. I am inclined to think that I ought to have retired when I saw the South restored to her constitutional position in the Union. Now that she will have her just representation in the Executive Department as well as in the Legislature, with some prospect for the same in the Judiciary, I feel as if my time for making my bow had come. I have always thought that it was a serious blemish, or, rather, defect, in our American statesmen, that they always cling to office too long, and beyond their period of usefulness and popularity. One chief ambition with me has been, after exercising the power intrusted to me to the best of my ability, *voluntarily* and with *perfect disinterestedness* to lay it down.

So I would contemplate going out of office and declining to become a candidate again with a serene and somewhat relieved feeling.

A few days later, on the 14th of February, Mr. Lamar wrote to Mrs. Ross:

*My Dear Sister:* A constant throng of importunate visitors, pressing engagements, and absence of all privacy, combine to deprive me of all opportunity of writing to you as often and as fully as I would wish. The present is a dark period of my life. The pale face of my wife is ever before me, and my grief seems to have fixed itself in my heart.

The newspapers are fuller than usual of praises of me; virtues which I do not possess, and talents which I know do not belong to me. I should feel humiliated did I not know that in a very short time they will teem with criticism and censures and jeers, with no more of justice in their dispraise than in their present laudations.

The President-elect has not offered me a place in his Cabinet. I shall be inexpressibly relieved if he does not. It will be a painful alternative if he does.

About the same time he wrote an undated letter to his daughter, Mrs. Heiskell:

Yes, the praises of me are, *just now*, gorgeous; but wait; and if I should accept a Cabinet position (it has not yet been tendered to me), soon after I get in, the irate clamors of disappointed office seekers will be a storm compared to which the fuss on the Silver Bill was an April shower.

The man at Albany is in a critical position, beset with difficulty; but that is no reason for my backing out if he thinks he needs my help. I have many letters telling me I have made a mistake in going into the Cabinet (which I have not yet been invited to do), because a Cabinet position is much less distinguished, is uncertain, etc. No doubt about that. But just now we need to develop Democratic *administration* more than Democratic *speechmaking*. It does not make much difference what

becomes of one man if, while he lives, he can advance the good work of establishing a government of justice and constitutional laws.

The following letter is of interest in this connection:

120 BROADWAY, NEW YORK, February 16, 1885.

*My Dear Lamar*: Since we talked together matters have so shaped themselves as to prevent me from talking to Cleveland in the direction of what you said to me. . . . It is evident that he specially desires *you personally* to be a member of the Cabinet, and that, though I have had his attention drawn again to our friend who is your own choice for the place, it was not wise for *me* in my own name to attempt at *this juncture* to divert his desires. . . . Nobody has produced on Cleveland the impression you did, though he was also greatly impressed with Senator Pugh.

Very truly,

BURTON N. HARRISON.

On February 28, Mr. Lamar wrote as follows to Jefferson Davis:

I hope that the step I am about to take will meet your approval. It certainly proceeds from no motive of ambition; but when pressed by my friends in the Senate and in the House, and through the country, and by those nearest to the President-elect, to take a position in his Cabinet, I have hardly felt at liberty to decline. If, by conducting the affairs of an executive department prudently and honestly and fairly to all sections, I may impress the country with a desire of the South faithfully to serve the interests of a common country, I may do more good than I have ever yet been able to accomplish. Recent events have crushed out all ambition in my heart, and I now have no other desire connected with public affairs except to serve to the best the interests that our people have intrusted to me so often.

President Cleveland was inaugurated, as usual, on the 4th of March. There was nothing of especial interest connected with the ceremonies except the crowd of spectators, which was said to be the largest ever collected in Washington upon a similar occasion.

On the 5th the Senate was to meet in executive session. The following account of the proceedings is from the correspondent of the *New York Times*:

Three hours before the time fixed for the opening of to-day's session of the Senate people began occupying the seats in the visitors' galleries. The first comers were rapidly joined by others; and an hour before noon every seat was taken, and the outside corridors were thronged with men and women who grumbled because they had come so late. The Senators began to gather on the floor soon after 11 o'clock. . . . Mr. Pruden, who has carried all the Presidential communications to the Senate since Gen. Grant was President, appeared at the main entrance. He presented Mr. Cleveland's first message to the Senate in a very large white envelope, and retired. Everybody knew that this message contained the nominations of the men selected by the President for his Cabinet, and the visitors leaned forward as if they expected to hear the names read. Instead of this, they heard Mr. Sherman move that the Senate proceed to the consideration of executive business, and a moment later the Sergeant-at-arms was instructed to clear the galleries. . . . After every outsider had been driven out from the place, and all the doors carefully locked, the big envelope was torn open, and the Executive Clerk read the names of the gentlemen whom President Cleveland had selected as his chief advisers, as follows:

Secretary of State: Thomas F. Bayard, of Delaware.

Secretary of the Treasury: Daniel Manning, of New York.

Secretary of War: William C. Endicott, of Massachusetts.

Secretary of the Navy: William C. Whitney, of New York.

Secretary of the Interior: L. Q. C. Lamar, of Mississippi.

Postmaster-General: William F. Vilas, of Wisconsin.

Attorney-General: Augustus H. Garland, of Arkansas.

Then began a very lively scene, which ended with an adjournment twenty-five minutes later without any of the seven nominations having been confirmed. It is the traditional custom of the Senate to confirm without delay any one of its members who has been chosen by the President for any other office. When, therefore, Mr. Cockrell moved that the nominations of Messrs. Bayard, Garland, and Lamar be confirmed, the Senators were nettled at hearing Mr. Riddleberger object to the present consideration of Mr. Bayard's name. Senators from both sides of the Chamber crowded around him and begged him to withdraw his objection. He refused, and listened with stolid indifference while sharp remarks about his conduct were made by Mr. Edmunds, Mr. Ingalls, Mr. Harris, Mr. Ransom, and others. Mr. Riddleberger told them to go on and confirm Messrs. Lamar and Garland and all the rest if they wished, but he should continue to object to placing the foreign policy of the government in the hands of a man who had more sympathy with England than with the United States. The Senators had no intention of confirming two of their number and not the third, and they pointed out to the Virginian the awkward position in which they would be placed if they accepted his proposition. Mr. Riddleberger was obstinate, and as by the rules of the Senate a single objection throws a nomination over for a day, the Senators finally adjourned in disgust, leaving all the Cabinet nominations to be taken up to-morrow. . . . The impression prevails to-night that all the Cabinet nominees will be confirmed to-morrow, no matter how badly the sensitive feelings of Mr. Riddleberger may be hurt by the presence of Mr. Bayard in the Department of State.

On the next day, March 6, the Cabinet nominations were confirmed unanimously; and on Saturday, the 7th, the new members entered on the discharge of their respective duties. Thus the new administration, with its new policy, was launched; and Mr. Lamar, as one of its most prominent members, entered upon a field entirely untried and novel.

This new undertaking was not without serious misgivings. He writes to one friend: "I enter upon my new field of activity with great diffidence." To another: "My career as a Secretary will not be distinguished. If I should safely make the landing, without any very great disasters on the voyage, I shall deem myself fortunate." He had, however, consciously, the equipment of a high resolve and an invincible will.

The people of his own State gave him up with regret. Nor were they all free from apprehension in respect to his success as an administrative officer. To a certain extent many of them shared the conception of Mr. Lamar which prevailed in many quarters in the North, that he was a scholastic dreamer and moody idler—one who was absent, abstracted, contemptuous of detail and drudgery, inert, except when at rare intervals aroused to the tremendous energy of which he was capable. Others, however, knew him better, and had unlimited confidence in his reserved capabilities and powers. General Walthall, on the 5th of March, wrote to him:

Everybody in Mississippi is proud that you were *called* to the Cabinet; and most of your friends, I believe, are willing to see you go in. Some, like myself, thought, until you decided to accept, that you ought not. Bob Allen puts it this way: "They say Lamar has made a mistake. They have said that before; but it always turns out the other way, and it will do that way this time." I wish you could be in the Cabinet and the Senate both, but I had rather see you in the Senate.

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The editorial in the *New York Times*, of March 6, will show very well the general drift of comment upon Mr. Lamar as a member of the new Cabinet:

Mr. Lamar, of Mississippi, has been rightly judged by the President from the first. His original and thoughtful mind, conservative habit, and sobriety of judgment, left upon Mr. Cleveland at their first meetings a marked and most favorable impression. In him the President secures a good adviser and an administrative officer whose deep-rooted aversion to such doubtful and devious ways as have of late caused the Interior Department to be made the subject of unfavorable comment cannot fail to have a wholesome effect upon the service of the department from the moment of his accession to office. It has been said that Mr. Lamar has a distaste for confining routine work; and, so far as this is true, it would be a defect in his equipment for a place demanding so much steady, hard work as that to which he has been appointed. But it is known that he has a liking for doing well anything he undertakes, and he is not without that enthusiasm which lends interest to even the driest details of man's daily toil. We do not believe that Mr. Lamar will be inattentive to the needs of his department. The criticism which calls in question the propriety of appointing an ex-officer of the Confederate Army to a post giving him charge of the bureau through which Union soldiers receive their pensions is one to which we attach no great weight. This objection would be waived, we imagine, if some brave veteran of the Union Army were appointed Pension Agent.

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Because of his assumption of administrative duties, it must not be supposed that Mr. Lamar abandoned his thought for the country's practical legislation, or lost his interest in it. "His influence upon Congressional legislation," said Mr. Catchings, member of Congress, "by no means ceased with his retiring from the Senate to accept his high executive office. His advice and counsel were frequently solicited by his friends, and they never left him empty-handed."\*

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On the same day in which Mr. Lamar entered upon his official duties he requested the resignations of the heads of his various bureaus—this, of course, in order that officers of such prominence, responsibility, and power, should be in sympathy with the administration. Commenting on this step (and the comment is illustrative of a very widespread feeling at the time), the special correspondent of the *New Orleans Times-Democrat* said:

Secretary Lamar threw in his scythe among the heads of the Interior Department to-day, and cut a stalwart swath. There was nothing dreamy or absent-minded in the

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\* Memorial Address at Bar Meeting of United States Supreme Court, March 18, 1893.

manner of his doing it, either. What Secretary Lamar did was to ask the resignation of every chief of bureau in the department under his dispensation. Nine important and prominent offices will be vacated.

. . . The remainder are now in the market. The affair has created something of a sensation, though chiefly on account of its sudden and sweeping character.

Of course this will give a fresh impetus to applications for office, though no impetus seems to be needed, since a trifle over one thousand telegrams were received to-day from patriots willing to sacrifice themselves for a salary. But the event has happened, and the result is sure to follow. Public opinion has taken a reef in itself apropos of Mr. Lamar. It appears that he is not so slipshod and visionary as was supposed, but can exert a fine nervous energy on occasion.

It will be seen later, however, that this "fine nervous energy" of Mr. Lamar's was not indicative, by any means, of a general turning out of all subordinate employees in his department. He was proceeding upon a sound and patriotic principle, and not on a political passion or a party slogan; and his principle included a faithful observance of the campaign pledges of civil service reform. Of that, hereafter.

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The following extract from the *Kansas City Star*, of January 24, 1893, bears internal evidence that it was from the pen of an observant and accurate writer. So far as it goes, and saving a little touch of lightness in one or two of the expressions employed, it is a fair description of Mr. Lamar and some of his ways:

At the time of his appointment the air was full of rumors of apoplexy and absent-mindedness. Stories were told of how the noted Mississippian dreamed away his working hours, of how he paid double fare in the street cars, and of how he forgot his friends when he most wished to remember them. It was said that he had no capacity for details, and that his training and nature were those of the scholar rather than of the practical man. The employees of the Interior Department hoped for an easy time when they found that he was to be their governor, and on the morning that he took charge of the department they read more leisurely their morning papers, and thought that a reign of millennial peace had begun. They continued in this thought just about two days, and then awoke to the fact that the new man meant business.

Mr. Lamar reorganized the department. He formed a system by which he could see what each bureau and division was doing; and, what is more, he demanded an analytical report as to their deeds each week. He did not stop with the first week nor the first month; and, notwithstanding all prophecies to the contrary, he kept up his work right along. When he left the Interior Department to become an Associate Justice of the Supreme Court of the United States (this was January 16, 1888) its affairs were in commendable condition.

Justice Lamar from his youth was distinguished as a hard worker. He found his most trying times as a member of President Cleveland's Cabinet. Work piled up in sufficient quantity to drive an ordinary man to distraction, but Lamar would simply gorge himself with the work as an anaconda gorges itself with a carcass; and when he was full, when he couldn't swallow another atom, he would go to bed, sleep like a baby for ten or twelve hours, and awake as fresh as a daisy. He sometimes worked for twenty hours at a stretch. He was a very rapid worker, and always became greatly absorbed in his work. He thought much faster than he could write, and he could not do the manual work of writing to his satisfaction. It was hard for him to wield

a pen. He pinched the holder as though he would squeeze the ink out of the handle, and his writing looked rheumatic. He was at home, however, with a stenographer, and he kept from one to three stenographers busy all the time. He talked off his letters and his opinions in the choicest of Anglo-Saxon, and put as much emphasis into his language as though he were speaking to the Senate. He became absorbed in every piece of dictation that he did; and, while he might be dictating the quieter passages upon a lounge, he would rise to his feet when he came to an important sentence and mouth his words like the players in the "Midsummer Night's Dream."

Notwithstanding the fact that Lamar imposed the strictest order and system upon his subordinates in the Interior Department, he himself was devoid of order in his work. His papers were kept in no order at all; but, nevertheless, he was so thoroughly familiar with all the details of the work of the department that he could lay his hand with little search upon any paper that might be desired.

The last paragraph must be understood as applying only to the papers kept under Mr. Lamar's personal key. Speaking generally, it is proper to say that his papers, even the more private correspondence, were kept in excellent order by his experienced and diligent secretary, Mr. Hanna.

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Carrying out one of the most prominent principles on which the Democratic party had been placed in power—that of retrenchment and the economical administration of the government—and as an indication of their intentions in that particular, one of the first official acts of Mr. Lamar and of Attorney-General Garland was to order that certain horses and carriages which had theretofore been kept in their respective departments at the public charge should be sold, and the proceeds turned into the treasury. The newspapers of the day state that seven clerks, so-called, of the Interior Department had been serving as drivers, and that the annual expenditure on account of this luxury had been about \$10,000. It is somewhat surprising and amusing to see what an amount of comment this little step excited. A few Republican papers, apparently considering it a reflection upon the preceding administration, sneered at it; but the overwhelming verdict was, of course, favorable.

Certainly Secretary Lamar could not be taxed with extravagance or ostentation, for his only turn-out was a small but neat one-horse rockaway, purchased by his own money and maintained at his own expense.

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When the administration of Mr. Cleveland was installed, and for a long time before, there was much complaint throughout the country that illegal and fraudulent practices existed in the Land Offices of the United States, by which the public domain was being rapidly absorbed by speculators and by railroads which had not earned their grants. The *Philadelphia Press*, speaking of Commissioner Sparks (appointed under Mr. Lamar), and the reformatory policy adopted by him, put the situation thus:

The new Commissioner of the General Land Office, Mr. Sparks, has evidently entered upon his work with the intention of protecting the government from the rapacity of land grabbers, aliens, and speculative cattle dealers. He has suspended the issue of warrants in certain sections of Dakota, Nebraska, and Kansas, and in the whole of Colorado, with the declared intention of investigating all the entries with such care as shall protect the government from plunder.

This action has not come any too early, if, indeed, the locking of the door has not been put off until the horse is gone and the thieves are out of harm's way. Not only have the cattle men fenced up the public lands in great tracts, thus keeping out actual settlers, but large bodies of land have been taken on fraudulent entries in every State and Territory west of the Missouri River. All this has been done without any action on the part of the government sufficient to punish offenders or to protect it from old or new incursions.

The entire Land Office has, for some inexplicable reason, been either unable or unwilling to bring about a reform of these obvious abuses, and has suffered much in reputation because of its failure to do its full duty. This prompt action on the part of the new Commissioner is to be welcomed as promising that strict watchfulness without which the public lands will soon be diverted from the purpose intended by the law. It will be encouraging if he shall succeed in bringing some of the transgressors to justice.

Quoting that passage, and commenting on it, the *Jacksonville (Fla.) Journal* (Republican) said:

As the *Press* suggests, this action comes too late to recover the interest which a long maladministration of the Land Department has betrayed and wasted. It is a well established fact that for years that department has been thronged with agents of States, corporations, and individual speculators, who, either through the Commissioner or his subordinates, have been able to consummate the most stupendous frauds in nearly every State in the Union where there was a large unoccupied domain. And so strong and well organized was this combination that any attempt on the part of any citizen, or even a member of Congress, to protect the public interest would only result in accusation and crimination, until the party would be compelled either to join in the villainy or acquiesce and hold his peace through fear of personal injury.

One of Mr. Lamar's first official acts was in respect to a transaction charged to be of this nature, and the circumstances were such as to cause a great deal of comment and criticism of his predecessor. Congress had made a large land grant, as it often did, in aid of the New Orleans, Baton Rouge and Vicksburg Railroad Company. There was a limit of time within which the road was to be constructed. That limit passed, and the road was not constructed. Afterwards the grantee assigned its rights to the New Orleans Pacific Railroad Company for a pecuniary consideration; and that company, prior to the 3d of March, 1885, had made selections of lands along the line of its route between New Orleans and Shreveport, La., under the grant as it claimed, to the amount of 1,015,993.76 acres. It had not, however, taken out patents for those lands. On the Friday before Cleveland's inauguration, on the request of the company, Secretary Teller ordered an additional force of clerks to be put to work to prepare the patents, notwithstanding the fact that protests had been filed against their issuance on the ground of noncom-

pliance with the terms of the grant. The clerks were kept at work on Sunday, and on the 3d of March patents were issued for 679,287.64 acres. This sudden and unusual assiduity, manifested apparently for the purpose of patenting the whole grant before the Land Department should pass under the control of the incoming administration, created no little discussion and excitement. On the 10th of March Mr. Lamar issued an order to the officers of the Land Office to suspend the further issuance of patents pending an investigation to be made by himself.

The matter was discussed in the Senate. Senator VanWyck, of Nebraska, a Republican, moved an investigation, and made a severe speech against the ex-Secretary, who had just been seated as a Senator from Colorado.

He detailed the "mysterious record" of the Backbone Road. He said that Gould and Huntington were at the bottom of a scheme to get possession of the land grant. It was claimed that there was a special meeting of the Cabinet to legalize the act, but the settlers did not have any advocate there. The Cabinet did not protect them; on the contrary, it turned them over to the tender mercies of the corporation. The whole history of the land bureau of the Interior Department was a record of demands by land-grant corporations and decrees of the department in obedience thereto. . . . Mr. VanWyck gave notice that the patents issued would be contested. Ex-Secretary Teller in his reply said that VanWyck was a professional antimonopolist, and that his object was to pose before the public and to gain notoriety. Mr. Teller's speech was an elaborate legal argument to show that the "Backbone" Company was entitled to the grant.\*

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Mr. Lamar had been in office but a few days when he was caught in a storm of criticism and abuse from ultra-Republican sources, which equaled, if it did not exceed, anything he had encountered before. It came about in this wise:

On the 24th of March the Hon. Jacob Thompson, who was Secretary of the Interior under President Buchanan, died. On the next day Mr. Lamar issued an order to the effect that out of respect for his memory the department and its several bureaus should be closed on the 26th, the day of the funeral; and on that day the flag over the department building was placed at half-mast. If it were not that in politics almost anything is expectable, it would be amazing, the turmoil which was made over this incident. The Republican papers abounded in the most violent editorials about it, and in the most extraordinary vituperation of Mr. Thompson. Of those criticisms a correspondent of the *New York Herald* had this to say under date of the 27th:

On the walls of the office of the Secretary of the Interior are displayed portraits in oil or crayon of every Secretary who has filled the office since its creation by Congress in 1837. . . . No exception has ever been taken to the fact that the portrait of Secretary Zach. Chandler has been a companion piece with that of Secretary Thompson, whose funeral took place yesterday; nor have any of the Republican Secretaries

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\*The *Clarion*, newspaper.



of the Interior complained of the presence of Secretary Thompson's picture in the group adorning the office. They represent a period of twenty-four years; and if the Republican predecessors of Secretary Lamar, especially such intense partisans as the late Secretary Chandler and Mr. Kirkwood were known to be, could sit day after day with the portrait of Mr. Buchanan's Secretary of the Interior staring them in the face, it could hardly be expected that the present occupant of the office would attempt to cast reflections upon their political judgment by excepting Mr. Thompson's memory from the number entitled to the usual mark of respect when a former head of the department dies.

Therefore Mr. Lamar was very much surprised when he was told to-day that some of the newspapers were criticising the order closing the Interior Department yesterday out of respect to the memory of ex-Secretary Jacob Thompson, who was the head of this department from 1857 to 1861. Mr. Lamar said to your correspondent: "I have no apology to make for my action in this matter. The possible political criticisms referred to could never have suggested themselves to my mind. Mr. Thompson was Secretary of the Interior four years. His successors and my predecessors thought his portrait worthy of a most conspicuous place in the office of the Secretary, among the many Republicans who have filled this office. If they regarded his memory worthy of such honor, I could not do otherwise than further remember the office he had once filled, and do honor to his memory exactly as has been the custom of the department whenever an ex-Secretary of the Interior has died. I never heard of an exception being made, and know of no reason why one should have been made by me. On the subject of honoring the memory of the dead I have very pronounced views, and I recall the adverse criticism which followed my eulogy on Senator Sumner. I have not changed my views. As I said in the beginning, if those who have preceded me found the portrait of the late Secretary worthy of their company, it was eminently proper that the usual respect for the memory of the deceased should be faithfully observed by this department. The duty of so ordering is not one requiring further explanation."

Whereupon the correspondent of the *New York Tribune* said:

It really begins to look as if the Confederates have captured the capital at last. The maimed veterans of the war must wait for their pensions while the officers and clerks of the Interior Department take a holiday to honor the memory of a conspirator and traitor, who gloried in breaking his oath of office and divulging Cabinet secrets to the South Carolina rebels. Secretary Lamar declares that he has "no apology to make," and expresses artless surprise because his order is criticised; but he remembers that his eulogy on Charles Sumner also provoked "adverse criticism," from which it is fair to infer that in Mr. Lamar's estimation Jacob Thompson was as pure a patriot and as honorable a man as Charles Sumner, and that his memory is equally deserving of honor. Mr. Lamar can see no difference between the hanging of Thompson's portrait as an historical memento on the walls of the Secretary's office and ordering the department to be closed and the national flag to be lowered in honor of the traitor's memory.

The *Post* to-day editorially asks if anybody doubts that Secretary Lamar "would have lowered his flag to half-mast just as promptly if it had been a Northern instead of a Southern ex-Secretary of the Interior," and observes that Thompson's administration of the Interior Department was much more creditable than Mr. Delano's. That is probably exactly what Jefferson Davis thinks about Thompson's administration, under which more than \$800,000 belonging to the Indians was stolen, and the credit of the government impaired at a time when, through Democratic extravagance, its treasury was empty, its receipts were insufficient to meet current expenses, and its

open enemies and secret traitors were preparing their schemes to bring on a rebellion that was to tax to the utmost the energies and resources of the country.

The *Tribune* also said editorially:

Perhaps it is hardly right to find fault with these Democrats because they select for honor the ugliest of the old-fashioned Copperheads and the most conspicuous of the secessionists, and pay tributes of affection even to a notorious thief if he was a rebel. That sort of thing was to be expected. Nobody has ever supposed that the Democratic party was composed of loyal men in spirit and in sympathy. . . . Still there are some persons who are disappointed. They are the creatures who professed to believe that the Democratic party had become transformed, that loyalty had become its ruling spirit, and that it would never be found honoring or rewarding past disloyalty. The people who believed that sort of thing have only themselves to thank if the conduct of affairs does not suit them.

The *New York Sun*, on the other hand, said:

We read a good deal of excited language in some of the Republican journals about the act of Mr. Lamar, Secretary of the Interior, in ordering the offices of that department in Washington to be closed on Friday last out of respect to the memory of Jacob Thompson, who was Secretary during Mr. Buchanan's administration.

The Republican journals criticize Mr. Lamar very sharply, contending that no honor should be paid by the Federal Government to a man so conspicuous and so unsparing in his efforts to destroy it. Thus they do their best to revive against Mr. Cleveland's administration the passions and animosities of the Civil War.

Among others, Donn Piatt took up the cudgels for Mr. Lamar, as appears in the following communication to the *Cincinnati Commercial Gazette*, which had assailed him:

TO THE EDITOR OF THE COMMERCIAL GAZETTE.

I scarcely believe, Mr. Editor, that if political prejudice were eliminated from your nature you would be so savage in your assaults on Lamar for putting the flag above his department at half-mast, in accordance with usage, when the death of a former Secretary was announced.

Lamar was the first to rebel and the last to surrender, and in both he exhibited the same manhood that has won for him the respect of his enemies and the love of friends. He is the last man on earth to sympathize with the horrible methods of war the late Jacob Thompson is charged with, and he is just the man to do his duty when called on, let the consequences be what they may. It was his duty to lower that flag on the death of a predecessor, not in honor of the man, but the official.

Secretary Lamar found the portrait of the former Secretary Thompson on the walls of his department. This, you say, was merely a matter of record. So is the custom of putting the flag at half-mast. And if he failed to comply with the one record, it is his duty to obliterate the other. As all the secretaries are recorded in portrait, so all the secretaries go to record in their deaths through this official ceremony.

You strain a point, however, when you say that the portrait is merely a record. Let us see. Suppose a Democratic Congress were to vote a bust or a statue to Gen. Lee. Would that be only a record, even were he cast or chiseled as a Colonel of the United States Army? Scarcely.

Certainly Secretary Lamar did not lower that flag to emblem his personal grief or profound respect for the dead. It was an official ceremony, and no discretionary power is given the living official. He complies with the law and the custom. Let me illustrate: When the former Secretary of War, Belknap, comes to depart this life, his successor in office will droop the flag and drape the doors with mourning. Can

such successor say: "No, this can't be done; that man disgraced his office, and the building must not mourn?"

To those knowing Secretary Lamar—and he is getting rather well known—the charge of disloyalty, for this is what it amounts to, cannot be sustained. The man who stood up in his place to eulogize Charles Sumner—whose breadth of intellect marks the statesman, while his generous impulses make him lovable as a man—is not one whose official acts are likely to hurt him or the cause he represents. DONN PIATT.

The key to the situation was probably expressed correctly in a letter from Mr. Reemelin:

The attack made on you especially is a part of the attack along the whole line. It is intended to involve the present administration in the expected defeat [of the Democracy in Ohio]. With the Republicans the coming election is a reconnoissance in force for the next fall's campaign and battle.

When Mr. Cleveland was inaugurated the Democratic party had been out of power for twenty-four years, and during the same period its members had been almost entirely excluded from all participation in the enjoyment of Federal patronage. The vast assemblage gathered at Washington to witness the inaugural ceremonies—an assemblage without equal, as reported, in any previous instance—did not by any means owe its magnitude to a disinterested rejoicing over the institution of a new national policy and the natural desire to witness its inception. The great throng of Democrats who were anxious to grasp Mr. Cleveland's hand on that occasion were also anxious, in the vast majority of instances, to grasp also the spoils of victory. The degrading policy inaugurated by the administration of President Jackson in respect to the distribution of Federal offices had acquired the prestige of a half century's observance. The Republicans, during their quarter-century of power, had followed it inflexibly. A civil service law had been passed, it was true; but its field of operation was limited, and within that field it had been to a great extent avoided. When, therefore, the Democratic triumph of 1884 was assured, over the pæan of victory was heard from all quarters the old, unpatriotic apothegm of Senator Marcy: "To the victors belong the spoils." Washington was overwhelmed by an army of office seekers—clamorous, persistent, exacting, and in general resentful of denial or delay. The anterooms of the offices of the various members of the Cabinet were thronged for months. Especially was this true of the Interior Department, owing to its numerous and important bureaus with their extensive corps of employees.

The following extracts from letters written by Mr. Lamar at this time to relatives and intimate friends will serve to give an idea of the annoyances and burdens of the life of an important Secretary during a period of administrative change:

"Tell Fan that I did not get her long letter, or, if I did, it has not yet fallen under my eye; at which I am not at all surprised, as there are hundreds of letters, private and personal, that I have not yet been able to break the seals of. I eat my breakfast and din-

ner and supper always in the company of some two or three eager and hungry applicants for office; go to bed with their importunities in my ears; and, what is of greater inconvenience to me, and one that I feel more than any other, I have no time to say my prayers. You know that breaks up a cherished habit of mine. . . . Your friend, Mr. —, was in the lists for an office over which ex-governors, ex-senators, and ex-judges were in fierce competition; and I have no doubt he thinks that he was badly treated because I did not hand it down to him as if it had been a book in my library, to be simply pulled out and turned over. I expect you think that I am in a bitter mood this morning, but I am not; only in a jocose one after an engagement with eight office seekers before breakfast."

"I have to be in my office, generally, at nine o'clock; and if not there, am kept by the visitors who call on me before I rise in the morning and stick to me until I start. It is rarely the case that I get to bed before twelve o'clock, so constant are the demands upon my time and attention."

"The letter you wrote me some weeks ago did not fall under my eye, as it is impossible for my secretary to lay before me one-fifth of the letters addressed to me in my private capacity. No blame attaches to him or myself, for the reason that it is impossible for me to get thirty minutes out of the twenty-four hours for the purpose of reading my private correspondence. He has constantly urged these letters upon me, but as soon as they are opened I am pressed with important departmental business, or applications for office through Senators and Representatives whom I cannot put off without personal rudeness."

"I am nearly drowned in an inundation of ink, made up of streams from all parts of the country?"

Special correspondence of the *Cleveland (O.) Leader*:

. . . Senator Lamar has the big Interior Department under his control, including all the railroads of the country, the fifty million dollars and more which are paid out every year in pensions, the Bureau of Education, the great patent system of the United States (which pays for itself and gives thousands to the support of the government yearly), the millions of acres of public lands, the Indian Bureau, and the Geological Survey. The building is a big Greek structure of marble, with a portico at its front, copied after the Parthenon at Athens. Secretary Lamar's office is on the second floor at the south end of the east corridor. It is a big room, with many crayon portraits on the walls, and an oil painting of Tom Ewing, of Ohio, the first Secretary of the Interior, looking down upon Lamar. . . . Senator Lamar is noted for his absent-mindedness. He lives in the ideal as much as a lotus eater. . . . But it is said that Senator Lamar never lets this absent-mindedness interfere with his other duties. As to this, time will soon tell.

Special correspondence of the *New Orleans Item*:

Secretary Lamar has no cards brought in to him. He receives Senators, Representatives, and delegations first. Immediately after these have passed out, those who are waiting are admitted. He gives audience first to the ladies in the crowd, and listens calmly and attentively to what the humblest has to say on business. He answers promptly and very kindly, and seems to give all the satisfaction in his power. . . .

On the 5th of February, 1887, Mr. Lamar wrote to a friend in New York:

The pressure upon me for the lowest offices in the department is absolutely greater and more distressing than that for the higher positions.

Refined and intelligent women from the South tell me that they do not know where they will get their next meal; that they have children, a poor mother, or a consumptive sister; and that they are willing to go into the paste room, or to scour

the floor, or to take any position that will give them from twenty to twenty-five dollars per month; and all that I can give them is something that they do not want, and that is my keenest sympathy. This, however, is not appreciated, and no one believes but that I am able to find some position somewhere if I choose to do so. . . . The helplessness with which I contemplate all this suffering, and listen to these complaining importunities, is making existence wretched.

After his death, the *New York Times*, in a special from Washington dated January 25, 1893, said:

As Secretary of the Interior, it is probable that Mr. Lamar was about as miserable as he had ever conceived it possible for a human being to be in office. He hated the drudgery of the place less than he did the importunities of his party for office. It seemed to him that the principal part of his official duty was to listen to and refuse (because it was impossible to grant them) the requests of the crowd that constantly filled his rooms.

One day a gentleman who was not a caller for office was shown into Mr. Lamar's inner apartment. In the outer room were several prominent Democrats, including a high judicial officer, several Senators, and any number of members of the House. Mr. Lamar waved his visitor to a chair without saying a word. He was evidently too much exhausted to speak. By and by his visitor said that he would go away and return at some other time, as he feared that he was keeping the people outside.

"Pray sit still," requested Mr. Lamar. "You rest me. I can look at you, and you do not ask me for anything; and you keep those people out as long as you stay in. I can have them at any time I choose to send for them. I can't get you. Please do not go away."

All of this chagrin and distress was further complicated, in the case of Mr. Lamar, by the fact that he did not approve of officeholding in Washington as a method of life. Writing to a lady in Georgia, he said:

I doubt very much whether any of the clerkships in the city of Washington would subserve any good purpose to any real, genuine Southern lady. It is a position of great drudgery, great dependence, and occasional trial in the authority to which clerks are subordinate. A lady filling such a position is of necessity regarded as a mere clerk, and no allowance will be made on account of her surroundings or her delicacy of feeling. She is just simply considered, and must necessarily be considered, as an agent or servant of the government; held to the most rigid exactions of work, and not allowed to absent herself from duty except on account of illness shown by certificate of a physician, or by permission of her superior. I have had some Southern women here with me. I had one very nice lady from —, and she refused the very first day to climb up a ladder and pull down some papers which my Democratic chief of division had ordered her to do; and there I was, bound to make that lady do that thing or overrule and break down the discipline of my office. I have come to the conclusion that it is no act of friendship, no act of real good service, but a veritable injury, to appoint any lady from the South to office in any of the departments of government.

There are many other reasons why such positions are not desirable, such as the precarious tenure of office, which may be terminated, not only by a change of administration, but by many other things, such as the incidental retirement of one of her superior officers, a misunderstanding with her chief, or even a clause in an appropriation bill making some change in the force employed by the department or in the pay of the employees. The expenses of living in the capital are also to be considered, as well as the sacrifice of home pleasures and duties involved in an official life.

The sentiments expressed in the foregoing letter Mr. Lamar really

entertained in respect to all holdings of office in Washington. He regarded such a life not only as precarious and subordinate, but also as dwarfing and demoralizing in many respects, and frequently so expressed himself. Not rarely he would say and write that the friendliest office he could discharge for a young man or woman of respectable capacity would be to defeat his or her effort to obtain such a place.

A few additional extracts from some of Mr. Lamar's letters will cast interesting light upon his powers, limitations, and motives in the bestowal of offices:

"It is very difficult to realize that the head of a department is frequently quite powerless, and has, as a matter of fact, very little control over appointments in his own department; but yet such is practically the case. It is true, the Secretary may have the power to select between two or three prominent applications. He may take a man from Maine or a man from Ohio, or he may decide between two men from the same State who are prominent applicants; but this is very far from giving him the ability to bestow the office upon the man of his own choice. Even though he may have an intimate acquaintance with a gentleman whose character and abilities fit him for a given position, the Secretary is often compelled by questions of courtesy, by considerations political or geographical, to bestow the place upon a man of whom he has no personal knowledge and in whom he has not the slightest personal interest." . . .

"My respect for the recommendations of the ordinary character is decreasing every day, and I have no confidence in them at all."

"You must permit me to say, in all good feeling, that the greatest obstruction in the way of appointing . . . Democrats to office, is that which Democrats from . . . themselves interpose. I have been on the eve more than once of recommending an important appointment under the general administration from your State, and have been prevented from doing so by the protests of leading and distinguished Democrats against it, gentlemen whose words and wishes I could not well disregard. I have thus been actually driven out of your State into others whose Democracy was harmonious and unanimous. I cannot move a step in the direction of . . . either in local or general appointments, that I do not find my action checked by this discord in recommendations and the collisions of opposing forces. . . . It is the same with every office that I touch—on one side, eulogies of the applicant that would make George Washington blush if pronounced upon him to his face; and, on the other, denunciations that would make even a felon tremble for his reputation. Thus, in several instances, *whomsoever* I appoint, there will be on record in my office charges of his own party associates against him greater than those filed against the Republican incumbent whose removal is urged."

The state of affairs which Mr. Lamar so forcibly presents here existed in several States.

"Sometimes I suspect—of playing the part of Senator X. upon me. X. had a lot of fellows about—that he was pledged to support, and yet he could not afford to succeed in putting them into office; and, in order to avoid a quarrel with them, he made a quarrel with the President, and refused to make any further recommendations. That's the way of it. I am perfectly willing that—shall have the benefit of that sort of a quarrel—interrupted again, and so I shall quit for the present."

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Mr. Lamar wrote shrewdly and truly when he wrote to his daughter that "soon after I get in, the irate clamors of disappointed office seekers will be a storm compared to which the fuss on the Silver Bill was an

April shower." His second month had not passed before the clamor and the abuse began.

From Southern sources he was taxed, in communications public and private, frequently couched in the most denunciatory and preposterous terms, with proving false to the Southern people and bestowing the offices within his control upon Northern men by preference. From the North he was equally taxed, in similar terms, with filling his department with Southern Confederate soldiers, to the willful exclusion of those who fought for the Union. From both sections he was accused by Democrats of wrongfully retaining Republicans in office, while the staunch and true Democrats who had fought and won the hard and long contest for a new policy and a new distribution of patronage were deliberately ignored and given the cold shoulder; and his department was invaded by newspaper correspondents, who published estimates of the Republicans retained. At the same time the Republican papers abounded in articles setting forth how "the South, in his opinion, deserved the cream, and he was the man to skim the pan and distribute the cream to the followers of Jeff. Davis," and such like. The complaints were utterly absurd and contradictory; but these facts made them none the less loud, and probably but little less trying.

The applicants were many times more numerous than the offices. When a place was to be filled there were always numerous claimants for it; and, as he himself wrote, "applicants are proverbially sanguine." Of course the great majority were disappointed necessarily, and no reason could be assigned for their failure except that stronger influences had carried the appointment elsewhere, which often produced bitterness. In a letter to his son Mr. Lamar said: "The disappointments incident to the applications for office seem to be so desolating to the applicants."

The troubles about offices were not peculiar to Mr. Lamar's department; they touched the whole administration in one aspect, and centered in the President. For many years the patronage of the government had been increasing until at last it had attained enormous proportions. A great evil had grown out of that fact. Multitudes of men seemed to have no other plan of life than the pursuit of public office and to look to the government alone for the means of support. The quadrennial elections of Presidents seemed about to degenerate, if, indeed, they had not already degenerated, from contests over policies and principles into scrambles for offices and spoils. The public service was becoming corrupted, and the government was assuming the form of a self-perpetuating dynasty. The movement in favor of civil service reform sought to correct this evil (1) by making a great proportion of the offices appointive by examinations held in conformity with law, and under the supervision of a commission; and (2) by developing a public

opinion demanding that officers once appointed should be retained until the expiration of their terms, except for incompetency, immorality, or offensive partisanship.

Those principles had been approved, and the following of them promised, by the Democratic party, and especially by Mr. Cleveland.

For these reasons Mr. Lamar (who thoroughly sympathized with their motive, and, moreover, was thoroughly loyal to the President, and anxious to help on his administration to a full and complete trial as he had conceived it), as well as the other members of the Cabinet, were moving more slowly in the matter of displacements than was acceptable to many of the politicians; and nearly all over the country there arose a smoldering opposition to the administration, which threatened to break out into a flame. Mr. Lamar's papers of this period abound in letters, mainly of 1887, from prominent men of all quarters containing protests, denunciations, prophecies of future evil and reverses to the party, the keynote of all of which was a demand for a swifter and more indiscriminate use of the political ax and an assertion of the folly of civil service reform. It was of this feeling that Mr. Lamar wrote in the following letter:

July 11, 1885.

BREVET MAJ. GEN. G. PENNYPACKER, Philadelphia, Pa.

*My Dear General:* . . . My purpose has been to aid one of the most single-minded and truest public men I have ever met with in an honest and brave effort to put this government upon sound principles. Every day that I meet the President I am more deeply impressed with his patriotism, his self-oblivious devotion to duty, and his determination to carry out the principles of reform to which he has pledged his administration.

It may be that the Democracy of this country will not sustain him. That, however, will not cause him to falter one moment in his steady, unfearful, and undoubting march to the object before him. The thirst for a general "turn out" all over the country is almost fearful. The proscription and intolerance of the Republican party in every State in which it has the ascendancy, in every department of the government where it has a hold, are constant provocations to a departure from the principles laid down by the President; and I cannot blame the feverishness of our people for a change under such circumstances. If, however, it is yielded to; if the opportunity is lost under this administration of establishing the great principle that the offices and honors of this government are not the mere rewards and spoils of party victories, but great public trusts to be administered for the benefit and the highest and best interests of the country, I believe American liberty will be lost with it.

Fifteen months later, on the 13th of October, 1886, Mr. Lamar wrote to a cousin in respect to a recommendation for office which had been sent to him by a lady prominent in official circles under Mr. Buchanan's administration:

During the whole time that I was in Congress before the war, I, as a Representative from my district, did not ask the administration for three offices. Now it would be incredible if I were to state to you the number of applications from that district alone. The change is not only in the wholesale methods established by the Republican party since the war, but by the demand that is made of the Democrats to retali-



ate in kind, until now, in a Presidential election, I believe that there are not less than three millions of voters who vote with reference entirely to the distribution of Federal patronage, and who hope to be benefited, either directly or through friends, by appointments to office. The fact is an appalling one, and unless some great moral revolution takes place it will lead to a political revolution of the most fearful nature.

The policy of the President and his sentiments on the subject of civil service reform are fully and clearly set forth in the following letter addressed to a prominent politician in the Northwest, but never forwarded to its destination, and found among Mr. Lamar's papers:

SARANAC LAKE, August 25, 1885.

HON. ———

*My Dear Sir*: I have lately received a letter signed by you and Mr. —, setting forth the importance of a change in the incumbents of Federal offices in the State of —, and suggesting the political propriety of making such changes promptly.

I have much faith in your judgment and political sagacity, and am fully convinced of the patriotic motives which have instigated your recommendations to office in your locality; and because I entertain these sentiments, with a firm conviction of your friendliness and kind wishes toward me, I am constrained to remind you of the conditions which surround the subject referred to in your letter.

Nothing, it seems to me, could be more distinct than the promise I made to the people during the campaign, and since its close, that officers whose duties are purely executive should not be displaced during the continuance of their terms merely and solely to make way for those who are in affiliation with the party to which I belong.

This promise was not made with any lack of appreciation on my part of the importance of party organization, nor with any disregard and failure to recognize the value of the services of party associates in the struggle for the ascendancy of Democratic principle. But it seemed to me at the time that there was no sentiment so nearly uppermost in the minds of the people as the belief that a wholesale and indiscriminate change in the public officers should not unnecessarily and inevitably follow a change of administration.

This sentiment was based, I suppose, upon a natural regard on the part of the people for their interests as distinguished from the benefit which would accrue from such changes to those who make a profession of politics, and who are not always in full sympathy with the things that pertain solely to the public good.

I understand that the party which succeeded to the administration in the last election is a progressive Democracy; and it should be really and truly in full accord with the wishes of the people, and willing to base its hopes of a continuance in power upon popular approbation. During the campaign we certainly claimed to stand in that position, and it was only because the people trusted in our professions that they gave into our hands the administration of their government.

I would not have you understand that the pledges to the people which I thus personally acknowledge were given on my part merely to achieve success, and that I feel bound to redeem them because they were made. On the contrary, I fully share in the sentiments to which I have referred, and sincerely believe that a change of administration should not be the signal for an entire change in the servants who are employed to do the people's work.

It follows that honor, good faith, and my conviction of what is right and just, all combine to cause me to remain firm and steadfast in the line of conduct which has been marked out for the guidance of the present administration. All officers connected with the furtherance of the political policy of the government should be of the same political creed and party as the administration; but faithful and honest officers not thus



PRESIDENT CLEVELAND AND HIS CABINET.

BY PER. C. M. BELL, WASHINGTON, D. C. PRES. CLEVELAND COPYRIGHTED.



related, and whose removal is not deemed necessary to the proper consummation of needed reforms, and having fixed terms, will not be removed merely upon the allegation that such officers belong to the party lately defeated at the polls.

Of course there should be no protection for officeholders who have used, and are now using, whatever of influence and power their offices afford, to carry out partisan designs, and who sacrifice the interests of the people to partisan zeal; nor to them who, in their discharge of official duty, willfully offend their fellow-citizens of another political faith.

These unworthy officials and offensive partisans should be promptly removed; but the enjoyment, in a decent manner, of their political privileges and rights, should not be made a pretext for removal for the purpose of putting in their place our political friends.

There can be no doubt, it seems to me, that every member of the Democratic party is in honor bound to sustain the present Democratic administration in fulfilling the pledges made to the people in its behalf, with the approval and indorsement of the party. These promises and assurances constituted the conditions upon which the party was intrusted with power, and common honesty demands that they should be faithfully kept and preserved.

It can be only those who suppose that, under a code of morals peculiar to political affairs, promises can be made when the people's suffrages are solicited and easily forgotten afterwards, who can find fault with the course which I have determined to pursue.

Yours very truly,

GROVER CLEVELAND.

This letter is a very clear exposition of the views of the President at that time. It is one of the most characteristic of the epistles that have come from his pen at any time. It shows unmistakably Mr. Cleveland's intentions when he first entered the Presidency. It is highly practical. Rules of action were laid down which were easy to carry out, with the requisite firmness. They were carried out in their main features, making in this respect a revolution from the practices which had prevailed during the fifty years preceding. It was the first step in civil service reform under Executive action, and a highly important one. To that extent the President carried out his pledges to the people; and he did it, as he says in his letter, not solely because of the pledge, but also because he shared in the belief of its propriety and justice. In November, 1885, Mr. Lamar wrote to a friend: "The President is very inflexible in his opposition to turning out any meritorious officeholder on account of party principles."

Here was a great point gained. It was established as a precedent that officeholders should not be removed solely on political grounds. The issue was made squarely; and the Republicans, when they subsequently resumed power, were compelled to concede the same policy toward the officeholders. They did it grudgingly, and when the time came that Democratic incumbents could be replaced, on the expiration of their terms, by Republicans, it was done relentlessly; but still the point was conceded.

While Mr. Lamar was in accord with the views of the President on

this important question (as is fully shown in his letter to Gen. Penny-packer), and while he did what he could to make these views effectual, he was not inclined to deny to the Democrats the legitimate rewards of their political services or to underrate the importance of having the officers of the government in sympathy with the policy of the administration. On that subject here is an extract from his pen:

With the fact ever in view that the sole end sought is good government, yet to attain this end successfully, in the present state of advancement of political education, it cannot wisely be ignored that he who loves a cause best most earnestly labors for its success. If the patriotism of the adherents of each political party be conceded to be equal, yet the love of party to some extent exists in both; and this love of party in a Democrat will be added to his patriotism as an effective force; while in a Republican, as the success of the administration will detract from the probable success of his party, his love of party will be in antagonism to, and will be subtracted from, his patriotism. As a result, the Democrat will accord to the end of good government, under a Democratic administration, a sympathy greater than a Republican, equivalent to twice the force of party spirit; and therefore, all things else being equal, will generally be likely to make the better officer.

The following letter, dated October 2, 1886, responding to an inquiry by Mr. Schurz, is of interest in this connection:

*My Dear Mr. Schurz:* . . . I am to-day surrounded with men of the opposite party, with whom I have had no relations except those that are purely official, and have retained them against the protest of my personal and political friends, who believe that they are bitter political enemies, not only of the party to which I belong, but of my own success as the chief administrator of this department.

Nothing is needed to defeat the purpose and the operation of the civil service law except bad faith; and the fact that the great body of the clerical force is still Republican is due not so much to the compulsory power of the law as to a sincere coöperation with its intent and purpose.

I am very glad to find that you think that the President has done many good things. Let me communicate to you one fact about the President, in the perfect freedom of private and personal confidence. A man's life is twofold: one, internal, which is his real nature—the life of thought, feeling, intention, and purpose; the other, external and public, which is very often a hindered and imperfect embodiment of the former. I have been in close contact with the President, and I have never seen, in moments of the most unrestrained familiarity and unconscious disclosure of himself, a thought, word, or deed inconsistent with his ideal of a pure civil service. Whatever aberrations have occurred during his administration from the exact line are due to the impossibility of infusing into his subordinate agents and agencies his own spirit as a uniform and persistent motive power. I, for instance, have yielded to the representations of my political friends, both in removals and appointments, which I found out afterwards were erroneous representations, to use no stronger expression. But I do not believe that the President would swerve one inch from his policy. I state this to you because I know how you prize real sterling worth and courage. I am satisfied that the country will never get another President more sincere and more rooted in his convictions in favor of civil service reform, as you understand it. Even if it should, it will not get one who combines with these convictions such intrepidity of character. I know that you are practical statesman enough to realize that there are environments which must necessarily prevent an absolute conformity of principle with practice in governmental affairs. You cannot bring the operations of govern-

ment to a mathematical square. . . . The unquestionable fact that the great mass of officeholders—over one hundred thousand—in this country have been impressed with the conviction that any use of their official influence for party purpose, or any improper purpose whatever, will be sure to bring them under the censure of a Chief Magistrate, whose intelligence is penetrating and ever observant, and whose will is inflexible, certainly marks an advance on this subject, especially when you consider how much all persons connected with the administration have been addicted to impressions and traditions and beliefs so entirely the reverse.

In my opinion the transfer of power at the last Presidential election to the Democratic party has certainly eliminated officeholding as an instrumentality of corruption. I do not mean to say that either very efficient men or men especially pure have been put into office in every instance in place of those ejected; but what I do mean to say is that there are no such things, by outsiders or insiders, as schemes and jobs of corruption. They may arise hereafter, but no man or set of men now hopes to get a lodgment in this administration for the purpose of perpetrating great frauds or of obtaining favors by which to enrich themselves and others. The real source of embarrassment to the administration is the pressure of Congressmen to put their own partisans into office, irrespective of their merits and efficiency, for purposes of political strength at home; and it is a constant fight, and not always a successful one, to prevent that result.

The fact that the President is not an old Congressional politician of long and close acquaintance and friendship with the public men of the country, while it has its disadvantages, exempts him from many difficulties to which an old politician would be subject. There is not the facility of approach and appeal upon the score of personal and old political friendships and alliances in his case that there would be otherwise; and I have more than once, in my mind, felicitated the country upon the fact.

Perhaps no man in high official position was ever more solicitous about the *personnel* of his department than was Mr. Lamar. His correspondence is filled with expressions of the greatest anxiety that his subordinates should be, in the highest degree, competent, faithful, and efficient. He exercised a jealous and minute watchfulness over the details of their conduct, even over those removed across the continent.

One very noticeable feature of Mr. Lamar's character and his administration of his department was his freedom from the taint of nepotism. With unusual affection for his relatives, both in its comprehensiveness and its intensity, he would never consent to allow the ties of blood to lead him into bestowing office. Indeed, relationship was a decided objection to an applicant, other things being equal; for, as expressed in one of his letters to one of his subordinates, it was a cardinal point with him to avoid the appearance of evil, as well as its reality. He writes:

"The charge is a public one, and the offices to be disposed of are public trusts. If I could give them out according to my own wishes, not only Mr. —, but some very poor members of my own family, would be provided for. They have my heartfelt sympathies, but the limitations upon me as a public man are such as to prevent my giving them help through public offices."

"I confess to you a reluctance toward appointing my own relatives to office. It is proper to state here that the applications from this source are numerous and distressing to me. There is no personal sacrifice that I would not make for my own kin, ex-

cept that of using the patronage which is in my hands as a public trust for the purpose of advancing the private interests of relatives and friends." . . .

In anticipation of the opening of Congress, Mr. Lamar made to the President his first annual report, under date of November 1, 1885. It is an elaborate document, or rather book, of eighty-seven printed pages, giving a full and most instructive account of his year's work and management. The special correspondent at Washington of the *Inter-Ocean* said of it, on December 12, after the meeting of Congress, that

The report of Mr. Lamar is considered the best that has come from the Cabinet, not only as a literary work, but for its comprehensive, statesmanlike review of public questions. . . . Mr. Lamar is the literary man of the Cabinet, and wrote every line of his report, devoting a great deal of time and attention to its preparation and to the preliminary study of the topics of which it speaks. I think that Mr. Lamar wishes that he was back again in the Senate, out of the hurly-burly. . . . He is an intense man, with a very keen sense of the importance of things, and he worships justice. Very often he goes home from the department all broken up, when the office seekers have been more pestiferous than usual, or something has gone wrong in the department; and he broods over his cares until his mind is in a fever heat. Then he gathers himself together, brings his will to the exercise of its full force, and goes back to the department to apply his ideas of justice and law with a vigor that fills the building with electricity. . . .

The *New York Sun* said of this report:

Great industry, great conscientiousness, and great good sense, as well as uncommon length, distinguish Secretary Lamar's report. It is one of the longest documents of the sort, if not the longest, ever submitted to a President by a Cabinet officer. It would fill two pages and a half of the *Sun*. This happens not because Mr. Lamar has wasted many words, but because he has been so diligent in informing himself as to the conditions and needs of the multifarious interests under the supervision of the Secretary of the Interior, and so anxious that Congress shall have, to the fullest extent, the benefit of his investigations and conclusions. . . .

It is proper to say that this document is as far as possible from being the production of a dreamer who goes around with his head in the clouds. It is the work of a practical intelligence, able to express itself in excellent English. Few State papers in the rapidly accumulating literature of the Cleveland administration are so well written. . . .

This item went the rounds of the papers very extensively:

Rarely does a departmental report receive as much favorable mention from the press of the country as has been accorded to that of Secretary Lamar. Notwithstanding the misgivings expressed at the time of his appointment, the idea is now very generally entertained that he is the right man in the right place.

The United States Minister to Switzerland wrote from Berne, under date of December 28:

The report furnishes, as it were, a renaissance of that combination of philosophy, thought, and the highest culture, with ability for details and practical affairs which in *ante bellum* days illustrated the official utterances of Southern statesmen. May the country enjoy a full restoration of this almost lost art! You have given a perfect model for a beginning. . . .

When Mr. Lamar became Secretary he received numerous letters and other communications, from various quarters, in respect to the Indians. There seems to have been a widespread expectation among those who were interested in that question, either officially or philanthropically, that the Indians, in all of their varied and difficult relations, would receive at his hands a treatment more than usually intelligent, careful, and generous.

This delicate and responsible office, which had annoyed the government since it was first organized, Mr. Lamar undertook with all the energy and sympathy of his nature. The problem resolved itself into several principal elements, presenting difficulties both inherent and accidental. The Indians themselves needed detailed and accurate study. Their mental and moral traits; their laws, traditions, and superstitions; their tribal relations, both as between themselves and toward the whites; their diversities of instinct and habit and feeling, as between different tribes; the facts of their treatment by the whites; the causes of their discontents, or of their occasional peacefulness and comparative prosperity.—these and other considerations presented a problem of unusual complexity, and a problem in which not only the material welfare of the nation was to a certain extent involved, but also, as the modern world had come to regard the matter, its reputation, and its honor. The principal difficulties to be overcome were the strong tendency of the Indian nature toward wildness, cruelty, and idleness; the ignorance, injustice, greed, and brutality of Indian agents; and the persistent invasion of the reservations by great syndicates of cattle raisers under the cover of leases from the tribes. But a few months had passed before Mr. Lamar's stewardship in this department of his work was rewarded by numerous and warm expressions of applause for the "firm stand taken in behalf of the Indian," for "the discomfiture of their cattle king oppressors," for "the advanced measures toward the legal protection of the Indians of our country." For example, the *Omaha Herald*, of September 29, said:

Secretary Lamar, it is within our knowledge and province to be able to say, is making a close study of the needs of the Indians, and also of the character of the men who are to have charge of their interests. This is equally true in respect to appointments to the land offices in this and other States.

The philosopher-statesman of Mississippi may be "a dreamer," as he is sometimes called by the politicians; but it might better be understood now than at a later time that he is a dreamer of very practical dreams.

The following abstract and quotation from Mr. Lamar's report of 1885 will give an idea of his general treatment of the question and of his opinions and plans about that intricate problem:

The recent disturbances are first considered, including the outbreaks of the Apaches of Arizona, and of the Southern Utes, and the discontents of the Cheyennes and the Piutes; then the special needs and



troubles of the Nez Percé and of the Pueblo Indians, the allotments of lands in severalty among the Omahas, the Santee Sioux, and in the Umatilla Reservation. The condition of the Indian trust funds is described, also that of the Indian schools. Passing to the subject of the leases of the Indian lands, Mr. Lamar shows that, beginning with the month of January, 1883, leases of extensive tracts had been taken without public competition and at unreasonably low rental (even below two cents per acre, for the most part), to an amount in excess of seven million acres. Said he:

From all the facts developed on the subject, I am convinced that the assistance rendered by the respective Indian agents in the making of these alleged leases was directed more for the interest of the cattle men than that of the Indians placed under their care and supervision. While many of the Indians favor the leasing of their lands for grazing purposes, others opposed and protested against such use and occupation of their reservations, and refused to participate in the making of the alleged leases, or to accept any share of the money received thereunder. Sufficient influence, however, seems to have been brought to bear upon a majority of the respective tribes to induce them to enter into the arrangements made. In my judgment not the least among such influences were the encouragements and persuasion of the respective Indian agents, or some of them at least; and in many instances I fear that they have shared in the profits of these speculative transactions.

The immediate consideration of this subject by the department became absolutely necessary, as the Secretary points out. The opinion of the Attorney-General was taken upon the validity of the leases, and he held them to be without authority of law, and void. Their existence in the Cheyenne and Arapahoe Reservation had been found to be the main cause of the complaints of these Indians; wherefore, under proclamation of the President, the cattle men and their cattle were removed from those lands. The general subject was submitted as to the wisest and best course to pursue.

The report then sets forth the arbitrary obstruction by cattle men, lessees, of the old established cattle trails through the Indian Territory, by fences and arms, and their effectual removal. The Cherokee Outlet and the rights of way of certain railroads through Indian Reservations then receive attention. The reversal of the action of the preceding administration in throwing open to white settlement the old Winnebago and the Crow Creek Reservations, by their reestablishment as reservations and the removal of all settlers, is set forth and explained. Then the Secretary concluded this branch of his report in these terms:

Having given a detailed account of the operations of this bureau, I desire to offer some suggestions of a general character.

It is evident that the Indian race has reached a crisis in its history. The Indians can no longer exist in this country in a savage or semicivilized state, nor can they longer recede before the advancing march of civilization. It has already surrounded them. Movements of population eastward and northward and southward have gone on with unprecedented rapidity, until every reservation is closed in and pressed upon by

colonies of settlers, miners, ranchmen, and traders. The practice of moving the Indian to more distant reservations can be continued no longer. He must make his final stand for existence where he is now. Unless he can adapt himself to the necessities of these new conditions, and partake of this all-pervading civilization, his extinction will be sure and swift. The need of a permanent scheme of Indian management to meet this emergency is pressing upon the government with imperious urgency.

To determine properly the question as to the true method of conducting our Indian affairs in the present crisis, there should be a clear understanding of the state of things which has thrown upon the government the responsibility of an Indian policy of any kind, and a clear perception of the object which, in dealing with it, the government proposes to accomplish. What, then, is this thing—our Indian policy, or, as it is sometimes called, the Indian service? Here in Washington it means a great bureau or governmental department, with its system of divisions and clerks and inspectors and special local agents—a sort of State Department, conducting correspondence and adjusting the relations of sixty-seven inferior governments of certain “domestic dependent nations,” and at the same time vested with authority to control and protect the individuals living under those governments.

Here, then, is the Indian service, as seen in the workings of the Indian Office. It certainly shows a great expenditure of money, effort, political enterprise, and organization. For whom and for what is required this expensive equipment of a great department of the government, with the constant vigilance and occasional active assistance of the military establishment?

There is but one answer: It is for the control, protection, and management of a population of only two hundred and sixty thousand, including men, women, and children—less than the population of the city of Baltimore.

Whatever may be said about the injustice and cruelty with which these Indians have been treated in the past, characterized by some as a “century of dishonor,” the government is now, as all must admit, putting itself to great trouble and expense for a very small and inutile population. The question arises: What is the purpose sought to be accomplished? Is it to protect this country against the Indian as a menace to the security and peace of our people? Nothing could be more absurd.

It is not, therefore, to protect the peace of the country, or the security of its frontiers from the danger of Indian war, or on account of their hindrance to our material progress, that all these efforts and expenditures are made in their behalf. It is because this government is bound by duty, humanity, religion, good faith, and national honor to protect, at whatever of expense or sacrifice, these original possessors of the soil from the destruction with which they are threatened by the very agencies that make our prosperity and greatness. The sense of this obligation was profoundly felt by the founders of our Republic. They not only recognized it as the rule of their own conduct, but they wrote it down in their statutes and ordinances for the guidance of their posterity.

Assuming, then, that the civilization—the moral, intellectual, social, and industrial elevation of the Indian, to fit him to take part in the civilization of the country and the age—is the common object of all, the question arises: What means should be adopted to accomplish this?

I recommend that a portion of every reservation be divided up into separate tracts of suitable size for farms, to be allotted to each individual as his sole and separate estate. Provision should be made against the power (until after a time limited) of selling or mortgaging the same, or even leasing it to any except Indians living within the same reservation. Without legislation of this kind, all efforts to make the Indian support himself by his own labor will prove fruitless and unavailing. To overcome his natural aversion to labor there must be the incentive, given alone by a sure guarantee that the fruits of his labor shall be enjoyed in security. No man will clear

forests, inclose fields and cultivate them, and rear houses and barns, when at any moment he may be removed and carried off against his will to some distant and unknown region. The ownership of land, freeholding, tends to inspire individual independence, pride of character, personal industry, and the development of the domestic virtues. Provision should be made that the Indian accepting a patent for his land shall not thereby forfeit any of his rights as a member of his tribe, nor the protection and benefit which the laws of the United States extend to the Indians generally.

My recommendation that only a portion of each reservation be divided into separate tracts, as stated above, is based upon the conviction that we must lead the Indians into holding lands in severalty by ripening their right of occupancy under their communal system into a fee simple by a gradual process, and not by the sudden abolition of a system which is with them a religion as well as a law of property.

Those who urge the speedy breaking up of tribal relations, the obliteration of the reservation system, and the localization of individuals upon separate allotments of land as a general policy, overlook the important fact that the Indian race is not a homogeneous race. It consists of numerous widely separated tribes, speaking different languages, and varying greatly in customs, habits, and conditions, from the enlightened Commonwealths of the five nations to the wild, fierce, roving bands who eke out by plunder the scanty subsistence that they derive from the chase and government rations. Any general policy adapted to the advancement of one tribe would be disastrous and destructive to another. Each must be managed as its peculiar circumstances and conditions require.

The policy of change and unsettlement should give way to that of fixed homes with security of title and possession, and hereafter the civilizing influences and forces already at work among the Indians should be pushed forward upon the lands which they now occupy. The only exceptions should be the reservations where the lands are so rugged, mountainous, and sterile, or destitute of water as to be unfit for agricultural cultivation or pastoral pursuits.

The condition of our Indian schools and the progress of Indian education, as exhibited in the report of the Superintendent of Indian Schools, presents a most gratifying spectacle. The practicability of Indian education is no longer a question. . . .

I have detailed at some length the transactions of this bureau, in order to enable you to recommend such measures as in your judgment will be best for the interests involved. But is my duty to say that I do not believe that any measures of the government or effort of philanthropy will of themselves solve the Indian problem, but that the Christian religion must and will be the chief instrumentality (through its pure and holy influences upon individual character, morals, and aspirations) to regenerate and uplift this race from its present condition to a higher life and a nobler destiny.

The Indian question is finished in Mr. Lamar's report by explaining the status of Oklahoma and the effort of the "boomers" to invade and settle it in defiance of the law as declared by the rulings of the Interior Department, the proclamations of the Executive, and the solemn adjudications of the courts. Their claim was that the lands were part of the public domain, and, as such, subject to homestead entries; while the department held them to be reservations for Indian uses. He showed that it had been necessary to use a part of the military force of the government to remove intruders who had succeeded in getting into that country, and asked: "Will it not be a lesson, valuable there and valua-

ble elsewhere, to show to such transgressors that their way is hard, and that nothing will render the Indian occupation more permanent, or postpone the change in the use of the lands longer, than the attempts to invade and by force to obtain possession and enjoyment of them?"

The subject of the Public Lands was next considered. The report sets forth in detail the acreage of the public lands and of the Indian lands disposed of during the current year and the methods of their disposition. The cash receipts from these sources are also detailed. Then comes an account of the origin and extent of the public domain, showing a residue of lands subject to future disposal (exclusive of the comparatively unexplored and unknown Alaska) of 600,772,654.41 acres. In order to arrest the accumulation of large bodies of those lands in the hands of capitalists to the exclusion of poor settlers, the report recommends an increase of the minimum price. Showing that alleged Mexican land grants, made before the acquisition by the United States, were a prolific and increasing source of frauds, the report urges the enactment of a law barring the presentation of land claims based upon such grants. It was then said that

Good government seeks to secure to the citizen the undisturbed enjoyment of his natural rights. Among these is the enjoyment of his lawful acquisitions. Land, lawfully acquired, is among the most important of his possessions. Its security depends upon the certainty of its title; uncertainty, litigation, and contention depreciate its value, disturb the peace, waste the means, and mar the prosperity of a community or nation. To insure certainty of title, the land laws should be simple, few, and, as far as practicable, general in their character. Special and local laws, known to but few, diminish the merchantable value of land; for titles acquired under such laws are not widely known, and the range of competition on their sale is diminished and limited. Laws which in their administration are liable to abuses which exceed their probable utility subject the government to suspicion, and often make it the instrument of knavery. Laws exist on the statute books which violate these principles, and are objectionable.

Thereupon the repeal of the Desert Land Acts, and of the Timber Culture laws, and of the Railroad Grant Relinquishment Act of the 22d of June, 1874, and of the laws allowing surveys to be made on private deposits of the costs of survey, was urged, as well as the modification of the act of June 3, 1878, allowing timber to be cut in certain territories upon public mineral lands without compensation.

The report then gave the history of the suspension of the patents to the New Orleans Pacific Railroad. It showed that, on a subsequent investigation and hearing, the company had abandoned its claim as to sixty-eight miles of the line, and, as to the residue, that it had properly constructed the road on the faith of the supposed validity of the grant and the assignment, and submitted the question to Congress of the propriety of waiving technical points of forfeiture as to the lands appertaining to that part of the line.

The report then closed this title of the Public Lands by submitting

an outline for an Act of Congress providing for the preservation of the timber on the public lands.

The next subject considered is that of the railroads which the government had projected. The Bond and Interest Account is set forth in brief, and then the Sinking Fund Account. Short statements are then given of the condition of the following railroads: the Union Pacific, with separate accounts of its Central Branch; the Oregon Short Line and the Kansas Division; the Central Pacific; the Northern Pacific; the Atlantic and Pacific; the Atchison, Topeka and Santa Fé; the Missouri, Kansas and Texas; the Texas and Pacific, and the Memphis and Little Rock. The subject is concluded with these remarks:

These reports show the state of advancement of the system of railways projected by the government. Much has been done of which the nation may well be proud.

Public highways are an index of national progress, as well as an important means to its promotion. They originate in the winding path of the barbarian, expand with the advance of civilization, and are perfected with the march of science. In these successive stages of advancement they are essential to comfort and success, alike in the rude hut of the pioneer, the scattered hamlet, the thrifty town, and the busy city. Upon them the pleasures of society, the gains of production, the profits of commerce, and the safety of life are largely dependent.

To secure a good system of national highways for the use of *all* the people was the primary object of the governmental grants, subsidies, and loans of credit to the several Western railways. Direct pecuniary profit to the government was little contemplated; still less was it intended that the system should be appropriated to the enriching of the few at the expense of the many.

In a free Republic the rights of each citizen on the public highway are equal. Discrimination between individuals under like circumstances is not equality, not within the intent of the national grants. Neither should the interest of the stockholders alone be considered, regardless of the interests of the people. In the management the greatest possible profit to the road should not be the sole object of solicitude, nor should the fact that a road pays the highest possible dividend on its stock be accepted as evidence that it best subserves the end of its creation.

The field of future investigation might well include how the great franchises granted by the nation are conducted with reference to the convenience, wants, and necessities of the people whose interests they were intended to promote.

This broad field would embrace, among others, rates of fare and freight, discriminations, combinations for the suppression of legitimate competition, and convenient terminal facilities and connections.

The protection of the pecuniary interest of the government in its dealings with these great highways is important, but to secure equal justice to every citizen in his rights thereunder is vital.

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When Mr. Lamar was appointed Secretary of the Interior one of the principal objections, if not the chief objection, made by Republicans to his appointment was based upon the fact that his department included the vast and delicate interest of the pensions, while he had been himself a Confederate officer. It will be remembered that the *New York Times*, in the editorial quoted above, commented upon this sentiment,

and suggested that it might be met by appointing some brave veteran of the Union army as Pension Commissioner. This was an eminently wise suggestion, but Mr. Lamar did not need it. It was characteristic of his far-sighted sagacity that he should have exactly that idea; and one of his first official acts was to telegraph Gen. John C. Black, of Wisconsin, an offer of that responsible position. Much to his gratification, the General accepted promptly. Their relations were always most cordial, and their work harmonious.

Mr. Lamar had great respect for the just rights of the Union veterans, recognizing fully and generously their relations toward the restored Union, while insisting upon the rights of the Southern citizens within the Union, notwithstanding their Confederate history. His position was so judicial and impartial in this particular that it early attracted the commendation of even the Union veterans themselves.

In his consideration of the subject of pensions, Mr. Lamar touched upon some questions of a more economical service and upon the large number of illegal and fraudulent names upon the rolls of various agencies, pointing out that in two agencies alone more than a thousand names had been stricken from the rolls. As to the general subject of the payment of pensions to those justly entitled, he said:

I know of no burden of government that is more cheerfully borne than that of the pension system. I concur fully in all efforts to demonstrate that it is universally regarded as a noble beneficence and in the view that when well and cleanly administered it is noble in its purpose and good in its results, diffusing with a liberal and just hand the wealth of a wealthy people among those who suffer from the strokes of war, and who have become impoverished by its misfortunes.

From a statement in the report of the Commissioner it appears that the amount of money paid as pensions does not equal the amount of interest paid upon the public debt incurred during the war. So long as the premium paid to those who contributed to the money exceeds that paid to the defenders of the country, I think the complaint of excessive pensions is not well founded.

These expressions gained for Mr. Lamar great applause from all quarters, especially from the North. The *Louisville Courier-Journal* had this to say about them:

Without any desire to shock their delicate sensibilities, the *Courier-Journal* desires to call the attention of its esteemed contemporaries, the *New York Tribune* and *Cincinnati Commercial Gazette*, to the following concerning the pensions paid to the soldiers of the Union (quoting the first paragraph above): These patriotic sentiments are from the first annual report of L. Q. C. Lamar, the Democratic Secretary of the Interior, a Southern man in all that the term implies; a man who is great and honest and just, and who shames by his manly utterances the blatant shriekers who cried out in simulated alarm when he took office that "the South is in the saddle; the Union in danger; that the Democratic party having come into power, the results of the war would be reversed; the soldier and the soldier's widow robbed of their pensions, while the Confederates devastated the land they had failed to destroy by war." Who of them will have the manliness, the sense of justice, to set out in their editorial columns the sentences quoted from Mr. Lamar's report? Who will say to the peo-

ple of the North: "We have wronged this man, the party to which he belongs, and the people of whom he is so true and prominent a representative?" Not one, not one.

The *Toledo Journal*, of December 13, 1885, said:

Secretary of the Interior Lamar is called a Rebel Brigadier, and a yell was set up against him in certain quarters, fearing that he might be hostile to pensions to Union soldiers. We are glad to know that the Secretary is not hostile to liberal pensions. His report shows him to be keenly alive to the broadest instincts of patriotism. . . .

Every veteran soldier of the Republic should thank Secretary Lamar for his splendid contribution to patriotism and valor.

Mr. Lamar's report then passes in rapid review the operations of the Patent Office, the progress of the Geological Survey, including the mining industries and the discoveries of mineral deposits, the development of the Bureau of Labor, the completion of the tenth census, the condition of the capitol, the work of the Freedmen's Hospital and of the Hospital for the Insane and of the Institution for the Deaf and Dumb in the District of Columbia, the storehouse for the Government Printing Office, the improvement and management of the Hot Springs in Arkansas and of the Yellowstone Park. Then are presented the condition, the prospects, and the needs of the Territories of Alaska, Arizona, Dakota, Idaho, Montana, New Mexico, and Utah; all of which are carefully detailed.

The report concludes by presenting the subject of education in connection with that bureau. After setting forth briefly the work of that department, Mr. Lamar said:

The Commissioner is entitled to the highest commendation for the work which he has accomplished with such limited means and so small a force. If the bureau is not to be anything else than a beginning and a nucleus; if it is to be confined within its present insignificant scope, and yet be regarded as a representative of the nation's thought and action on the general subject of education, I am of the opinion that it should never have been established, and ought to be abolished.

Eighty years ago President Jefferson, then in the fullest tide of his authority as a party chief, told Congress that to complete the circle of Democratic policy a national university was a necessity, and should at once be created. In this he followed the recommendations of his predecessors, Washington and Adams, the former of whom ten years before declared that the desirableness of a national university had so constantly increased with every new view he had taken of the subject that he could not omit the opportunity of recalling the attention of Congress to its importance. Mr. Madison in 1810 renewed the recommendation, with the declaration that such an institution would contribute not less to strengthen the foundations than to adorn the structure of our free and happy system of government, and that it would be universal in its beneficial effects.

This national institution which Washington, Adams, Jefferson, and Madison thought so necessary has never been established; and in these latter years the idea of a national university constitutes no part of the plans of statesmen, and seems to have been lost sight of by the people.

In the meantime scientific bureaus have grown up one by one under the government, with observatories, laboratories, museums, and libraries, until the whole range of physical science is represented by national institutions established by the govern-

ment for the purpose of prosecuting researches embracing astronomy, meteorology, geography of land and sea, geology, chemistry, statistics, mechanical inventions, etc. If the various commissions, bureaus, and divisions of the executive departments at Washington which have for their object the prosecution of scientific research could be combined as integral parts of one scientific institution, such an institution would be of greater proportions and more comprehensive than any other in the world; and should a university be erected thereon with such a superstructure commensurate with the foundation, it would be without rival in any country. The common school system, designed to furnish every citizen with an education which ought to be a strict necessity for his daily work of life, constitutes the foundation of our democracy; but this is not enough to satisfy its instincts. In the history of nations democracies have been the cradles of pure thought and art. The same cause which operated on them exists in American society; and, whether through a national university or in fragmentary institutions in the several States, sooner or later a higher education, higher than the common school or the academy or the college can furnish, will alone realize and express the higher aspirations of American democracy.

The foregoing analysis of Mr. Lamar's report has been given with a fourfold purpose: to show the numerous, extensive, and very dissimilar classes of the public business committed to the charge of his department; to present the importance and inherent interest of those varied and too little understood matters; to indicate, although but feebly, the infinite pains and fidelity with which Mr. Lamar inquired into and mastered their minutest details; to disclose his feeling and thought in respect to the subjects treated, and to disclose them in all of their elevation and catholicity. In order, however, to reach these ends fully, the report itself should be read. It deserved the praises bestowed upon it.

The second official report of Mr. Lamar was presented to the President on the 1st of November, 1886. It was quite as elaborate and exhaustive as the first, embracing seventy-eight printed pages and touching on all of the titles included in the former report. No analysis of it is given here for the reasons that its theories have already been fully presented and a statement of its details would be foreign to the biographical nature of this volume. Let it suffice to say that, in every particular, the second report supports the first, and clearly shows that the ideas submitted in the first were the conclusions of matured thought, which bore the tests of discussion, of applause, and criticism, equally.\*

Mr. Lamar's third annual report, submitted November 1, 1887, was equal to the two others. It contained eighty-two printed pages, and covered all of the subjects connected with his department. It was his last report; for which reason, and because it gives expression to the settled results of nearly three years of experience in several of the most in-

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\* It is proper to say that in this report Mr. Lamar said of the action of Secretary Teller, in issuing patents to the New Orleans Pacific Railroad, that "I have seen in that action nothing inconsistent with the strictest good faith and honest administration."



teresting matters of his trust, something of its substance and of its language are given:

PUBLIC LANDS.

Perhaps the most difficult and important duty with which this department is charged is the administration of the public land system. The theater of its operations embraces nearly three-fourths of the area of the American States and Territories, and the vital influence exercised by the distribution of land ownership among the people renders the proper administration of the system of profound importance to the present and future prosperity of the country.

Under existing laws it is apparent that the area of our public land is rapidly diminishing. This would not be an evil if the lands were passing from the government to seats of actual occupation by *bona fide* settlers or *bona fide* purchasers for purposes of settlement. Nothing can be a surer safeguard in a free community against the dominating influences of powerful corporations and combinations of capital than a body of independent small land owners living upon their own freeholds. But the facts are known to be otherwise. It is a subject to which I have been forced by the necessities of my position to give much thought; and the conclusion to which I have come is that most of the troubles and abuses that environ it can be removed by legislative action, and that such action is the sole remedy.

The report then shows that since the 4th of March, 1885, when Mr. Lamar came into office, the following amounts of lands had been restored to the public domain:

	ACRES.
Area within railroad limits.....	8,958,177.33
Area within railroad indemnity limits.....	21,323,600.00
Private land claims.....	576,000.00
Entries canceled for fraud, illegality, etc.....	14,238,913.04

Making an aggregate of more than forty-five million acres—an area about equal to that of the States of Ohio and Indiana.

In addition, there were suits in the United States Courts and matters pending before the department involving the question of the restoration of 9,499,480.10 acres more. The report then shows the acreage disposed of during the current year and the cash proceeds received, and continues:

The number of patents issued during the year upon agricultural lands was 24,558, an increase of 4,073 over the previous year, according to the report of the Commissioner; but a decrease, as compared with 1885, of 48,614.

In this connection it is to be stated that my immediate predecessor in the department called attention to the great abuses flowing from the illegal acquisition of land titles by fictitious entries and the iniquitous exactions made upon "*bona fide* settlers, who are often obliged to buy off such claims in order to get access to the public lands." He states, through the then Commissioner, whom he quotes approvingly, that enormous numbers of preëmption claims are filed for illegal and fraudulent purposes; that large areas of agricultural and grazing lands are entered in fictitious names for the purpose of holding lands in large quantities in violation of the spirit if not the letter of the law. After enumerating the number of fraudulent entries in the several land States and Territories that have been investigated, and the large number of others that were suspended and awaiting investigation, he (the then Commissioner) states that he was forced to suspend all hearings, and that he could not take final action

upon them until Congress should provide him with more means and larger authority, in view of the vastness of the territory and the great proportion of such fraudulent hearings. He also stated that he was compelled to remove general suspension of entries in localities in which fraudulent entries had been reported as prevalent, "and to permit entries to go to patent without the investigation necessary to determine the *bona fide* or fraudulent character of any of them."

It thus happened that the present administration at the very start was confronted with a large accumulation of cases upon the files and records of the Land Department, in many of which irregularities and insufficiency of proof were apparent, and in others alleged fraud in the inception or attempted consummation, but no investigation had. It was evident that the administration of the Land Office would be powerless to prevent this indiscriminate and wholesale absorption of the public domain by fraudulent means, unless steps were taken at once to arrest the issuing of patents "without the investigation necessary to determine their *bona fide* or fraudulent character." It was determined, therefore, to inaugurate new methods and establish other rules, which it was hoped would tend to prevent these frauds and to facilitate and promote the interests of the honest settler. Assuming the declarations made by the then Commissioner, and evidently believed by my predecessor, to be true, anything like an approximate arrest in the amount of fraudulent entries of every kind and in the issuance of fraudulent patents must materially and signally diminish both.

New rules to remedy these great abuses, thus announced and reiterated, have now been in operation for some time, and are acting well; yet the claims which were initiated under them have not yet been reached and passed upon preliminary to patent, for the reason that it was found necessary to clear away as far as possible the mass of suspended and uninvestigated cases which had accumulated during former years. Most of the work has now been disposed of. The new cases are now about reached, and will be disposed of with much more expedition and facility than was perhaps heretofore practicable; so that settlers will hereafter receive the muniments of their title in a comparatively short time.

The report of the Commissioner demonstrates the imperative necessity of providing a much larger force of special agents for effective work in the prevention of these frauds upon the government and the people. I concur with him as to the necessity of such legislation, but I deem it my duty to state that the most liberal appropriations for this purpose will be inadequate to prevent the wholesale appropriation of the public lands, either by actual frauds or such technical compliance with the Preëmption, Timber Culture, and Desert Land Laws, as will violate and defeat the great policy of our public land system looking to the preservation of the public lands for the abodes of our homeless people, to be acquired by actual settlement, residence, and cultivation. With these laws in force, and the appliances used for their perversion in vigorous operation, every attempt by mere administrative agencies to prevent the evils complained of will be fruitless and unavailing.

I respectfully but earnestly reiterate my advice that you recommend the immediate and total repeal of the preëmption laws, the Timber Culture Acts, and the relinquishment acts, and add thereto the cash entry laws and the Desert Land Law. Preferring a tentative and gradual system of reform, I have hitherto suggested amendments to these two latter; but the failure of Congress to make such amendments, and further experience of the injurious effects of their remaining on the statute book in their present form, have convinced me that all except the homestead law should be swept from the statute book. More than a quarter of a century has elapsed since the passage of the homestead law. Its operations, at least during the last decade, have shown it to be the wisest and most honest method of disposing of the agricultural public lands, embracing all the advantages of the preëmption system without its acknowledged facilities for fraud and abuse.

## THE ADJUSTMENT OF RAILROAD GRANTS.

Shortly after my appointment to the position I now have the honor to hold, and as I became somewhat familiar with the public land system, its organization, and the workings thereof, I became more and more impressed with the fact that the public domain was being diverted from its legitimate purpose, and converted to objects the inevitable effects of which were repugnant to the entire theory on which the land system was based.

Apart from the methods of illegal appropriation of the public domain effected through the perversion of the several laws for acquiring title thereto, I became convinced that the administration of Congressional grants of lands to wagon and rail roads had given rise to enormous abuses. Congress had not only made grants which in some instances exceeded in extent the area of a half dozen of the largest and most populous States of the Union, but in addition provided that any losses of lands within the granted limits should be satisfied by selections of lands within other and adjoining limits, thus nearly doubling the area of the original grants. Under these acts the Land Department had withdrawn from public appropriation, not only the granted limits as required by law, but also the lands within the indemnity limits, at the request of the grantee companies. Thus enormous quantities of the public land were held in reservation to await the convenience of the respective corporations in the construction of their roads, the selections of its lands, and the uncertain adjustments of the grants by the department.

Notwithstanding these indemnity withdrawals were made exclusively for the interests of the company, few of these, if any of them, constructed their roads within the time prescribed in the granting act, as an express condition on which the grant was made. Maps of "probable," "general," "designated," and "definite" routes of the roads were filed with rapidity in the department, and withdrawals thereunder asked and almost invariably granted, until the public land States and Territories were grid-ironed over with railroad granted and indemnity limits, and in many instances the limits of one road overlapping and conflicting with other roads in the most bewildering manner; so that the settler seeking a home could scarcely find a desirable location that was not claimed by some one, or perhaps two or three, of the many roads to which grants of land had been made by Congress.

Nor was this all. Though the desired tract might not be apparently covered by a railroad location, the settler would hardly select it before agents of the corporations would set up a claim to it, or to the right to occupy and denude it under the right of way and construction privileges conferred by the granting act. Thus the settler, ignorant of his legal rights, and with no one to advise him with respect to either the law or the facts, would, for the sake of peace and a home, readily consent to purchase from the company. In this way these corporations, in addition to the lands granted to them, have claimed, sold, and received the price of, a great deal of other land to which they had neither legal nor moral right, nor the shadow of either.

Years have elapsed since many of the grants have been made, and other years since the withdrawals. Some of the companies have constructed the entire line of their roads; others, fragmentary portions only; and others again, none at all. But the withdrawals of the lands were no less effective as a barrier against the settlers in the one case than in the other. It mattered not what might be his equities, acquired by years of toil upon what he believed to be a part of the national domain; it was declared by the highest judicial tribunal, as expounded by the highest law officers of the Executive, that a withdrawal once made by competent authority was legal and effective to exclude all from intrusion within its limits.

A law was passed March 3, 1887 (24 Stat., 556), whereby the Secretary of the Interior was "directed to immediately adjust each of the railroad land grants made by

Congress to aid in the construction of railroads." With an earnest desire to obey the mandate of Congress, to give to the corporations their every right under the laws, and at the same time follow the directions given by you to see that ample protection should be extended to settlers and those seeking to make settlement on the public lands (a matter which had been so long and so utterly overshadowed), I entered upon a most careful consideration of the whole subject of the history and law relating to land grants, and concluded that if the department was clothed with authority to make indemnity withdrawals, as had been done in so many instances, the exercise of that authority was a matter entirely within sound discretion, and not a matter of legal obligation in any respect; that the same sound discretion which, in the interest of the companies, justified said withdrawals now demanded peremptorily in the public interest a speedy revocation of the same; and that the most effective way of expediting an adjustment of the land grants, and doing exact justice to the companies, guarding and promoting the interests of the settlers also, was to permit the public to enter into competition with the companies in the selection of lands heretofore withdrawn for indemnity purposes.

Accordingly, on May 23, 1887, with your approval, rules were laid upon the different companies for whose benefit withdrawals had been made, to show cause by a certain day why said withdrawals should not be revoked.

Following this action, instructions were subsequently issued to the Commissioner of the General Land Office to detail all the available force in his office to the work of adjusting the road grants, making said work special, and proceeding as rapidly as possible with the same, to the end that the companies should be fully protected in their just claims, and have certified to them all the land that they were entitled to, speedily and without delay; and the residue of public lands, disencumbered of corporate claims and pretensions, become free for the use and quiet enjoyment of settlers. The amount of land restored to the public domain through the orders revoking the indemnity withdrawals is stated by the Commissioner of the General Land Office to be 21,323,600 acres.

The report continues the consideration of the subject of the Public Lands by explaining the ingenious and iniquitous methods by which, in the Northwest, immense areas of the public domain had been fenced in for private uses, and suggesting remedies therefor; by explaining the frauds committed in the public surveys, and their inadequacy, and urging their rectification and enlargement; by presenting anew and at length the frauds growing out of private grants made by the Spanish and the Mexican Governments, and suggesting measures for the correction of that evil; by offering suggestions for the preservation of the public timber and for the utilization of the public land strip west of the Indian Territory. It then passes to the question of the Indians.

After sketching the success which had attended the efforts of Mr. Commissioner Atkins in managing the affairs of the Indians, the report says:

While these results are generally gratifying, they fall far short of guaranteeing an early consummation of our policy of a complete Indian civilization; and I can only reiterate the conviction, expressed in former reports, that the Indian race has reached a crisis in its history. Surrounded on all sides by the forces of civilization, all the reservations closed in, and pressed upon by ever increasing masses of population, made up of impetuous, daring, and aggressive settlers, miners, ranchmen, and traders,

with no possibility of removal to other reservations or of escape into mountain fastnesses, the only alternative presented to the Indian race is absolute extinction or a quick entrance into the pale of American civilization.

#### INDIANS BECOMING INDIVIDUAL FREEHOLDERS.

The most important measure of legislation ever enacted in this country affecting our Indian affairs is the general allotment law of February 8, 1887. By this law every Indian, of whatever age, may secure title to a farm, enjoy the protection and benefits of the law, both civil and criminal, of the State or Territory in which he may reside, and be subject to the restraints of those laws. It goes still further. Under it the Indian, in accepting the patent for his individual holding of land, takes with it the title to a higher estate: that of a citizen of the United States, entitled to all the privileges and immunities of such citizenship, and yet invested with all the lawful responsibilities of that position.

The statute is practically a general naturalization law for the American Indian, except that it is provided therein that its provisions shall not extend to the territory occupied by the five civilized tribes and some other advanced communities of Indians.

The way thus opened, however, will not be without its difficulties, its tedious progress, its slow success, its sufferings, disappointments, and failures. It will be wholly unknown to many of them, and few will be able to pursue the journey alone and unaided. The strongest and most advanced among them are feeble indeed, to step from the tribal customs and habits of the race to the individual ownership of the soil and the proper use of it. Though many are fully persuaded that the conditions and requirements of the general severalty law are favorable for their physical prosperity, moral improvement, and political advancement, they will assume them with much hesitancy and with many misgivings. They will need constant encouragement, advice, and assistance.

But whatever difficulties and grievous discouragements may attend the execution of the purposes of this law, it is, in my opinion, the only escape open to these people from the dire alternative of impending extirpation.

The argument that this legislation or the measures adopted under it should be postponed until the race by gradual process is morally and intellectually adapted to the condition of civilized society, is conclusively answered by the fact that a century of effort to so adapt them has produced nothing in that direction which promises any such fitness within a century to come. The exigencies of the age will not await another century, or even a quarter of a century, of such expenditure of effort and time with such incommensurate results.

Under the direction of the President the department has begun the work of making allotments to such of the following designated Indians as are found competent, ready, and willing to take lands in severalty. . . . At the date of this report the work is proceeding quietly and cautiously on the several reservations, under the joint management of the local agents and the special agents appointed to cooperate with them.

The aim has been to proceed with the work of allotting lands on those reservations where the Indians have made the greatest progress, and where their disposition and general conditions promise success in this important movement. Many of the tribes and bands, as such, are not favorably disposed to the provisions of the law, but among them all are an appreciable number of individuals ready to take their lands in severalty. The benefits of the law should not be withheld from them. They will be allowed to take allotments and accept the means and instrumentalities afforded for their material prosperity and social elevation. It is expected that their example will encourage and lead others to do likewise.

It will not be difficult to allot lands to many of the Indians; but to locate and settle them upon their respective allotments, and to attach and hold them each to his own homestead, is a work that will not be so easily accomplished. For the present, care will be taken that the provisions of the law will not be forced upon any unwilling Indians; but even those who are hostile to its provisions should be made, by kind, gentle, but very firm treatment, to learn that they must not continue to stand in the way of the accomplishment of the purposes of the law. . . .

The report then continues the subject of the Indians by treating of their schools; of the condition and wants of the five civilized tribes; of railroads, irrigating canals, etc., affecting Indian reservations; of the financial liabilities of the United States to the Indian tribes; of their fishing privileges; and of the peculiar difficulties and needs of several particular tribes.

The numerous other titles treated of in this report are indicated in the analysis given of the first report. A new feature, however, was the section upon the Interstate Commerce Commission, authorized by the act of February 4, 1887, and Mr. Lamar's recommendation that the Commission be authorized to report directly to the President, to appoint its own officers and employees, and to draw upon the treasury for the payment of the salaries of its subordinates, as well as for all expenses incurred under the act.

He was also able to make a gratifying report of the work and standing of the Bureau of Labor, which had been organized under his administration, and successfully conducted under his authority.

## CHAPTER XXIX.

Anecdotes of Mr. Lamar—Honorary Degree Conferred by Harvard University—Second Marriage—Oration on John C. Calhoun—Speech at Banquet of New York Chamber of Commerce—Death of Mr. Justice Woods, of the Supreme Court—Mr. Lamar Discussed as the Successor—Correspondence—Nominated by the President—Objections to Confirmation—Correspondence—Complexion of the Senate—Resigns Office of Secretary—Character as an Administrative Officer.

TO follow Mr. Lamar in detail through all, or even the most striking, of the incidents of his official labors as Secretary of the Interior, would unduly extend this volume. For this reason many things interesting of themselves must be omitted; and this part of his career, as a general rule, must be considered in its broader outlines only. This chapter, therefore, shall be devoted to his more strictly personal fortunes.

In a previous chapter mention was made of the habit of the public and of the newspapers of discussing his personal traits, etc., and in circulating anecdotes and jokes, more or less uncertain as to truth, but never malicious, about him; and a few illustrations were given. The following stories of similar nature, tolerably well authenticated in these instances, were current, among many others, while he was Secretary.

Premising that the salary of a Cabinet officer is \$8,000, it was said that

Senator Lamar had been transplanted from the Senate to the Cabinet by President Cleveland. He wanted to rent a residence. Mrs. Dahlgren, widow of the late Admiral Dahlgren, had just completed an elegant house—in the same neighborhood, by the way, where the Justice has now bought a lot—which she wanted to let. Secretary Lamar called upon her, was ushered into the parlor, and made known his business. The lady replied that the house was for rent, the rental being \$7,500 per annum. The Secretary sat perfectly quiet, his eyes bent upon the carpet, apparently absorbed in profound thought. This was kept up so long that Mrs. Dahlgren finally inquired if he were ill.

"No, madam," replied the Secretary; "I was only wondering what I could do with the rest of my salary."

Another of the jokes ran thus:

Mr. Lamar has been one of the most picturesque characters in Washington society. He was eccentric and peculiar in many respects. He was frequently the victim of many ludicrous occurrences. There are many stories now recalled illustrating this and other peculiar features of his character. Although he was a most scholarly man, particularly well read in diplomacy and legal lore, he was passionately fond of light literature. Going to and from the capitol when he was a Senator, and between his home and the Interior Department when he was in Mr. Cleveland's Cabinet, he rarely spoke to any one that he met, but sat in the street car or his private carriage, as the case might be, with his nose buried in a book.

One day, when he went to attend a Cabinet meeting at the White House, an em-

barrassing incident occurred. He had just descended from his carriage in front of the White House, bearing under his arm his portfolio, an official-looking leather receptacle. As he descended from the carriage a group of correspondents saluted him. In returning their greeting, Mr. Lamar's portfolio fell to the ground. A half dozen well-known "Seaside" novels tumbled out of it. They were scattered in every direction, and the correspondents, with exaggerated politeness, helped the distinguished Cabinet officer to gather them together. Mr. Lamar thanked them greatly for their assistance, and, stuffing the books back into his portfolio, he walked with dignified step into the White House.

And here is still another:

One of Secretary Lamar's characteristics is sympathy for inebriates. This kind of philanthropy, however, has its drawbacks. The other day an individual tottered into a street car where the Secretary was riding. The first thing that he did was to throw a dollar through the opening in the front door. By and by the driver passed back the change done up in a little package. The drunken man shoved it into his pocket. Pretty soon the driver opened the door and called out sharply: "Put in your fare!" The drunken man stared, but didn't move. People began to titter. "Nevermind," said Mr. Lamar, looking benevolently at the befogged passenger; "I'll fix it for you." And he stepped up and put a nickel in the box. The situation was still misty, but the drunken man recognized that in some way the Secretary had done him a friendly act. He extended his hand, and Mr. Lamar shook it, saying: "That's all right."

The drunken man gazed steadily and earnestly at his benefactor for nearly five minutes. Then a broad grin spread over his face as he reached out his hand and said: "How d'ye do, Gen. Butler? I thought I know'd yer; fit with yer at New Orleans."

Mr. Lamar accepted the hand again, but with less suavity. "I know'd yer," continued the drunken man; and he kept on grinning, while the people began to snicker.

"You don't think that he takes me for Ben Butler, do you?" asked Mr. Lamar, rather painfully, of a friend who sat beside him. The Secretary wasn't left long in doubt, for, after another hard look, the drunken man delightedly pointed to his left optic, and broke out with: "Got yer eye fixed sence we was at New Orleans, hain't yer?"

Mr. Lamar dropped out at the next corner, with an effort to look responsive to the smiles which followed him.

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In the course of his varied career Mr. Lamar had several times conferred upon him the honorary degree of LL.D., but the instance which he most valued was the bestowal of it by Harvard University in November, 1886. On that occasion he attended the exercises of the institution (being the two hundred and fiftieth anniversary of its founding) in order to receive the degree; and President Eliot, in conferring it, as he stood before the assembly, described him by the terms, "teacher, orator, legislator, administrator."

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On the 5th of January, 1887, Mr. Lamar was united in marriage with Mrs. Henrietta J. Holt, widow of Gen. William S. Holt, late President of the Southwestern Railroad Company. Mrs. Holt was the daughter of James Dean, of Georgia, a planter of wealth, a politician of importance, and a citizen of public spirit. As a young lady, Miss Hennie



Dean was admired for her attractions of person and mind, not only in her native city of Macon, but also throughout the State of Georgia, and beyond. She married Judge Holt when quite young. At the time of her second marriage she retained much of her youthful beauty. She was fair, with a figure somewhat inclining to embonpoint, but not too stout; with a fine presence, and an abundance of the silken, silvery hair which is sometimes very lovely, and was so in her case. Of mild and retiring, although self-possessed, manners, loving the domesticities and disliking all forms of display and publicity, a devout member of the Church, a devoted mother, a tender, thoughtful, and helpful wife, having many precious early memories in common with her husband, she was to Mr. Lamar in his old age a great grace and a great consolation.

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A request made of Mr. Lamar to deliver the oration on the unveiling of the Calhoun monument in Charleston, S. C., gratified him deeply, and afforded to him what he regarded at the time as a most fortunate and acceptable opportunity to close his public utterances.

The invitation was conveyed to Mr. Lamar by a letter from Mr. H. E. Young, chairman of the Gentlemen's Committee, in which he was informed that his selection was unanimous. Having accepted the invitation, he began at once an extensive correspondence for the purpose of collecting not only books and articles about Mr. Calhoun in addition to those already in his possession, but also authentic unpublished personal reminiscences of the great statesman.

In writing to the chairman of the Gentlemen's Committee, Mr. Lamar says in one of his letters: "The theme magnifies in importance as I study it. The more I consider the career and speeches of Mr. Calhoun, the more firmly is the conviction riveted upon my mind that he was, among the profound thinkers and great statesmen of the century, *primus inter pares*. This can be shown within the limits of a not very long address. I am not sure that I can do it, even with opportunity for study and preparation; but if I can, it will be the proudest achievement of my life, and one that I would be glad to make the peroration of my own humble career."\*

The ceremony of the unveiling took place and the oration was delivered on the 26th of April, 1887; that day being selected because it was an anniversary of the day on which the committee of Congress delivered the remains of Mr. Calhoun to the people of South Carolina, nearly forty years before.

There was a most imposing pageant. A great procession of military and civic organizations, which took thirty-five minutes to pass a given point, and was accompanied by numerous bands of music, defiled through the streets. It was estimated that not less than twenty thousand people gathered along its route.

It was a bright scene. The waters in the harbor were glassy, not a ripple disturb-

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\* "History of Calhoun Monument," p. 35.

ing the bosom of the water, in which numerous vessels lay gaily decked in bunting from stem to stern. The bayonets of the soldiers glistening in the sun, their handsome uniforms mingling with the varied colors of the many brilliant parasols and dresses of the ladies, with the dark green of the trees in White Point Garden as a background, formed a kaleidoscope of rich colors, the shifting beauties of which would defy the brush of an artist. Gaily caparisoned staff officers galloped hither and thither, moving the troops into line.\*

Promptly at noon the vast crowd of soldiers and citizens moved off in three divisions. By one o'clock the people had settled into such quiet as could be expected of such an assembly, and the meeting was called to order by the Chief Marshal, Maj. H. E. Young. Mayor William A. Courtenay then opened the proceedings by a short address. A prayer was delivered by Rev. Charles C. Pinckney. Then, "after a brief interval, the appointed signal was given, and a band in the midst of the plaza suddenly poured forth the inspiring strains of 'Dixie.' The vast multitude recognized the familiar strains before half a dozen notes had sounded, and began to cheer. In the same instant the cords were drawn by the hands of fair young girls, the flags that had closely draped the statue up to this time mysteriously quitted their place and floated away to the height of the neighboring standard," while, amid the booming of the Vice President's salute of nineteen guns, the majestic form of the great statesman stood revealed to the people.

In that impressive moment the shouting quickly subsided into a solemn silence, and every eye seemed fixed upon the stern, bronzed counterpart of the face of the honored dead. The stillness was broken by the voice of Rev. Charles A. Stakely, who read an ode to Calhoun composed for the occasion by Miss E. B. Cheesborough.

Then Mr. Lamar delivered his oration.†

After the oration, Rev. W. F. Junkin read another ode to Calhoun, composed by Mrs. Margaret J. Preston. A benediction was then pronounced by Rev. John O. Willson, and the ceremonies ended.

This great gathering was the last in which Mr. Lamar confronted a popular assembly upon any question of a political nature.

The scheme of Mr. Lamar's address was both comprehensive and philosophical. He first assigned the reasons why it was right to erect to the memory of the great South Carolinian a monument so imposing, and to erect it in South Carolina, (1) because, notwithstanding his imposing position as a national statesman, his real life and motive were those of a home man, identified with his people and neighbors in love, in sympathy, and in private life as a planter; (2) because of his priceless contribution to the intellectual wealth of his age in his writings on the American Constitution; (3) because of the singular purity of his life and character. He reviewed the conflict in the early history of the Republic, and in its subsequent progress, between the principles of local

\* "History of Calhoun Monument," p. 43. † Appendix, No. 23.

State sovereignty and of a national union; showing how, notwithstanding the early separateness of the colonial communities and the consequent predominance of the principle of State sovereignty in the formation of the constitution, in the course of years the moral, social, and material forces at work among the people of the United States, wrought a great, although a silent, revolution in fact, and united the vast population into one web of thought and of feeling; also how, by the great extension of our territory westward, the Federal Government, which in its earlier period was the creature of the original States, became itself the creator of a majority of the States of the Union. Pointing out how natural it was, as a consequence of these great changes, that the integrity of the Union should be established on the battlefield, Mr. Lamar touched upon the policy of the reconstruction, its results, the present state of national sentiment in respect to its processes, and impressed the duty of the South to abide by those results with good faith and loyalty.

After these preliminaries, Mr. Lamar proceeded to an elaborate and masterly consideration of Mr. Calhoun's services, his political philosophy, and his past position as a political leader and his future position as a political philosopher. He showed how Mr. Calhoun rejected alike the dogma of the sovereignty of monarchies and the shallow fiction of the social contract as the foundation of government, how he maintained that the people were the source of all power, and how his faith in man and his capacity for self-government never for a moment deserted him. He set forth the sudden, dynamic, sagacious, and fruitful leadership of Mr. Calhoun in the war with England in 1812-15 for the vindication of American commercial independence. He explained Mr. Calhoun's views upon the tariff, and vindicated him from the charge of inconsistency in his earlier and his later positions, emphasizing the vast difference between a protective tariff as a war measure and a continuance of such policy into times of peace to the impoverishment of one section for the enrichment of another. The doctrine of nullification was explained, the occasion of its invocation by South Carolina set forth, and the distinction between that doctrine and the dogma of secession pointed out. It was shown that Mr. Calhoun was a devoted lover of the Union, and that his great struggle for nullification was by him believed to be but a struggle for a peaceable remedy within the Union for undue encroachment by the Federal Government upon the reserved rights of the States, and subject always, in the event of necessity for it, to the action of the Congress of States by amendment to the constitution in the manner prescribed.

Mr. Lamar then narrated Mr. Calhoun's position and services about the national bank and the removal of the deposits, and his report and speech on the extent of the government patronage and the disposal of offices. In connection with the latter topic, the orator touched briefly

upon the policy and course of the administration of which he himself was a member, and the support which the administration had received from the State of South Carolina.

The speaker then reviewed the services of Mr. Calhoun in the annexation of Texas and in the settlement of the Oregon boundary, his opposition to the war with Mexico and his forebodings about its ultimate consequences. His position upon the subject of African slavery was explained and compared with that of Webster and Clay.

With an analysis of the secret of the eloquence of the great orator and statesman, the address terminated after a few remarks of a personal and local nature.

This brief abstract of the oration can give but a faint conception of the speech itself. It is an original and masterly statement in comparatively brief compass of Mr. Calhoun's place in political history and his philosophy. In time it will go far to vindicate the memory of that great man from the misconception and injustice which have resulted from the fact that thus far his reputation seems to have been in the hands of his foes, his epitaph written by enemies, reversing the true principle of biography, which should be written by friends, or, at all events, by those in sympathy with the subject, and understanding him.

On the next day after the delivery of the oration the *Charleston News and Courier*, in the course of its remarks, said:

It would be worse than useless to attempt a review of Mr. Lamar's oration. His analysis of the sentiments and motives which were the inspiration of Mr. Calhoun's public conduct and the guide of his private life affords a clear and luminous reflection of the character of the great Carolinian. But there is so much that throws a new light upon the history of the exciting questions that engaged the attention of Mr. Calhoun, so much that is associated with the development of the theory of popular government, that the oration comprises in itself a complete text-book upon our Republican institutions.

Perhaps the strongest, as it certainly is the most striking, passage in Mr. Lamar's oration is that in which he discusses the effect that territorial acquisition has had in reversing the relations of the States to the Federal Government, and which has been a potent cause in determining our political system. A more concise, and at the same time more comprehensive, view of the radical change that is claimed to have taken place in the relation of the States to the Federal Government has never been offered.

So, six years later the same paper declared also that "the breadth of Mr. Lamar's mind and his thorough understanding of the political problems which confront the statesmen of this country were probably never more thoroughly illustrated than by the speech which he made in this city at the unveiling of the Calhoun Monument."

On the 11th of May Mr. Lamar wrote as follows to his friend, Hon. H. S. VanEaton, member of Congress from Mississippi:

. . . As to the address on Calhoun, it was not the result of any immediate or continuous preparation, but simply noting down, through my private secretary, the result of long years of reflection upon politics generally, and as expounded by Cal-

houn especially. I tried to throw the whole doctrine into a consistent whole, very much as Cousin, in his criticism upon Locke's philosophy, was enabled to develop his own system of philosophical eclecticism. In other words, the speech was the result of years of reflection. I do not think in the whole time I had one hour of continuous, unbroken preparation.

To Mr. Pleasant A. Stovall, of Athens, Ga., Mr. Lamar wrote on May 11 as follows:

The true purpose of a speech upon an occasion of that sort is to give an exact image of the man's life and thoughts and character without any reference to what effect they may have upon the politics of the present time. The reviews and biographies of Mr. Calhoun from a Northern standpoint have been amenable to this very criticism of leaving out those portions of his public life and his services which would have commended him to the respect and admiration of the Northern people, and putting forth those which would excite their dissent and hostility in a magnified and distorted form.

On the same day, May 11, he also wrote as follows to Mr. Sheffield Phelps, of Colorado Springs, Col.:

I desire, sir, to thank you very kindly for the service you have done myself and the subject on which I spoke. Will you allow me in the spirit of reciprocal kindness to suggest to you the study of Mr. Calhoun's speeches and writings? It may be that you will not concur with him; but he was one of the most philosophical thinkers of his age, an ardent American patriot, a practical and sagacious statesman. You will be surprised to find how much was held in common between Mr. Webster and Mr. Calhoun. They both believed firmly in the Americanism of government, the sovereignty of the people, the necessity of constitutional limitations and checks upon the absolutism of government of any kind, whether monarchical or popular; and they both believed in the division between the delegated and reserved powers of the Federal Government and of the government of the several States respectively. They differed very rarely and not very radically as to where the line of demarcation was.

The chief difference between them in constitutional theory was as to the residence of *the power of determining* a dispute in the case of a conflict between the Federal Government and that of a particular State, as to the extent of the powers of the former; Mr. Webster holding that whenever the question could assume the form of a case in law or equity the Supreme Court was the arbiter, and, in cases where it could not assume such form, that Congress was the sole and final judge of its own powers. Mr. Calhoun held that in case of such a conflict each State was the judge *for its own people* of the infraction of the constitution and the mode and measure of redress, subject to an appeal to a convention of all the States, whose judgment was binding, both upon the States and the Federal Government. They sometimes cooperated, and not infrequently they were opposed to each other; but in every case they were patriots and brothers, even when contending against each other; and while seemingly antagonistic, they were really helping each the other to bind the selfsame sheaf in the great field of public action.

I would especially recommend to you the reading of his speech on the veto power. I believe it is my favorite of all his efforts.

In writing you this letter I have departed somewhat from the reserve which I have maintained toward the critics of my speech at Charleston, irrespective of the favorable or unfavorable character of the criticism; but yours seemed to catch so clearly and to present so fairly the purport of my remarks that I have yielded to this impulse of acknowledgment.

I am very sincerely yours,

L. Q. C. LAMAR.

On the 6th of July Mr. Lamar wrote to Donn Piatt:

If you will read that speech carefully, you will find in it nothing eloquent, nothing very literary, but the blended results of lessons learned in a harsh school of experience and of reflections derived from close study in the closet.

What criticisms of Mr. Lamar's address were made, seem to have been political in their school and motive. A volume would be needed to set forth the favorable and enthusiastic notices from all over the country. Let one suffice, as a sample, from a New York Congressman:

YONKERS, N. Y., May 7, 1887.

*My Dear Mr. Secretary:* The inclosed will show what they think of you here. The eyes of the people were upon you at Charleston, and I hear only words of the highest praise. With love to you, and kind regards to friends.

Yours sincerely,

W. G. STAHLNECKER.

In the delivery of this address upon Calhoun Mr. Lamar unquestionably rendered a valuable public service. To the student of the political history of the United States one of the most interesting inquiries, and one of the most obscure, is the history of opinion concerning the nature of the constitution. It would not be difficult to show that at times long anterior to the era of nullification some of the most virtuous and patriotic men in the Republic north of Mason and Dixon's Line held doctrines which would now be deemed exceedingly heretical. Nor is it to the curious student of political history alone that these topics are important. It is of the utmost importance to the present and future generations to understand the exact nature of the teaching of Mr. Calhoun and the belief of his followers; how, although he did not intend it, his philosophy tended toward secession as a constitutional right; and what it was that the South surrendered when, for the sake of promoting harmony and the welfare of the whole country as well as her own, she submitted, loyally if not cheerfully, to the stern results of a civil war. It was a long-cherished and a sincere conviction that she gave up, and it was that surrender which made impossible forever all further theories respecting the constitution not based on the irrevocability and perpetuity of its powers.

On the 6th of October, 1887, Mr. Lamar was invited to deliver an address of a half hour at the One Hundred and Nineteenth Annual Banquet of the New York Chamber of Commerce, to be given at Delmonico's, on the 15th of November. "You shall have the place of honor at the table," his invitation ran, "and make the leading speech. You are no doubt aware that this is a conspicuous occasion, and corresponds very nearly to the dinner of the Lord Mayor of London. They are anxious to have you make the speech of the evening. It would be a good thing for the country, the South, the chamber, and yourself. You

know this is the first and greatest chamber of commerce of the country. Your address will go all over the country.”

This invitation was not definitely accepted until the 23d.

Only a very short time before the day set for the banquet Mr. Lamar was notified that he would be expected to respond to a toast of “The President.” This, of course, disturbed his plan to some extent; but it will be seen that he avoided the difficulty, answering to the request, and at the same time persevering in his contemplated line of remark.

The banquet was held at the time appointed. Many distinguished guests were present, among them Secretary Fairchild, and Hon. Joseph Chamberlain, Special Commissioner of the British Government. At nine o'clock Mr. Charles S. Smith, President of the Chamber, called the assemblage to order, and inaugurated the proceedings by a short speech. Letters were read from the President and from Senator Sherman. Mr. Smith then said: “Now, gentlemen, I ask you to fill your glasses and drink to the first regular toast, ‘The President.’” [Music, “America.”] He then introduced Mr. Lamar, who said:

*Mr. President and Gentlemen:* Fully appreciating the honor conferred in calling upon me to respond to the toast just read, allow me to say that it has taken me somewhat by surprise, as I was not aware that I would be called upon to respond to such a toast until a day or two since. I confess that I have another cause of embarrassment. I have been so close officially to the President for the last three years, so identified with his purposes and his aims and his efforts, that it is almost impossible for me to either contemplate or present him in the perspective. [Applause.] In my trouble I consulted the President himself [laughter] as to what I should say; and I do not think that I could make a more appropriate response to the toast than to give you his very words. Said he: “Remind the gentlemen of the New York Chamber of Commerce that the two great causes which originated the convention which adopted the present Federal Constitution were, first, the necessity of a National Executive to represent the united sovereignty of this great Republic; and, secondly, the necessity of a national supervision, protection, and regulation of the national commerce with foreign nations and between the States of the Union.” [Applause.] So that the interests which the President represents and the interests which you, gentlemen, are the representatives of, are the joint creation of that matchless creation of political wisdom and sagacity, the Constitution of the United States. “Say to the gentlemen of commerce, also,” said he, “that the government of the people should reflect the same sturdy virtue and industry which lie at the foundation of the people’s success and prosperity; and that you, gentlemen of the New York Chamber of Commerce, can contribute no little to that important result by exacting of your national government the observance of the same methods and the exercise of the same qualities which have enabled you to do so much for your proud metropolis, and to support a government endeavoring to reach those standards with your characteristic firmness of purpose and energy of action, so that a business government and a business people may go hand in hand together.” [Applause.]

Now, gentlemen, this is the speech that I would have made if I could have made just such a speech as I would wish to make in response to your toast. [Applause.]

Permit me, however, the privilege which we Southern men enjoy upon occasions like the present of offering a volunteer toast, which I had determined to do; and that is: “The New York Chamber of Commerce: the representative of a class of

American citizens held in high and honorable estimation all over the United States." [Applause.]

And now, gentlemen, I desire to thank you for the invitation which brings me here, and for the very gracious reception which has welcomed my coming. I am well aware that I can add nothing to your knowledge, nor communicate the slightest impulse to that enormous and ever-growing influence which your daily occupations exercise upon the future and fortunes of this country. I am only your guest, but you could have summoned no one whose feelings are more deeply moved by the associations and suggestions which this assembly presents. [Applause.]

For, Mr. President, if, with a supposed faculty of vision, one could be put in a position from which he could look down upon this vast continent, what a splendid, what a marvelous spectacle would be spread out before him! From the stormy shores of Labrador and the fierce gales of the great Banks to the icebound waters of the Behring Sea; the great lakes, stretching out like miniature oceans in proud succession, and rivaling the ocean in the magnitude of their navigation; the Mississippi River, with its mighty tributaries, bearing on their inland waters the rich burden of a commerce with which the trade of Tyre and Venice and Alexandria, whose names are stamped in gold upon history, could bear no comparison; States as large as kingdoms, whose broad acres glow with the golden glory of corn and wheat, or are white with the flakes of cotton, that snow of our Southern summers [applause]; innumerable and inexhaustible mines of coal, which will feed forever the fires of manufacturing industry; forests of lumber, if not inexhaustible, not half exhausted; gold and marble and uncounted herds of cattle; and with all this a population ever increasing, the most impetuous in its industry, the most daring in its enterprises, the shrewdest in its aims and calculations, that the world has ever seen; free, individually and nationally, as no other people has ever been; moving and working with the speed and power of steam; talking, directing, thinking with the swiftness and directness of lightning, which is their slave—where on earth can you find such a spectacle of industrial activity? [Applause.]

And when you come to trace the source of this peaceful splendor of material prosperity, these miracles of art and industry and expansion of commercial growth, where can you find one of them operating with more intensity than in the countinghouse, in the plain order or the homely invoice, which represents that essential principle of barter and sale that, originating in the needs of primitive life, grows with the growth of trade until it becomes the world-encompassing commerce that sharpens ingenuity, excites the desires, and stimulates labor, and finally crowns with wealth and glory the successful nations of the earth? [Applause.]

And then when we think of the fact that all this wondrous development is within our own boundaries, our own local trade, our own interstate commerce, we may well realize the position which we hold, as my friend said, between Europe and Asia. What will our foreign commerce be when even the most distant recesses of Africa will be open to our enterprise? Contemplating these things, we can almost imagine the future condition of this country, as portrayed by a great American statesman forty years ago. "Magic wires," said he, "are stretching themselves in all directions; and when their mystic meshes are united and perfected, our globe itself will be endowed with sensitiveness, so that whatever touches it at one point will be felt at every other." [Applause.]

Now, gentlemen, having referred to our foreign commerce, I am reminded of the assertion, oft-repeated and reverberated (I believe before this very assembly upon a previous occasion), that our foreign commerce is so rapidly declining that even heroic remedies are necessary to its revival. [Applause.] You will permit me to say, gentlemen, that I believe the contrary to be true [laughter and applause], and that our foreign commerce is rapidly increasing [cries of "Hear! hear!"]—yes, increasing at a



per cent greater than that of that great commercial nation, Great Britain herself [laughter]—and that with a few reformatory measures, consisting in the removal of obstructions and the relief from legal restraint, the United States will not only in a short time overtake Great Britain, but will outstrip her in the great race for commercial supremacy. [Applause.]

[A voice: "What have you to say about our navigating interests?"]

I will answer the intimation that my friend over there has just sounded to me—that that branch of commerce, that great interest connected with it, and by some supposed to be indispensable to its growth, is in a state of rapid decline and fearful decadence; I mean your navigating interest, that interest which concerns itself with the carriage of our commodities of international exchange, and with the vehicles and the lines of foreign trade. That interest, I admit, is in a state of fearful and deplorable depression. [Cries of "Hear! hear!"] I do not propose to go into the question of the remedies. I leave that to you, gentlemen, my friend, and others, who have no doubt given the subject the consideration which its importance merits; but there are some interesting facts connected with it which, if you will bear with me, I will state to you. Our country has passed through several periods of alternate increase and decrease of our tonnage and navigation interests, during which periods different and opposite national policies respectively prevailed. From 1824 to 1831 the aggregate tonnage of this country fell more than one hundred thousand tons. On the contrary, from 1831 to 1841, without any subsidies, it rose until at the close of that period of ten years it almost doubled what it was at the beginning. Then again, from 1846 to 1860 the aggregate tonnage of the United States, as if touched by magic, sprang forward, progressively increased, until at the close of that period it was many thousand tons more than double what it was at the beginning. From 1860 to 1886 (I have not the figures for 1887) the aggregate tonnage of this country, so far from proportionately increasing or holding its own, continued to decrease, until it is less by more than a million and a quarter of tons than what it was twenty-seven years ago. Now, gentlemen, when you come to look at the amount of commerce carried in American vessels at these two epochs the disparity is still more striking. The proportion of your exports and imports then carried in American vessels, as compared with those exports and imports carried by the vessels engaged in the whole world's carrying trade, was 66½ per cent. In 1886 it was only 16 per cent. No wonder that my friend's patriotic pride, which looks forward to the time when American shipping will whiten every sea and when Americans will navigate their own commerce, gives way to his pungent apprehension that American navigation, unless this constant and continuous decline is arrested, will cease to appear upon the list of American industries. [Applause.]

Gentlemen, I am only stating facts, and I leave you to look into causes, to trace consequences, and to devise remedies. [Applause.] But, mark you, I shall not be surprised if you will find one of those causes—not all of them, not the only one, but perhaps the principal one—will be what every intelligent merchant with whom I have conversed upon the subject believes: that artificial restrictions and restraints are as ruinous to commerce as they have ever proved to be fatal to human thought and human freedom. [Applause.]

Mr. President and gentlemen, while all of us unite in recognizing the influence which commerce exercises in elevating and strengthening and even refining national life, that influence is due not alone to our vast and varied intelligence, nor to the profits of great judicious enterprises. There is another vital element which accounts for its work in human civilization, and which forms the basis on which rests alike its smallest profits and its grandest achievements, and that is mercantile honor. [Applause.]

Many have been the inventions in these scientific days which, by increasing the speed of locomotion and the capacity of freightage and facilitating the quickness and

certainly of correspondence, and extending beyond calculable limit the powers of production, have expanded the commerce of this country; but none of you can name one of these great inventions that can compare, in what it has achieved, to the invention of the bill of exchange, the discovery of the force of credit, which, like an ethereal essence, imparts buoyancy to capital in its most solid forms, and even bears immovable properties to the uttermost parts of the earth. [Applause.] But, gentlemen, you may surround credit with all the guarantees and resources which you can command, and what does it finally rest upon but mercantile integrity? [Applause.]

Much has been said, and beautifully as well as truthfully said, of that high sense of knightly honor which was the highest development of the old institution of feudal chivalry. Fully as noble and equally important is that sense of honor which, from the days of the merchants of Venice, the bankers of Amsterdam, the goldsmiths of London and Edinburg, down to the mighty merchants of America, has rendered it possible—not only possible, but necessary—that an American merchant's credit shall be as far above suspicion as the knight's courage or woman's chastity. [Applause.]

To preserve this credit, created by patient self-sacrifice, resolute endurance, constant and self-denying labor, and a genuine community of sympathy, will require all the virtue and the ability and the energy which you can leave to your children; for, gentlemen, none of us can conceal from ourselves that, with all the wonderful advantages of our position, with the almost superhuman activity individually of our people, with the rapidity with which fortunes are acquired and can be acquired, notwithstanding the immense and almost exhaustless resources of our people, they have brought with them to us evil as well as good. Terrible temptations come with unprecedented and dangerous opportunities, and the very greatness of our possibilities has sometimes turned men's heads and seared their consciences, until sober public opinion is bewildered by the notoriety of gigantic scandals, and public indignation is fatigued by their frequency. [Applause.]

Mr. President, nearly half a century has elapsed since Robert J. Walker, in one of his matchless reports as Secretary of the Treasury, presenting his great scheme of fiscal policy, made the following prophecy:

From these great events the whole country would derive vast benefits, but especially the city of New York. It would become the depot and storehouse and *entrepôt* of the commerce of the world, the center of business and exchanges, the clearing house of international trade and business, the place where assorted cargoes of our own products and manufactures, as well as those of all foreign countries, would be sold and re-shipped, and the point to which specie and bullion would flow as the great creditor city of the world, for the adjustment of balances, as the factor of all nations, and the point whence this specie would flow into the interior of our country through all the great channels of internal trade and intercourse. With these great events accomplished, and with abundant facilities for the warehousing of foreign and domestic goods at New York, it must eventually surpass in wealth, in commerce, and population, any European emporium; while, as a necessary consequence, all our other cities and every portion of the Union and all our great interests would derive corresponding advantages. [Applause.]

Gentlemen, you are the representatives of the commerce of this continent. It is for you to guide the future of that commerce which is to stamp itself upon the future and the character of the country. Already has your imperial city in view the goal which Robert J. Walker predicted, and the time is not far distant when you will convert into facts of history the divinations of that great statesman; already has your city become one of the great centers of the world's trade; already has it been raised by you to honorable rivalry with London, the heart of the world's commercial system. It is for you, therefore, to see to it that, whatever may be its future success, it shall always be purified and strengthened and vivified by the old good faith and the old good sense of the American merchant. [Applause.]

And now, gentlemen, will you not permit me, as the representative in part of that

great agricultural section which furnishes the staple that constitutes in large degree the basis of your foreign commerce, to say to you that the pride of the American people in your proud city lies in the fact that it is an American city, representing the character of American productions and American commerce, and that it is in the enjoyment of an unrestricted commerce of sixty millions of people of American States and Territories, and that the enormous profits of American exchange which you handle far exceed the profits which you derive from foreign commerce. [Applause.] These are the bonds of American unity; these are the hostages of American fraternity, exhibiting the progress and the development and the glory of a harmonious and united people, all of whom are contributing to the magnificent triumph which you are achieving and to the splendid destiny which you have before you. [Applause.]

It has been said by an English poet that "commerce is the golden girdle of the globe." See to it, gentlemen, that that link which American commerce contributes to this friendly bond shall be of pure gold, worked with industry, strong in the honesty of its substance, symbolizing by its weight, its brilliancy, and its solidity the character of the men who wrought it. [Loud applause.]

The President, Mr. Smith: Gentlemen, your obligation, as well as my own, will be increased to our friends, members of the Cabinet seated on my right and left, when I tell you that, having spent the evening with us, they expect to return to their labors in Washington by a night train.

Continuing the celebration, Mr. Lamar's speech was followed by addresses from Hon. Chauncey M. Depew, Hon. Joseph Chamberlain; a letter from Governor Hill; speeches from Hon. Abram S. Hewitt, Mayor; Hon. George W. Curtis; Hon. William R. Creamer Member of Parliament; and Mr. James C. Carter.

On the 14th of May, 1887, Hon. William B. Woods, Associate Justice of the Supreme Court of the United States, died. Judge Woods had been appointed from Georgia; and that State, with the Gulf States, constituted the Fifth Judicial Circuit, to which Judge Woods had been assigned for duty in his capacity of Circuit Justice. It was therefore expected that his successor would be selected from among the lawyers of that circuit, although there was no law making such a requirement. Still, probably every Southern State presented a candidate for the exalted position, some of them more than one candidate. Mississippi offered as her choice Senator George, who was not only a lawyer of great distinction and long experience, but also had served as Chief Justice of the State Supreme Court. However, almost immediately after the death of Judge Woods the name of Mr. Lamar, without any agency of his own or of his closer friends, came into discussion as a possible and the proper nominee.

On the 6th of June, 1887, the following telegram was sent out from Washington to the press, and was extensively circulated:

Congressman Oates, of Alabama, who is at present in Washington, had a talk with President Cleveland before he started for Saranac about the vacancy on the Bench of the Supreme Court of the United States, and, in an interview on the subject, says: "There are a large number of candidates before the President. Every Southern State, I think, has put forward at least one candidate. Alabama has several. The State, I

think, would have a better chance of the appointment if she had fewer candidates. There are also several Northern men in the field, but they have no chance. The President told me himself that he would not consider the candidature of any of them. The appointment will go South. Justice Woods was a citizen of Alabama when he was appointed Circuit Judge. He afterwards settled in Georgia. I feel quite certain that if Secretary Lamar desired the position he could get it. The President, I know, has the very highest opinion of Lamar. He told me so himself. I heard him say that Secretary Lamar had the clearest and most comprehensive intellect that he had ever known."

The suggestion of Mr. Lamar as the future Justice was received with widespread favor without respect to party politics. A few of the notices appearing in the papers are here given to illustrate this fact:

From the *Detroit Free Press* (Democratic), of June 23: "Of the suggestion that Secretary Lamar be appointed to the Supreme Bench, the *Providence Journal*, good Republican authority, says: 'He is a man of broad learning, both legal and other, and of a philosophic and judicial mind. . . . The habit of strict constitutional construction which he would bring to the decision of his cases is something for which there is no small need in these times, when the tendency of legislation, as regards the extension of the central authority, is so obviously away from the wise precedents of the fathers. For Calhounism, indeed, the time has gone by; but there is still need for that theory in Supreme Court decisions which will prevent the Federal Government from engaging in charity schemes, or in any way overstepping the limits prescribed for it by the States. Holding the opinions that he does in this regard, few Southern lawyers could be of more service on the Supreme Bench than Mr. Lamar.'

From the *New York Mail and Express* (Republican), of June 22: "The story comes from Washington, by way of an administration organ, that Secretary Lamar is to quit the Cabinet for the Bench, and that next autumn he will be appointed to the vacancy caused by the death of Mr. Justice Woods. We trust that the story is true. We believe that the President ought to select the new justice from the South, if he can find a sound lawyer, and one whose views of the powers of the national government are of the kind which the war made dominant. Mr. Lamar is such a man.

"In the first place, Mr. Lamar is a sound lawyer. It is true that he has a reputation for dreaming a good deal more than appears to be consistent with the duties of a judge, whose task is with the practical concerns of life; but a good deal of Mr. Lamar's dreaming is over practical questions. His administration of the Interior Department has shown that he can transact business in a masterful way, and he is probably better fitted for a judgeship than for an executive office. He is a student, and has a student's habit of investigating subjects to the bottom. His speeches in the Senate and House of Representatives on questions of business show great breadth and liberality and much patient research. They also show a courageous and independent mind. No free trader spoke with more learning or force in the debates of 1884 than did Senator Lamar, and the country will not soon forget his valuable contribution to the discussion of the silver question—valuable from a moral, as well as from an economic, point of view; for he consciously braved the anger of his constituents in disobeying the demands of the Legislature of Mississippi, and defending the cause of a sound currency. There is no question of constitutional or statute law to the consideration of which Mr. Lamar could not materially contribute.

"The new Justice will be a Democrat, and it is announced that he must come from the South. We hail every proper effort to give that section of the country its share in the administration of our common government. Therefore we have hoped that the President would find a Southern lawyer in every way worthy of a place on the Supreme Bench, and no one has been named who so nearly approaches the high stand-

ard of the court as Mr. Lamar. We trust that the prediction of his appointment will be verified."

From the *Washington National View* (Independent?), of June 18: "Rising above party bias or its requirements, in the ordinary limited sense to which they are applied, up to that broader and more liberal place which embraces all citizens within one common fold of rights, duties, and obligation, we cannot help but join in the general acclaim which points to Secretary Lamar for the vacant seat on the Supreme Court Bench which Justice Wood's decease has caused.

"We know that he is eminently fitted for the place; that he has a judicial mind, which opens a broad and liberal outlook, free from all local prejudice, or partial, contracted sentiment.

"The appointment of such a man will satisfy the country North and South, East and West. Bear in mind this fact: a great point will here be gained, which will go far to harmonize the sections and renew the old-time spirit of loyalty and patriotism which culminates in 'one country and one destiny.'

"Following in the line of these remarks, the *Boston Herald* (Independent) submits some practical reflections which we are prompted to embody herewith, and wherein it says: 'It seems to be taken for granted in Washington that Secretary Lamar will be appointed to fill a vacancy on the Bench of the Supreme Court. If this is the case, the President will part with the man who has been perhaps in all respects the most satisfactory of his Cabinet appointments. The work of the Interior Department under Mr. Lamar has been well done, and he has at the same time had an influence in Congress which has not been possessed by his Cabinet associates.'" . . .

On the 7th of July Mr. Lamar wrote to Hon. J. F. King, of Louisiana:

Your kind wishes, and especially your estimate of my qualifications for the position of Supreme Court Justice, give me the keenest pleasure.

In the spirit, however, of open-hearted frankness which has always characterized our intercourse, you must permit me to express my regret at one thing, and that is that you should have sent letters to your numerous personal friends upon the subject. If the position is offered me, I wish it done from the promptings of the President's free and unconstrained choice, and in accordance with the spontaneous and unsolicited manifestations of public opinion. I have no reason whatever to think that the President intends to offer me the position apart from the impressions which others have derived from conversations with him.

I beg you to believe that I would much prefer to have the office go in some other direction than to feel that it came to me by any sort of active and energetic management.

On the 9th of July he wrote to Senator Walthall:

In reference to the Supreme Court Judgeship, I am fully aware of the fact that my friends in Mississippi had no expectation of the turn things have taken in connection with that place so far as I am concerned, for it was wholly unexpected to me. I came into the Cabinet with not even a glancing thought of a position on the Supreme Court, while it was generally supposed that Garland was appointed Attorney-General as a preliminary step to a place upon the Supreme Bench. The publication of my name in connection with the place arose from the impressions which Congressmen, making applications for aspirants from their respective States, carried with them after conversing with the President himself. Not a word has ever been exchanged between the President and myself on the subject of *myself* for the position, nor has any one at my suggestion ever approached him.

The objection made to me by Garland and Vest, which is spreading around a little and perhaps making its impression on the President's mind, is that I am not a practi-

cal lawyer and not fit for the ordinary business and drudgery of the position, though amply qualified now and then to write a good opinion on constitutional law. Vest also objected to me on the ground of my age—a very good objection.

Three weeks later, on July 30, Mr. Lamar wrote again to Senator Walthall:

In relation to the judgeship, I am more inclined to-day than I was when I wrote you to think that the President's mind has been pretty well made up to offer me the place. This inclination of my mind, however, is derived more from the decided impression which his conversations still make upon the minds of those who consult with him on the subject than from anything which he has said to me; for not one word has been uttered upon that subject by him to me directly, or, as I suppose, with a view to be communicated to me.

With reference to the work and drudgery necessary for the Bench, I have no fear whatever of that. I believe I work more on details and more continuously than — and — both put together could do. The only misgiving in my mind is about the result of that work in the line of jurisprudence. I do not feel myself fully equipped to be a Judge of the Supreme Court; and whatever might be my *disappointment* should the President's mind take another direction, it will not be as great as the *relief* which it will afford me.

Jennie's wedding was a very pleasant affair. I thought until then that nearly all the Lamar kin were dead, but there were forty of them present, living in one little city. . . .

The next letter to be noticed is one from Henry W. Grady, of the *Atlanta Constitution*, dated October 29, but, as to this matter, referring to an earlier date not given:

Now let me say one thing personal to yourself. While riding with the President, we passed —'s house. I mentioned it to the President. He at once commented on the un wisdom shown by Mr. — in getting up meetings to press him for so high an office as Supreme Court Judge, and said that when — came to him in —'s interest, he urged that in appointing a man who would be retired on a pension the President ought to get a young enough man to have the guarantee of several years of service before pensioning. The President said: "I knocked that out by saying: 'Yes, unless we get a man of such overweening ability that one year's service is worth ten of an ordinary man's, and unless we could get a man who has given his whole life already to the public service.'" He added that Mr. — had never troubled him any since. I then said that I thought Lamar the best equipped man, living or dead, the South had given to the public. He said: "I think certainly the best of the living men." I replied that I did not except Clay or Calhoun; for, while they may have been abler, I thought no man from the South had ever been so perfectly equipped for public life as Lamar. He then made this significant remark: "I have noticed one thing about him: he cannot decide a thing wrong. His temperament is such that when he considers a question he is obliged to decide it right. I have never seen this quality so marked in any other man. The truth is, his mind and his heart are right, and he cannot decide anything wrong." This statement was made in the carriage in which Mrs. Cleveland and Mr. Collier and myself were riding. I know it will please you to hear it, and I have intended to write it to you ever since it was uttered, but have been so busy that this is the first opportunity.

This letter from Postmaster-General Vilas continues the story:

ASHLAND, Wis., September 5, 1887.

*My Dear Friend:* I need hardly write of the joy with which I read in your letter

the information that the good President has definitely determined upon your selection for the vacancy on the Supreme Bench. I am persuaded, not by love—which gives me such gratification—but by a clear and discriminating judgment, a perception of your qualities which lighted the way for my affection, that no one could have been chosen with greater satisfaction to the country, nor could the place have been more suitably a reward for great deserving. Your education, your experience of affairs, and your observation of men, have generously aided to accomplish a mind naturally adapted, in a peculiar degree, to deal with the great questions which will invoke profound political forecast and a lofty, impartial judgment. Your value in that seat will be vast to your countrymen.

And you have so well earned it by your constant devotion to the pacification of our people after their terrible strife, and by your unflinching fidelity to the principles of national fraternity, out of which national perpetuity and happiness spring, that your elevation will be accepted with less envy and more general approbation, I sincerely believe, than would have attached to the choice of any other. It meets, with great felicity, the fitness of all sectional and general considerations appertaining to the exigency, and will be accepted, I am sure, as another illustration of the President's wise perception of the suitability of men for places of public duty. It gives me greater pleasure, too, because it proves the justice of my confident reliance on the sure outcome of his wisdom and meditation, which never fail to issue conspicuously above all the whirl of passion, personal feeling, and personal greed, in calm superiority.

I congratulate you with all my heart, and rejoice that your remainder of life will now be spent in the study and labor which will give you happiness, with advantage to your fellow-men. Heaven grant you many years full of strength and usefulness, to record your learning and wisdom in the enduring volumes of national law, and to enjoy and bestow the delights of friendship in the association with them whom you love, and who love you!

It is impossible, though ungracious, for me to withhold expression of my pain at parting with you as my associate. It has been such a source of pride and honor to possess your friendship in that collaboration we have enjoyed. It has been such a solace to feel unquestioning assurance of your sympathy and kindness when you took your seat at our table, and I have had such timely help to my inexperience and many lacks when help was so grateful, that I melt at the thought of your loss to our official concord and to my personal support and delight. It has been, as you say, a warmer bond between you and me than perhaps between any other two. My attachments have been peculiarly to the ends of our table, and all must cling with equal reception to the great head of it. I shall have no longer an especial grasp on the love of any one beside, by which my errors and shortcomings may be tenderly considered and relieved; but this cannot qualify, after all, the profound joy and gratitude with which I contemplate your well-merited honors of the gown.

By all that has compelled my esteem and affection, you are the more entitled to and the more deeply congratulated on your just reward.

The bright skies which smiled over Mr. Lamar's fortunes at this time were not, however, to continue unclouded. Even now the cloud no larger than a man's hand was plainly visible. The next coming year was to witness the great struggle of the Republicans for the resumption of the executive power, and already the mutterings of party were heard. About the last of August and first of September some of the Republican papers began to make war upon Mr. Lamar's appointment. A letter from Mr. Geo. Ticknor Curtis, of New York, dated September 16, states that he had read an editorial in a leading New York paper which

opposed his appointment and contained a good deal of misrepresentation of his public life, and offers his services to make, through the press, such corrections as might seem to be needed; which offer Mr. Lamar, as his custom was, seems gratefully to have declined. The opposition indicated grew. The *New York Tribune* especially helped it on, and by the time Congress convened it had assumed threatening proportions.

On the 6th of December the President sent in the name of Mr. Lamar for the action of the Senate. The nomination was referred to the Judiciary Committee. A majority of that committee were Republicans, and their action upon the nomination seems to have been delayed in order to give time to work up the party vote in the Senate to the point of rejection; at all events, the Democratic papers of the day and some others so state. Meanwhile protests and remonstrances against Mr. Lamar's confirmation were sent in from many Republican sources over the country. For instance, the Veterans' Rights Union, of Washington City, protested, "not on political grounds, but on the charge that he has repeatedly violated the law providing for the retention of Union soldiers and sailors in office," the particular occasion being the discharge of an employee from the Pension Office. The Young Republican Club, of Lawrence, Kan., requested Senator Ingalls to vote against Mr. Lamar; and to this request he responded thus:

My relations with Mr. Lamar personally are entirely friendly; but there can be no doubt that he represents everything that is bad in the past, dangerous in the present, and menacing in the future, of the history of this country. His nomination is still pending before the Committee on the Judiciary, of which I am a member, and will probably be disposed of at an early date. I regret to say that, in my opinion, there is little doubt of his confirmation.

On December 27, in reply to a communication from the Buckeye Club, of Springfield, Ohio, protesting against the confirmation of L. Q. C. Lamar as Associate Justice of the United States Supreme Court, Senator Sherman, in a letter, said:

I take the same view of the nomination of Mr. Lamar as stated by your Buckeye Club. You may be sure I shall do all I can to prevent his confirmation. I regret to say, however, that I fear my efforts will be unsuccessful.

This letter is of interest here:

PHILADELPHIA, PA., December 20, 1887.

HON. L. Q. C. LAMAR.

*Dear Sir:* I looked in at the "Blaine Convention" in New York last week, and contributed somewhat to the defeat of the proposed resolutions against your confirmation. I have also during the past week met representative men from all parts of the country; and I am assured that the opposition to you is not personal, but sectional. Under whatever pretexts your opponents may pretend to speak, the true motive is to defeat the confirmation of any ex-Confederate to the Supreme Bench. Any other Southern man of like antecedents would meet with the same opposition; and, in my opinion, the antagonism to you is less than would be directed against any other Southern man who could be named for the same position.

So that the South might just as well understand that they must stand shoulder to



shoulder in pressing your confirmation to a successful result, if they ever intend to break down and surmount the bitter prejudices of the "bloody shirt" faction.

I believe that I was nearly, if not quite, the first man that crossed to Southern soil in 1861 with a Federal uniform on my back and a hostile gun in my hand. As you are well aware, I am a stalwart Republican, and shall always contribute my individual efforts to the success of that party and to the defeat of the Democracy; but I am also one of very many other Northern men who realize that nearly a quarter of a century has lapsed since the war closed, and that the *theory* of a reunited country necessitates the *practice* of an equal recognition of all parts in the three great divisions of the government. I and those who, like me, believe in the *whole* nation, feel, therefore, that we are equally interested with all true citizens of the reunited and rehabilitated South in successfully antagonizing this effort to keep alive sectional prejudices and war animosities.

In the uncomfortable position which you now occupy please, then, to accept from me a word of good cheer, and believe that there are many, like myself, who are contributing what we can to your confirmation. I can do so with good heart for another reason; because, having been at the bar for thirty years, and having a professional income exceeded by but few if any lawyers in the United States, I can truthfully say that I prefer to argue a case before you rather than any other judge I have ever addressed. You will, I am confident, be assured of the sincerity of this remark, because I never asked a favor at your hands, and have no other possible relation to you than that of esteem for your character and ability.

Yours very sincerely,

A. T. BRITTON.

Two letters written by Mr. Lamar at this period give interesting information in respect to motives and influences centering about this matter. The first letter, dated December 21, was addressed to his sister, Mrs. Ross, of Oxford, Miss.:

There is one thing I wish to trouble you about. You have, I believe, our old family Bible, beginning with the birth of my grandfather Bird and going down I don't know how many generations. I wish the record transcribed and certified to, so that my birthday will be seen just as it is in the old family Bible. They have not only alleged that I am sixty-seven years old, but they *prove* it by an old book purporting to be biographical sketches of Congressmen in 1857, by a man by the name of Lanman, and he put me down five years older than I am.

Three months ago I would have been confirmed unanimously; but since then political passions have been aroused, and the conviction seems to be strong upon the mind of the Republicans that their only chance of success in the next contest is sectional excitement. I have just received a note from a leading and very distinguished Republican lawyer, in which he says that after a practice of thirty years he would rather appear before me to argue a case than any judge he ever appeared before in his life. I have constant applications from litigants all over the country whose cases involve millions of dollars, *both sides* begging me to decide their cases before I leave the department. I do not think that any man ever had more numerous evidences of confidence in his judicial integrity, as well as capacity, than I have had; but for all that, tendencies and the course of events are stronger than the individual wishes of men, and I can see, as the observer of these events, that every Republican friend that I have in the Senate will be sooner or later swept from me by the strong force of party organization and sectional passion. I give you these facts to save you from disappointment. As to myself, you know it has been my cherished object to keep my mind upon great issues, unaffected by any consequences personal to myself, and I am anxious only for those which concern the great interests of the country; and while

I can see that the disappointment will in one respect be a keen one, in many other respects it will be more than compensated by the infinite sense of relief which it will bring. This result will not exclude me from my connection with the Cabinet unless I myself insist upon it, which I am very much disposed to do, as I am tired, tired, tired with public life, and want once more to enjoy the happiness of home and the society of my loved ones, from which for three years I have been almost entirely isolated.

The second letter, dated December 23, 1887, was written to Mrs. Kate W. Freeman, sister of Senator Walthall:

*My Dear Mrs. Freeman:* . . . Three months ago as many perhaps as one-half of the Republican Senators had congratulated me on the nomination, and assured me of the pleasure with which they would coöperate in the confirmation. But always on the eve of a Presidential election parties maneuver for choice of position; and in the struggle passions arise and influences are put in force not anticipated, and men find themselves hurried by the force of events in a direction entirely opposite to what they had intended and expected. And this is the case with me. The Republican party has determined that it gives them an advantage of position in the coming campaign to have me defeated, and it will give the administration a black eye. They start with no feeling of a personal nature; but in the course of the conflict party passions and sectional animosity will come into play, until the struggle against me has become not a little embittered. My friends are still quite confident of victory; but in that judicial frame of mind for which I am so eminent (in my own esteem) I observe indications that escape the most sanguine, and do not feel confident at all. You may not believe it, or rather, many would not believe it (I believe you do); but I would not exchange the love, friendship, and good wishes of my friends for the honors and emoluments of the office in question. Besides, there is one point on which I think that my opponents have some ground for criticism. I do not believe that one of them sincerely entertains a greater doubt and misgiving of my qualifications for the office than I do myself; and nothing but the conviction that I ought not to turn my back upon such an exalted position in the teeth of the perfect confidence as to my competence with which it was tendered to me, and with which I am supported by my friends, would have prevented me from declining it.

Excuse this egotistical letter, but I never communicate with you that my heart does not instinctively open.

On the 4th of January, 1888, the matter was still held before the committee, although it was no secret that the majority report would be adverse. On that day Mr. Lamar writes: "I do not think that my prospects of being a Supreme Court Judge are of the best, though my friends are still quite confident, notwithstanding the fact that organization is drawing its coils so close around me that I begin to breathe with some difficulty."

The political composition of the Senate was as follows: Thirty-seven Democrats, thirty-eight Republicans, and Senator Riddleberger, an Independent, from Virginia. On a strict party vote Mr. Lamar would be defeated; and even if Riddleberger voted with the Democrats, he would still be defeated, because of the tie. Of course speculation was rife as to the result. The Democrats hoped that all of the Republicans would not join in the movement, and especially hoped for the support of Senators Jones and Stewart of Nevada, and Stanford of California.

The situation was exceedingly unpleasant to Mr. Lamar, not merely because of the uncertainty about his attaining to a position of such dignity, but also because it bore the appearance of availing himself of the influence which necessarily hung about a Cabinet office to influence the result, and also because the administration was to a certain extent complicated and embarrassed by the assaults made upon himself under the color of a personal opposition. For these reasons, on the 7th of January he executed the intimation of his letter to Mrs. Ross, quoted above, and sent in his resignation to the President. He wrote to Mr. Cleveland as follows:

DEPARTMENT OF THE INTERIOR, WASHINGTON, January 7, 1888.

TO THE PRESIDENT.

*Sir:* When, some months ago, you invited me to accept the vacant judgeship in the Supreme Court of the United States, you expressed the wish that, as the court was not in session, I should postpone the resignation of my present office until the meeting of Congress allowed you to send my nomination to the Senate, as there were certain matters before the department, inaugurated by me, which it was therefore desirable that I should close before leaving; and, as I would have been very reluctant to take the place upon the Bench until your nomination had been confirmed by the Senate, I cheerfully consented to your request. My nomination has now been submitted to the Senate, and, recognizing both their right and duty to subject its fitness to the most critical examination, I would still wait in my present position their decision; but I think that I am warranted in supposing that the final decision may be delayed for some time. As you have at the same time nominated both my successor in this department and his successor in the Postoffice Department, this delay may, to some extent at least, embarrass the administration of the public business in the departments affected. To avoid such embarrassment, which is my duty to you and to the country, and to leave before the Senate in its final judgment upon my nomination the sole question of my fitness for the position, dissociated from any other nomination and unaffected by any other considerations, I now respectfully ask you to accept my resignation as Secretary of the Interior, which I hereby tender.

In terminating my relations to you as a member of your official family, I desire to express my grateful sense of the obligation that I am under to you personally for the consideration and kindness which have always characterized your treatment of me, and for the generous confidence and support which you have steadily given me in the trying and arduous administration of this department. I shall always be proud to have been associated with the honorable record which you will leave upon the page of your country's history.

Sincerely and respectfully.

L. Q. C. LAMAR, *Secretary.*

The President's response was given in these letters:

EXECUTIVE MANSION, WASHINGTON, January 7, 1888.

*My Dear Mr. Lamar:* When I determined to nominate you to a position upon the Bench of the Supreme Court, the personal gratification afforded by the tender to you of so honorable and suitable a place, and the satisfactory conviction that an important executive duty would thus be well performed, led me almost to forget that my action involved the loss of your conscientious and valuable aid and advice in Cabinet counsel, which for nearly three years I have so much enjoyed and appreciated.

Your note of to-day forces me to contemplate this contingency with the most profound and sincere regret. But since I know that the separation which you now insist upon arises from that conception of public duty which has always so entirely

guided your conduct in our official relations, I am constrained to accept the resignation that you tender, hoping that it only anticipates your entrance upon the discharge of higher and more congenial functions than those now relinquished.

What I have thus far written seems very formal indeed. I intended this, because I am sure that the close confidence and the relations of positive affection which have grown up between us need no expression or interpretation.

And yet I find it utterly impossible for me to finish this note without assuring you that the things which have characterized your conduct and bearing in the position from which you now retire—all your devotion to your country and your chief, all your self-sacrificing care and solicitude for public interests, all the benefit which your official service has conferred upon your fellow-countrymen, and all the affection and kindness so often exhibited toward me personally—I shall constantly remember with tenderness and gratitude.

Yours very sincerely

GROVER CLEVELAND.

To HON. L. Q. C. LAMAR, *Secretary of the Interior*.

EXECUTIVE MANSION, WASHINGTON, January 7, 1888.

HON. L. Q. C. LAMAR, *Secretary of the Interior*.

*Dear Sir:* Supplementary to my personal note herewith delivered to you, in which I have signified my purpose, at your request, to accept your resignation as Secretary of the Interior, I hereby formally accept said resignation, to take effect on Tuesday, January 10, at twelve o'clock noon.

Yours truly,

GROVER CLEVELAND.

By this step, taken over the earnest written protest of his friends, Secretary Bayard, Senator Colquitt of Georgia, and others, Mr. Lamar burned his ships behind him. It was characteristic of him, and was but one of those strikingly unselfish acts by which he compelled the admiration of even those who were his foes politically. The *New York Herald*, of the 9th, contained these editorials upon the resignation and correspondence:

"It is like Mr. Lamar to do that which he has just done. He has always been a high-minded as well as a broad-minded statesman—a man as conspicuous for moral courage as for wise, patriotic, and unselfish statesmanship.

"Determined, like the brave and honest man that he is, to stand only upon his own character and public career, he resigns from the Cabinet in order 'to leave before the Senate in its final judgment upon my nomination the sole question of my fitness for the position, dissociated from any other nomination and unaffected by any other considerations.'

"Mr. Lamar is, therefore, to-day a private citizen. Let the Senate decide upon his nomination as the oaths and the highest duty of Senators demand, without favor or prejudice. This act of his will fix the eyes of the country upon his judges; and the people, honest and brave themselves, and cherishing above all other qualities courage and honesty in their public men, will require that the Senate do no injustice in this case.

"It is for the Senate to judge, and to do no injustice; but injustice and prejudice, if these should prevail, cannot harm Lamar. He is now, by his own brave act, a private citizen; but if by the action of the Senate he should remain so, that would not lower his character or standing, or lessen his influence with the American people. He has worthily won their esteem and confidence, and injustice done to him will only increase these."

"THE PRESIDENT'S LETTER.

"The correspondence between the President and Mr. Lamar is removed from the or-

dinary routine of public communication by the grace and delicacy of their letters, and especially the tenderness and appreciation shown in the letter of the President. We are reminded in their tone of those between Washington and Hamilton, as well as those between Jackson and the men whom he trusted. To have inspired so high a feeling in the heart of a man as resolute and perhaps as severe as Mr. Cleveland, shows the possession by Mr. Lamar of rare personal traits of loyalty which are the reserve of true character. Mr. Cleveland in his tenderness and sincerity shows the same qualities. It is this capacity for strong, sincere friendship which gives the President so firm a hold upon the public heart. The people like a man who can feel like a man."

Thus, after fifteen years of varied and exciting political and official life, Mr. Lamar was again, although for only a brief period, a "private citizen." He had held the office of Secretary of the Interior for two years, ten months and one week, during a most trying period—that of the transition from long-continued Republican policies to the new Democratic ideas. His administration had proved diligent, vigilant, patriotic, wise, and temperate. Profoundly impressed with the necessity of rescuing almost all branches of the public interest from the grasp of speculation, avarice, and other forms of abuse, and laboring always earnestly to that end, yet with the unfailing love of law and justice which characterized him, he never allowed his zeal for the people to overturn his cool judgment and lead him into the wrong of denying to any the exact measure of his right. What higher meed could a Secretary win than to have had his chief say of him, after nearly three years of intimate association and watchfulness, that he "could not" decide anything wrong?

An immense array of testimonials from the contemporary papers and journals could be piled up, bearing witness to Mr. Lamar's high merit and efficiency as an administrative officer, but the limits of this volume will allow of only a few. It was his own especial pride and earnest effort that his tenure should be signalized by absolute freedom from even the slightest taint of the scandal and wrongdoing which had theretofore been not uncommon in Washington. How he succeeded in this respect is shown by the fact that in the bitter opposition made to his appointment to the Supreme Bench not a whisper was uttered of that nature.

From the *Washington Post* (special correspondence): "Those who think that Secretary Lamar is lost in reveries away up in the heights of fancy, or down in the depths of metaphysics, and not kneeling ardently at the shrine of his onerous duties, even to the minutest details of his huge department, with all its ramifications, 'rings,' wrongs, and rights, were never more mistaken in their lives. Just walk into his department some morning at 9 A.M. You will hear the queries: 'Is the Indian Commissioner in?' Answer: 'No, not yet.' 'Is Mr. Mndrow here?' Answer: 'No.' 'Is the Secretary here?' Answer: 'Yes, sir.' And sure enough here he will be before all the rest, many a time, hammering at his mail, directing his aids, and just now studying with all his big heart the 'true inwardness' of the Oklahoma question. And, depend upon it, when this judge gives out his *ipse dixit*, the boomers, cattle men, and Indians may rest assured that it will be just, fair, and final.

"I am a humble looker-on in this Venice, without fear or favor; and the conclusion of the whole matter is that the new Mississippi Secretary is not only the brainiest, most logical and clear-headed man this department has ever had at its helm, but the most laborious and practical. His head is a vast laboratory that is capable of coining and issuing, not merely the most eloquent rhetoric and reason that human ears ever listened to, but of the rarer genius for devising the best ways and means of unraveling and extricating the often tangled web of our political fabric, and satisfying all concerned.

"Mr. Lamar embodies a mesmeric power in a smile and in a frown. Were his physical strength commensurate with his mental caliber, it would be of iron; as it is, his friends, who are legion, must bear in mind that he is but mortal, and be indulgent. One minute of time was worth a world to the dying Hume; a horse, a kingdom to the fleeing Richard; and to the overwhelmed Secretary 'one minute' to him may perhaps be worth all that his valuable life is worth to the State."

The *Augusta* (Ga.) *Constitutionalist*: "Secretary Lamar is not only the most fascinating member of the Cabinet, but the most active, hard working, and industrious. So far he has completely put to the sword all predictions that he would be a scholastic dreamer and a moody idler. And yet the men who thus prophesied had some basic reason for their vaticination. As a Senator, Mr. Lamar was apparently conspicuous for inertness, when not, at long and rare intervals, roused to tremendous activity by some occasional thrust from Conkling or Hoar, and the delivery of a carefully prepared oration about once in two years. All attempts at industrious effort were eschewed or carefully concealed. He appeared only on great occasions, and bore himself like a Jupiter Tonans; but as a rule he was silent, abstracted, absent, and contemptuous of detail and drudgery. So, his recent awakening, alertness, circumspection, and enthusiastic persistence, may well surprise the superficial observer, who has no other explanation than that the Secretary is experiencing the zeal that comes from the freshness of novelty, and that it is 'too beautiful to last.'

"We would rather take another view. Mr. Lamar, as a man of genius, is necessarily a man of surprises; and he is not so essentially a philosopher that a profound dramatic calculation does not give method to much of his action or inaction. He knew well enough that the people who watched his Senatorial career would expect him to repeat its lotus-eating languor on a large scale; wherefore he determined to startle them by the astonishing quickness with which, when provoked, he can wheel upon and smite an enemy or demolish an obstruction. Conkling found that out. The world is finding out what Conkling comprehended too late. Nothing could more dazzle the public than Mr. Lamar's exhibition of practical talents and energies hitherto unsuspected; and no one comprehended the value of popular surprises more than the new Secretary of the Interior, whose most brilliant efforts have, like those of Tom Marshall in old days, been the result not so much of inspiration as of well-directed labor and consummate opportunity.

"Honors have changed manners in Mr. Lamar's case to a certain degree, but the change was effected when it suited his purpose and when the time was ripe. The matter-of-fact Horatios of the day, who cannot discern the subtle character of the Hamlets, may still wonder that Mr. Lamar did not, as Senator, display the same industry that he has done as a Secretary. It may be said, in reply, that Mr. Lamar, the Senator, knew the value of silence as well as of speech; that he understood how to secure the drudgery of others, so that his mind might dwell in serene and thought-breeding altitudes; that he attained a greater reputation for himself by two or three famous speeches than commonplace men have made in two or three hundred harangues; that he, by reflection, adorned, illustrated, and consecrated his adopted Commonwealth; and that, in fine, he reserved his strength and capacity for a wider field, and under auspices that are really revolutionary in a political sense. He cannot,

therefore, be judged by ordinary methods, because he is an extraordinary man. The men of Rome who took Brutus to be a fool have descendants in this country who believed Lamar to be only a coruscating visionary."

From the *Nashville (Tenn.) Daily Union*: "That Secretary Lamar possesses in as high a degree as any of our public men the attributes of oratory, philosophy, and statesmanship, has long been conceded; that he had the courage of his convictions, and without fear marched in the advance guard of public sentiment, has been demonstrated in every stage of his life; that his integrity and honor were without impeachment, even the most prejudiced of his political opponents never questioned. The quickness of his intellectual and moral perceptions was exceptional, which made him a bulwark of strength to his friends, and ever commanded the respect of the unfriendly and silenced the censorious.

"But with all these shining and useful qualities the voice of detraction, seeking some ground for its utterances, claimed that his completeness of character was marred, in that his genius was entirely abstract, and his personal indolence deprived him of the ability to execute his own conceptions. His appointment as Secretary of the Interior gave him his first opportunity to refute this charge. Prior to this, his national duties had always been in the halls of legislation; but after the 4th of March, 1885, was committed to his charge an executive department embracing the most varied and comprehensive duties, larger in its extent and more important in its affairs than was this government the first quarter of a century of its existence. With the same master mind that had characterized him in every former walk of life, he grasped its every detail. Every bureau and division became impressed with his magnetic power. Old abuses were brought to light and the appropriate means adopted for their remedy. Indolence was banished, and thousands of employees were each called to earnest, active work. The absolute supremacy of law became the rule of administration. The philosopher had become the active worker; the alleged dreamer had become the accomplished executive officer.

"The completeness of a fully rounded character gives him the undisputed place among the first statesmen of the age.

"What has the dreamer done? At his advent into office he found that an eager band of speculators had been organized to seize a valuable tract of governmental lands reserved from settlement by treaty obligations. With the resistless power of the law he maintained the nation's faith and justice against the Oklahoma boomers.

"The peace of the nation was endangered by the encroachment of the cattle rings on the Indian lands under color of invalid leases. As soon as known the wrong was righted, and the peace preserved.

"The settlement of the public domain was obstructed by unlawful inclosures. The equality of rights in the common patrimony was announced; and, in obedience to the call of the President, immediate steps were taken to remove the obstruction.

"Hundreds of millions of national wealth had been donated or invested in the Pacific railroads, to secure great national highways for the benefit of the people; and although a regularly organized bureau had for years been empowered by a system of reports to obtain information as to the honest application of this great trust fund, no such system had ever been provided. This called for the attention of the Secretary, and rules were promulgated which will enable the proper officers of the government to intelligently supervise the disposition of this great trust and secure to the people the intended results of the nation's generosity.

"In every other division of departmental work the same vigilant, untiring energy is displayed in his administration. Nothing is too small for his notice, nor too great for his apprehension and courage.

"Mr. Lamar has the full and entire confidence of the President, who seeks his advice and opinions in nearly all of the great national questions that arise."

The *Emporia* (Kan.) *Saturday Evening News*, of July 24, 1886: "The following is from the letter of a friend in Washington: 'Nothing can better illustrate the wise and conservative policy of the present administration than the management of the Interior Department under Mr. Secretary Lamar.

" 'It was predicted by certain carpners at the outset that Mr. Lamar had few of the qualifications essential to conducting this great department, but the sequel has shown that these predictions were not grounded in fact or based upon an accurate knowledge of the character of the man they were attempted to be applied to.

" 'That the Interior Department is complex and difficult to handle, is true. That it cannot be run on precedents is equally true, as new precedents, or, more properly, new rulings, are made almost daily to meet the exigencies continually arising; and the people watch it closely, because it deals with a greater diversity of the people's interests than any other department.

" 'In assuming the duties of his office, Mr. Lamar stood confronted with great tasks, the greatest of these arising from an entire change of *personnel* among the subordinates, and which was claimed as a "political necessity." Such a change, after possession of the office for twenty-five years by men alert and generally well qualified by training and tradition for their respective duties, meant little less than an upheaval of the service all over the country, especially in the land, pension, Indian, and territorial branches.

" 'Against this clamor the Secretary has borne himself with coolness and deliberation, and in unison with the pronounced policy of the President. To many who believed, or had been taught, that he was a typical, uncompromising, recalcitrant Southern man, his course has been a surprise, he having proved himself thoroughly national in the broadest sense of the term. He has been a consistent and persistent observer of the civil service law; and, while he may have been led into seeming errors by the zeal of subordinates to meet the cry of party friends with a twenty-five years' thirst for places, he has corrected them as fast as they have been brought to his attention. Those who have seen a stampede of wild buffalo on the prairies can form some idea of this rush for places, and will understand what it means.

" 'Mr. Lamar is not the typical reformer (?) dear to the hearts of the "heelers" and "touters," but is rather a conservative man instinctively, and by reason of wide knowledge of men and thorough education in the affairs of the world. He does not incline to the mastery of minute details, but readily and effectively imbues others with his ideas of governing principles and equities. Tender-hearted and gentle at most times, averse to causing pain to any one even in the smallest degree, disliking the official duty that requires him from any necessity to deprive any person of employment or position, he is a very whirlwind when imposed upon or deceived. It has been his rule not to supplant ex-Union soldiers who are Republicans except by other ex-Union soldiers who are Democrats; and his record in this respect is not excelled by any other member of the administration. Neither will any meritorious pension case suffer at the hands of this "ex-Confederate," even to the extent of a strained construction of the law, or room for a doubtful opinion against him.

" 'Mr. Lamar's unobtrusive management of the Interior Department is a subject of general comment. Let those who think him dreaming or sleeping, however, try some scheme with him on that basis and see where they will come out. Politicians have sought, by blandishments and subterfuges, to get on his "blind side" for personal ends, but they have generally quit work where they began. Those who are nearest to him speak in warm terms of his geniality and courteous demeanor to all, his impatience of the littleness common to many men, especially those who believe it to be their destiny to reform the world, and who generally commence on some poor devil without friends or money; and one might infer from the manifestation of his character in this respect that he is of the opinion that most reformers should commence work upon themselves.



“Secretary Lamar’s administration of the department is not a marked central one, but rather distributed among his subordinate bureau chiefs, who are held responsible for their branches of the service, and who get brought up with a round turn, or have their actions reversed, when the Secretary becomes convinced that they are wrong. It is perhaps too early to judge whether his administration as Secretary of the Interior will rank with preceding ones, and be a fitting complement to his previous career; but he is a man of strong characteristics, and likely to impress his individuality upon the department.”

The *Memphis Appeal*, November 7, 1886: “Some men never live too long, never outgrow their usefulness. Such men grow with the years, and when generous nature gathers them to rest, their names are so embalmed in the affections of the people that the nation laments their death. Washington and the early Presidents exercised as much influence in their retiracy as they did in the full blaze of public life. Had Lincoln lived a whole century, his voice would have been potential in the councils of the nation. He entered the White House feared and hated; but the Confederates mourned over his death, because they saw he was a just, good man, a statesman who could lift himself above the passions engendered during the war, and be merciful and just to a fallen foe. L. Q. C. Lamar is one of the American statesmen who will never live too long. He makes no mistakes; he is equal to every emergency, and the longer he lives the greater will be his influence; for the whole country has confidence in his wisdom, patriotism, and statesmanship.”

The *Winona (Miss.) Advance*, January 21, 1888: “The retirement of Mr. Lamar from the great office which he has so ably and satisfactorily filled for nearly three years was the occasion of many sincere expressions of regret. . . . This feeling was manifested while the employees of the Interior Department were thronging in hundreds to say farewell to the ex-Secretary. There were many misty eyes and sorrowful countenances.”

The *New York World*: “Mr. Lamar was unquestionably the most popular Secretary that ever held the Interior portfolio. His manner toward his subordinates was the very essence of kindness, and the young people of the department looked upon him with a respect that was almost filial. There were many touching scenes on Tuesday, when he bade farewell to his associates and took his formal leave of the department. It was a rainy, disagreeable day; but the employees of the bureaux that are located outside the main building did not mind the weather. With umbrellas and water-proofs they marched over to the department to shake the hand of their chief, many of them perhaps for the last time.”

## CHAPTER XXX.

Senator Stewart's Letter on Lamar for the Supreme Court—Senator Walthall's Friendship—Adverse Report by the Judiciary Committee—Confirmed—Press Comments—The Burial of the Bloody Shirt—Congratulations—Installed in Office—Labors as a Judge—Character as a Judge—The Neagle Case—Kidd *vs.* Pearson—Lamar's Opinions—Enjoys His Work—Anecdote—Work on the Circuit—Interviewed on Cleveland's Administration—Address at Emory College—Letter to Barker on Mississippi Politics—Address at Center College—Letter to Mr. Cleveland—Letter on Ch. J. Marshall—Reminiscences of Mr. Lamar's Last Summer—Joins the Church—Religious Experiences and Character.

ON the same day when Mr. Lamar resigned his office as Secretary, Senator Stewart addressed to one of his constituents a letter, which was made public on the day after. In it the Senator announced his intention to refuse to cooperate with the Republicans in defeating Mr. Lamar's confirmation, and proceeded to give his reasons in full for his action. It was a wise, just, courageous, and independent announcement, passing in brief review the whole of Mr. Lamar's life, and concluding with the observation that

The public press has so framed the issue that the rejection of Mr. Lamar will be construed both in the North and South as a declaration that his participation in the war disqualifies him and all others occupying the same position for a place on the Supreme Bench. It is unreasonable to expect that the people of eleven States of the Union shall, during all the present generation, be excluded from participation in the judicial determinations of the highest court of the United States.

While matters were in this uncertain state, Mr. Lamar received a most striking and gratifying evidence of unselfish friendship from Senator Walthall. Gen. Walthall had implored Mr. Lamar not to leave the Senate and accept a Cabinet position, although it was more than likely that the General would be the successor. He now thought that Mr. Lamar would be the most useful man to the State and to the South that could be sent to the Senate, believing that he had so proven while a member of that body. He feared that the opposition to Mr. Lamar's confirmation would succeed, and, so fearing, thought that the State Legislature should make him a Senator again, both for his personal vindication and for the good of the State. It was his intention to bring this about by resigning his own seat, in order to create a vacancy. This intention he communicated to Mr. Muldrow, the Assistant Secretary. The fact was stated by Mr. Muldrow to Mr. Lamar, while the action of the Senate was still in suspense, and Mr. Lamar replied: "Sir, before I would permit Walthall to do that I would go upon the streets of Wash-

ington and break rock for a living!" So generous a rivalry in renunciation, for the sake of friendship, is not often encountered in these days of selfish office seeking.

The Judiciary Committee finally brought in its report, a majority opposing Mr. Lamar's confirmation on the ground of his age and his alleged lack of legal experience. As Mr. Lamar himself said, in the letter to Senator Walthall quoted above, the objection on the score of age was not without merit. Excepting only Mr. Justice Hunt, who was about two months older, Mr. Lamar was the oldest man ever nominated for the Supreme Bench. Still he was only three months and a half older than was Mr. Justice Blatchford when he was appointed by President Arthur. As to the other objection, it was very well answered at the time by the *New York Evening Telegram*:

If the delivery of a eulogy on Sumner makes a good lawyer of a poor one, what an army of briefless barristers in this and other large cities can follow Mr. Lamar's example!—*The Press*.

But the barrister who could crowd so much patriotism and lofty eloquence into the same compass as Lamar crowded into that classic eulogy would not be "briefless" twenty minutes.

The absurd notion that a man can't be a great lawyer unless he passes his entire time in a musty office with a professional sign on the door would disqualify Hon. Theodore Dwight, one of the profoundest jurists in America.

At a later day, Hon. T. C. Catchings, member of Congress from Mississippi, made this just observation on the subject, in a memorial address:

He had given his best thoughts for many years so largely to matters of a political nature that when he was appointed an Associate Justice of the Supreme Court there were grave apprehensions in the minds of some that he would not prove equal to the demands and requirements of a high judicial station. The brilliancy and magnitude of his political achievements had obscured the fact that no man was better trained or more profoundly versed in the science and philosophy of the law. There are to-day in Mississippi many able and accomplished lawyers who were educated by him while Professor of Law in the University of Mississippi, which position he filled with great dignity and distinguished ability.

The story is thus continued by a special to the *New York World*, of date January 16:

At one o'clock this afternoon Senator Riddleberger, who by common consent has been accorded the privilege of offering the resolution to go into executive session upon the Cabinet nominations, rose in his seat and said: "If the business of the morning hour is over, I move that the Senate now proceed to the consideration of executive business."

The motion was at once agreed to, and it was not until half past four o'clock that the doors were finally reopened and the announcement made that after three and a half hours spent in executive session the Senate had confirmed the nominations of Mr. Lamar to the Supreme Court Bench, Mr. Vilas to the Interior, and Mr. Dickinson as Postmaster-General. Though the proceedings of the Senate were shrouded in the veil of mystery which hides from the public gaze all the incidents of executive ses-

sions, it is known that Mr. Lamar's nomination was confirmed by a vote of thirty-two to twenty-eight, Senators Riddleberger, Stanford, Stewart, and Sawyer voting in the affirmative.\*

Senator Stewart had already distinctively defined his position in his lengthy argument given to the press some days since. Senator Riddleberger had expressed himself in Mr. Lamar's favor in the most unmistakable terms upon the floor of the Senate, and his action did not consequently occasion any particular surprise. Senators Sawyer and Stanford have been regarded as Mr. Lamar's friends from the time of his nomination, and in casting their votes for him to-day they have evoked little comment. As foreshadowed in *The World* some time ago, the Republicans abandoned the attempt to coerce their colleagues by insisting upon a caucus which should bind all by its instructions. They recognized the futility of such action after the outspoken utterances of Senators Stewart and Riddleberger, and thus saved themselves the embarrassment and chagrin which would have been occasioned by the failure of the caucus to hold the Republicans together.

In the session to-day the ground which has been gone over in the public prints and in private Senatorial debate was again reviewed, and the old straw thrashed over again. The Republicans who spoke in opposition to Mr. Lamar recited the oft-repeated charges that he had not been a practicing lawyer for many years, and that his views upon the important question as to the constitutionality of the thirteenth, fourteenth, and fifteenth amendments, were not strictly orthodox. These charges were warmly combated by Mr. Lamar's friends. In the course of the debate every Senator who has taken any prominent part in the discussion grasped the opportunity to express himself at considerable length. No new views of the case were advanced; and the final outcome did not greatly surprise any one, though in some quarters it was not expected that a confirmation would be reached to-day.

There was much discussion of the matter in the press and elsewhere, for it was universally considered as of far greater moment than a mere question of Mr. Lamar's personal advancement. The drift of comment may be gathered from the following favorable and adverse editorials, examples culled impartially from very many more:

*Cincinnati Enquirer* (Democratic): "The United States Senate on the 16th inst., by a vote of thirty-two to twenty-eight, confirmed the nomination of Mr. Lamar as an Associate Justice of the Supreme Bench. . . . Thus ends the first chapter of this controversy. The second chapter will be recited in the coming Presidential campaign, when the Republican managers will seek to persuade the country that the continuation of the Democratic party in power will result in turning over the Federal Supreme Court to the Southern Confederacy, and the consequent resurrection of slavery and secession. The country will listen to this with the same equanimity that it did to the declarations of 1884 that a Democratic victory would paralyze the whole financial system of the United States, and bring ruin upon all of our business and commercial interests."

*Cincinnati Commercial Gazette* (Republican): "The expected happened in the case of Mr. Lamar. Two Republican Senators flew the track and voted to confirm him as Justice of the Supreme Court of the United States. About that percentage of Republicans generally jump the fence when there is a tight pinch. The Democrats do nothing of the kind, and gain a vast advantage by their solidity. Of course the Democrats were solid for Lamar; and Stewart and Stanford, Pacific coast Senators, voted for him. Riddleberger, the free lance of Virginia, also voted for Lamar. With Stanford and Stewart with the Republicans, Lamar would have been defeated. A tie vote defeats. Mr. Lamar should have been beaten:

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\*An error in part. Senator Sawyer was paired in the negative.

"1. Because he has been the beneficiary of the disfranchisement of the colored people of Mississippi.

"2. Because the demand was made that he should be placed upon the Supreme Bench for the reason that he had been in arms against the United States.

"3. Because he will represent on the Bench the nullification of the Constitution of the United States, and must construe the constitution to mean that there is no remedy outside the States that break the constitution for the wrong done within their borders that is revolutionary and subversive of liberty.

"The objections to Mr. Lamar are not personal or sectional, but rest upon high and solid ground. Those who construed the constitution to have a suicidal clause in it—that is, an omission to provide against the imbecility of death—should have no part in the construction of the constitution. Mr. Lamar's personal integrity is not doubted. He may be relied upon as an honest man, faithful to his obligations. He is old for the place, but it is not for the Republicans to complain of that; and he is not in the business sense a lawyer, and will need a good deal of indulgence and to pull up with hard work of the most exacting character before he can feel comfortable as a member of the court. It is possible that his nomination, and the confirmation after a long delay and general debate, may have a serious influence in teaching the people of the United States who do care for our nationality, and who do distrust the Confederate Democratic party, that the Supreme Court is in danger as well as the Senate of the United States, which is first in the place of peril, and that the only salvation for them is to elect the next Republican candidate for President of the United States."

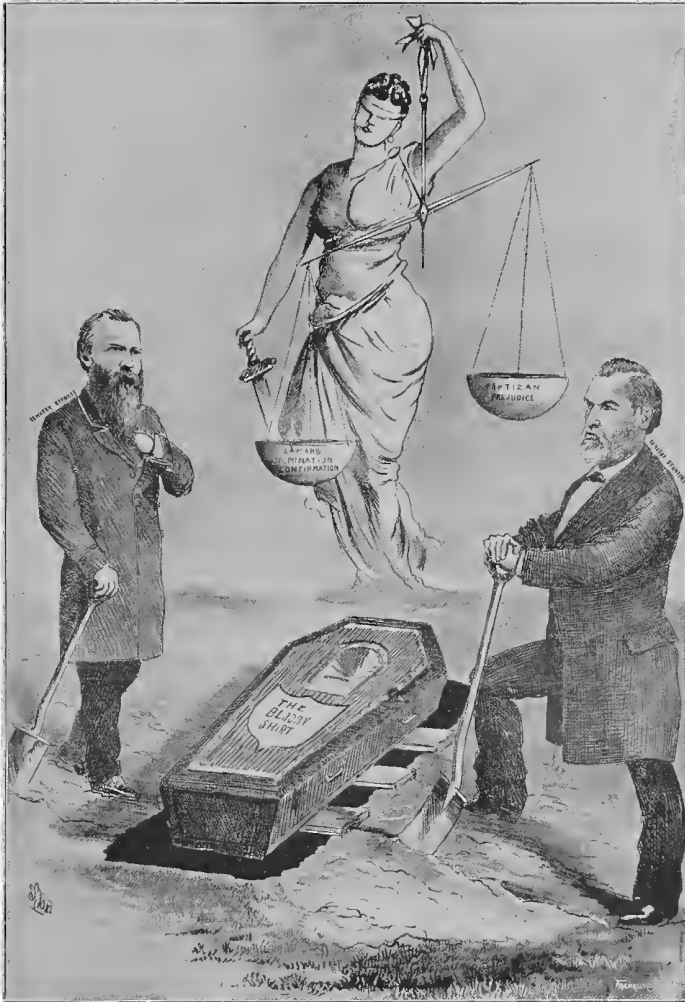
*Buffalo Courier* (Democratic): "Mr. Lamar's rejection would for a time have revived the belief at the South that the North cannot be reconciled, and thus would have produced sectional bitterness and strife. This calamity has been averted. It is now clear that the opposition to Mr. Lamar was nothing but an attempt of Republican politicians to promote their own interests by fostering sectional controversies. A large majority of the Republican party followed the lead of these men, and is therefore responsible for their political conduct."

*Cleveland Leader* (Republican): "Little ground now remains for the South to win back in order to regain all its lost prestige and posts of honor and emolument. The Army and Navy will doubtless soon be attacked by the Democrats in behalf of ex-Confederate officers; and if the assault succeeds, everything will be captured. The confirmation of Lamar will hasten every project of the kind, and in this way, as in many others, it will prove a mistake little short of a crime."

*New York Evening Post* (Independent): "In the broader aspect of his record and his attitude toward the government and the North since the war, no representative Southern man was so fit for the place. Mr. Lamar was one of the first to 'accept the situation,' and has always been the most conspicuous among former 'rebels' in urging the South forward in the new career of freedom. His eulogy upon Charles Sumner was an act which showed the character of the man. This act and other acts of the same sort have made him as offensive to the irreconcilables of the South as they have made him admired by progressive men at the North. It is an instructive coincidence that when he left the Interior Department the other day he was waited upon by a delegation of employees who had served on the Union side during the war, and who, through their spokesman, 'expressed their appreciation of the kindness and consideration which he had always shown toward the members of the Grand Army,' while, at the same time, the *New Mississippian*, a Bourbon sheet, was complaining of 'the extraordinarily conservative course which he has pursued at Washington, the preference which he has shown to the Grand Army of the Republic, and the tenderness with which he has dealt with the negro Republicans from Mississippi.'"

*Chicago Evening News* (Republican): "The Senate Committee's unfavorable report on the Lamar nomination is a sort of half defeat for the ex-Secretary, but it would have

CARTOON FROM THE SAN FRANCISCO ARGUS, JANUARY 28, 1896.



**THE FUNERAL OF THE BLOODY SHIRT.**



been better had the committee not voted so close to party lines. To many it will now look as though the matter was partisan, whereas the contrary is true. It is not because the Republican sentiment of the country is against Mr. Lamar that the *Daily News* has championed the opposition. This paper's stand in the dispute is one that must commend itself to every honest and loyal man, and every respecter of the Supreme Court; for we have held that, waiving the fact that Mr. Lamar was a leader in the Confederacy, it is to his present discredit that, while profiting by the friendly spirit of the people, he has never given up the principle for which he fought, and that he is seeking to fill a position which he cannot occupy acceptably so long as he holds his obnoxious views on the constitution. Loyal men, whatever their politics may be, can appreciate the merits of this objection."

*New York Star* (Democratic): "The opposition to Mr. Lamar has brought great discredit upon the Republicans in the Senate. There has never been any reason for refusing to confirm him. In character, in natural endowments, and in acquirements, he is above the standard of the Supreme Court. Since the close of the war he has been a patriotic statesman, showing an independence of local influences and obligations, and a comprehensive interest in all parts of the country, which are very rare in Congress. It is pitiful to find this great and generous Commonwealth misrepresented in a matter like this."

*Nashville National Review* (Republican): "The opposition to Lamar was not based upon the ground of 'sectionalism,' nor was it an attempt to wave the 'bloody shirt;' it was a just, reasonable, potent, and unavoidable opposition. There are many differences that could arise, involving the question of State sovereignty upon the identical line as discussed during the *ante bellum* period, and which discussion finally culminated in the Civil War."

*Richmond Whig* (Democratic): "The opposition to Mr. Lamar was more apparent than real, and we doubt if there is a single man among the twenty-eight Republican Senators who voted against him who really regrets the result. Their opposition was altogether for political effect; and they fully accomplished their object, such as it was, by casting their votes against him, while secretly they no doubt are really gratified at his confirmation. Their speeches and votes on the negative side of the question were for 'buncombe.' . . . Mr. Lamar, in native ability, learning, and attainments, is the peer of any man upon the Supreme Bench; and, notwithstanding the silly charges that have been made against him by the malignants, he is equal to any of them in patriotism and devotion to the Union and the constitution. He goes upon the Bench in the fullness of his years and the maturity of his intellect, and with a ripe experience in law and in public life that cannot fail to place him among the most distinguished jurists that ever graced the Bench of the Supreme Court."

*San Francisco Bulletin* (Independent): "Mr. Lamar, contrary to all precedent, never sat on any bench before. He is not known to be 'learned in law.' There is no evidence that he possesses the judicial mind. He opposed the thirteenth, fourteenth, and fifteenth amendments to the Constitution of the United States, and cannot be trusted to enforce them. His elevation to the Supreme Bench may be regarded as Democratic ascendancy in its most dangerous aspect."

The *Augusta* (Ga.) *Chronicle* (Democratic): "The negative votes of the Republican Senators will be looked upon with wonder and disgust ten years from to-day."

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There was a good deal of talk at the time to the effect that the nomination of Mr. Lamar to the Supreme Bench was a stroke of policy on the part of the administration; that he was a candidate for either President or Vice President, and his advancement might do much to prevent the pressing of his claims in that direction, etc. This unworthy



suggestion, however, had no foundation whatever in truth. In fact, Mr. Lamar's correspondence at this time shows abundantly that he did not regard either the Presidency or the Vice Presidency as a possibility for any Southern man, and that he thought that no Southern man ought even to aspire to either of those offices.

His confirmation was promptly greeted by vast numbers of interesting letters to Mr. Lamar of congratulation from distinguished gentlemen all over the United States, without respect of party. Of these the following are perhaps the most strictly pertinent:

WASHINGTON, D. C., January 18, 1888.

. . . Allow me also to congratulate you, as I do most heartily and sincerely, on your confirmation to the high and most honorable office of Justice of the Supreme Court of the United States—an office which your ability, acquirements, and character eminently qualify you to fill with honor and usefulness alike to yourself and to the country; as I have not the least doubt that you will. . . . T. M. COOLEY.

20 NASSAU STREET, NEW YORK, January 17, 1888.

Pray accept my cordial congratulations upon your confirmation by the Senate. The action of the Senate must be all the more gratifying to you, as it is to your friends, because of the desperate and unworthy means used to defeat it. As a native of the South who did not agree with you upon the issues which led to the late unhappy and fratricidal struggle, I accept your appointment to the Supreme Bench as an important step in the direction of complete restoration of fraternal relations. With great respect, I am, dear sir,

Sincerely yours,

B. H. BRISTOW.

1415 F STREET, January 17.

*My Dear Sir:* The newspapers this morning give me the good news of your confirmation. Come to us as soon as you can, for we want you. I wish you could be on the Bench to-day, when we take up some Arkansas bond cases, which are important in amount at least. By Thursday we shall reach an interesting California land case, in which I hope we may have your help.

You will have a hearty welcome from us all; and don't keep away from us any longer than is absolutely necessary.

Very sincerely yours,

M. R. WAITE.

The *World's* correspondent of January 16, quoted above, says further:

The *World* correspondent called upon Mr. Lamar at his home on K Street this evening. Upon a small table in the hallway lay a pile of congratulatory dispatches and many cards of distinguished visitors who had called to pay their respects to Judge Lamar. Several of the telegrams were addressed "Mr. Justice Lamar." The correspondent was cordially received by Judge Lamar, who was surrounded by friends. Among them were Secretary Vilas, Senator and Mrs. Walthall, and Mr. and Mrs. Lamar, Jr. Intense gratification beamed from every lineament of Judge Lamar's countenance.

"I have never lost my confidence in the ultimate action of the Senate," said he, "but it is none the less gratifying to have the matter settled. It is far pleasanter to be relieved of any anxiety in an affair which so closely and materially bears upon one's future."

"When will you assume the duty of your new office?"

"I cannot state that definitely. The Supreme Court really needs another member

at once. A tie may now frequently occur on important questions, and it is eminently desirable that such a state of affairs should not exist. It is likely that I shall begin work with very little delay. The *World* has described me as feeling very lively and gay while enjoying my quiet vacation, but I must again settle down to steady occupation. I have received a number of pleasant remembrances in the way of messages of congratulation, and have received many kind friends who have come to express kindly wishes for my health and prosperity."

Judge Lamar then asked Secretary Vilas if it would be convenient for him to be inducted into the mysteries of the Interior Department to-morrow.

"I suppose," replied Mr. Vilas, "that the Cabinet commissions will be speedily issued, and I may as well begin to-morrow as at any other time. I realize fully that the hardest task that will confront me in my new office will be the necessity for constant endeavor to keep the department up to the high standard which you have established. I can but do my best, however."

"You will not find the task so difficult," replied Mr. Lamar, while a glow of pleasure suffused his countenance, and his eye kindled brightly at the compliment so gracefully tendered. "It is true, I have left many things undone, that you might not be in any way hampered in assuming charge of the department; but I do not doubt that you will soon have everything well in hand. I have devoted my energies of late more particularly to keeping up the legal decisions of the office, and believe they are quite up to date."

Ten days later the following rather amusing squib appeared in the "Personal and Social Items" of the *Philadelphia Public Ledger*:

Senator Edmunds and Justice Lamar met, for the first time since the former tried to defeat the latter's confirmation, at the Thursday reception at the White House. They collided at the entrance of the Green Room, and those who stood around and knew how bitterly Edmunds had fought the nomination wondered what would happen. A repetition of the scene that occurred when Blaine and Edmunds met at the funeral of President Arthur was expected, but it did not occur. Justice Lamar is too much of a gentleman. The two men shook hands as cordially as ever, and chatted for a while in the best of temper. A few moments after, a friend who met the Senator remarked: "I'd like to know what you said to Lamar and what he said to you when you met over there." "There was nothing of extraordinary brilliancy or interest said on either side," answered the Senator. "But what was it?" persisted the friend. "Well, if you insist upon knowing, I remarked to him, 'how d'ye do?' he replied, 'how d'ye do?' and that was about all the conversation." As Lamar expected all the time that Edmunds would oppose him, he has no feeling on the subject, and said the other day that he could forgive every one of his enemies with a full heart. Mr. Edmunds has spent a good deal of time in the Supreme Court room lately, having had several cases to argue.

The gossiping reporters who witnessed that little scene and found material in it for a telling little "Capital Note" knew nothing of the undercurrents of it. The reader is aware that only three years before that had passed between those two men—clasped hands across a new-made grave—which made it forever impossible for Mr. Lamar to cherish a resentment against Mr. Edmunds, whatever he might do against himself. Still it is also true that Mr. Lamar laid up no grudges against any of the Senators because of their course in the case. Certainly there are no evidences of such sentiments in any of his papers.

Of the final result and its secondary consequences Senator Stewart, in his memorial address after Mr. Lamar's death, said this:

. . . The Senate by its voice recognized the equal rights of all citizens of this Republic. The beneficial results of that action of the Senate were immediately felt both North and South. Confidence, respect, and good-fellowship were increased in every section of our common country. It was an object lesson for the world. It marked the contrast between the methods of despotic governments, which never forgive a fallen foe, and our own free government, which, entertaining malice toward none, has charity for all.

On the 18th Mr. Lamar was formally installed. He repaired to the capitol shortly after 11 o'clock, and proceeded to the Justices' room of the court, where the ordinary oath of office was administered to him in private. Within the court room the space set apart for the general public was crowded with spectators, but the area within the inclosure reserved for the members of the bar contained only the usual number of lawyers. The Justices, in their black silk robes, filed into the chamber in solemn procession at 12 o'clock; and the assemblage, at the tap of the gavel, arose respectfully, and remained standing until the members of the court had taken their seats. Mr. Lamar, clad in a well-fitting suit of black, followed the court, and took his seat beside Clerk McKenney, at the right of the bench. The Chief Justice announced that the first proceeding of the court would be the reading of the commission of Mr. Lamar and the administration of the oath. The commission was thereupon handed to the clerk, who read it; after which Mr. Lamar read impressively, from a manuscript, the judicial oath. Mr. Lamar took the Bible as he uttered the last sentence, and at the end solemnly kissed the book. He was then escorted behind the screen in the rear of the bench, and after a minute's delay reappeared clad in a new flowing robe of glossy black silk. The court and the spectators arose. The new Justice bowed to his associates, and then to the bar and the public, and took his seat in the chair of the junior Justice at the extreme left of the bench. The court then proceeded with its ordinary routine business, having a full Bench for the first time since the 4th of May, 1835.

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Mr. Lamar did not ascend the bench rashly or vaingloriously. He was, on the contrary, deeply impressed with a sense of the weight of the obligations assumed, and gravely and humbly doubtful of his power to meet the burden cast upon him so fully as it should be met. It was characteristic of him to distrust his qualifications for new fields of labor, and it was only when experience had justified him to himself that he took courage and rose to the confidence which also characterized him in familiar walks. Something of his diffidence in this regard has been shown in the letters heretofore quoted from; and further expression of it is found in a letter, written on the 13th of December previous, to his son-in-law, Mr. Mayes:

As to the Judgeship of the Supreme Court. It has cost me a struggle to accept it which I hope you will never have. I have always acted on the principle that a man should not undertake the duties of any position to which he is not consciously equal, until this matter came up. I had no more idea of it than I had of the dukedom of Argyle. The suggestion originated with the President, and was seconded by my associates in the Cabinet. I do not feel qualified for the place. I have been too long out of the atmosphere of practical jurisprudence, and my misgivings are so painful that I have sleepless nights. . . . As it is, the position was too exalted for me to resist the temptation to accept it, when it was tendered by those who did not share my doubts as to my competency.

Mr. Lamar entered upon his new work full of zeal and inflexibly determined to do his entire part of the court's business from the beginning. On the first allotment of decided cases for the writing of opinions, after he was inducted, the Chief Justice was so considerate as to manifest an inclination, on account of his newness, to assign to him only a small number by comparison with the other Justices; but, detecting this, he insisted that he should have at once his full quota. From this time forth his labors were incessant and arduous. It was nothing uncommon for him to spend the entire night working on his opinions, and to all remonstrances from his family and friends on his overwork his response was that he would rather die than fail in the discharge of his full duty. Indeed, there is but little doubt that his labors did shorten his life.

On this subject Mr. Vilas spoke in the memorial meeting held by the members of the bar of the Supreme Court after Mr. Lamar's decease. He said:

Being honored with his intimacy, it has been mine to know—nor should I withhold the testimony—how faithfully, how fervidly that ardor of duty to his country glowed in his breast to his latest days. It drove him, after his accession to this Bench, to such extremes of toil—he with his feeble, disease-struck, and shattered frame—as few men in the prime of natural vigor will submit to. It took from him, beyond all question, and piled upon the altar of self-sacrifice, days, months, years, it is even probable, of life. For what to him was life when in the path of duty—to him who had many a time and oft proffered it to fate unflinchingly, who cared for nothing on earth as for his friends, his country, and his honor? He seemed even to spurn the measures which prudence commended for his safety, not less than those for his comfort, with a seeming pride that he could thus mark more clearly to himself his devoted discharge of the high duties intrusted to him.

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Mr. Lamar was sworn in, as has been shown, on the 18th of January, 1888, having been commissioned two days before. The first case argued after he took his seat was *Porter vs. Beard*, 124 U. S., on the 19th. The first opinion delivered by him was in *Hannibal and St. Joseph Railroad Co. vs. Missouri River Packet Co.*, 125 U. S., decided on March 19.

Mr. Lamar's labors were not without their reward. He at once took a high position among the members of the court. In the "History of the Supreme Court of the United States," a sumptuous and excellent

work prepared under the direction of the Judiciary Centennial Committee, by Hampton L. Carson, an eminent lawyer of Philadelphia, published in 1891, it is said of Mr. Lamar that

As a jurist he has taken high rank, his opinions being marked by scholarship and careful study of principles and of cases. One of his colleagues, upon being asked whether he had met the expectation of his friends, replied: "Fully. Mr. Cleveland made no mistake in appointing him. Whatever doubts existed as to his fitness for the Supreme Bench, growing out of his long political and parliamentary career and absence from the active practice of his profession, have wholly disappeared. This will be conceded by all who have read his opinions. He has sound judgment, a calm temperament, and a strong sense of justice. He possesses the judicial faculty in a very high degree. He takes broad, comprehensive views of legal and constitutional questions, and states his conclusions with unusual clearness and force, and in language most aptly chosen to express the precise idea of his mind. His brethren are greatly attached to him." Upon another occasion one of his judicial associates remarked: "Your differentiation of cases where a State may and may not be sued is the best that I have seen. The case \* seemed to me a difficult one, and I should not have suspected that you did not enjoy writing opinions. This is excellent." Of the same case the oldest Justice now on the Bench † wrote as follows: "I think that your summary of the constitutional principles applicable to the reciprocal relations of Article I., Section 10, and the Eleventh Amendment of the Constitution, is so clear that it would suffer from abridgment;" while of a recent case, ‡ involving the question of contingent or prospective profits, it was said: "Your announcement of the principles applicable to the question of profits is unusually clear and concise."

The logical power of Mr. Justice Lamar, his striking talents as a rhetorician, his clearness of vision in detecting the true point in controversy, and his tenacious grasp upon it through all the involutions of argument, his familiarity with adjudged cases, his well-defined conception of the nature of the general government and the distribution of its powers under the constitution, are best displayed in his dissenting opinion *in re Neagle*, in which, unswayed by horror or resentment at the atrocious attempt to assassinate Mr. Justice Field, he insisted that, before jurisdiction of the crime of murder could be withdrawn from the tribunals of the State where the act was perpetrated into the Federal Courts, it was necessary to show some law, some statute, some Act of Congress, which could be pleaded as an authoritative justification for the prisoner's act; and that no implied power existed in the President or one of his subordinates to substitute an order or direction of his own, no matter how lofty the motive or commendable the result.

The Neagle case alluded to in the foregoing extract arose on this state of facts: Judge Terry, of California, had conceived a bitter hostility to Mr. Justice Field because of certain decisions rendered by the Justice, and it was known that he contemplated a violent, if not a deadly, assault upon the Justice. The Attorney-General of the United States had ordered that the Justice should be protected, and Deputy Marshal Neagle had been detailed as a bodyguard for that purpose. Judge Terry did make an assault of a most dangerous nature upon Judge Field, in an eating house in California; and Neagle killed the assailant. Neagle was arrested under a warrant from the State court,

\* *Pennoyer et al. vs. McConaughy*, April 20, 1891.

† Mr. Justice Field.

‡ *Howard et al. vs. The Stillwell & Bierce Manufacturing Company*, March 16, 1891.

and he obtained his release from the sheriff's custody by a writ of *habeas corpus* issuing from the Federal Court, on the ground that he was arraigned for the performance of a duty imposed on him by the laws of the United States; and the question was on the propriety of that release. There was no statute imposing such a duty upon a marshal or authorizing the Attorney-General to make such an order. The majority of the Supreme Court held that the power was necessarily implied for the protection of the court and the maintenance of its dignity; but the Chief Justice and Mr. Lamar dissented, the latter delivering the dissenting opinion.\*

Naturally this case, with all its dramatic and tragical circumstances, attracted much attention; and the principal and dissenting opinions were much discussed and criticised. The Southern press was quite unanimous in expressions of approbation of the dissenting opinion and of the ability manifested in its delivery, while the Northern press was divided upon the subject. The attack upon the opinion was mainly to the effect that it was the product of political bias and Confederate record. That this attack was captious and irrational is manifest from a very few considerations: First, the Chief Justice united in the dissent, and he of course had no such bias or record as was attributed to Mr. Lamar, further than the mere fact that he was a Democrat; secondly, it was not a question of States' rights in any sense, since the dissent was not based upon any denial of implied power in the *Federal Government*, but only upon a denial of certain implied powers in the *Department of Justice* as distinguished from the Legislative Department. Mr. Lamar's opinion expressly concedes that all of the authority claimed could have been conferred by Congress, and only held that Congress had not in fact so conferred it, and that it was not implied to the Department of Justice by the constitution.

Of these criticisms Judge E. S. Hammond, United States District Judge for the Western District of Tennessee, wrote Mr. Lamar, under date of April 23d:

This is very shabby nonsense. I repeat that in a very important view of the case there is no question of Federal and State conflict in it; possibly not in any proper view does such a conflict necessarily present itself. The result of Neagle's release on *habeas corpus* is that he is not amenable *anywhere*, according to our laws, to any form of trial *before a jury*, which is the essential thing. In England, possibly, where jury trial may be suspended, such power may be exercised by a judge alone, if Parliament shall authorize it; but not in a State where the constitution guarantees jury trial. So, if a *State* should grant such a power to a judge, would it not be void? No State seizes the right of trial by jury so thoroughly as our Federal Constitution. . . .

Hon. Don. A. Pardee, the United States Circuit Judge for the Fifth Circuit, wrote Mr. Lamar, from Savannah, Ga., on the 22d of April:

I have only seen what the newspapers report of the decision of the Supreme Court

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\* *Cunningham vs. Neagle*, 135 U. S. 1; decided April 14, 1890.

in the Neagle case; and, so far as I understand the grounds of your dissent, I agree with you and the Chief Justice. The power of the Government of the United States to protect its officers in the execution of its laws is undoubted; but in the matter of protection, extent, mode, and manner, the government talks, if at all, by statutes, and not by orders of any person or department.

W. H. Washington, Esq., of Nashville, wrote: "I have heard high encomiums on your now famous opinion in the Neagle case;" and Hon. (now Senator) A. O. Bacon, from Macon, Ga., wrote: "It has been the subject of most general commendation both among lawyers and laymen, in which I most heartily join." On June 3d, Hon. Roger A. Pryor, of New York, wrote:

Will you suffer me to avow the admiration with which I read your opinion in the Neagle case, and more generally my gratification at the ability and learning you display in the discharge of the duties of your high office?

There were other opinions delivered by Mr. Lamar of interest to the student of his career. One of his earliest, and one in which he felt more than the usual interest and some pride, was in the case of *Clement vs. Parker*, 125 U. S. 309, which involved some troublesome questions about the Pennsylvania law in reference to surveys of land and evidence of boundaries.

On November 3, 1888, Hon. Wiley P. Harris, of Jackson, that accomplished lawyer, whom all Mississippians will perhaps acknowledge to have been the most competent critic ever in the State, wrote of the opinion in *Kidd vs. Pearson*, 128 U. S., that

It is a very good specimen of sound judicial thought, portrayed with a clearness of exposition that is charming to the legal mind, and an almost faultless grace of diction. I read it with genuine pleasure. Our courts are not, ordinarily, schools of *belles-lettres*. I must confess, however, that this piece of composition from a young judge is encouraging.

Henry Craft, Esq., whose authority as a legal critic few Tennesseans will question, wrote, on December 18, from Memphis, of the same opinion:

I stop in the preparation of a brief for your court to express the pleasure that I have found in reading that opinion. I can confess now, since it has been dispelled, the apprehension which I felt, from your long disuse, that you would not be able to attain *courtly* phrase—technical judicial diction. I did not fear as to your discrimination or your judicial capacity, for I felt sure that you would hold your own, in some departments rise to superiority, among your colleagues in the essentials of judging, in diagnosis, and in statement and application of legal principles. This Iowa case convinces me that there is "nothing the matter with Lamar," or, still more slangily, "Lamar is all right" in the matter of acting the part of Aaron for the court.

In the Supreme Court it is customary for a Justice who has prepared an opinion, before its delivery to submit it to each of his associates for their criticism. These criticisms are frequently noted upon the printed draft of the proposed opinion, over the critic's signature. Mr. Lamar's opinion in *Bullitt County vs. Washer*, 130 U. S., delivered in March,

1889, was thus indorsed by Mr. Justice Bradley: "I have read this carefully, and cannot see ground for your scruples; you prove the conclusion, it seems to me, almost demonstratively." His opinion in the case of Howard *et al.* vs. Stillwell & Bierce Manufacturing Co., 139 U. S., delivered in March, 1891, was thus characterized by Mr. Justice Bradley: "This is an admirable opinion, and a lucid review of the law on the subject of it." His opinion in St. Paul, etc., Railway Co., vs. Phelps, 137 U. S., decided in December, 1890, was thus indorsed by Mr. Justice Brewer: "I back down; you are too much for me. Your argument I cannot answer; and so, though I think it ought to be otherwise, I am convinced against my wish, and must concur."

Of his opinion in Dent vs. Ferguson, 132 U. S., delivered in October, 1889, Edmund H. Bennett, Dean of the Boston University School of Law, wrote, under date of March 27, 1890:

I have read with great satisfaction the opinion in Dent vs. Ferguson. I do not wonder that the Court were unanimous. It is strong as "proofs of Holy Writ." I must also say that I fail to recognize a single phrase or word in it."

On the 11th of July, 1895, Hon. George F. Hoar wrote from Worcester, Mass., to Mr. Mayes, in respect to Mr. Lamar, saying, among other things, that

I did not expect, when Mr. Lamar went upon the Bench, that he would succeed, although I had then a very high opinion of his intellectual power. I supposed that his life had been so far from the experience and training of the judge that he would find it impossible to fill that character to his own satisfaction or that of the public. But I was most agreeably disappointed. I think some of his judgments models, both in matter and manner.

An undated note among Mr. Lamar's papers, from William A. Maury, Esq., Assistant Attorney-General, says:

After you had finished reading your opinion this morning, Senator Hoar turned to me and said: "That was a beautiful opinion." I hope that I am not presuming in communicating this incident, which I do with the hope that it may be as pleasing to you as it was to myself.

A letter from Grover Cleveland, dated March 28, 1891, runs:

*My Dear Friend:* I am, for some reason, thinking much of you to-night. Though this is not uncommon, I believe that you are specially vivid in my thoughts because I have just returned from a dinner at Mr. Fairchild's, where you were somewhat discussed.

Mr. Vilas showed me some opinions, with the indorsements thereon of your brethren on the Bench, a few days ago; and you must allow me the satisfaction of telling you how much they pleased me, though they did not inspire a new confidence, nor disclose any new or unexpected condition.

While the question of Mr. Lamar's confirmation was pending, Mr. Vilas, who is himself an accomplished lawyer, said:

Lamar is a man of magnificent surprises. I did not know him until we met in the Cabinet, and during the past two years I have been very intimate with him. I think that I have never met any man whose intellect has grown upon me so overwhelming-



ly as has Lamar's. At times he has consulted with me about matters of public policy which only the decision of a question of law could settle.

Once he had a most important decision to make. He had not written it—for I believe that he does not write his decisions until the last minute—but he had the whole matter revolving in his mind. He began at the beginning and stated the facts. Such a faculty of clear, limpid statement is seldom met. I think that in my time no man that I have known has possessed it so well as Mr. Lamar, unless it was the late Matt. Carpenter of Wisconsin. Then he began to unfold the principles of law which he thought applicable. As his mind rolled on from position to position it was with a ponderous, majestic, yet ever delicate and sensitive, movement that was simply wonderful.

I said to myself: "This man may not be able to quote the exact section of the law, or the particular page of the reported decision; but he has a mind thoroughly imbued with legal principles, and magnificently disciplined." Without making invidious comparisons, it is my judgment that Mr. Lamar will add strength and adornment to the Supreme Bench. I believe that he possesses some qualifications that the Bench needs, and as the years go on the wisdom of his appointment will establish itself far above the reach of criticism.

After Mr. Lamar's death, Chief Justice Fuller said of him that

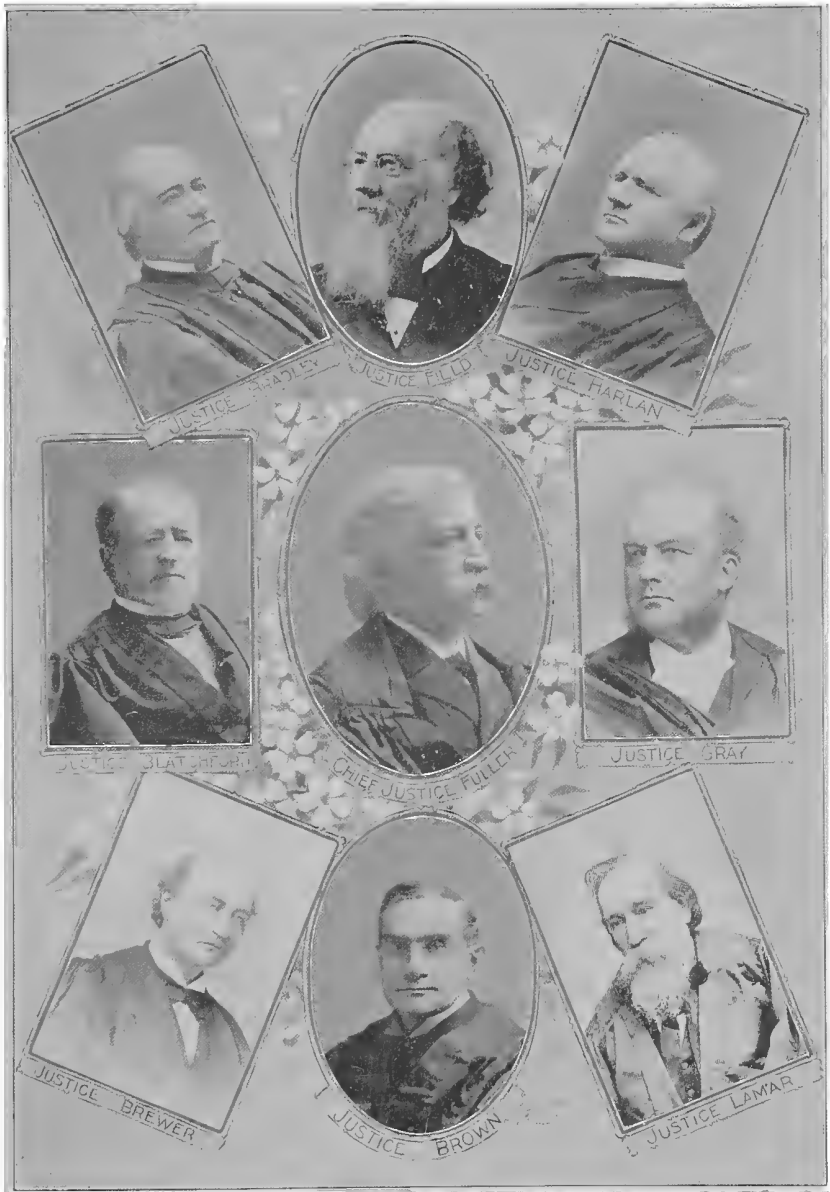
He rendered few decisions, but he was invaluable in consultation. His was the most suggestive mind that I ever knew, and not one of us but has drawn from its inexhaustible store.

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The foregoing testimony will probably suffice to satisfy the layman in respect to Mr. Lamar's ability as a judge; for the lawyer, the final appeal on that question must be to his reported opinions, beginning with his first—*Hannibal & St. Joseph Railroad Co. vs. Missouri River Packet Co.*, 125 U. S., 260—and ending with his last: *The People, etc., of New York, vs. Squire*, 145 U. S., decided May 2, 1892. Those opinions must bear witness to his qualities as a judge, and justify or condemn those critics who pronounced him unable to fill the measure of that exalted office, and those who called him a cipher on the Bench.

The expression used by the Chief Justice, that Mr. Lamar "did not deliver many opinions," will be noted; but it must not be understood therefrom that the Chief Justice meant that he fell notably behind the other Justices in this respect. His exact meaning, and also the full scope of Mr. Lamar's work, will be disclosed by the following table of opinions delivered by the several Justices while he was on the Bench.

It is proper to say, in connection with this table, that there are opinions and opinions—in other words, that from every bench there are a number of utterances called opinions, which are in truth not opinions at all, but only judgments. They do not give the reasoning of the court or the authorities relied upon, but are only short announcements, generally but eight or ten lines in length, tersely stating the court's conclusion; and of them, any lawyer could easily prepare scores in a day. A large number of such announcements are to be found in the Supreme Court Reports, and they are excluded from the computation,



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whether delivered by Justice Lamar or other Justices. Nor were the opinions counted which were delivered after he was seated, in cases which had been submitted before his installation, and in the hearing of which he did not participate. With this explanation, then, the tables are given.

During the first four years of Mr. Lamar's incumbency—*i. e.*, from January 18, 1888, to January 18, 1892, inclusive—the Supreme Court delivered nine hundred and eighty *principal* opinions, of which the several Justices are credited as follows:

Mr. Justice Blatchford.....	165
Chief Justice Waite, 8; Chief Justice Fuller, his successor, 155.....	163
Mr. Justice Harlan.....	126
Mr. Justice Miller, 64; Mr. Justice Brown, his successor, 42.....	106
Mr. Justice Lamar.....	94
Mr. Justice Gray.....	94
Mr. Justice Matthews, 16; Mr. Justice Brewer, his successor, 71.....	87
Mr. Justice Field.....	87
Mr. Justice Bradley.....	58
Total.....	980

Including the dissenting and individual concurring opinions delivered during the same period, the statement is this:

	Principal.	Dis. and Con.	Total.
Blatchford, Justice.....	165	0	165
Waite, Chief Justice, and Fuller, Chief Justice.....	163	1	164
Harlan, Justice.....	126	5	131
Miller, Justice, and Brown, Justice.....	106	9	115
Lamar, Justice.....	94	3	97
Matthews, Justice, and Brewer, Justice.....	87	10	97
Gray, Justice.....	94	1	95
Field, Justice.....	87	7	94
Bradley, Justice.....	58	3	61
Total.....	980	39	1,019

It will thus be seen that, although Mr. Lamar did not possess the remarkable facility in the preparation of opinions which characterized the Chief Justice and Mr. Justice Blatchford, and in a less degree Mr. Justice Harlan, he was still, notwithstanding his long disuse of legal practice and his want of judicial experience, and notwithstanding the fact that when sworn in he was by six years the junior member of the court, enabled from the beginning to keep up with the labors of Justices Matthews and Brewer in succession, and to forge ahead of three of his associates.\*

\* Comparisons are sometimes justly said to be odious, and the one made above is distasteful to me; but it is, to a certain extent, forced by the unfavorable comparisons made by hostile and prominent papers against Mr. Lamar. It is due to Mr. Justice Bradley to say that during the period considered he had a severe and long illness, which presumably threw him behind in work.—*E. M.*

During the last year of Mr. Lamar's life he was suffering from mortal illness, and delivered only two other opinions, making a total of ninety-nine.

After all, however, it is but a poor method of estimating the value of a judge to his bench to count his opinions, especially where, as in the Supreme Court of the United States, each case is considered in the consultation room and discussed by all the judges. It might very well happen in such case that the most able and valuable member should deliver few opinions; while, on the other hand, a very poor judge, if only his perceptive faculties are quick and his power of expression good, may write many opinions rich in wisdom and great in justice, all absorbed from his brethren. The supreme qualities of a judge must be wisdom, moderation, and caution in council, patience and industry in investigation, unswerving and uncalculating devotion to justice, respect for authority of law with indifference to authority of persons, experience in affairs and knowledge of human nature, coupled with clear and strong reasoning power. All of these qualities Mr. Lamar had to a high degree, and in them consisted his chief value. Still, the preceding tables are given for what they are worth.

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Mr. Lamar greatly enjoyed his life upon the Supreme Bench before his last prostrating illness. He often talked with his friends about the congeniality and affection which he found among the able men who were his associates, about their labors, and especially their work in the consultation room. He described with much vividness and animation their discussions over cases, and declared that he often heard interesting causes argued there with more zeal, eagerness, and persistency than they had been argued at the bar. He could hardly speak of a consultation of the Justices without delight, and nearly always with a degree of humor. Dropping into familiar Southern expression, he would say: "I tell you, they are the smartest old fellows I ever saw; and they take each other up pretty sharply sometimes."

He greatly admired Judge Bradley, and thought much of his ability. The following little anecdote, which he frequently told with much glee, is a good example of the lighter incidents which he would relate. The story ran somewhat this way, although it suffers here for want of Mr. Lamar's unsurpassed style of narration:

I had been upon the Bench but a little while before I heard a keen, sharp, glib-tongued patent lawyer hold forth upon a case of an extended patent, which he claimed to have been infringed by the defendant. It seems that the reissued patent differed in some way from the original patent; and so the argument was made that, although the reissued patent might have been infringed, the original had not been. I sat there listening to the shrill whir of the attorney's talk, conscientiously doing my best, but with the conviction that if I sat there until the world melted into its original elements I would never be able to understand the ins and outs of patent law. Still, as the case went on

I began to feel that, though there might be, and was, a verbal difference in the original and reissued patent, the two really covered the same matter, when suddenly Justice Bradley broke in:

"Doesn't this reissue drawing show a tin spout somewhere at the bottom of the machine [whatever it was]?"

"Yes, sir."

"And it isn't shown in the original?"

"No—no, sir—that is, this is a simple mechanical device, and nothing is claimed upon it."

I felt somewhat alarmed, but in spite of doubts held pretty firmly to my own opinion that there was an infringement. Afterwards, in conclave of the Justices, I was called upon to give my opinion first. It was a great trial to me, as I was then the junior Justice upon the Bench; but I gathered myself together and expressed my conviction, with considerable courage, that the two letters patent covered the same matter. The next Justice in order was called upon, and this was Justice Blatchford; and he promptly said: "O, reverse, of course" (which was an agreement with my vote, reversing the decision of Judge—). And so they all fell into line after me. I was somewhat elated at this result, but the unforgettable tin spout was heavy upon my mind, and my conscience troubled me. Could there be anything of obscure but weighty import in that tin spout? I took Justice Bradley aside and said to him:

"See here; what did you mean by asking that question about the tin spout?"

And he said: "*O, to tell the truth, I had been asleep for ten minutes, and I didn't want the counsel to know it.*"

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On one occasion Mr. Lamar used this language in addressing a law class:

I shall not close these remarks without saying something to you about the impressions made upon me by personal contact and intercourse with the members of the Supreme Court. Those impressions were a profound respect, growing into admiration and culminating in reverence and love. My acquaintance with them constitutes the most impressive incident in my entire intellectual and moral life. The character of each of those men has exalted my ideal of a wise, pure, and great judicial magistrate. What I have seen and know of their self-oblivious devotion to right, the moral courage, the Roman firmness, and the simple, loving hearts, with which those grand old jurists obey the mandates of duty, as though they were the voice of God, reminds me of Webster's matchless tribute to justice, when he declared that, "Whoever ministers at its altars with honest purpose, or labors upon its edifice, or clears its foundations, strengthens its pillars, adorns its entablatures, or contributes to raise its august dome still higher in the skies, commits himself in name and fame and character with that which is and must be as durable as the frame of society."

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In common with his associates, Mr. Lamar did not limit his labors to the sessions of the Supreme Court, but during the summer vacations traveled his circuit, more or less, holding terms of the Circuit Court. He was thus employed during parts of the summers of 1888, 1889, 1890, and 1891. His papers contain much evidence that his visits were much enjoyed by the members of the bars visited, and were remembered with pleasure. Let one letter, from Hon. William T. Newman, District Judge, suffice as an example:

ATLANTA, GA., June 1, 1891.

. . . I shall always regard your visit here as one of the pleasantest events in my experience not only officially, but personally; and I know that the bar and your friends here regard it in the same way.

In February, 1889, just before the close of Mr. Cleveland's first term, Mr. Lamar was interviewed by a reporter of the *Baltimore Sun*, the subjects of the interview being the results of the Cleveland administration, its relation to the Southern question, the practical outcome of its policy toward the Southern States, and the effort then making to commit the incoming administration of Mr. Harrison to a revival of sectional and race antagonisms. The manuscript of the interview was submitted to Mr. Lamar. He approved of it, but doubted the propriety of his giving expression to his views while occupying a seat on the Bench. For that reason the matter was not given to the public. On the 28th of September, 1895, however, the *Sun* published the document. It is here reproduced:

In weighing the results of the Cleveland administration, its relation to the so-called "Southern question," and the practical outcome of its policy toward the Southern States, are of peculiar interest, especially now that an attempt is being made to commit the incoming (Harrison) administration to the revival of sectional and race antagonisms, which have been so happily allayed during the past four years. As a former member of the Cabinet and a representative Southern man Justice Lamar is especially qualified to speak of the feeling of the Southern people on this point; and his views will carry great weight even with Mr. Cleveland's most prominent opponents, because of the universal respect for the Justice's integrity, fairness, and moderation. Justice Lamar naturally hesitates, because of his position on the Supreme Bench, to give expression to any opinions which might even seem to be tinged with political feeling; but in conversation with the *Sun* correspondent he bore cheerful and unqualified testimony to the beneficial effects of the four years of peace and quiet which the South has enjoyed during Mr. Cleveland's occupancy of the White House.

"Mr. Cleveland's administration," said the Justice, "has been a providence to the Southern people. It has secured them rest from the disturbing conditions from which they had been suffering ever since the war. It has permitted the development, unvexed and unfretted, of the material resources of the South; and I regard the freedom from hostile interference with the natural and orderly working of local institutions and the ordinary avocations of the people, and the perfect feeling of security and rest, as among the important causes of the industrial development in the Southern States, which has become so apparent during the past four years. Nothing interferes more seriously with the growth of any country than the constant apprehension on the part of the people that they will not be permitted to enjoy without molestation the fruits of their labors. This apprehension may proceed from obscure and almost intangible causes; but if it exists at all, the effect is the same. It paralyzes individual effort, and plunges the whole community into a state of despondency and indifference. Under previous administrations the Southern people had been led to look only for such treatment as might proceed from a spirit of hostility and mistrust. They were constantly harassed by a policy which regarded them, not as a component part of the American people, but as a community apart, which was to be viewed with constant suspicion and to be treated only with repression. They felt that their patriotism was questioned, that they were permitted to participate in public affairs only on sufferance.

Under Mr. Cleveland's administration this humiliating distinction has been unknown. They are profoundly grateful to the President, not for any special marks of favor, but because he has given them peace.

"The Southern people also cherish a high regard for Mr. Cleveland on broader and thoroughly patriotic grounds. It is often said that sentiment has been eliminated from politics, but this is not the case at the South. The people of the South have always been accustomed to regard their chosen leaders with enthusiastic devotion, and to follow them with implicit confidence. They do not believe in the leveling tendency which insists that a man who has been elevated to an important public trust shall not be invested with the dignity which his selection implies. On the contrary, exacting a high standard of fitness, of personal rectitude, and broad conceptions of public duty in the men to whom they confide such position, they give them their fullest confidence, and delight in honoring them with respect and esteem. A public official is in their eyes something more than a mere functionary; he has in his keeping their own honor and dignity, and the manner in which he executes his trust is the measure of their esteem for the individual. It is because the South feels that Mr. Cleveland has fully satisfied these requirements that it regards him with such peculiar affection and esteem. He is the object of the same enthusiastic admiration as was given in former times by the Southern Whigs to Mr. Clay, and by all the people of the South, without distinction of party, to Mr. Calhoun. The South is solid for Cleveland.

"There are but two things that can make a people solid: the presence of a great danger and the thrill of popular emotion in admiration of some noble quality or achievement. Both these considerations enter into the feelings of the Southern people for the President. They are deeply sensible of the fact that his administration has relieved them, for the time being, of a serious menace to their peace and prosperity, and are proud of him as the Chief Executive because he has realized their highest conceptions of the dignity of his office. They bear in mind that he has lifted the conduct of public affairs to a higher plane; that he has purified the government service, and put a stop to corruption and speculation in office and to favoritism and intrigue in the military and naval establishments. They are especially impressed by the atmosphere of social purity that has prevailed at the White House, and by the fact that not even the spray of the outer currents of corruption has reached its lintels. They recognize in Mr. Cleveland's administration, in other words, a rigid devotion to the public good, an elevated conception of official duty, a wise and capable leadership in public affairs, and a spotless integrity of personal character."

Justice Lamar spoke with strong deprecation, in the interest of both races at the South, of any attempt to reverse the policy which has been so fruitful of good results in that section. "The negro question," he said, "is not yet settled. Many thoughtful men at the North do not yet see their way very clear to a satisfactory solution. It will certainly not be settled by measures which would have the effect of exciting the political ambition of the colored people, and encouraging them to regard themselves as the ruling class. To stimulate the negroes to assert themselves at the expense of the whites would be to fix a gulf between the two races, to establish a color line more absolute and more effective than if it were a formal provision in the constitution."

The Justice warmly indorsed the statements as to the substantial harmony and unanimity of Mr. Cleveland's Cabinet. As one of its former members he added his testimony in contradiction of the theory that the Cabinet officers have been mere subordinates of the President. "Every member of the Cabinet," he said, "is a man of pronounced individuality; and it is quite likely that they would not have been able to agree on many points but for the fact that they discovered almost immediately that the President was a man of singular moderation and capacity, with the firmness and tact which were requisite to insure concert of action, while giving to each individual his proper share of influence and responsibility. They realized also that he was ani-



mated by a very high sense of public duty; and, infused with this spirit, they were knit together in a sympathetic union, in the earnest and loyal effort to realize the President's conceptions of the aims and scope of his administration."

On the 24th of June, 1890, Mr. Lamar delivered an address to the Society of the Alumni at Emory College, on the occasion of the annual Commencement. This speech is presented in the Appendix. It is indicated, rather than reproduced, partly from Mr. Lamar's manuscript and partly, where the manuscript is defective, from a meager report of it given contemporaneously, and very accurately for a mere abstract, by the *Atlanta Journal*. The reader will have no difficulty in discriminating between the one and the other. At the best the reproduction is unsatisfactory, being only a fragment. Mr. Lamar never wrote out the address in full, and many of the few notes made by him have evidently been lost. Still, the speech, as presented in part, is interesting; and it will be found to be one of the most valuable biographically, since it gives beyond any other an insight into the inner life and the traditions of the orator. It also gives a most striking example of his power of reproducing from memory in minutest detail sermons and speeches which he heard many years before.\* After his death, Dr. Candler, the President of Emory College, said in his memorial address at the interment:

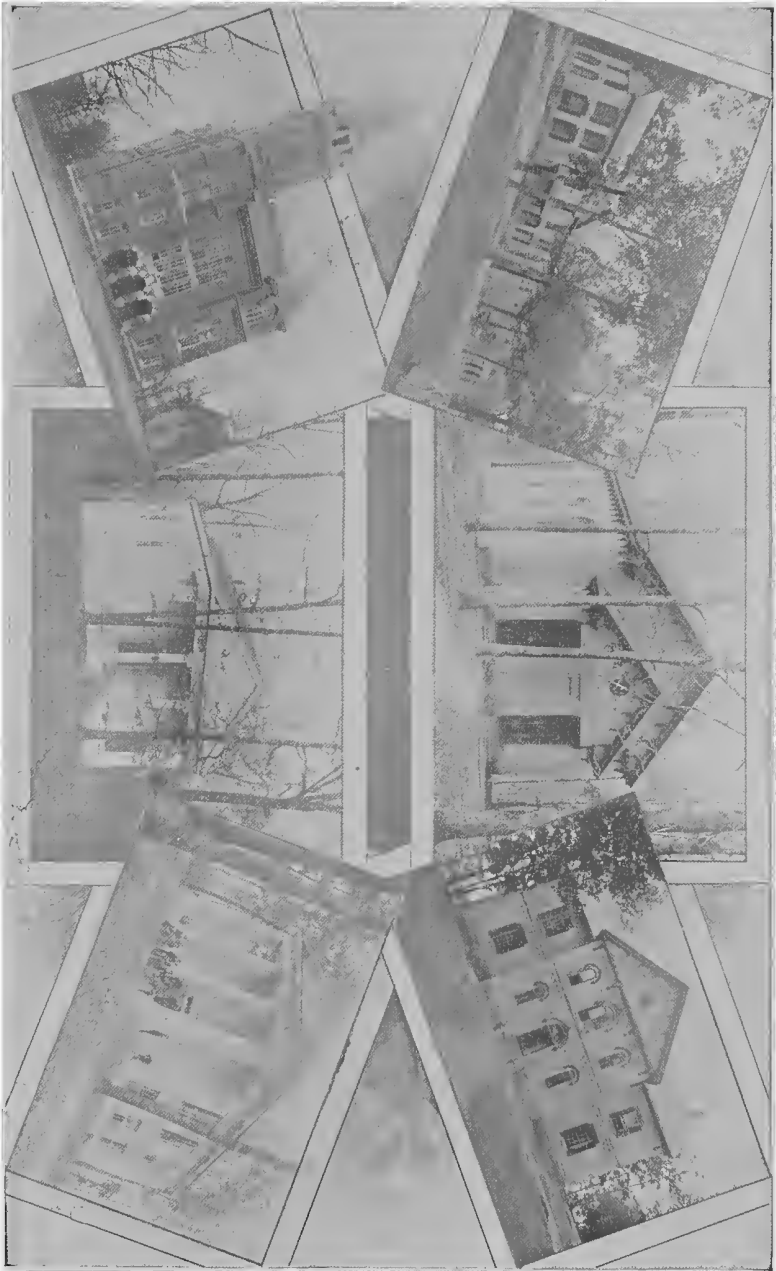
He possessed a marvelously retentive memory. In the course of the address at Emory College, to which allusion has been made, he reproduced with almost literal accuracy sermons and addresses delivered in his hearing during his college days, from 1841 to 1845. A debate between two distinguished Georgians who were students with him at Emory, which he heard when they and he were sophomores, was reproduced with microscopic fidelity. This uncommon recollection was a prime factor in the triumphs of his political life.

A letter from a Georgia schoolmate, a minister, says:

The vividness with which he did this overwhelmed the older citizens, many of whom had heard the sermons that he quoted. It was not merely the thoughts of these sermons that he called up, clothing them in his own language; but he uttered the very words that the lips long since sealed in death had spoken.

The letter from which the following extract is taken was written by Mr. Lamar to Walter Barker, Esq., of Mississippi, in the year 1891:

You are right in supposing that I still feel an interest in "dear old Mississippi" and all that concerns my old and well-loved friends. I have watched the recent political developments among her people with deep, intense, and almost tremulous solicitude, mixed with painful regrets at the wonderful change which has been going on in the character, spirit, and purpose of the farmers of Mississippi, indeed of the whole South. Up to a very late period the planting and farming classes of the South constituted the most conservative and the most patriotic electoral body in this or any other country. Broad in their love of country, elevated in principle, and proud in the consciousness of their individual independence, they exercised the elective franchise



SCHOOL OF LANGUAGES,  
SENEV HALL.

CHAPEL,  
PHI GAMMA HALL.  
CAMPUS VIEWS AT EMORY COLLEGE.

SCIENCE HALL,  
FEW HALL.



and cast their votes without any motive of personal advantage or profit to themselves, without even a glancing thought of selfish ambition, but regardful alone of what concerned the public weal through the track of coming years.

It was this spirit of the agricultural people of the South which enabled her to contribute to the nation those great men whose names even now our national history will not let die, and who, in every development of public achievement, have done so much for the prosperity and greatness of our common country. What are those classes now? They are, in some measure—too much, I fear—what the new spirit, born of Northern alliances, has wrought into their character. Alliances organized in secret, and acting in concert to convert the elective franchise into an enginery for the ascendancy in government, and for making it minister to their own recently awakened cupidity and lust for office. I do not refer so much to their subtreasury scheme, though I regard that as grossly unconstitutional, and a delusion, but to their deliberate acceptance, as the motive of political conduct, of the selfish, ignoble idea of government—namely, a means of their own self-enrichment and aggrandizement; their turning their backs on all that we are proud of in the history of the South, and all that her people have hitherto esteemed as honorable, sacred, precious, and beyond all price.

Look at the spectacle of South Carolina ejecting from his seat in the United States Senate and trampling under foot the heroic, wise, and patriotic Hampton, and putting in his place one whom I shall not attempt to characterize. The bitterest word that the vocabulary of sarcasm can afford is not so severe as the single statement: "I was willing to take his seat in the Senate upon the immolation of Wade Hampton." . . .

As to myself, the lengthening shadows of three-score years and more remind me that my political work is done, and the leadership in shaping the political future of our country has passed from me forever. My hopes and affections and ambitions are now concentrated upon my friends and associates in Mississippi.

The influence of the United States upon the world is growing every day. Its magnificent territory, its spreading population, its boundless wealth, the inventive genius of its people, and the present methods and power of our constitutional government, are concentrating into such a national power as the world has never seen. The South should not forget her right to be potent, to be at least an equal factor in such history. The greatness of this country in the past has been with the South. What it will be in the future should not, and must not, be without the South; but to be such a factor the South must hold on to, and retain in the national life, her great and shining men. She must hurl contempt upon the miserable alternative of substituting them by the shallow, ignorant, self-seeking, upstart creatures of the hour.

Mississippi ought not to tolerate for a moment the idea of acquiescing in the retirement of Senator Walthall.\* Of all the splendid men that she has ever presented to the nation, General Walthall is the one beyond all competition in moral purity, strength of mind, heroism of soul, and commanding influence among men.

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The last public address of his life Mr. Lamar delivered at Center College, in Kentucky, on the 10th of June, 1891. Center College never had a more brilliant commencement, and the different exercises of the week ended with an array of orators and a flow of oratory such as even Kentucky soil has rarely witnessed. The audience included a larger number of illustrious visitors and *alumni* than had ever before visited Danville. Among the distinguished gentlemen occupying places on the platform were Justices Lamar and Harlan, Hon. John Young Brown,

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\*The Senator had announced that he expected not to stand for reelection.

Chief Justice Holt of Kentucky, Hon. A. P. McCormick of Texas, Col. Elliott F. Shepard of the *New York Mail and Express*, Hon. W. C. P. Breckinridge, ex-Gov. Protor Knott, Hon. Adlai E. Stevenson, and others. The opening address of the occasion was that of Mr. Lamar. He was introduced by President W. C. Young, with a reference to the Sumner eulogy. He spoke for a little more than an hour, delivering an oration said to have been "of great power and interest." He "was frequently applauded, and at the conclusion of his address was cheered enthusiastically."\* The speech is not given here, however, because the newspaper report of it is too much like that at Emory College, the year previous, to entertain the reader.

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Early in the year 1892 Hon. David B. Hill, of New York, by invitation of the Legislature, visited Jackson, Miss., and there made a speech in the interest of his avowed candidacy for the Presidency. Shortly after that a movement was started at the University to persuade Mr. Cleveland to visit that institution during its approaching Commencement and make the annual address. Mr. Lamar wrote to Mr. Cleveland, in respect to the matter, a letter, of which the first part has been lost, the remainder running thus:

. . . people of the South to you, and their enthusiastic admiration of your character, I confess that for a time I had gloomy apprehensions as to the effect of the machinations of these cabals. Our people are wretchedly poor. Their condition is not like that of Northern communities when a great financial disaster sweeps over them. It is individual poverty and distress which brood over plantations and fields and households, and consume their daily means of subsistence. They hear with almost despair that their most trusted Democratic leaders oppose the measures that are offered for their relief. The free coinage of silver and tariff reform have been regarded by them as the only measures of relief which the Democratic party has to propose. Your firm, and, as I think, wise, stand against the free coinage of silver saddened their hearts and frustrated their expectations. Just then Hill's Elmira speech came out, and was circulated under flaming capitals. Then followed his election to the Senate, and what was claimed to be his act in fixing New York permanently in the Democratic column. An invitation was gotten up to him to address the Legislature of Mississippi—and the Southern tour.

With all this to back him, Mr. Hill was not strong with the people of the South, especially of Mississippi. They did not like his character, and they reprobated the methods with which his name was associated. Irrespective of their own preferences as to men, they have insuperable repugnance to the manner in which the late convention at Albany was constituted. They thought that such a convention should have been so constituted as to utter fully and clearly the voice of the people, and not that of political managers and office seekers and mere officeholders. They believed that if it went unrebuked, or should be repeated in other States, the Chicago Convention, instead of coming fresh from the people, would be a scheme to annihilate the control of the people over the Presidential nomination and vest it in those who make politics a trade, and who live, or expect to live, on the government.

But notwithstanding all this, when he went South as the one man who could give us New York, and thus insure us the election of a Democratic President, and as he banked high upon the assertion, "I am a Democrat," they went in some numbers to Jackson to listen to him, with no disposition to criticise unfavorably his effort. While they did not expect anything extraordinary from him, the occasion and his willingness to meet it certainly justified the anticipation of something respectable as an effort of public oratory or statesmanship; but in both respects it was a perfect *flat* and a disappointment. The deliberate plan or scheme to capture the State not only met with a cold reception; Hill did not throw warmth enough into it to prevent its freezing. There are editors in the State who have autograph letters from Hill expressing his thanks for the support given him by their papers. He is now given up, and all that the managers now hope to achieve is the nomination of some other man outside of New York. All over the State the popular sentiment of the people is for you. If other States are like Mississippi, the result will be a signal proof of the stability of a people against any machinery, who have confidence in the intellectual and moral superiority of their leader. In all our towns, when the votes of the residents are enumerated, your majorities run up to three-fourths and four-fifths. When meetings have been called for Hill or any one else, the speaker does not call the name of Cleveland for fear of the applause. The avoidance of that name has got to be a joke.

I am too weak to scribble more. The University of Mississippi is the pride of the State; and if it will be convenient for you to accept the invitation to deliver the Commencement address, they will all be delighted. I need not say that I shall.

I am sorry not to be able to give you a good account of my health. Have been down eleven days with frequent and copious hemorrhages, with no signs of an early recovery. I spend many of the silent and tedious hours of the night on my sick couch in thoughts of you, and in earnest aspirations for your happiness.

I send my warmest regards to Mrs. Cleveland, and love to the little miss.

Your grateful and devoted friend,

L. Q. C. LAMAR.

My pencilings are so illegible that I must have them copied.

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The following interesting letter was written on June 6, 1892, to Capt. R. E. Park, a son-in-law of Mrs. Lamar:

Sitting in the library of my house, the most dismal place in the world in the absence of one who has made it a home of joy, my eye by chance falls upon a volume that your mother said she intended to send to you. I will therefore send it by tomorrow's express. It is the "History of the United States Supreme Court." The book is written with great ability, and contains a graphic account of most of the incidents connected with the organization of the court and its constitutional adjudications, together with sketches of the different Chief Justices and Associate Justices who have sat upon that Bench. You will find my own biographical sketch among them. I am told that it was prepared by the distinguished jurist, George Ticknor Curtis.

While I have a high opinion of the book itself, as well its literary as its historical merit, I ought to say that I think there is much to be read between the lines of its imposing records. The judiciary act of 1801 was enacted in the last year of Federal power, which was swept away from the national Legislature and all the executive offices of the national government by the triumph of States' rights principles, in the election of Mr. Jefferson to the Presidency. That act was intended to counteract the principles of States' rights Democracy and to weaken the State judiciaries and to elevate the national judiciary at their expense until the Federal Courts could draw to themselves all litigation of importance, leaving the State Courts without character or credit. The object and effect of the legislation was the multiplication of Federal

Judges (sixteen United States Circuit Judges). The elder Adams, in order to perpetuate the principle of Federal power and to intrench it in the judiciary (the only department of the government from which it had not been extirpated by the election of Jefferson), by his last act, after Jefferson had been elected and before his inauguration, appointed these sixteen Circuit Judges for life. Chief Justice Marshall, only six weeks before Mr. Jefferson was sworn in, was made Chief Justice of the Supreme Court while serving Adams as Secretary of State.

I confess, since I have served as a member of that court, that much of my reverence for Marshall as a great jurist and an impartial judicial magistrate has disappeared. He was a violent and a malignant political zealot, who more than once desecrated the altars of justice and soiled the judicial ermine by using his power as a judge to promote partisan interests, and to obstruct and embarrass the Democratic and States' rights policy of Jefferson's administration—whom he detested with an unrelenting bitterness of political and personal hostility. Jefferson, referring to him in a letter to Gallatin, thus describes him: "The Judge's inveteracy is profound, and his mind is of that gloomy malignity which will never let him forego the opportunity of satiating it on his victim." I see, however, that I must stop these notes, lest they shall go on growing with their growth without strengthening with their strength.

An interesting reminiscence of this period is given by Mr. Frank C. McGehee, in a letter to the *Clarion-Ledger*, dated February 5, 1893:

Lamar was a truly great and good man, a thinker, a philosopher, whose mind was cast in that mold from which only grand conceptions issue. . . . How he clung to Mississippi and Mississippians in his last days of suffering it was my privilege to observe and appreciate. Early last summer, after an absence of three and a half years from the country, I had the opportunity of being with him, and of painfully observing the wreck which disease had made of his once powerful frame. His mind was as bright as ever. The body which held it had dwindled away, but in that shrinking the grand brain from which had come so many wise and brilliant thoughts had no part.

After a short visit to Mississippi in June last, I called at Col. Lamar's home, and told him of my visit and of the many inquiries about him in the State that he loved so well. "Ah!" he said, as a tinge of sadness swept across his features; "I am so glad to hear it. I was afraid, since I have been away from them so long, that they were beginning to forget me." It seemed to cheer him greatly to feel that the people whom he had served so long and so well still remembered and loved him.

I found him deeply concerned over the financial condition of the people. It distressed him greatly; and as the subtreasury question was at that time agitating the country, he gave it much thought. It is almost unnecessary to say that he did not approve of the measure as it was then understood, yet he fully appreciated the situation, and recognized the right of the people to relief of some kind. He felt that there ought to be legislation to meet the difficulties arising from the scarcity of the circulating mediums; and, as the people who felt the pinch demanded free coinage of silver, he felt that if that matter could be so adjusted as not to debase or cheapen the currency the situation should be met and their demands heeded. He was unalterably opposed, however, to any system which would put in circulation a single dollar which would not have equal purchasing power with any other dollar.

He then began in his entertaining and forceful way to outline the real objections to legislation in the direction of the subtreasury scheme, and to express his views as to what would, in a measure, relieve the situation, when other visitors came, and the subject was changed. . . . This circumstance is mentioned as an illustration, to some extent, of his great sympathy with the people who were suffering, and his deep-seated anxiety to see them relieved.

It troubled him greatly to think that any Mississippian felt unkindly toward him; and as he harbored no resentment, and felt that he had never consciously wronged any one, the thought that here and there he had been misunderstood and misjudged annoyed and pained him. He referred especially to one of our brightest and most impulsive public men, who, he felt, misunderstood him, and had misconstrued his actions. He expressed the kindest sentiments for the gentleman in question, and paid a high tribute to his ability and character, and said, with that deep feeling which came from a heart conscious of the rectitude of his motives, that he admired him and appreciated his talents, and hoped that any feeling that he might cherish would pass away.

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In the year 1891 Mr. Lamar again and finally united himself with the Church. Any consideration of his religious experience has been pre-termitted until now, for the reason that it was thought better to present that most important and sacred chapter in a single and connected sketch. Indeed, when one is deeply engaged in the active and distracting affairs of the temporal life, the life spiritual is so much a thing apart that any attempt to tell the two stories together can only result in disturbance and confusion.

Through all of the eventful and varied career of Mr. Lamar ran an unbroken golden cord of precious memories intertwined with deep religious feeling, which connected each day and almost each hour with the sweet, fresh, and hallowing dawn of his life. Rev. Charles B. Galloway, Bishop of the Methodist Episcopal Church, South, kindly consented to narrate that phase of Mr. Lamar's history. What follows, to the end of this chapter, is from his pen.

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One of the most striking characteristics of Mr. Lamar was his strong religious susceptibility. His spiritual sensibilities were strangely acute and very easily impressed. He had the natural temperament of a seer, and in his thinking dwelt much in the realm of the unseen. His eye was ever open for a vision of the invisible, and every perspective reached into eternity. Born of devout parents, reared in a Christian home, early and thoroughly imbued with the spirit of the Christian religion, he carried through life the simple faith and unquestioning guilelessness of innocent childhood. All his after critical studies into the philosophy and theology of Christianity seemed but to strengthen faith and establish him in what he himself declared to be, "a firm and unwavering believer." It is not often that a nature so calmly philosophical and a mind so trained to analytical methods should unite such delicate spiritual faculties and sensibilities so affectionate and impressible. In this readiness to respond to spiritual impressions Cardinal Newman's beautiful tribute to St. Paul is recalled: "His mind was like some instrument of music, harp or viol, the strings of which vibrate, though untouched, with the notes which other instruments give forth."

And in these spiritual characteristics may be discovered the secret of



his power. They gave ardor to his attachments, and made his friendships a sacred passion. They invested position with solemnity, his convictions with sanctity, and put an impressive fervor in his eloquent utterances that thrilled like the unction of an inspiration. A vivid illustration of this we have in the following words uttered by himself in the course of a personal explanation which he felt called upon to make in the halls of Congress, March 9, 1876:

I have all my life cultivated a deep and abiding sense of the importance, sanctity, and authority of truth. If I could reach my ideal, it would be an absolute surrender to it as the law of my life, to be severed from it by neither temptation, interest, passion, nor ambition.

Bishop Fitzgerald, in his eloquent funeral address, spoke to the same effect, and correctly characterized him in these words:

It was his religious faith that, more than anything else, gave unity, right direction, power, and success to his life. This was the mighty undercurrent that bore him onward in his course.

But with this clear intellectual apprehension of the great Christian verities, much of his life was spent in spiritual unrest. He had doubts deep and dreadful, but they were doubts and distrust of himself rather than of the God whose conscious pardon and constant fellowship were his pathetic yearning for years. There were mysteries he could not fathom, but above these minor keys of sadness and fear rose his simple but sublime faith in essential truth. His mental attitude to the mysterious and supernatural is thus described in his own words:

The union of divinity with humanity in the person of Jesus Christ we cannot explain or comprehend; at least I cannot. The incomprehensibility of a fact, however, is, to a philosophical mind, no proof of its nonexistence. There are a thousand facts around us whose existence is undoubted and indubitable, and yet whose natures are utterly incomprehensible.

And this proposition he felicitously illustrated by references to the vegetable kingdom and the constitution of the human mind. His almost lifelong difficulty was to transmute Christian truth into spiritual consciousness, to attain unto such an experience as would give perfect serenity to faith and rapturous assurance to the soul. This was the eager search of years; and his great heart never rested until he, like the humblest sinner, found peace in the Son of God. Amid the exactions of private life and the excitements of a long and conspicuous public career this was his meditation day and night; and though he wandered far from duty; as Bishop Fitzgerald said: "Though chilled by the frost of doubt, the roots of his faith never died, and at length rebloomed with the fragrance of early springtime, and bore fruit unto life eternal."

At times he was so stirred by spiritual convictions and so overpowered by religious emotion as to feel like committing himself to the work of the gospel ministry; and through life there were recurrences of the fear that after all he had probably mistaken the path of duty.

His intimate and honored friend, ex-Chancellor J. N. Waddell, of the University of Mississippi, in his "Academic Memorials," relates this incident:

I remember a casual conversation I held with him during his first years in Oxford, in which, as we spoke of his future, he remarked that he should not be surprised if he should end his life in the ministry of the Methodist Church.

In July, 1870, he delivered an address before Emory College, Georgia, and thus refers to the religious influence of collegiate life upon his character and career:

No spot on earth has so helped to form and make me what I am as this town of Oxford. It was here, in the church which stands a little farther down the street, that I became fully impressed with the value and peril of my soul, and was led to pour out my contrite confessions.

But it was not until July, 1862, that he gained his full consent to formally assume the vows of membership in the Methodist Church. He was on a visit to friends and relatives in Macon, Ga., whither his family had gone from Oxford, Miss., to join him. The solemn and important event is thus described by Mrs. Lamar in a letter to her mother, Mrs. Longstreet:

On Commencement Sunday at Wesleyan Female College, after an excellent sermon from Rev. Dr. Houston, of Nashville, the doors of the Church were opened, and my husband joined. You know his mind was fully made up, before he left Oxford, to join at the earliest opportunity. I am so rejoiced that he has united himself with the Church, and believe that he will be a consistent and devout Christian. He has purchased a number of religious books, and reads, studies, and prays a great deal.

His correspondence running through years, which was very voluminous, reveals the earnestness of a great soul inquiring after the true light. He indulged much in self-depreciation, but from every source sought guidance into the right way. What could be more transparent and beautiful than these sentences in a letter to his young wife, written from Washington in December, 1858, when just entering upon a brilliant Congressional career?

I have nothing to write about this morning; for yesterday was Sunday, and that day is naturally one destitute of incident. I regret to say this, for I would be glad to lay before you the record of holy thoughts and fervent aspirations and prayers. I want to be a Christian, but I fear that as long as I am in public life my mind will be too much bound up in the affairs of this world.

In another letter written to his wife from Richmond, in 1861, whither he had gone to command a regiment on the battlefield, the sentiments expressed can only be equaled in exquisite tenderness by their delicacy of spiritual discrimination:

My heart is still sinful. It does not love God as a reconciled parent. . . . It does not thrill under a sense of gratitude for redemption, as I feel it should; but I shall continue to pray on for grace to do so. I often unite you in my broken and humble petitions, and pray that ours may be a household of faith.

A few weeks later he thus refers to the joy of being reunited to that sacred home circle:

May God grant me the privilege of once more meeting my family and of gathering them around the domestic altar to send up to his throne thanks for his mercies and prayers for his favor and grace!

From Alexandria, La., under date of December 20, 1862, he wrote to his wife. He was *en route* to some port in Texas or Mexico, from which he was to sail to Europe, bearing the credentials of a Minister to Russia from the Confederate States of America. Though burdened with the thoughts of his dangerous mission and a long separation from his family, with a possibility of never returning, he girded up the strength of his great soul and wrote in a strain of almost joyous hope:

Since leaving you I have been more prayerful. I read the Scriptures more every day. When I was with you I was so troubled by our unexpected losses and the prospect of soon being parted from you that my mind was not tranquil; but now I feel more hopeful, and trust implicitly in God. Don't give way to despondency. . . . All will be right yet.

And after his safe return he writes in the same gentle strain from "Headquarters, Department of Richmond, December 15, 1864," to her from whom no secrets of his noble heart were hid:

I am still trying to subordinate all worldly things to the considerations associated with eternity, . . . the favor of God, and the well-being of my soul hereafter. . . . Pray to God, my darling, that we may all be his children.

In the early years after the war, while filling a professorship in the University of Mississippi, Mr. Lamar had charge of a large class in the Methodist Sunday school. So popular were his lectures (for he taught by lecture) that persons from all Christian denominations were attracted thither, and often the room was crowded with eager listeners. These lectures were prepared with great care, and delivered with the superb eloquence of the great orator. Every Sabbath, while the glow of his words lingered in the heart, scores of persons were heard to remark: "What a wonderful preacher he would make!" A fragment of one of these studies, "The Temptation of Christ," was found among his papers. Some closing paragraphs here produced indicate the clear exegesis of a trained theologian and the fervid spirit of an earnest evangelist:

Such, gentlemen, are my views on the temptation of Christ; but they by no means complete the subject. The effects of that temptation were as indelibly impressed upon his spirit as were the print of the nails and spear upon his body after he had risen from the tomb. Let me recall the last temptation of the three. Bear in mind that it came to him when his heart was glowing under the revelation that he was the promised Messiah, the Deliverer of his people groaning under oppression, the King whom Judea was looking for to break her chains and wear the crown of universal empire. He knew the difficulties that lay in the way of that universal empire of peace and love, that kingdom of God that cometh not with observation. He saw the lofty citadel of paganism intrenched behind the prejudices of centuries, and flanked by the batteries of the philosophies of the ages; he saw the disappointments and bitter execrations of his own people; he saw persecutions unto the cross, the long array of

martyrs, and the bands and dungeons of torture and death. One word, and all this would disappear. Omnipotence is his, and by the mere assent of his will all the kingdoms of earth were his possession. Had he yielded, the higher will would have succumbed to the lower wish—would have done an act of homage to the spirit of evil; but in this act of mastery the Saviour of the world suffered, not, it is true, by the reluctance of sinful sentiment, but by the quivering and anguish of natural feeling trampled upon by a lofty will.

From this scene he goes forth to his work, to his people awaiting with eager expectation his coming; and when he utters the summons, "Repent ye, for the kingdom of heaven is at hand," he is thronged by a multitude which no building could contain. He repairs to a mountain, the crowd surrounding eager to drink every word that falls from his lips. What he said was read by you at our last meeting, and what did you hear? Not one word of Judea, of Rome, of conquest, of the thronging of all nations. Almost every word was like the chill of death to the hopes and feelings which glowed in the hearts of the people, and which were consecrated under the name of religion. There are the Roman legions in the country, Roman guards at the door of the temple, and Roman taxgatherers extorting taxes to support the unholy superstitions of paganism. Now what does their promised King tell them? Instead of war and victory, he commends his impatient disciples to be obedient citizens of his kingdom of peace, to have faith in him; and they will not only be "free indeed," but will inherit incorruptible kingdoms, and themselves be kings and priests and sit upon thrones.

But still, Mr. Lamar carried a burdened spirit, burdened under a sense of his unworthiness, and seeking such a cloudless comfort of soul as he had witnessed in his saintly mother and other devout Christians. Writing to his best-loved friend, Gen. Walthall, from Memphis, in 1873, after having suffered from a severe stroke of paralysis, he thus pours out his anxious fears:

I am a very sick man; suffer more than anybody thinks. I do not honestly expect to live twelve months. I believe that I shall go off like Yancey and Alex. Pegues—before anybody suspects that much is the matter; and after all my studying about religion and striving to avail myself of its promises, I am not ready to go. I don't know what I would give for old Judge Longstreet's faith and courage. I can't say: "There is not a cloud." It is all clouds and darkness to me. I see less of God's providence, and more of evil and the supremacy of evil in this world, than I ever did in my life.

His spirits seemed to sympathize with his broken body, and for the moment allowed his faith to pass into partial eclipse. A little later, to his old friend, Rev. Dr. John N. Waddell, then Chancellor of the Southwestern Presbyterian University, at Clarksville, Tenn., he wrote in a more hopeful tone: "I am expecting a much sterner summons, and *hope to be prepared for it.*"

Col. Lamar was especially fond of the society of good men, and among his most ardent and cherished friends were ministers of the gospel. They were his confidential correspondents and intimate associates. He could talk by the hour of the great preachers he had heard, and especially of those whose words and life had influenced his character and career. His old college classmate, Rev. Dr. J. C. Simmons, who spent

a week in his Washington home during the Ecumenical Methodist Conference in 1891, speaks thus happily of that characteristic:

He could call up sermons and sentences that he had heard fall from the lips of the sainted Bishops Andrew, Capers, and Pierce, and from Revs. Anthony, Glenn, Parks, and others. These saving truths he had never lost sight of amid the turmoils of the bloody strife that called out all the powers of his great heart, and amid the swirl of political strife, when his fellow-men were, unmasked, lifting him to the front rank of the greatest men of the nation.

He delighted to make acknowledgment of his indebtedness to such influences. The following extract from a letter to Rev. Edward Thompson, Vice President of the University of Southern California, and son of the late Bishop Edward Thompson, of the Methodist Episcopal Church, is only one of many found among his papers:

Much of my practical success in life among men is due to the principles imbibed from the speeches of your father when he was President of a Western College that I read during the formation of my intellect and character. Those speeches were published in a magazine entitled "The Ladies Repository;" and my attention was called to them by my widowed mother, who was at a Methodist college in the South educating her sons.

Reverence was the solid basis of his character. His mind was cast in a large and serious mold. So thoroughly was he rooted and grounded in the principles of Christianity, and so profound was his reverence for the verities of the gospel, that he never spoke lightly of sacred things, and never suffered an attack upon them to go unrebuked. In 1886 the newspapers gave the following account of an interview with Col. Ingersoll:

While in Washington recently, the infidel called upon the Secretary at the Interior Department; and Ingersoll, in the course of half an hour's conversation, said scores of witty things, which Lamar is said to have enjoyed immensely. Ingersoll finally made some remark in ridicule of orthodox Christianity; and the Secretary jumped to his feet, throwing his long hair, with an impatient gesture, back from his forehead. "Ingersoll," he exclaimed, "I hope to live to see the day when you will come to the capital city and preach to the world Christ, and him crucified. With your magnificent abilities and splendid oratory, you could work a revival such as the world has never seen. I hope, Bob, to see the day when this will come to pass; and you could not engage in any grander or more noble work."

A friend in Mississippi sent him the clipping, to whom he replied as follows:

The interview reported in the papers is set forth very inadequately. I will give you the particulars some of these times when we meet and I have the leisure to repeat it. Bob Ingersoll is a queer man. His head is infidel. He has no intellectual organ which gives him any avenue to the infinite or the supernatural, but his heart is full of a sort of piety; and his life, so far as I know it, is one of moral rectitude, humanity, and tender love.

He was a man of prayer. Daily communion with God he called the "cherished habit" of his life. However neglectful of duty or errant of

spirit or absorbed in the ambitious plans of a public career, the hour of daily devotion brought a sense of humiliation and humble confession. A glimpse at his inner life is had in a letter written to a member of his family while he was Secretary of the Interior. He said:

I eat my breakfast, dinner, and supper always in the presence of some two or three eager applicants for office; go to bed with their importunities in my ears; and, what is of much greater inconvenience to me, and one that I feel more than any other, I hardly have time to say my prayers. You know that breaks up a cherished habit of mine.

Few men so fond of public life, so full of ambition, and so appreciative of the high honors and esteem of his countrymen, have ever been so constantly and seriously concerned about that other life "unmeasured by the flight of years;" but to him it seems to have been an ever-present and dominant thought. He wanted to *know* that his faith was well-founded. Amid the burdens of a Cabinet office, he thus wrote to his lifelong friend, Chief Justice James Jackson, of Georgia:

That is a terrible question of yours about the "roll call." No; I am not ready. I have tried to "tote fair" in this world, and have done my duty toward men honestly and bravely, and to my country; but to my God I am one of the most remiss, and could not stand before him and say that I have done my duty to him.

At length, however, the clouds floated away, and his skies were filled with stars. They gave a sweet serenity to his last laborious years, and at eventide it was light.

In April, 1890, then on the Supreme Bench of the United States, he delivered an address before the Young Men's Christian Association of Washington City. With an unusual eloquence and marvelous persuasiveness of speech, his tone and manner borrowing a chastened expression from the sacredness of his theme and the evident progress of disease upon his magnificent frame, he stirred to rapture his great audience of young men. In the course of that splendid address, he made this luminous and positive declaration of his religious faith:

Summoned, as I am, to speak to this Christian association, it is proper to show my colors and avow my sentiments. I give them without figure of rhetoric or form of argument, and simply declare that I believe that there is a God—a personal, infinitely gracious Creator and Father of all; a God of goodness, justice, and holiness; the God of the Bible. I also declare my belief that the Bible is the Word of God, and that the central idea of his inspired revelation is Christ. "God, who at sundry times and in divers manners spake in time past unto the fathers by the prophets, hath in these last days spoken unto us by his Son, whom he hath appointed heir of all things, by whom also he made the worlds; who being the brightness of his glory, and the express image of his person, and upholding all things by the word of his power, when he had by himself purged our sins, sat down on the right-hand of the Majesty on high."

He indulged much in reminiscences, and protrayed for their emulation many of the noble characters, most of them ministers, with whom

his early life was intimately associated. These concluding words have the quiver of spiritual power:

In the engrossing engagements of an active public position, I have lagged behind the modern developments of Christian thought and life; but I beg to assure you that in all the vicissitudes of that career, and in all my intercourse with the leaders of nations and peoples, authors, thinkers, statesmen, and jurists, generals of armies, courtly and classic rhetoricians, and the brilliant expounders in our American Churches, I have found no richer treasures of thought or nobler incentives than the fearless simplicity of faith I found, in my young manhood, among those men, some of whom I have inadequately tried to reproduce to you this day. Indeed, I owed to them some such tribute as a debt of gratitude; for they were, and in a sense are, my nearest of friends, whose grand countenances, looking down on me from the portrait gallery of sacred memories, never fail to inspire me with a firmer faith in the immutability of truth and the invincibility of right.

And now, gentlemen, if I have let fall a single suggestion which will keep alive the aspiration and hope of any ardent young soul before me to join that noble brotherhood which lives in this life so as to live again in other minds made nobler and better by his influence, I shall deem myself most happy.

In June of the same year he delivered a memorable address before the Society of the Alumni at Emory College. He took occasion to review the history of the foundation of his *alma mater*, and in so doing declared with great force and eloquence his own apprehension of the true attitude of culture to Christianity. He insisted that education itself should be saturated and safeguarded with genuine religion. Read this vigorous paragraph:

The mightiest impulse, however, which aroused the Methodists of Georgia to the sacred duty of providing for the literary training of their youths under the direction and hallowing influences of their own Church sprang from a dissatisfaction with the tendency and character of modern intellectual culture, its lack of the element of religious belief, and its separation from Christian faith. Along with the rapid advance of literature and scientific discoveries, scientific materialism, irreverent speculations of philosophy, and the flippant skepticism of letters, were gaining ground. Unbelief was growing more imposing to men of culture, and their minds were becoming less imbued with homage to the solemn majesty of the eternal life which broods over the scenes of their present brief existence. Along with this dissatisfaction was a profound conviction of the worthlessness and moral inadequacy of all science, literature, art, historic knowledge, and intellectual culture, unaccompanied by faith in duty and immortality, in God and Christ, as springs of motive and the inspiration of life. To meet this felt want of a place for education, *where piety should inspire science, and culture should confirm and strengthen piety*, the Methodist Conference and membership founded Emory College, and dedicated it as a temple to science and religion, with devout aspiration that the two, thus united, should lift each the other upward, and aid each other onward in blessing the people of Georgia.

The circumstances attending his connecting himself with the Mount Vernon Methodist Church, South, in Washington City, in 1891, were quite characteristic. The pastor, Rev. Dr. J. T. Wightman, asked if he desired the simple entry of his name on the church register, as he had been a member elsewhere. The great jurist answered: "No; I

have been too far astray, and have too long neglected duty, to claim a place in the Church on an early confession of faith. I want to join *de novo*." "Well, Judge," said the pastor, "would you prefer to be received in the quiet of your own home?" "No," said he; "I want to take the vows before the congregation as any other humble sinner, hoping thereby to encourage those who, like myself, have too long postponed this most important matter. I only ask that the reporters be not informed, and that we have no newspaper sensation." And with the humility and simple faith of a little child the renowned statesman and jurist avouched the Lord to be his God.

In October, 1891, the Ecumenical Conference of Methodism was held in the City of Washington, composed of representatives from every branch of the Church and from every part of the world. Judge Lamar was a delegate to that body, and no member watched more eagerly its proceedings or entered more heartily into the spirit of the great occasion.

On to the close of his splendid career he walked with a steady step and a joyous hope, fearing no evil, with a divine rod and staff to comfort him.



## CHAPTER XXXI.

Failing Health—Diagnosis—Illness, April, 1892—Visit to Macon, Ga.—Death—Action of Supreme Court—Congress—Interior Department—Reception of the News in Mississippi—In Other States—In Georgia—Proceedings in Macon, Ga.—The Obsequies—Dr. Candler's Sermon—Bishop Fitzgerald's Discourse—Bar Meeting of the Supreme Court of the United States—Mr. Vilas' Remarks—Senator Walthall's Tribute—Hon. J. Randolph Tucker's Remarks—In the Supreme Court—The Remarks of the Attorney-General—The Response of the Chief Justice—Resolutions of Illinois State Bar Association—The Removal of Mr. Lamar's Remains to Oxford, Miss.—Conclusion.

**N**OTWITHSTANDING Mr. Lamar's great physical strength and the ruggedness of his general health, for the last thirty-one years of his life he was more or less seriously troubled with organic weaknesses.

He was never free from this embarrassment after his attack of vertigo, in Virginia, shortly subsequent to the battle of Williamsburg. In the course of this biography mention has been made in several places of this affliction, but only in the most severe instances. The less dangerous cases have been ignored, but they were frequent; and his work was all done under the consciousness that at almost any time the sudden rupture of a blood vessel in the brain might bring practically instantaneous death. However, the gravity of those attacks diminished as Mr. Lamar grew older. That of 1880 was the last of the graver sort. Still, he had a slight illness of this nature even after he was in the Cabinet, which he kept a secret; for he intensely disliked sensational reports in the papers about his health.

In 1873 he wrote to Gen. Walthall that he was troubled with a renal disorder; and it is doubtful if he was ever afterwards entirely free from trouble of that nature, although there were long periods when he considered himself well, and felt so. In spite of those maladies, so great were his strength and vitality that he retained his activity until quite late in life; and it is said of him that after he was in the Cabinet, irritated one day by a newspaper statement about his failing strength, and in order to disprove the statement to a friend, he stood under his chandelier, and, leaping up straight, kicked it, being then about sixty years of age and weighing two hundred pounds.

Had he taken care of himself, he would perhaps have lived several years longer than he did; but that he never would do. His devotion to his work made him prodigal of his labor and strength, and consequently of his health. It was no uncommon thing for him to work all night.

When he was raised to the Supreme Bench his ambition to bear his

full share of the court's burdens and to make his productions equal in quality, as well as in quantity, with those of his associates intensified his natural inclination. After two years his strength began to fail, in the winter of 1889-90. On the 28th of February, 1890, he wrote to Mrs. Ross:

I am sorry to tell you that I am not improving as rapidly as I could wish. Do not mention it, for such things grow in report. But I want *you* to know that my health does not grow better fast. I am very weak, and find my breath very short after even the most moderate exercise; am subject to a constant dull headache and pains in the back of my neck and through my shoulders. Two doctors say, upon consultation, that one of the valves of my heart has ceased to act (I don't believe that); and another says that I have muscular rheumatism and a general nervous prostration. My own opinion is that I am under the lingering effects of a very obstinate and severe case of *la grippe*, from which I shall slowly recover. I do not feel that there is any cause to think that there is anything seriously and permanently the matter with me.

Through the years 1890 and 1891 Mr. Lamar gradually lost strength, although there were periods of improvement. In the summer of 1891 he made a visit to Oxford, Miss., holding a short term of the Circuit Court, and going thence to Davville, Ky., to make the address at Center College. In September he wrote to Mrs. Ross that "My debility is extreme, and seems to be lasting. The work of the court next month appalls me." In October, however, he was better, and used to walk home from the capitol after the adjournment of court. Then there was another period of depression, which caused him to plan a trip to the Mississippi coast to recuperate; but on the 5th of January, 1892, he wrote to Mrs. Ross that

During the last preceding four days my health has been sensibly improving. Every one has said all the time that I was *looking* better, but now I *feel* such a decided improvement that I have postponed my trip South until the 1st of February. Of course there is a very general protest among all my friends against this conclusion, but the work that is upon this court is not a mere matter of sentimental duty; it is a hard reality; and if I, to give myself a respite and relief, should suspend my share of it, I would be throwing upon my associates—some of whom are older and weaker than myself, and others more prostrated by sickness, who are staying here bravely at their post—an increase of the labor with which they are already burdened.

In February Mr. Lamar did make a short trip to Macon, Ga., and Pass Christian, Miss. From the latter place he wrote to Mrs. Ross on the 17th:

I want to thank you, and tell you how much solace, comfort, and gratification your love for your brother gives him. My separation from you and my children is a sore trial to me, and becomes harder and harder to bear. Jennie's visits, with her two little cherubs, bring light into my household. She and they are treasures which ought to make any man grateful to God, and I am; but I feel the absence of the rest keenly. . . . I wish I could accept your invitation to stop with you. In all my life I never wanted so much to see you. With no special reason for it, my thoughts frequently—yes, more than frequently—dwell upon the time when we shall cease to be with one another in life, and the time left me is increasing in preciousness with re-

spect to my intercourse with those dear to my heart; but my duties as Judge leave me no respite, and I must go back without seeing any of you.

Mr. Lamar's visits to Macon and Pass Christian did not materially improve him. While at the latter place he began to feel better, but the morning after he left for Washington he was attacked by acute pain in the back near the left kidney. On the 8th of March he consulted Dr. William Pepper, of Philadelphia, who found evidences of general *arteriosclerosis* of moderate extent, and of some degree of renal trouble. In a long analysis of the case the doctor said:

I strongly incline to the opinion that for several years, five or six at least, there has been slight progressive change in the arterial system and in the kidneys; that on going on the Supreme Bench the excessive pressure of mental work overtaxed his nutritive power, and there was a rapid decline. Unfortunately at that time a severe attack of influenza occurred, and I believe that this left greatly increased irritation of the sensitive kidneys. I am not disposed to take an unfavorable view of the case, and for the following reasons: The changes have been of long standing and of slow progression; there has been an intercurrent and accidental cause of increase in the trouble—namely, the influenza. He has lately shown marked power of recuperation by recovering fifteen out of the thirty pounds of lost flesh; his digestion is unusually good, considering the circumstances; the term of court approaches its end, and he will then be enabled to go abroad and to get complete rest and change, and to undergo a strict course of treatment at a carefully selected resort. This may be made a matter of subsequent duty. For the present, I would advise a continuance of his judicial duties, with, however, the strictest regard for rest and the avoidance of all overtaxing. I am entirely opposed to his resignation. I think that he is as well off at Washington, discharging with less than usual effort a less than usual portion of his judicial duties, as he would be elsewhere at this season.

In April the collapse came. While seated upon the bench he was seized with a fit of coughing, and hemorrhages followed which were frequent and profuse and alarming for many hours. For a number of days he was confined to his bed, regarded as dangerously ill, and under active and vigilant treatment. It was during this illness that he wrote the letter to Mr. Cleveland given in the previous chapter.

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However, Mr. Lamar was not to be taken just yet. He rallied and resumed his place upon the Bench. He was not able to work much, and did but little more. In the summer he went to Bethlehem, in the White Mountains, a favorite resort of his wife's. From thence he wrote to Mrs. Ross, on September 9, 1892:

I have not realized the sanguine hopes of restored health with which I came to these mountains. I began at once to take walks and horseback rides, but had to give them up on account of the pains in my breast which they brought on. The attacks of hemorrhages, which were at the time painless and, as I then thought, harmless, left my breast sore and weak, so much so that I have to guard against any exertion, either bodily or mental. I look to the approaching October with dread, lest it find me unable to buckle on the harness for the resumption of judicial labors. I am in doubt whether I ought to undertake that work, or to resign a position the duties of which I

do not feel able to discharge with credit to myself and those I love, or in a manner due to the public interests concerned. . . . God bless you all! I wish you knew the insignificance of official rank and honors compared to the value to me of your affections.

On the 16th of November he wrote to his son:

I know that the time is fast approaching when I can no longer be of much service to the children I love; that the horizon of my life stands still and awaits my approach, and that I shall soon pass beneath it from the sight of those for whom I wish to live. I do not shrink from it, and the only thing necessary to make me happy in the brief time that I have left me will be the happiness of knowing that you are resolute, happy, and possessed of a self-sustaining mind. May God bless you!

In December Mr. Lamar, with his wife, left Washington, intending to visit again the Mississippi coast. On the day of his departure he was attacked on the train with an acute pain of the heart, and was forced to lie over during two days in Atlanta, where he was entertained by Hoke Smith, Esq. He then went on to Macon, where were his wife's residence, great numbers of loving friends, and many reminiscences of his early manhood. There he remained until the end came.

On the 10th of January, 1893, he wrote to Hon. William H. Hardy, of Meridian, Miss.:

The accounts in the newspapers of my attack of sickness in Washington and Atlanta were somewhat exaggerated. The nature of the malady ascribed to me is, I think, a mistake. My case was pronounced some time ago, by one doctor, as Bright's disease of the kidneys; but Dr. Pepper, of Philadelphia, in his diagnosis of the case, states that, while my kidneys are affected to a certain extent, it is not a case of diabetes or Bright's disease. He thinks that it is a disorder of the arterial system. . . . I do not wish much to be said of my failing health at this time, but I tell *you* that I am quite a sick man, and am lying up here in Macon waiting for the cold weather to subside before starting for a more southern and balmy climate. . . . I now think of going to St. Augustine.

Later Mr. Lamar seemed to be improving and gathering strength. His friends thought he was on a sure road to recovery, and that within a few weeks he would be able to resume his place on the Bench. He and Mrs. Lamar were not staying at Mrs. Lamar's residence in Macon, but were visiting Capt. W. H. Virgin, a son-in-law of Mrs. Lamar's, in Vineville, a suburb of the city. He made occasional visits into the city on the electric cars. On Monday, the 23d of January, 1893, he called at the office of Capt. R. E. Park, in company with Dr. Flewollen, a cousin of Mrs. Lamar's.

"They sat for perhaps a half hour with Capt. Park, discussing various topics, and when they left he carried with him several magazines to read that night. He conversed freely with Dr. Flewollen while returning home on the car, and said that his exercise made him feel like eating a good dinner. He dined with the family shortly after six o'clock, and partook of his accustomed dishes with every indication of a good appetite and general good feelings.

"After dinner he walked with the family into the sitting room, and during the course of conversation extended Dr. Flewellen a very cordial invitation to visit him at Washington next summer.

"Dr. Flewellen left the house about 7:30, remarking the improvement noticeable in Justice Lamar's general health. In perhaps about fifteen minutes after this the Justice complained of symptoms of his old attack, also saying that his arms felt benumbed. It was soon necessary for him to retire, which he did without any very unusual trouble; and the family were disposed to attribute his condition to exhaustion from the trip to the city. After lying down he complained of suffocation, and it then became impossible for him to breathe freely until he was placed in a comfortable chair near the fire. This condition, however, rapidly grew worse, and soon it was evident that he was sinking. Mr. Virgin boarded a street car and went at once for Dr. Parker, returning with the physician at about 8:40.

"He was found to be speechless and unconscious, and to the physician evidently beyond the reach of help. His head hung almost limp in the hands of one of the attendants, who was relieved by Mr. Virgin.

"In this position his life passed out without a struggle, and so quietly and peacefully that those about him did not know the exact moment at which the soul took its flight.

"All the physician's efforts to revive him after his arrival were of no avail, and the life of the distinguished statesman and jurist slowly ebbed for a time, then flowed out as softly as when the little babe is gently called back from earth to heaven.

"He had passed away suddenly and unexpectedly, and those about him felt shocked when it was known that life was extinct. Although his serious condition had been a matter of daily concern, the quiet, quick taking away of a life full of such greatness carried with it unusual awe.

"In frequent conversations he alluded to his condition, but said that he was not afraid of death. His chief wish was to visit his father's grave and some of the scenes of his younger years before death claimed him for its own; but this was denied him, and he died with a trip which he had planned several days ago unaccomplished.

"His statement to his wife on Sunday night that he was afraid to sleep lest he should never wake expressed his firm conviction that his life hung in a sensitive balance which at a very early day was sure to succumb to the inevitable weight of age and disease.

"Although sad and deplorable in every respect, his death carries some consolation in the thought that fame and public achievements had not alone occupied his life. The thought of his Creator was his great consolation, and he died enjoying the full appreciation of the revealed truth. He was a member, with his good wife, of the Mount Vernon Methodist

urch, of Washington, the church of nearly all prominent Southern  
thodists at the nation's capital."\*

The morning papers of the 24th announced Mr. Lamar's death to all  
country, and numerous telegrams of condolence and sympathy were  
t to the family. Among them this came from Oxford, Miss.:

xford, the home of Justice Lamar for so many years, is overwhelmed. Bells in  
courthouse, churches, and colleges are tolling. Business houses, residences, and  
university chapel are draped in mourning. Expressions of deepest grief from all  
ses are universal. The profoundest statesman of the South, the noblest of gen-  
ren, the truest of patriots! Mississippi, whose fame has been so largely the prod-  
of his splendid services, is inconsolably stricken. JOHN F. BROWN, *Mayor*.

n Washington, on the 24th, when the Supreme Court assembled as  
al at noon, the chair between Justices Gray and Brown was draped  
mourning, again signifying the sad fact that since the last meeting  
of its members had passed away.

The death of Justice Lamar was not startling to his associates, for  
y had realized when he left the city for the South that in all proba-  
ly he would not resume his seat on the bench; yet it was unexpected  
a shock to them, for the last news that they had had from him was  
he effect that he was improving and getting along quite nicely.

The bar and audience quarters of the court were filled this morning  
en the Justices filed into their places and the court opened. Justice  
ler announced Justice Lamar's death in a few words, and adjourned  
court."

he fact of Mr. Lamar's decease was communicated by the Chief Jus-  
to the Senate and the House; and those bodies at once adjourned  
a mark of respect, after short addresses; in the former by Senators  
lthall and Gordon, and in the latter by Mr. Allen, of Mississippi.  
at the Interior Department Secretary Noble issued the following or-  
, announcing the death of Justice Lamar:

DEPARTMENT OF THE INTERIOR,  
WASHINGTON, D. C., January 24, 1893.

It becomes my painful duty to announce the death on yesterday, at Vineville,  
on, Ga., of Lucius Quintus C. Lamar, Secretary of the Interior from March 6,  
, to January 10, 1888, when he resigned to take the place as Associate Justice  
ie Supreme Court of the United States. It belongs to others with whom he served  
ngress, on the Bench, and in other relations in private and official life, to speak  
is merits there. It is with pleasure that testimony is here borne to his valuable  
rs in this department, which were faithfully performed with that clearness of ap-  
ension, sense of justice, and goodness of heart for which he was distinguished. In  
n of appreciation of his services and respect for his memory the department will  
raped in mourning for twenty days on and from this date, the flag carried at half-  
t, and the department closed on the day of his funeral.

n Mississippi, on the receipt of the news of Mr. Lamar's death, the

\* *The Macon Telegraph*, January 25, 1893.

State Capitol was draped in mourning. In many of the towns were held mass meetings of the citizens and bar meetings, at which resolutions of respect and sorrow and condolence were adopted. In Oxford, the United States Court being in session, Prof. A. H. Whitfield, of the Law Department of the University, called the court's attention to the death of Justice Lamar, and moved that the court "adjourn in honor of the greatest statesman of the South. Judge Niles fittingly responded, and the court adjourned for the day."

The meeting at Oxford was held at two o'clock in the afternoon of the 24th of January, at the courthouse, Mayor John F. Brown, of the city, and Chancellor Robert B. Fulton, of the university, jointly presiding. The Committee on Resolutions was composed of Hon. Charles B. Howry, ex-United States Attorney; Hon. M. A. Montgomery, United States Attorney; Hons. Robert A. Hill and Henry C. Niles, United States District Judges; Hon. B. T. Kimbrough, State Chancellor; W. A. Roane, District Attorney; A. H. Whitfield, Esq., Law Professor; and Messrs. W. V. Sullivan, H. A. Barr, A. T. Owens, and Dr. T. D. Isom—all prominent citizens. In reporting the resolutions for the committee, Hon. C. B. Howry addressed the meeting; and he was followed by Prof. Whitfield and Chancellor Kimbrough. The speeches are described as being "beautiful tributes to the life and character of our truly great and honored fellow-citizen," and the resolutions were adopted by a rising vote.

Like proceedings were had in Aberdeen, Corinth, Holly Springs, Grenada, Meridian, Brandon, and very many other places throughout the State; and perhaps every newspaper in the State contained editorials of the most laudatory and sorrowful nature. It would take a large volume to contain them and the proceedings of the bar meetings and of the town mass meetings which were held in honor of Mr. Lamar.

Nor were those demonstrations confined to Mississippi. Similar action was taken in New Orleans, Memphis, Birmingham, and other prominent centers outside the State; and several State Legislatures then in session passed resolutions of sorrow and sympathy, even far-away North Dakota joining.

In Georgia the United States Courts sitting in Savannah and Atlanta adjourned, and memorial services were held; and on the day of the interment the exercises of Emory College were suspended, and a memorial meeting was conducted in the college chapel.

At all of those meetings, besides the adoption of appropriate resolutions, beautiful and tender eulogies were pronounced by leading citizens, many of which were reported more or less fully by the papers. In addition, numerous appreciative and exquisite voluntary personal tributes were published.

The writer has before him nearly a thousand obituary notices, gathered from the press of every State in the Union; and it was originally

his intention to present a collection of their comments, but space is wanting, so voluminous has this work already become. Let it suffice to say that they show all shades of opinion about Mr. Lamar's habits, abilities, services, qualifications, genius. The overwhelming verdict, however, is of the very highest praise in all of those particulars. The voice of the South is without a dissent. The Northern Democratic press and a great majority of the Northern Republican papers unite in that verdict, with somewhat less warmth of expression; while some of the last class are depreciatory in varying degree, and a few quite spiteful and bitter. In the entire collection, however, it is to be noted that there is not one which challenges his moral courage, or his personal honesty and integrity, or his absolute disinterestedness and purity of motive.

A small number of examples, impartially chosen, are given in the supplementary chapter following; necessarily but a few.\*

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In Macon, Ga., the first official notice taken of Mr. Lamar's decease was at the assembling of the Superior Court on the next morning. The court was immediately adjourned, and a committee of seven members of the bar was appointed to wait upon the family and ascertain their wishes as to the part which the bar should take in the obsequies. Then Washington Dessau, Esq., President of the Georgia State Bar Association, sent a telegram to Hon. Hoke Smith, at Atlanta, informing him of the appointment of a large committee from the membership of that association to attend the funeral.

The Macon Board of Trade and the Town Council met, passed appropriate and tender resolutions about the great Georgian, and took steps to assist in the interment, which was fixed for Friday, the 27th.

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The following full and graphic account of Mr. Lamar's obsequies is taken from the *Macon (Ga.) Telegraph*, of January 28, one or two short passages from other papers being inserted:

"The funeral of L. Q. C. Lamar, which took place at Riverside Cemetery yesterday, was without doubt one of the notable events in the history of this city.

"The crowds that lined the streets and bared their heads when the flower-covered casket passed on its way to the grave were not there out of careless curiosity, nor were their tokens of respect merely formal observances of decency. The mourners' faces were honest, earnest reflections of the heart; and Macon, in common with the whole country, was sincere in her desire to pay homage and tribute to a man whose life's history is one of her proudest boasts.

"It was perhaps the largest funeral ever seen in Macon. At the

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\* See pages 603-607.



house in Vineville, at the church, and at the grave, some new tribute was paid, and fresh crowds gathered.

"Never before have so many distinguished men come so far to show their respect; and never before might it be said were the respect, the homage, or tributes paid more sincere.

"Macon listened yesterday to the silver-tongued orators and orator-preachers, whose words came welling from hearts full of love and of sincerity.

"A touching incident was told yesterday, and is of interest to every American who knew the dead man.

"Justice Lamar had for many years carried in his inside vest pocket a small copy of the Constitution of the United States. Next to his Bible it was the book that he loved best, and he referred to it often. Those who knew him well also knew of this little book. In life he was never without it, and yesterday the little book was buried with him. Held in his right hand, it lies close to the heart that loved its teachings and upheld its rights at all times.

"The funeral ceremonies lasted from 9:30 A.M. until about 3:30 P.M., when the last word was read over the open grave.

"The exercises at the Academy commenced at 9:30 A.M., those at the church at 12 M., and at the grave about 2:30 P.M.

"The members of the bar of Macon and visiting lawyers from every part of the State, who had come to pay a last tribute to Justice Lamar, assembled at the Academy of Music at 9:30.

"The Academy was filled with lawyers and citizens. Ushers showed the members of the bar to seats near the stage, and prominent lawyers were given seats on the stage. The gathering was most respectful and attentive, the manner of the people showing clearly that they had come through a feeling of respect to a great man's memory.

"On the stage were Senator Gordon, Gen. A. R. Lawton of Savannah, Attorney-General J. M. Terrell, Judge C. L. Bartlett, Hon. A. L. Miller, Hon. G. W. Gustin, Hon. R. W. Patterson, Hon. Washington Dessau, and a number of other prominent members of the State bar."

["It was expected that Chief Justice Fuller and Associate Justices Blatchford, Brewer, and Brown would be on the stage and make remarks; but they were not present, as they did not think that it would be altogether appropriate for them to participate in the exercises, as they had come as mourners to be with Mrs. Lamar in her sorrow, and as late associates of the deceased. They felt more as members of the grief-stricken household. It was also expected that the members of the Supreme Court of Georgia and other prominent gentlemen of Atlanta would deliver eulogies; but the East Tennessee train bearing these parties, that should have reached Macon at 10:10 A.M., did not get here until nearly 1 P.M."]

“There was no drapery about the stage or at any point in the auditorium. The signs of respect were too prominent on the faces of all that anything else should be necessary to tell the cause of their coming together.

“Hon. G. W. Gustin, as chairman of the Bar Committee, called the meeting to order. Judge Gustin stated the object of the meeting to be the hearing of the report of the committee appointed by the bar to draft resolutions of respect to the memory of the late Justice Lamar. After the presentation of the report he said that the bar would proceed in a body to the Methodist church, to attend the funeral services.”

Hon. R. W. Patterson, chairman of the Committee on Resolutions, then read the report and moved its adoption. Hon. A. L. Miller seconded the motion in an eloquent, short address; and so did Attorney-General Terrell, Judge Charles L. Bartlett, Judge Emory Speer of the United States Court, James H. Blount, Jr., Esq., Senator John B. Gordon, and Gen. A. R. Lawton of Savannah; all of whom spoke most feelingly and eloquently of the deceased Justice.

“When Gen. Lawton had concluded, Hon. R. W. Patterson moved that a vote be taken on the adoption of the resolutions. In doing so he paid to the memory of the departed Justice a tribute worthy of the one to whom it was accorded. Always eloquent, he seemed to surpass himself.

“The resolutions were unanimously adopted by a rising vote, and the meeting was dismissed to allow those present to attend the services at the church.”

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#### “A LAST VIEW OF THE WELL-LOVED FEATURES.

“At the residence of Mr. W. H. Virgin, in Vineville, where the dead patriot lay in state, the sadness spoke of death.

“At an early hour visitors and relatives began to arrive; and, although all of the spacious rooms of the lower portion of the house were filled by the near relatives and friends of the deceased, a stillness that was almost oppressive pervaded the entire house. In the main parlor the remains of the dead Justice lay in state; and there they were viewed by many, nearly all of whom had been warm personal friends of the deceased.

“As the lid of the casket was removed, a full view of the features could be seen. The dead Justice looked as if he were only sleeping, and would readily answer if called. Indeed, so natural were the features that those who were most intimately associated with him and knew him in his everyday life could not see the least perceptible change.”

[“The casket was of the finest red cedar, covered with black broadcloth, with mountings of massive silver, each corner being supported

by a silver column. The plate was of beautiful design, and bore only the inscription: 'Justice L. Q. C. Lamar, Aged 67 years.' ]

"On the casket were two beautiful floral offerings, one composed of palm leaves, Marechal Niel roses, and abutilons, from Mrs. Chief Justice Fuller; and the other, an anchor of Marechal Niel roses, lilies of the valley, and abutilons, from Mrs. C. A. L. Lamar; while around the room at random were various designs of roses and other flowers, together with a number of sheafs of wheat with the ripe grain, symbolic of the life of Justice Lamar.

"Chief among the floral offerings sent to the house was one from the members of the S. A. E. Fraternity in the city, composed of roses and hyacinths, forming a diamond, in the center of which were the Greek letters Σ. A. E., the whole representing the badge of the fraternity, of which Justice Lamar was a member. Another beautiful design was a cross of roses sent by Mr. and Mrs. Virgil Powers.

"The room in which the remains were lying in state was on the right of the entrance, while the spacious room on the left was set aside for the relatives and immediate friends of the family. Shortly before eleven o'clock Senator Walthall, Chief Justice Fuller, the Associate Justices of the United States Supreme Court, with other distinguished personages, arrived, and each viewed the remains in silence. They afterwards congregated in the front hall until the remains were removed from the house.

"On the wall, opposite the door leading into the room where the casket lay was a life-size portrait of the dead Justice; and, perhaps unconsciously, Chief Justice Fuller stood beneath it during all the time he remained at the house.

"Mrs. Lamar took a last farewell of her dead husband on the night previous, and did not see the body yesterday. Mr. L. Q. C. Lamar, Jr., and a few of the immediate relatives of the deceased remained with the remains until they were carried to the hearse.

"At half past ten o'clock the members of the Supreme Court went to the residence of Mr. Virgin, and took a last fond look at the familiar face of their late friend and fellow-Justice. They also spent a short while in the company of Mrs. Lamar, mingling their tears with hers and expressing words of sympathy.

"When the remains were taken from the house, they were followed by Mrs. Lamar leaning on the arms of L. Q. C. Lamar, Jr., and Senator Walthall, of Mississippi. Then came other relatives, followed by the personal friends of the family. In a short while the house was emptied, and the procession began the march to the church."

[ "The funeral, after everything was put into perfect shape, was, according to the custom, delivered into the charge of Marshal Wright, of the Supreme Court, as chief marshal." ]

“Around the Virgin residence and all along the march to the church were thousands of people on the streets, eager to get a glimpse of the casket containing the form of one whom every Georgian loved, and every American was proud to claim as a fellow-citizen. Noticeable among those congregated on the streets and about the residence were many colored people, and their subdued voices as the procession passed told plainer than words of the reverence they had for Justice Lamar. Many of the old-time negroes took off their hats and stood in breathless silence as they watched the procession.

“IMPRESSIVE SERVICES AT THE CHURCH. .

“Mulberry Street Church, where the services were held, was heavily draped, the domes, arches, and doorways being covered with white and black bunting.

“The interior of the church was also lavishly dressed in the vestments of sorrow. The chandeliers were covered in white and black, while the walls bore drapings of the same.

“The altar and chancel were covered with black and white cloths, ornamented with more than a score of large ferns and floral offerings. The choir loft and the immense organ were also covered in mourning emblems. Within the chancel were the floral offerings, some of the most beautiful ever designed for such an occasion.

“One was a lovely rack made of white hyacinths resting on a bed of ferns, evidently intended to represent the book racks used on the desks of the Supreme Court. It bore the single word, ‘Asleep,’ designed in white hyacinths and forget-me-nots. This was the offering of the Macon bar.

“Directly in front of the altar was a beautiful pillow made of Marechal Niel roses, white hyacinths, and pinks, resting on a bed of smilax. Over it hovered a white dove with wings spread. This was from Mr. and Mrs. H. J. Lamar, relatives of the dead Justice.

“On the side of this was the offering of the city council: a large easel made of white hyacinths, Marechal Niel roses, and poppies, resting on smilax. On it rested an open book of law, made of massive white pinks.

“As early as ten o’clock, and over an hour before the church doors were opened, a large crowd of ladies and men had congregated in front of the building. As soon as the doors were opened all that portion of the church not reserved for members of the family, relatives, pallbearers, Justices of the Supreme Court, distinguished visitors, and the bar, was soon filled.

“The pallbearers, Messrs. A. O. Bacon, Washington Dessau, R. H. Smith, Sam Pearson, T. D. Tinsley, R. H. Plant, W. R. Rogers, and E. S. Wilson, occupied seats to the right of the altar; and on the opposite

side of the church sat Mayor Price, Judge Bartlett, Judge Speer, Dr. Flewellen, and the members of the State Supreme Court and Atlanta bar, who came in shortly before one o'clock, having been delayed by a railroad accident. On the front seat, to the right of the altar, sat Chief Justice Fuller, with Justices Blatchford, Brown, and Brewer. On the opposite front seat sat Senator Walthall, with Mrs. Chief Justice Fuller. Back of them sat Mrs. Justice Lamar, with Mr. L. Q. C. Lamar, Jr.; then other members of the family and relatives. The rear end of the seats on the center aisle was occupied by the Macon bar, visiting members of the State bar, and the *alumni* of Emory College, together with ministers of the city.

"The ushers were Messrs. W. G. Solomon, R. F. Burden, G. F. Glenn, and C. T. King. Outside of the reserved seats the ushers managed to very comfortably seat more than one thousand people. Besides this, chairs were placed in the aisle; and the entire rear end of the church, including the entrance, was filled by gentlemen who stood during the entire service.

"Just as the city clock struck the hour of eleven, the church bell began to toll; and as its sadly solemn notes were wafted out upon the air, the other churches of the city took it up, and funeral knells were then ringing in every part of the city."

[All places of business and public offices were closed, and the flags on all were placed at half-mast.]

"In the choir loft sat some of the finest singers in Macon: the regular choir of Mulberry Church, with Prof. Guttenberger at the organ, assisted by Miss Lachlison and Miss Richardson, sopranos; Mrs. Anderson and Mrs. Harley, altos; Messrs. Reeves and R. L. McKenney, tenors; Messrs. Morgan and Charles N. Woodruff, bass.

"At twenty-two minutes after twelve o'clock the procession from the residence arrived at the church. The coffin was borne into the house of God by the pallbearers, all wearing suits of solemn black and exactly alike.

"The magnificent casket was carried down the center aisle and placed on massive rests covered with black broadcloth and mounted with silver. On the casket rested beautiful floral designs, one of which was fashioned after the badge of the Sigma Alpha Epsilon Fraternity, from students of Mercer College. Another was a heart, another an anchor, and then three large sago palm leaves.

"Dr. Candler preceded the pallbearers, reading the order of the burial of the dead:

"'I am the resurrection, and the life: he that believeth in me, though he were dead, yet shall he live: and whosoever liveth and believeth in me shall never die.'

"The words fell solemnly on the hushed assemblage.

“ While the procession was filing into the church, Prof. Guttenberg-er played a beautiful funeral march of his own composition, which was followed, as soon as all had been seated, by an anthem rendered by the choir: ‘One Sweetly Solemn Thought.’

“ Rev. W. C. Black, pastor of Mulberry Church, lately removed thither from Jackson, Miss., and a personal friend of the Justice, was the first to deliver a eulogy. It was a beautiful and feeling tribute to the memory of the dead man. The choir followed Dr. Black’s eulogy with the beautiful hymn, ‘It is Well with My Soul.’ Its tender, soothing words and soft, musical harmony seemed to console.

“ Dr. Candler, President of Emory College, the dead jurist’s *alma mater*, then arose and met the fullest expectations in his grand tribute to the memory of the distinguished dead. His eulogy is here printed almost in full:”

DR. CANDLER’S ADDRESS.

From the home of his boyhood, from the academic groves where his youth was passed and where in after years he loved to wander, from among those who earliest honored him and who loved him to the last, I have come to pay a tribute to the memory of the illustrious dead, and to voice on this sad occasion the love and esteem that his *alma mater* felt for him.

Emory College proudly and tenderly held him the most honored of her sons, and mourns him to-day with the anguish of a doting mother’s grief. When he was sixteen years of age he came to her adoption, and was matriculated as a member of the Freshman Class of 1841. Four years he worshiped at her altars and learned at her feet; and when, in the class of 1845, he went forth from her halls with Pierce and Hardeman and Flewelling and Jones and the rest of his comrades, he went forth as a strong man prepared to run the race of honor and usefulness, which closed when he fell asleep in this goodly city last Monday night.

This, in brief outline, is the story of the distinguished career he has run; and now at its close, speaking as one who loved him and for the Christian institution which nourished him, I am not extravagant when I say that in his character there is no fault which to-day it is necessary to minimize, in his utterances no speech for which to apologize, in his life no act that requires explanation or defense.

Beyond the brief outline which I have given, it does not become me to recount in this presence the record of his long and conspicuous public labors. Of his distinguished services in peace and in war, at home and abroad, in the lecture room of the university and in legislative halls, in the Cabinet and on the Bench, there are many here who have more perfect knowledge than I have. With the details of that stainless record which he made between his graduation in 1845 and his coronation in 1893 you are familiar. Many of you were actors with him in the history of that dramatic period.

Speaking for his *alma mater*, who loved him with a mother’s love, and whose love he returned with all the ardor of his fervent nature, it is my office to recall the traits of his wonderful character by which he won and held the admiration of this great nation, and by which he endeared himself to the people of the section to which he peculiarly belonged. From his youth up Judge Lamar was a man of courage. He had the courage of his convictions, because he had convictions. All the traditions of his college life (and the village of Oxford is full of them) represent him as an honest seeker after truth and a fearless defender of it.

Very profound are the words of Jesus: “And ye shall know the truth, and the truth

shall make you free." There is no freedom worth the name which is not freedom by the truth, and for him who seeks and finds and loves and holds the truth there is nothing of fear or bondage.

For a public man, living under a constitutional government by the people, there can be no worse fall nor dire disaster than the loss of faith in the feasibility of the truth. When he loses this faith he instantly becomes the unhappy victim of tormenting fears, which paralyze manhood and impel him to the adoption of all manner of unworthy and belittling expedients to maintain his place and power. Then follows incapacity to discover the truth. His eye is no longer single. The light which was in him becomes darkness; and how great is that darkness! Fightings without and fears within subvert the heroic repose of manhood, and devices of the temporizer displace the methods of straightforward independence. Such was not Mr. Lamar. With Emerson, his whole life seemed to say: "I look upon the simple and childish virtues of veracity and honesty as the root of all that is sublime in character." This high faith simplified all questions which he was called to consider, disentangled all issues from the influence of personal interest and political policies, and left him free to determine the line of his action by great principles of right from which with him there was no appeal. This faith was the basis of his unflinching courage in the discharge of public duty. He believed in the power of the truth with the people, and with almost reckless self-abandon dared to follow the truth as it was given to him to see it. For this cause he more than once took positions and made public utterances which imperiled his popularity—as, for example, when he resisted certain theories of the national currency, which were at one time widely prevalent, but with which he could not agree. When assailed, he took his appeal to the people, not with the methods of a skillful manager, but with the daring of an honest man moved by the impulses of conscious rectitude; and the people rendered him the verdicts of approval which he asked.

It is not necessary, and perhaps not proper, to discuss on this occasion the correctness or incorrectness of the views that he held of matters of public policy; but it is surely allowable to call attention to the manly and brave manner in which he maintained them, and commend his example as one worthy of all acceptance.

That he was animated by the spirit which I describe, none who knew him well, none who are familiar with his record, will question. I recall with great vividness his eloquent commendation of this faith to the young men of the country when, in the summer of 1890, he delivered the annual address before the Alumni Association of Emory College. He alluded to his long experience in public life at the national capital and to the prevalent opinion that other influences than those of right and truth oft-times control there, and said substantially this: "After all is allowed that can be justly said about the influence of money and management upon the determination of national affairs, I have always observed that, when great questions are up for solution, and high interest at stake, manhood and truth and right outweighed all else. Devotion to principle is not yet a vain thing in the Republic; virtue is not obsolete in the councils of the nation." Such an utterance from such a man should rebuke the unmanly despair to which many are so strongly tempted, and should quicken the courage of all the young men in our land. If the eloquent lips upon which rests the seal of death to-day could speak to us, would they not again proclaim this high and simple creed of political faith: "Truth is better than falsehood, honesty better than policy, courage better than cowardice. Truth is omnipotent, and public justice certain?"

Judge Lamar was a wonderful orator, cogent in argument, elevated in sentiment, elegant in diction, fervent in appeal, graceful in manner, and impressive in bearing; but I cannot help thinking that much of his wondrous eloquence was the efflorescence of his heroic devotion to the truth.

Eloquence is far more dependent upon moral conditions than upon any other. An

unworthy nature cannot rise to the highest heights of oratory. If it ventures to employ the form of such noble utterance, there is instantly observed such a manifest discrepancy between the speaker and the speech as to destroy even the semblance of sincerity and bring confusion and humiliation. Eloquence is the soaring of the eagle, and not the fluttering of a ground bird.

I do not underestimate the mental powers of Justice Lamar. They were extraordinary, amounting to real genius. Few men in our day have combined such varied intellectual excellencies and in such marked degree.

He possessed a marvelously retentive memory. In the course of the address at Emory College, to which allusion has been made, he reproduced with almost perfect accuracy sermons and addresses delivered in his hearing during his college days from 1841 to 1845. A debate between two distinguished Georgians, who were students with him at Emory, which he heard when they and he were sophomores, was reproduced with microscopic fidelity. This uncommon recollection was a prime factor in the triumphs of his public life.

Along with his retentive memory he possessed phenomenal powers of reasoning and imagination. In their combined flame the most intricate matters were dissolved and analyzed, and apparently dull themes glowed with the luster of the most precious metals as if purified from the dross of commonplace by the heat of an oxyhydrogen blow-pipe.

With all he had the habits of a student and an investigator. It is quite possible that some of his most intimate friends did not appreciate his powers in this direction until he was called to a place in the Cabinet. It is certain that some had misgivings as to his adaptation for the mass of details which falls upon the Secretary of the Interior in our system of government, but the whole country is witness to the fact that he discharged the duties of that high office with unusual efficiency and success. And despite the physical disabilities under which he has labored almost from the beginning of his work as a member of the highest court in the Republic, I am told that he has exercised the same habits of sustained application which characterized his career as a Cabinet officer.

But while fullest recognition is to be made of this rare combination of mental traits, the crowning glory of this truly great man was his moral characteristics of unflinching courage and invincible integrity. For nearly a half century, during stormy days, when passion was fierce and partisanism was bitter, he served his country in high public station; and to-day we lay him to rest in the soil of his native State, and no one can say as he lies down to his long sleep that he was ever charged with the slightest dishonor. Through the fiery furnace of a long public life, during which the country was convulsed and corrupted by a civil war unparalleled in the history of nations, he walked and came forth without the smell of any unworthy deed upon his garments.

What persistent force of virtue worked in this strong man's life to bring to pass so lofty an achievement of character? Was it subjection to a potential public opinion? Nay, verily. His virtues oftentimes outran and defied public opinion. No conventional power of a weak conformity was his, but rather all around him he gave forth a transforming influence which made for righteousness. He poured forth no ambiguous voices in the marketplace that he might catch the fleeting plaudits of a day. He was strong enough to be a voice crying in the wilderness, unblest of popular power, in order to prepare the way of a higher life and a more enduring prosperity for his country.

Was he controlled by a farseeing worldly wisdom? He was a man of foresight, and could on occasion, when his action seemed to meet with popular disapprobation, say: "I know that the time is not far distant when they will recognize my action to-day as wise and just; and, armed in the honest convictions of my duty, I shall calmly



await results." But even in such expressions of his foresight we catch the tones of his uncalculating fidelity to principle.

Was he a man of cold, stoical nature, proud of the power and glad of the opportunity to show his contempt for popular praise or censure? No. He was an affectionate, tender, sensitive nature, who loved to love, and be beloved by, his people. It grieved him to differ with them; it would have killed him to surrender truth to win their applause. It was not one nor all of these qualities combined which controlled him. In early life, dwelling in the atmosphere of a Christian home and a Christian institution of learning—an atmosphere saturated with heavenly influences—his open, manly nature imbibed principles of right and truth which were dearer to him than all earthly good, dearer than life itself. These tonic influences were incarnated in a robust manhood that teaches the world once more the lesson, so hard for some to learn, that virtue does not need to stoop to conquer. Toward these sacred influences his heart turned more and more with unspeakable tenderness as the years went by. The memory of his boyhood's home and its religious impressions were more and more dear to him. His heart in later years turned toward the religious experiences of his college days as a thirsty flower opens to the dew of the morning. The pure heights of these early experiences were the sources of the artesian streams which irrigated all of his career and made it to bloom with unfading virtues when scorching temptations withered the honor and blighted the fame of less faithful men.

And now, at last, this stainless gentleman, this astute statesman, this incorruptible judge, this humble Christian, has gone to his long home, and the mourners go about the streets. Multiplied thousands in every walk of life and in every section of his country bless his name to-day with tearful benedictions. Mississippi, the State of his adoption, mourns for him as her Chevalier Bayard, the idol of her heart; Georgia, his native State, who in his long absence has never ceased to love him and wish him back home, presses her dead son to her bosom with unutterable sorrow, disconsolate as Rachel, refusing to be comforted, because he is not; all the nation mourns this knightly man, who lived without fear and died without reproach.

Over the river they rejoice as they welcome the weary pilgrim home. Longstreet, his friend and teacher and almost father, greets him there. The patient Christian mother has found again the loyal son for whom she has waited these years, and the son has found the mother whose sweet face was enshrined in heart and memory through all the days he has walked without her in the earth.

Thank God that he has lived and labored among us! Thank God for the triumph he has won, and that at last, when he could do no more, he was permitted to come home to die!

Sweet be his sleep in his sepulcher on the banks of the Ocmulgee, singing sadly to the sea, until the earth and the sea shall give up their dead, and God shall wipe away all tears from our eyes, and there shall be no more death, neither sorrow nor crying, nor any more pain!

“The choir then sang a hymn, ‘Lead, Kindly Light,’ that beautiful composition of Cardinal Newman’s.

“BISHOP FITZGERALD’S EULOGY.

“With tears but poorly restrained, Bishop Fitzgerald arose from his seat and paid his tribute to his dead friend: a most eloquent and feeling discourse.

[After the conclusion of Bishop Fitzgerald’s address the choir sang “Greeting.” The congregation then chanted the Lord’s Prayer, after which the remains were borne away to the cemetery.]

## "THE GRAVE.

"Long before the funeral procession arrived at the grave Riverside Cemetery was fairly alive with people, many of whom, not being able to gain admission to the church, had gone to the cemetery to await the arrival of the procession.

"The grave is situated on the north side of the redoubt built for the protection of the city during the late war, and is on a high elevation overlooking the Ocmulgee River. The location is a beautiful one, and presents a fine view of the surrounding country and the river; and the river comes in a graceful curve around the bend near the waterworks power station. It is within a few feet of the redoubt, which was offered as a location for the burial of ex-President Davis.

"The walls of the vault were heavily banked with Marechal Niel roses, abutilons, ferns, and various kinds of evergreens, making a perfect bower of loveliness that presented a beautiful and attractive appearance. Around the vault for a distance of ten or fifteen feet had been placed a carpet made of buffalo robes for the pallbearers and distinguished visitors to stand upon. At the head rested the easel of roses and hyacinths presented by the city council, and the pillow on which was woven in lilies of the valley and hyacinths the word 'Asleep,' presented by the local bar.

"On the right side of the vault stood the choir of Mulberry Street Church, who sang, as the casket was placed on the supports, 'Safe in the Arms of Jesus' in a touching and pathetic manner. Dr. Warren A. Candler, President of Emory College, read the Methodist burial service, and closed with a short prayer. Bishop Fitzgerald, of the Methodist Episcopal Church, South, then offered a short prayer; after which those forming the procession returned to their carriages, and the vast multitude who had assembled dispersed.

"Under the sod in the Southland he loved so well another good man is lying. Under the shadow of an old redoubt, where once the heart now stilled in death beat high with a soldier's joy, another soldier rests.

"The Georgia pines sigh a lullaby over their dead. The rippling waters whisper as they go onward—like the life that is over—through sunshine and shadow to the great ocean, where all waters meet; and over the grave of the patriot, soldier, statesman, gentleman, Georgia bows her head in sorrow, and great men bend in silent acknowledgment of a superior.

"Lucius Quintus Cincinnatus Lamar's body has been called back to the bosom of mother earth; but the spirit lives; it sweeps throughout the land with the same grand power for good; and for all time men will feel its influence whenever memory seeks an example of purity, unselfishness, or unassuming power."

On the 13th of March the bar of the Supreme Court of the United States and the officers of the court met in the court room at the capitol. The meeting was called to order by Mr. Adlai E. Stevenson. Hon. William F. Vilas was elected chairman, and Mr. James H. McKenney, secretary. On motion of Senator J. Z. George a committee was ordered to draft suitable resolutions in respect to the death of Justice Lamar; and the chairman appointed E. C. Walthall, chairman; J. Z. George, Adlai E. Stevenson, A. H. Garland, J. B. Gordon, William M. Stewart, James L. Pugh, J. C. Bancroft Davis, Thomas C. Catchings, J. Randolph Tucker, William E. Earle, and Jeremiah M. Wilson. The meeting then adjourned until the 18th of March.

On the day named the meeting was called to order at the same place by Mr. Vilas, who delivered an eloquent and tender address upon the nature of the occasion and the character of Mr. Lamar. An extract from this discourse was used in the preceding chapter, in which Mr. Lamar's absolute devotion to duty was set forth. The reader will appreciate the strength of the temptation to make one more short quotation. Said Mr. Vilas:

It was given to him to see, with a clearness which few besides him shared, the true relations between his conquered people and the triumphant North; and there were added wisdom to guide their course, eloquence to win their hearts to follow it, patience and fortitude to bear its personal trials, and the manful spirit still to stand for what was their rightful due.

Thus, in Lamar, to a degree unsurpassed, was displayed the magnanimity of the conqueror which can nobly inspire and receive that other magnanimity which the conqueror may nobly show. It was he who could be tolerated, while yet the passions of civil war were still uncooled, to defend in Congress from reproach which he deemed unjust even Jefferson Davis himself, because it was he also who could, in the same body, reach to a just comprehension of the greatness of Charles Sumner, and dare to do his memory noble honor, reckless of the frowns of embittered critics behind him.

And so it is that to none more upon his side is to be ascribed the achievement of that concord which has at last come to bless our land with such beneficence that he is now recognized its enemy who will touch the chord of remembrance for a single discordant tone to mar the harmony of our common love for our common country.

Mr. George then, in the absence of Mr. Walthall, caused by sickness, presented the resolutions submitted by the committee, and read the following masterly, discriminating, and noble tribute offered by Senator Walthall to the memory of his deceased friend. This tribute is given in full, not because of its exquisite literary and analytical merit, but for its weighty and valuable testimony to the character of his friend's life, mind, and soul:

#### SENATOR WALTHALL'S TRIBUTE.

The late Justice Lamar must be ranked among the most noticeable figures of the generation in which he lived; and, according to my estimate, intended to be impartial, he was the strongest man that I ever knew.

He was strong in the power of concentrated thought and of accurate, vigorous,

and graceful expression; strong in force of will and continuity of purpose and of effort; but strongest in searching for the essential truth of every question with which he had to deal, and in standing by it fearlessly when he found it.

His researches were exhaustive in their thoroughness; his conclusions were tested by his own most critical analysis; and, until disease fell heavily upon him, there seemed no limit to his will to work nor to his capacity to perform it.

In preparation, neither drudgery nor details, though repugnant to his taste, deterred him or discouraged him; and in presentation, he neglected nothing which either justice or policy required should be considered.

When he met a point of difficulty he tried his strength upon it; and if he could not go through it, he halted and focalized all his forces on it; but he would neither shrink from it nor shun it. And when he met an adversary, he faced him squarely and fought him fairly, but very fiercely if assailed or defied.

His attainments were varied and extensive; and the range of his constant reading embraced as well story and song as the Bible and books of the law, philosophy, history, science, and literature in every branch that could enrich his mind.

His knowledge was gained rapidly and accurately, and stored in such order and completeness that in emergency it availed him instantly. His mind rejected any crude conception, and retained nothing which was mystified or clouded. The fruits that he gathered were mature before he lodged them in the storehouse of his marvelous memory, and this never failed to answer to his summons.

What he saw he saw clearly, what he knew he knew perfectly, and what he said was clear as light.

There was no imperfect arrow in his quiver to fall short when he sped it, and he never drew a weapon in conflict which he had not tested in advance.

He accepted nothing that his reason did not sanction; and, though tolerant of other men's opinions, no man's unsupported *ipse dixit* could be the law to such a mind as his.

He loved books for the intellectual food that they furnished him; he loved his fellow-men, and found some good in every living creature; he loved the mountains for their majesty and strength; he loved brooks and fields and flowers for their simple beauty; and he loved all nature because it was the work of God.

He loved his country with the fervor of a pure and ardent patriot; he loved his section for her history and traditions and the manly virtues of her people and their woes; and he loved his friends far better than himself.

He was proud of the power and influence of his government and of the achievements of the great men of his country, and he had faith which was abiding in the instincts and judgment and justice of the masses of the people.

He was proud of any great deed or good deed of any of his countrymen, and especially if a younger man performed it, who had come within the influence of his own teachings or example.

He was proud of his lineage, because those of his blood who had gone before him had wrought well for their fellow-men, and left a good impress on the history of their day and time; and when brought to see that by pacific speech he had contributed to the subsidence of prejudice and passion, and the growth of fraternity where there had been strife, he was proud of himself as the champion of peace, good will, and justice.

The world observed his action, its influence and results; but the motive of his conduct was not always rightly judged. He sometimes offended in what was called his "moods;" but when men thought that he was dreaming, he was working with his brain.

It is no marvel that such a man with such endowments and equipment and such lofty aims and instincts—combining strength and power with an imposing presence

and gentleness and every charm and winning grace that could attract—was an orator, peerless in power and persuasion.

There is not one of his published speeches upon any of the grave questions to which the late war gave rise—questions such as never confronted the illustrious statesmen who went before him—that would not have established the reputation of a public speaker previously unknown; and the greatest of all his efforts were made before the people of his own State which, to the world's great loss, must be transmitted only by tradition. Notably among these was a speech denying the right of a State Legislature by instruction to compel a Senator of the United States to vote in violation of his deliberate convictions and settled views of public duty or official obligation; and this masterpiece of eloquence and logic has probably forever put that question at rest with the people of Mississippi, whose pride it was to honor him and trust him and follow him.

Entering the service of his section as a volunteer soldier, he would have belied his nature if he had not proved, as he did, eager, gallant, and efficient in the gigantic conflict of arms which grew out of the teachings that he sanctioned and the institutions that he approved.

Called to sit in the highest court, such a man could not be other than a just and able judge, patient, diligent, incorruptible, and firm.

As a Cabinet Minister, though the field was new to him, no man like this could fail, whether in council, in administration, or execution, to meet the most exacting requirements, as well in the lesser as in the highest functions of his exalted station.

To say that such a man with such a nature—considerate, affectionate, sentimental, winning in manner and in speech—was to family and friends the embodiment of gentleness and kindness and love, is but a faint expression of what has been so touchingly and tenderly attested since his death by those most directly and severely afflicted by that calamity.

Of all the spheres of usefulness in which he served the public, the United States Senate was so much the best adapted to his talents and his taste that his State was reluctant to see him leave that high arena, and the strongest protests against his retirement came from the closest of his friends. If he had heeded their entreaties and not the call of duty which summoned him, as he conceived, to the councils of the first President of his party chosen since the dawn of peace, the life which was worn away in the triumphant effort to meet public expectation in the new fields which he entered would probably have been spared for further usefulness and increased honors in the Senate. That of all others was the proper theater for the play of his peculiar powers to best advantage for his country and himself; and, although he was equal to any public responsibility or charge, however weighty or exacting, it was as a statesman that he most excelled.

He had added to the stores of learning which he gathered from the teachings of the fathers the fruits of his own experience and careful observation. He was in full sympathy with the great body of the people in all their interests and their needs, but he would no more yield his convictions to the clamor of the multitude than to the demands of power. He was beyond the reach of either flattery or fear. He scorned to scheme for honors or for office, for power or for place; he looked down on all time-servers and intriguers; and he never shrank from any duty, however difficult or dangerous.

Imperfect as this brief tribute is, it is the offering of one whose constant privilege it was to look in through the open windows of his inner nature and witness the inspirations of the action and the secret of the strength which wrought his great achievements for his people and his country.

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After the reading of Senator Walthall's tribute, Hon. T. C. Catchings,

the Mississippi Representative from the Vicksburg district, addressed the meeting. The biographical value of his remarks caused the use of several extracts from the address in previous chapters, embracing its principal points. The entire address is not only a finished and appreciative memorial offering, but also a testimony of the highest value to the student of Mr. Lamar's life.

Following Mr. Catchings, Senators John H. Mitchell and William M. Stewart spoke in appreciative and kindest strains. Then Mr. Le-Roy F. Youmans, "in compliance with the request of the members of the Lamar family in South Carolina," delivered a most elaborate, finished, and thoughtful eulogy. Hon. J. Randolph Tucker, of Virginia, spoke next, saying, among other things, that

His gifts were many, and each was of large capability. His imagination made him fertile, inventive, and wonderfully suggestive. His mind was acute in analysis, yet comprehensive in generalization. It was not content unless it reached the foundation principles involved in a problem, nor until it had built a superstructure capacious for use, as well as adorned for the taste of the observer. It was this which made his reasoning so eloquent and his oratory so impressively convincing. His analysis detected the germ of thought, which his imagination discerned as the source of wide and general applications; and thus his discussions were at once scientific in accuracy and precision, and philosophic in their generalizations. He was intense in his habits of thought, which made him abstracted in manner, because absorbed in the solution of abstruse problems on which his mind was intent.

He carried the laboratory of his fine intellect into every department of work on which he entered. In the legislative halls, in an executive department, or on the Bench, the same processes were observable. Time only was needed to adjust his mental machinery to the new objects upon which it was to operate. When experience was gained, the triumph of his powers was assured in every field where they were called into exercise.

This profound thinker, this master of abstract thought, was in social life genial and full of humor, loving and making pleasantry with the merriest in the circle. Who can forget his wonderful powers as a *raconteur*, or his merriment over those of others? Like so many other men of large achievement in the affairs of the world, the capacity which fitted him for these was allied to that which made him the lover of jest, and of playfulness with childhood, when relaxation made it proper and right. He could wield the battle-ax of Richard and the scimeter of Saladin, but could cheer the social circle with his anecdotes and play games for the delight of infancy.

After Mr. Tucker, Hon. Charles E. Hooker made some interesting and felicitous remarks, from which quotation was made in one of the preceding chapters; and the occasion was closed by a short speech from Mr. A. H. Garland, and the adoption of the resolutions. These resolutions were as follows:

*Resolved*, That by the death of Mr. Justice Lamar the country loses a judge whose career on the Bench, though brief, showed that he had a rare judicial mind and temperament, with a great power of legal analysis and a faculty of expressing himself in nervous English which left no room for misunderstanding. His long service in public life fitted him to deal with the great questions of constitutional law which make a seat upon the Bench of the Supreme Court so important and so responsible. He entered early into the public service, and soon became prominent. When the war closed,

no one was more conspicuous than he in efforts to allay distrust, to do away with division and coldness, and to produce throughout the Union a feeling of confidence and good will. For this he labored and spoke in the Senate; and, with this ever before his eyes, he administered the Department of the Interior. We offer this tribute to his memory with no wish to perform a mere perfunctory duty. Over and above his intellect, his trained faculties, his knowledge, his wit, and his power, he was an affectionate, loving, and lovable man, dear to all who knew him. He is mourned, not only by his friends, but by many who had no personal acquaintance with him.

*Resolved*, That the Attorney-General be requested to lay these resolutions before the court, and to ask that they be spread upon the record.

*Resolved*, That the chairman be requested to transmit a copy of them to the family of Mr. Justice Lamar.

On the 24th of April Attorney-General Olney presented the bar resolutions to the Supreme Court, saying, among other things:

I have no hesitation in saying that the resolutions, which I shall presently read, do but simple justice to the character of your late associate, and in no way exaggerate either the great loss of the whole community or the profound affliction of a very large circle of friends and acquaintances.

With Mr. Justice Lamar has passed away, not merely a lawyer and a judge, but a notable historical figure. It may have been his misfortune as a lawyer, though certainly his good fortune as a man, that his lot was cast in tempestuous times—in times which, however adverse to the acquisition of technical knowledge and technical skill, always and inevitably develop whatever there is in a man of intellectual and moral greatness. He was born when the echoes of the sectional contest over the admission of Missouri into the Union—that issue which startled Jefferson “like a fire bell in the night”—were still resounding throughout the land. He was a mere youth when the Missouri Compromise was succeeded by another, and the specter of disunion was laid for a time by the mingled firmness and moderation of General Jackson.

He had hardly entered upon the practice of the law when the North and South again came into violent collision over the fugitive slave law and the extension of slavery into the Territories. He went with his section and his State in the civil war that followed only ten years later, and supported their cause with equal devotion on the battlefield and in the forum. Always and under all circumstances he was a leader, not merely followed and obeyed, but implicitly trusted and sincerely loved. He continued to lead, even more decisively and on a larger field, when arms were laid down; and to him more than to any other one man, North or South, is due the adoption by both victors and vanquished of those counsels of moderation and magnanimity and wisdom which have made the edifice of our constitutional Union more impregnable to all assault than ever before. But this eventful and stormy career, these engrossing and exciting occupations and achievements of the soldier and statesman and patriot, necessarily interrupted and prevented that exclusive devotion to the science of jurisprudence and that constant familiarity with its practical application in the administration of justice which that jealous mistress, the law, inexorably exacts of all her followers.

I do not believe that Mr. Justice Lamar ever practiced law, as his sole or chief occupation, for any one term of five consecutive years. I am unable to discover that he could have made the practice of law his sole or principal pursuit for more than ten or twelve years in all; and it is the highest possible tribute to his natural genius, to his legal instincts, and extraordinary intellectual gifts that, in spite of all the disadvantages under which he labored, Mr. Justice Lamar performed his part as a member of this high court of judicature, not only to the acceptance of the bench and the bar, but with such intelligent, well-directed zeal and devotion that only failing health and

strength could have prevented him from ultimately attaining decided judicial eminence.

The Chief Justice responded:

The court receives with appreciation the tribute of the bar through the Attorney-General to the memory of the eminent man who so recently passed from its membership.

Although he was not spared to give many years to its labors, Mr. Justice Lamar was long enough upon this Bench to exhibit, on a comparatively new field, his undoubted intellectual power, and to demonstrate the possession of marked judicial qualities. The remarkable career which preceded his appointment, crowded with varied incident and filled with distinguished service in public station, while it withdrew him from that active participation in professional practice which assures the habit of prompt decision in ordinary litigation, nevertheless well prepared him for the consideration of those grave public questions that so often press for solution before this tribunal. Experience in affairs had made him sage; and the wisdom thus acquired was aided by that "desire to seek, patience to doubt, fondness to meditate, slowness to assert, readiness to reconsider," which the great philosopher declared fitted him for nothing so well as for the study of the truth. Such was indeed his nature; and leadership came to him, not merely by reason of his courage, his eloquence, his statesmanlike views, and general ability, but largely, perhaps chiefly, because of his simplicity and singlemindedness, his integrity of thought as well as honesty in action, and that unobtrusive and unselfish devotion to duty which gives entrance to the kingdom that "cometh without observation."

There can be no better qualification for a great magistrate than, in addition to sufficient learning, to possess keen love of justice, earnest desire for truth, absolute sincerity, and the highest conception of the responsibilities of public office, coupled with an intimate knowledge of the workings of government obtained through practical experience.

Mr. Justice Lamar always underrated himself. This tendency plainly sprang from a vivid imagination. With him the splendid visions attendant upon youth never faded into the light of common day; but they kept before him an ideal, the impossibility of whose realization, as borne in upon him from time to time, oppressed him with a sense of failure. Yet the conscientiousness of his work was not lessened, nor was the acuteness of his intellect obscured by these natural causes of his discontent; nor did a certain Oriental dreaminess of temperament ever lure him to abandon the effort to accomplish something that would last after his lips were dumb.

We fully recognize the fitness of the reference to the loving disposition of our departed colleague. This especially endeared him to us, and it was this which enabled him to bear with cheerfulness the trials of a long illness and to find in the consolations of religion the peace which passeth all understanding.

Sincere in his support of a cause to which his early education and the training of opening manhood, his surroundings and personal attachments, committed him, his acceptance of the result of the arbitrament of arms was genuine and unqualified; and the singular felicity was his, he having returned to die at home at last, to appreciably contribute to the restoration of the ties of common interest and affection of a united people, of pride in common institutions and love for a common country, and to pass his closing days in assisting in the authoritative exposition of the wonderful instrument which binds together "the great contexture of this mysterious whole."

The resolutions and accompanying remarks will be spread upon our records, and the commemorative expressions of the bars of the State of Georgia, of the State of Mississippi, and of the State of Illinois, and such other similar testimonials as may be transmitted to us, will be placed on file.



One of the memorials placed on file, in accordance with the order of the Chief Justice conveyed in the last preceding paragraph, was that of the Illinois State Bar Association, adopted in February. Omitting formal parts, it is as follows:

As a statesman, an orator, a scholar, and a judge, he is justly regarded as a truly great American, and we desire to place on record in this public manner our appreciation of his sterling worth and public services.

We consider it becoming on this occasion to give expression to the high esteem that we entertain for the character, learning, and ability of the deceased judge.\*

In the fall of the year 1894 the remains of Mr. Lamar were removed to Mississippi and laid at rest by the side of the wife of his youth and middle age, the mother of his children. The Memphis *Commercial-Appeal* gave this account of the ceremony:

OXFORD, MISS., October 26.

There was laid to rest to-day in the beautiful St. Peter's Cemetery, among a solid bank of flowers, all that was mortal of the late Justice L. Q. C. Lamar, the South's greatest orator and statesman. The funeral services were in the Methodist church, and were conducted by Rev. J. E. Thomas. The procession to the cemetery was then formed on Depot Street, and was fully a mile long, over two thousand people taking part, and some of the most distinguished men in the State being present.

All business houses and residences were draped, and all the schools (including the University) suspended and formed a large part of the procession, showing that the memory of this great man is ever near to the hearts of the people of Oxford, who knew and loved him best.

The story of Mr. Lamar's life is now told. In one respect it was an easy story to tell: there were no doubtful dealings to explain, no discreet silences to observe about things that needed forgetting, no unrightly corners that wanted concealing. The life was as pure and clean as it was earnest and noble.

It is useless to recapitulate in conclusion his many shining virtues. The reader will have gathered those qualities from the narrative, however inadequately the author's work may have been done. Mr. Lamar's beautiful and fruitful life is the unquestionable exponent of a great soul; and the abundant testimony of those who knew him best proves that his was one of those rare characters which inspire still profounder sentiments of admiration, of affection, of honor, by closer knowledge.

Few men have been loved as he was loved by his friends. There was about him an indescribable and almost incomprehensible charm. To those who were admitted into the circle of his regard his friendship was a delight and a blessing. Contact with him went far to shame the ignoble into better feeling and to inspire the good with still loftier aspiration; for Mr. Lamar's most impressive power lay in his moral force, and his strongest leadership was of the moral sense. Conscience ruled his

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\*"In Memoriam: Lucius Q. C. Lamar." Published by the Supreme Court. Pamphlet.

public as well as his private life, and politics with him was a phase of religion. He himself epitomised his political faith when, in his thrilling speech of refusal to obey legislative instructions, which his conscience forbade his following, he said: "Truth is better than falsehood, honesty better than policy, courage better than cowardice;" and "truth is omnipotent, and public justice certain."

The specific and inspiring lesson of Mr. Lamar's public life is its complete illustration of the sustaining and compelling power of a strong and brave spirit self-devoted to a lofty purpose of pure patriotism. One who ponders over it cannot but be reminded of him who "built his house upon a rock: and the rain descended, and the floods came, and the winds blew, and beat upon that house; and it fell not: for it was founded upon a rock." His career teaches the priceless lessons to the young: that what a man is is of more importance than the particular form of his political opinions; that, while the ignoble may rise to power and place, still honor will crown the worthy; and that a public man may cleanly and unselfishly win his way to the highest success and the noblest. Which is but a result of another inspiring fact that constitutes at once the crowning glory of our American life and its best assurance of future honor and happiness. That fact Mr. Lamar, manifestly speaking out of the fullness of his own experience and convictions, expressed in one of his last addresses—that at Emory College, in 1890—when he said:

The people in their innermost consciousness are ever open to the power of truth and goodness and the beautiful sovereignty of right. Beneath all the ruggedness of their manners and the prosaic forms of their speech lie always the broad foundations of native insight, of manly instinct, of potential nobilities, which enable them on occasion to rise to a comprehension of, and sympathy with, the finest mental and moral achievements of statesmen and philosophers.

Here, indeed, is the secret of American history, and doleful will be the day (which may God avert!) when it shall be no longer true; for then will have been lost the palladium of our liberty, which now, because of that truth, is safe in the stronghold of the intelligent virtue of the people.

In the world's history, as it is commonly written and commonly read, it is natural and inevitable that the figures which most attract attention and dazzle the imagination should be those which form the centers of events more or less dramatic—great soldiers, whose genius and valor decide the fate of empires on stricken fields; great explorers, whose enterprise gives new realms to civilization; great inventors, whose arts revolutionize the social life of mankind; great physicians, whose discoveries go far to dull the scythe of death. It is not with them, or such as they are, that Mr. Lamar's place must be found. But there is another, and even a more valuable historic field; one which is,

in effect, the spirit, as distinguished from the body, of all history. It is the story of the great undercurrents of the mighty moral movements which create nations, and profoundly modify their destinies for weal or woe, and lead them on to increasing glory or to ruin. In this domain is Mr. Lamar's place. It must be remembered of him that, with other noble and true men, he greatly contributed to the restoration of hope and vital force to the stricken half of a great people, torn and disheartened by civil strife; and that, perhaps more than any other, at the peril of his personal reputation and fortunes, he rose on stepping-stones of his dead self to better things, and inspired his people with his own high resolve to cast away resentful sectionalism and to enter into a broader and more wholesome life with the renewed spirit of a nation.

THE END.

## SUPPLEMENTARY CHAPTER.

### TRIBUTES TO, AND COMMENTS ON, THE LIFE AND CHARACTER OF MR. LAMAR.

*Tribute of Blanche K. Bruce, ex-Senator, a colored Republican, taken from the Boston Herald, of January 28, 1893.*

ONE of the most remarkable tributes to the late Justice Lamar is that of the only colored ex-Senator, Blanche K. Bruce, who was the colleague of Justice Lamar while in the Senate, and between whom and the deceased jurist there has always been a strong personal friendship. Mr. Bruce said to-day: "Yes, I have known Justice Lamar for a quarter of a century, during which time I have been brought almost constantly into close personal relations with him, and have been as intimate with him, probably, as a man could be who held different political opinions.

"He was always my friend. He was a large-souled, kind-hearted, generous man, as simple in his manners as a child, and heartily beloved by all who knew him.

"He was not always understood. Some who knew little of the man regarded him as a dreamer, but this was a mistake. He was really one of the most practical men of our times. On this point, Mr. Blaine, in his 'Twenty Years in Congress,' gives a true portraiture of Mr. Lamar, substantially in these words: 'He is a remarkable man, full of reflection and imagination, seemingly careless, yet always closely observant; apparently dreamy, yet thoroughly practical in everything.'

"I once heard Matt. Carpenter say, after listening to one of Mr. Lamar's great speeches in the Senate: 'He never touches a subject that he does not exhaust.'

"He was not only a great legislator, but eminently a man of affairs, as evinced by his able management of the difficult and delicate duties devolving upon him as Secretary of the Interior.

"His elevation to the Bench of the Supreme Court came late in life, and partly on this account was at first slightly criticised; but the verdict of the bar and the country to-day is that the appointment was a wise and judicious one. In fact, I was told by one of the Associate Justices recently that Mr. Lamar was one of the ablest and most clear-headed members of that august court.

"He was a very charitable man, giving to the poor and needy often more than his income warranted.

"As I said before, he was a kind-hearted man. As I remember, during Mr. Cleveland's administration, that I was frequently appealed to by colored employees in the Interior Department, as well as in other departments of the government, to use my influence with Mr. Lamar to have them retained in the places they then held. I never hesitated to approach him in behalf of these worthy people; and he never failed to respond, going so far sometimes as to make personal visits to his brother Cabinet officers, urging them to retain the parties in their departments in whose interest I had called upon him. I recall many instances of his generosity.

"When, after the election of Mr. Cleveland, it was announced through the newspapers that Mr. Lamar would be called into the Cabinet of the new President, a colored clerk employed in one of the bureaus of the Interior Department openly denounced the proposed appointment, and referred to Mr. Lamar, then a Senator from Mississippi, in terms not at all complimentary to that gentleman. When a few weeks afterwards he became Secretary of the Interior, the aforesaid clerk felt that he would soon lose his place, and urged me to do what I could to mollify the Secretary.

"I presented the case with great earnestness, and after exhausting all the arguments at my command I said: 'Colonel (this being the familiar title by which we Mississippians usually addressed him), this man has wronged you. Justice says, "Cut him down;" but mercy says, "Spare him."' He has an invalid wife and two or three helpless children, and his dismissal would mean starvation to them.'

"Raising both hands to his head, as was his custom when in deep thought, he said, after a moment's pause: 'This man's language has been reported upon Senator, and not upon Secretary, Lamar, and my knowledge of the Senator is such as to justify the belief that he can take care of himself; but if he can't, I am sure that the Secretary will not help him out of his difficulty.' The result was that the clerk was not disturbed.

"On another occasion a poor old colored woman who held a minor position in the department—charwoman, sweeper, or something of this sort, I do not remember which—was dismissed without his knowledge, and her place was given to another. She appealed to me, and I early the next morning called at the Secretary's residence and urged her restoration. He said: 'Bruce, tell the woman to come to me twice each month, and she shall receive her salary.' I learned afterwards that her salary came out of the pocket of the kind-hearted Secretary, and not out of the public treasury.

"A profound scholar, an experienced legislator, an able jurist, his loss will be mourned by the American people generally."

WASHINGTON, D. C., January 29, 1893.

*My Dear Madam:* I was kept in bed, under the orders of my physician, the day the death of your lamented husband was announced to the Senate. I regret exceedingly that I could not be in my place to have expressed my sense of the great public loss and my warm personal admiration for his great qualities of intellect and of heart. I served with him in the House of Representatives for more than four years, and in the Senate for more than eight years. It was a stormy and exciting time. We differed widely on very grave questions, and this difference was more than once very sharply manifested in public; but the more I knew him, the more satisfied I became of the sincerity of his patriotism, of his profound and far-sighted wisdom, of the deep foundation of tenderness in his affectionate and simple heart, and of his brave and chivalrous quality of soul. I was more than once indebted to him for very great kindness indeed, under circumstances when I do not think he supposed it would ever come to my knowledge.

Some of his judgments on the Supreme Bench are characterized by marvelous beauty and felicity of style. He maintained his place on that great tribunal to the satisfaction of his friends and the admiration of his countrymen, in spite of failing health and of the fact that the best years of his life had been given to other studies than that of the law.

It is a good omen for our country that the friends and disciples of Charles Sumner unite with the people of Mississippi in their reverence for this noble and manly character.

I am faithfully yours,  
MRS. LAMAR.

GEORGE F. HOAR.

*Tribute of Rev. Charles B. Galloway, Bishop of the Methodist Episcopal Church, South.*

There is sorrow throughout Mississippi to-day. Our harps are hanging silently upon the willows. Eyes unaccustomed to weep are filled with tears. In every home where the sad message has flown there is a sense of personal bereavement, the dread presence and loneliness of a vacant chair. A life dear to our hearts, and one of the brightest in our history, has fallen on sleep. A voice that thrilled with eloquence almost divine is silent in death. The grave opens to receive an eminent Christian

statesman and jurist, and Mississippi loses her most distinguished citizen; the nation, one of her truest patriots and most faithful public servants. It was the dying boast of Pericles that he had never made an Athenian weep, and surely no Mississippian has ever had occasion to blush for any ignoble word or deed of Lucius Q. C. Lamar. But his splendid genius has commanded our admiration, his magnificent achievements have challenged our patriotic devotion, and his radiant virtues have won the homage of our affections. We sorrow to-day only that his sun has gone down while it is yet day, that he falls when we seem to need him most and when able to serve his country best; but

The man remains, and whatso'er  
He wrought of good or brave  
Will mold him through the cycle year  
That dawns behind the grave.

Born and educated in the State of Georgia, he came to Mississippi in the morning of his brilliant young manhood, and generously gave to his adopted Commonwealth all the ardor of his love, the fruit of his tireless toil, and the powers of his almost peerless genius. So conspicuous were his public services, so ardent his devotion to the people who loved and honored him, and so world-wide the fame of his achievements as her representative, that his name was linked in undying wedlock to the proud name of the State that welcomed and crowned him. He followed her fortunes in peace and war, in victory and defeat; and when the night was darkest, he proclaimed with loudest voice his patriotic love for her stainless honor and his unshaken faith in her glorious destiny. As professor in our State University, Representative in Congress, Minister to Russia during the dark days of war, member of the United States Senate, Cabinet officer, and a Justice on the Supreme Bench of the nation, he was everywhere conspicuous and always distinguished.

His name was the synonym for pure and lofty eloquence. Not for a generation or more has there been a man among us who could, like him, sway and compose vast audiences at will, and by the authority of his imperial eloquence compel the people to ardently adopt his principles and enthusiastically follow his policy. At times he had the classic diction of Edward Everett, and again he could rival the peerless periods of Edmund Burke. He could on occasions pursue an argument with the analytical precision and remorseless logic of John C. Calhoun; and then, if need be, kindle enthusiasm as with the magic word of Henry Clay. With equal skill he could wield the light sword of Saladin and the ponderous battle-ax of Richard. For majestic utterance and forensic eloquence he had no peer in all our borders.

His was a philosophic cast of mind. He dwelt in the higher realms of thought. This gave him the loneliness and sometimes moodiness of genius. He studied and mastered great principles. Beneath surface facts he saw their philosophy and discovered their unerring tendency. This made a statesman of vast prescience, and a wise political leader.

He was the first Southern Representative after the war to rift the darkness of our national skies and bring light into these despairing parallels. He caught the ear of the nation, and won back her lost confidence in our patriotic loyalty; he rolled away the stone from the grave of our buried love, and proclaimed the resurrection of our national brotherhood; he reannounced the plighted faith of our several sections, pronounced a blessing upon the happy reunion, and prayed that what God had joined together should never again be put asunder. The voice that spoke over the dead Sumner, like another prophet in the wilderness, proclaimed the daydawn of our national peace, the cloudless sunburst of our Federal immortality. When with sublime passion he declared, "if we knew each other better, we would love each other more," he rang out an appeal for peace whose silvery echoes are yet making music on both sides of the quiet Potomac.

With all of his vast learning and varied culture and profound philosophy, he was a simple, humble, unquestioning believer in the great doctrines of Christianity. He had little respect for so-called "honest doubt," and scant patience with blatant skepticism. I shall never forget a delightful evening in his Washington home over a year ago, and the cheerful, even joyous, announcement of his faith in the world's Redeemer. Some time before, he had connected himself with the Methodist Church, humbly assuming the solemn vows in the presence of a great congregation.

I knew him first in my boyhood at the University, where he occupied a professor's chair, and there learned to love and admire him. He was the Gamaliel at whose feet I sat and from whose lips I received instruction. The thrill of that flashing eye, the tone of that magic voice, the strange magnetism of that magnificent presence, filling as he did the broad heaven of our imaginations, and the loftiest ideal of my young ambition, have lingered and inspired me for more than half a jubilee of years. He stirred many a noble impulse and set on fire many a laudable ambition. On his grave I crave the privilege of dropping a tear.

He is gone who seemed so great—  
 Gone; but nothing can bereave him  
 Of the force he made his own  
 Being here, and we believe him  
 Something far advanced in State,  
 And that he wears a truer crown  
 Than any wreath that man can weave him.  
 Speak no more of his renown,  
 Lay your earthly fancies down,  
 And in the hoary Abbey leave him:  
 God accept him, Christ receive him.

*Extract from the Address of Hon. John L. T. Sneed, at the Memorial Meeting of the Bar of Memphis, Tenn.*

Is it any wonder that such a man as Grover Cleveland should have put forth his brawny arm across the bloody chasm and beckoned this man to a high place in his councils? Another Chief Magistrate, in the spirit of the true and courageous patriot, had already furnished the example. That good man had just preceded the great Mississippian to the tomb. . . . All honor to Rutherford Burchard Hayes! all honor to Grover Cleveland! They knew how to cut the Gordian knot. They were brave enough to do it, and peace came smiling from behind a cloud, and by her side the blessed angel of everlasting fraternity and union; but another peacemaker had appeared upon the scene—a man who, in peace and war, had never preached the gospel of hate or despair. This man was Lucius Quintus Cincinnatus Lamar, whose noble Roman qualities seemed to have been in prophetic anticipation, even at the baptismal font.

If I could be allowed to single out a solitary episode from the checkered life and varied services of Lamar which better than all others illustrates the character of the man, I would select that dramatic spectacle in the capitol when, in defiance of the imbedded prejudices of his own people and to the utter confusion and amazement of his enemies, he stood upon the ragged edge of the bloody chasm and pronounced that classic and superb funeral oration upon Charles Sumner, the abolition Senator from Massachusetts. For twenty years before the war the voice of Charles Sumner had been reverberating through the corridors of old Faneuil Hall in bitter invective against the South and a labor system peculiar to the South unparalleled in the annals of mankind for the absolute comfort and contentment of the menial classes; but it was slavery for all that, and philanthropic men of all the world believed with Charles Sumner that slavery in a free government like this was not only an incongruous blunder, but a crime against God and humanity. But the South was entrenched behind

the organic law; and these agitators were, in their turn, denounced as pragmatic meddlers and traitors to the constitution and the laws, who ought to have known that the South was not alone responsible for slavery. They seemed oblivious of the fact that New England was not only the cradle of American liberty, but, in part at least, of African slavery also. In the virulence of their anathema they ignored the first great transaction in commercial barter when the cavaliers of the Carolinas and Virginia exchanged their shiploads of tobacco, venison, and peltry with the traders of New England for shiploads of black barbarians for the plantations of the king's colonies in the South. The intelligence and culture of the South had never, indeed, seriously objected to the gradual extinction of slavery, if done according to the forms of law and without absolute ruin to the people. Mr. Jefferson, himself a large slaveholder, had inserted in the original draft of the Declaration of Independence the most terrific indictment against African slavery the world ever saw; and perhaps slavery, then existing in some of the Northern as well as the Southern States, would have died with the birth of the government, but for the action of John Adams, who had that part of Mr. Jefferson's report stricken out. "I am with you in sentiment, Jefferson," said he; "but don't let us antagonize the slaveholders until the Declaration is adopted." In this long struggle, therefore, the South thought there was an element of injustice and oppression in this perpetual war upon its constitutional rights; and many intelligent citizens, both of the North and the South, believe to-day that if Faneuil Hall and its uses in this regard had never been, Fort Sumter and Appomattox had never been. But then slavery would have survived; and Sumner and his party believed that slavery was worse than war, pestilence, and famine. Charles Sumner died, and was buried; slavery had died before him, and is buried. He is canonized as immortal; he had helped to destroy the fabric of slavery built by his progenitors nearly three hundred years ago, and, like

The aspiring youth who fired the Epherian dome,  
Outlives in fame the pious tools who raised it.

Senator Lamar knew all this. He knew that the very name of Sumner was a stench in the nostrils of the people of all the South; but he knew also that Sumner was an honest man; that he was a pure man, a cultured gentleman, a patriotic and philanthropic man. The occasion was a sublime and an auspicious one. The audience and the auditorium were the most magnificent on earth. He thought of his own people; and, above all things else, he wanted peace. This was the opportunity of a lifetime to set an example of lofty generosity and forgiveness, to lift up the standard of peace and justice in the sight of the people. The supreme hour had come, demanding the forecast of a statesman, the chivalry of a hero, the moral courage of an archangel, the heaven-born inspiration of a Chevalier Bayard; but Lamar possessed them all. He arose in his place. "The fiery tribune from Mississippi has taken the floor." "What for?" every man asked of his neighbor. "To bury Cæsar; not to praise him," was the mental reply of each. All eyes were fixed upon him, all voices hushed; and such a flow of eloquence in praise of the dead statesman, and in extenuation of the bitter persecution of which the South complained, was never before heard in that hall. The speech was heralded all over the world, and reproduced in all the tongues of the world. Old men bowed their heads and wept. Young men gathered around him and gazed upon that familiar figure, now transfigured before them into the very genius of peace, pathos, and eloquence. The fiery Southron looked upon the intrepid orator with unspeakable wonder at the temerity of his utterances. The women in the gallery clapped their hands and waved their handkerchiefs in a frenzy of admiration for the only man who had dedicated his head and heart and breast to the Southern cause who had the courage to speak a word of kindly eulogy over the bier of the dead Senator from Massachusetts. The orator ceased. For a time the Chamber was as silent as a mausoleum. A holy influence as of "incense from an unseen censer" suffused itself over



that vast assembly; and for the first time in twenty years the peace of God, which passeth all understanding, seemed to pronounce its blessed benison upon the Congress of the United States.

*Memorial Address of Hon. James M. Arnold, ex-Chief Justice of the Supreme Court of Mississippi.*

At a bar meeting held in March, at Birmingham, Ala., called to pay respect to the memory of the late Justice L. Q. C. Lamar, of the Supreme Court of the United States, Judge Arnold, who knew him well, and loved him, said:

*Mr. Chairman:* I desire to be recognized as one of those who feel special interest in the purposes of this meeting. The resolutions reported by the committee do not exaggerate the merits of Judge Lamar. I am familiar with his character. It is in every way worthy of being cherished and honored by us. It is a solid fabric that will preserve itself; but it will also support and admit, without unseemly contrast, the richest ornaments with which admiration, gratitude, and affection can adorn it.

I was a student in the University of Mississippi shortly after he became a citizen of that State, and after he had married the beautiful and accomplished daughter of Judge A. B. Longstreet, then the President of the University. He was then indeed the glass wherein the noble youth of the University did dress themselves. While at the University I witnessed a joint political discussion between him and Gov. James L. Alcorn, who was then the strong and aggressive leader of the Whig party in Mississippi, in the first race made by Judge Lamar for Congress, and in which he was elected over Gov. Alcorn. There were thousands of enthusiastic partisans on each side present, and music and beauty and generous rivalry and patriotic ardor lent their attractions to the swelling scene.

It was a contest between giants, conducted with the utmost courtesy and decorum, overgreat principles and policies. The older and more experienced Whig leader, who had but few equals in this State as a political speaker, spoke grandly, and conducted his lines of assault and defense with consummate skill and ability; but it was generally conceded that he had found his match in the young Harry Percy of Democracy from Georgia. I have never before or since witnessed such a discussion. It was an inspiration to everybody: instructive to the young, refreshing to the old, and elevating in all its aspects.

"'Twere worth ten years of successful life, one glance at that array." Afterwards I knew Judge Lamar as a politician, a member of Congress, a lawyer, a professor of law in the University, a member of the United States Senate, a Cabinet officer at Washington, and a Justice of the Supreme Court of the United States. I saw his struggles, his triumphs, and the displays of his genius through all these successive grades of honor and usefulness; and I fear that a full expression on this occasion, among those who knew less of him, and without time for proof or argument, of my estimate of his virtues, would subject me to the charge of excessive adulation.

Judge Lamar was a typical Southern man, but he was more than this: he was an American, and he cherished the distinctive institutions of our common country with the fervor of a true patriot. Every pulsation of his heart was loyal to the South; but his vision was broad enough, and his heart was big enough, to embrace the whole grand Republic.

In the triple character of orator, jurist, and statesman, Judge Lamar won enduring fame. As far as I know, and am informed and believe, no man of his day and generation surpassed him in brilliant, thrilling, and effective oratory. Reading made him a full man, and speaking, a ready man. He possessed all the faculties and qualities—the reason, the imagination, the passion, the courage, and the sensibilities—nec-

essary to make a great orator. He was as bold and vehement as Demosthenes, and as polished and versatile as Cicero. He wielded the club of Hercules, but it was aided and relieved by the graces and arts of Hermes. Gifted by nature, and improved and developed to the highest degree by liberal and varied culture, he was not limited in controversy to a single weapon or to a few weapons, but all the arms and chariots of free discussion were at his command. In a temple dedicated to American oratory his image would appropriately appear among those of Patrick Henry and Fisher Ames and William Pinkney and William Wirt and George McDuffie and S. S. Prentiss and Henry Clay and Ben Hill and James G. Blaine and the Olympian thunderer, Daniel Webster.

Judge Lamar's speeches on academic and literary occasions, on the hustings, in the Lower House of Congress, and in the Senate of the United States, if collected and published, would, in my judgment, be a positive contribution to the literature of America.

If it be true, as Edmund Burke said, that a good politician and a true patriot always considers how he may make the most of the existing materials of his country, and that a disposition to preserve and an ability to improve, taken together, constitute the essential elements of statesmanship, Judge Lamar was a statesman. These lofty purposes were blended with every measure and every policy advocated by him. On this basis he cannot properly be classed in any other than the front rank of American statesmen. He was an ideal Southern representative and orator when the evil days of the war drew nigh; but it was after the downfall of the South, when the South was crushed and the Republic itself was wounded and bleeding at vital points, and the unreasoning passions kindled by war were rampant and burned most fiercely, that his talents shone most conspicuously.

While others remained silent or were confused or confounded by the direful exigencies of the situation, Lamar came forth in the pride of his strength as a leader. Knowing—what seemed to be almost forgotten at that time—that men may differ in politics, and yet be patriots; differ on questions of constitutional rights, and yet be honest; differ in matters of religion, and yet be devout Christians; and that mere difference of opinion in the practical affairs of life is not criminal; and believing that the hearts of men everywhere could be brought to respond to these simple truths, he appealed as one whose lips were touched with the fire from holy altars to the great heart and conscience of the American people, for justice, moderation, and equality; and he wooed and turned back to their accustomed channels the warm currents of national sentiment and brotherhood. It is not unjust to anybody to say that he contributed more than any other man to soften and remove sectional bitterness and animosity, and to restore the Southern States to their rightful position as coequal members of the Federal Union.

It was a novel and striking spectacle in our history to see a thoroughbred Southerner stand up in the face of the nation in such days, and with one hand strew the flowers of classic eulogy over the grave of Charles Sumner, and with the other smite with the terrors of a thunderbolt whoever dared to aggravate or exult over the misfortunes of his own section. It was another instance of a faithful leader standing between the living and the dead and rebuking and staying the pestilence that scourged the land.

At that time and during the whole of his political career I was one of his approving and applauding constituents in Mississippi, and I know something of how much courage, manhood, and ability it required for him to pursue such a course successfully, as he did. None but a great and brave man gifted beyond his fellows could have maintained his advanced position under the conditions that then existed. He was bitterly condemned by some of his own party and people for the Sumner eulogy and for refusing to obey an instruction of the Legislature of Mississippi as to how he should vote in the United States Senate on the silver question; and on these ac-

counts the clouds of censure and detraction for a time darkened his horizon. But he was a leader, and not a follower, of men; and such clouds, like those that rested on the tabernacle of Israel, were the testimonies, either of the presence or the coming, of a power that could not be resisted by men.

Judge Lamar's career on the Supreme Bench was brief—too brief, too brief!—only a few days more than five years; but during that time some of the most important causes in the annals of our independence, and with which his name will be forever associated, were decided by the court. In several such causes the court was divided, and he was among the dissenting judges.

The case of *Pennoyer vs. McConaughy*, 140 U. S., maintained the inviolability of contracts as against State laws, and accurately defined the extent to which State officers under our system may be impleaded in, or enjoined and restrained by, the Federal Courts; the *Neagle* case, in 135 U. S., submitted for decision the question whether or not a Federal officer who commits homicide in one of the States while in the discharge of his official duties is amenable to the criminal laws of the State for the offense, or can he be held to answer for the offense under the laws of the State; and *Fields vs. Clark*, in 143 U. S., involved the power of Congress to appropriate money to pay bounties on domestic products, and to delegate legislative functions to the President under the reciprocity statute, etc.

These grave and dangerous questions, particularly those presented by the *Neagle* case, brought out the strong convictions and judicial powers of Judge Lamar. The opinion of the court delivered by him in one of these cases, and his dissenting opinions in the other two, show his mastery of constitutional law and familiarity with the nature and principles of constitutional government.

The opinions written by him are in the best judicial style, and manifest not only a clear conception and analysis of legal principles, but also careful and conscientious research and examination both of the law and the facts. But without referring further to special cases or features, it may be truly said that the wisdom of Mr. Cleveland in naming him for the Supreme Bench has been demonstrated, and that his work on the Supreme Bench, in all the departments of law, comes fully up to the standard of that high tribunal; and I am sure that none of his associates, and that no judge, ever enjoyed in fuller measure the confidence and affections of the people among whom he lived and who knew him best.

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*Study by Harry Pratt Judson, Head Dean of Chicago University, in the Review of Reviews, for March, 1893.\**

Justice Lamar is a type in our American politics for which history elsewhere has no match. His character, his life, and his political status are entirely unique outside of America; but here he is not peculiar. He represents a state of facts that it is not easy to describe, and yet that in our Federal Republic is entirely natural and reasonable.

He was an active promoter of secession. He served in the armies of the Southern revolt, and was an accredited agent in its diplomatic service. He probably never changed his conviction of the righteousness of the lost cause; certainly he never avowed any such change of sentiment. And yet this man, who with all his soul had warred against the nation, after the collapse of the South became a member of the National Legislature, one of the chosen counselors of the President of the United States, and finally a judge in the highest court in the land. And, save the last point, his is no exceptional case.

Did any other nation ever put down a great insurrection at vast cost of money and blood, and then, without revenges, without confiscations and executions, quietly re-

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\*Article, "American Politics: Study of Four Careers."

ceive the insurgents back into all the privileges of citizenship and into an active share in the government which they had sought to destroy? Would it ever have been safe for any other nation to do such a thing?

And yet that is just what the United States has done; and, what is more, it is entirely safe, proper, and wise to do it.

Of course there are men of radical convictions who will deny this last assertion, but the nation at large nevertheless accords with it. Otherwise the fact would not be permitted. And the writer believes that if, after the war, that most knightly man, Robert E. Lee, had by any accident become President of the United States, he would have administered that high office as scrupulously, as honorably, as patriotically for the welfare of the whole land, as any Northern Union man.

And if this is true of the Chief Magistracy, it is quite as true of the Supreme Bench, as is plainly evident by the course of the Justice who has just died, as high-minded a man as was General Lee.

The explanation of this peculiar state of things is quite simple.

The revolt of the South was to maintain the system of slavery and the right of States to secede from the Union. The war settled these questions. Slavery was destroyed. To reenslave the freedmen would be as impossible as to empty the Atlantic with a teaspoon, and it will be many generations before any one will think of secession again as a practicable political expedient. Slavery and secession are issues as dead as if they were a thousand years old, and all the interests of the South are now bound up in the union of States.

The men of the South who fought for their section were as honorable and sincere as any that history records. They fought for what they believed to be right and justice. They were defeated. Their cause was not merely lost; it vanished utterly away from the earth. And a large proportion of the soldiers and statesmen of the Confederacy accepted the result in good faith as a final settlement of all the matters in dispute, and set themselves resolutely to a rehabilitation of the South in the Union; and among these none was more earnest and more honest than L. Q. C. Lamar.

Mr. Lamar was not primarily a politician; he was rather a scholar, one who dwelt in the philosophy of law and government rather than in their practice. Indeed, it was objected to his confirmation as a Justice of the Supreme Court that he had had very little experience at the bar. Circumstances drew him into political life, and at the beginning of hostilities his directness of nature led him to offer his sword to his State. But, after all, he found his most congenial place in Congress or on the Bench; and wherever he was, the war being once ended, he did all that lay in him to allay the passions it had aroused and to make the nation again united in feeling as well as in government.

It was not reconstruction merely that the nation needed after Appomattox; it was reconciliation. And every man in either section who gave his heart sincerely to living the national life, to building up what had been torn down, was and is a patriot who deserves the gratitude of the Republic. This Justice Lamar did; and he is a type of Southern men, in public and private station, who have shown that most exalted patriotism. The nation is a nation again because of him and them. It was the great war President who spoke "with malice toward none, with charity for all." It was the general of the victorious armies who said: "Let us have peace." The nation, as a whole, has taken them at their word.

The self-restraint and largeness of view that make a republic possible find no better illustration than was afforded by the electoral controversy of 1876-77. No more dangerous crisis ever came to a nation. The facts were by no means clearly on one side. At all events, the adherents of one party passionately believed that ostensible majorities had been secured by fraud and violence. The other party as passionately believed that partisan returning boards had reversed the popular will. The Presi-

gency hung on the adjudication of this dispute, and the constitution provided no unquestioned means of deciding it.

Provision was made for getting the certificates from the electoral colleges of the States into the hands of the President of the Senate. That the count of the electoral votes was to take place in the presence of the two Houses of Congress was also explicit; and the President of the Senate was to open the sealed certificates.

But at that point the constitution failed; and precedent would hardly be decisive, as never before had the election hinged on the validity of disputed returns.

Had either party insisted on a course not plainly authorized by the constitution, the other party would have resisted, and with perfect right; and for a time it seemed that physical force was the only solution. Party spirit and passion were high. The nation was apparently on the verge of a civil war more dangerous than the war of secession.

It is entirely evident that in such an emergency arbitration is the only reasonable resort for enlightened people. But it was by no means so evident at that time as to just what form of arbitration would be feasible, and under those circumstances the bill providing for the Electoral Commission was not merely a happy escape from a dangerous situation; it was more than that. It was also a triumph of patriotism and self-control, second only to the issue of the war of secession itself, as evidence that self-government is possible and enduring. The Electoral Commission was a board of arbitration. Congress may or may not have had express constitutional power to delegate such functions to an extra-congressional body; but imperious necessity overruled any quibbles of strict construction, and the contested certificates were duly referred to the arbitrators for adjudication.

A second test of self-government, quite as crucial as the adoption of the commission, was the acceptance of its award by the losing party. There was excited feeling, and a strong disposition on the part of some to resist; but the cooler counsels of prudent and patriotic leaders prevailed. It is a hard strain on one's self-control to submit to law when it decides for the other side. Among those who were active in securing a pacific and law-abiding course, Mr. Lamar was conspicuous and influential; and he should have the respect which all sincere wellwishers for republican institutions will never fail to give to the men who settled the great dispute of 1877 by law, and not by violence. Their action vastly strengthened the cause of Democracy in all lands.

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*Resolutions of the Legislature of North Dakota.*

The joint convention adopted the following resolutions on the death of Justice Lamar:

*Be it resolved* by the Legislative Assembly of the State of North Dakota:

1. That this Assembly has heard with unfeigned regret of the sudden death of Hon. L. Q. C. Lamar, Associate Justice of the United States Supreme Court; that in his decease another star has vanished from the galaxy of America's living greatness than which, though eclipsed perhaps in brilliancy by some, none have shown with a purer, steadier light and radiance.

2. That we rejoice that when the nation was emerging from the bloody cataclysm of fratricidal strife, ere yet the dark clouds of mistrust had disappeared or the angry mutterings of sectional passion had died out, his was one of the first voices calling amid the storm for peace, forbearance, and reconciliation; that he was one of the earliest to urge upon the reconstructed States that, as integral parts of the great government, it was their unquestionable duty as patriots and citizens to accord to it their hearty and earnest support in strengthening the mighty fabric in every joint and fiber after the terrible ordeal to which it had been subjected; that, undeterred by

hostile criticisms and party rancor, conscious of his own purity of intent and patriotism of purpose, above the petty temptations of sectional popularity, he lived to see his judgment vindicated and his country moving on through years of fertilizing peace to the goal of a united, happy, and prosperous people.

3. That, as a United States Senator in a critical period, we commend the manly independence of character and loyalty to conviction that impelled him to disregard the bidding of a mistaken Legislature and appeal to the people for vindication, and that his triumph was signal and complete.

4. That we express our high admiration of that happy equipoise of temperament that, by its geniality, uniform courtesy, manliness, and high sense of honor, attracted alike the friendship and affection of political friend and foe in common; that, as a kind friend, a devoted husband and father, as a consistent Christian, "he bore without reproach the grand old name of gentleman."

5. That, having served many years in the respective positions of professor of mathematics, social science, and law, and with a successful career as an advocate, he brought to the judicial questions a fine native intellect, enriched by a compendious knowledge, analytical training, and amplitude of illustration and practical experience that enabled him to preserve just temper between the mere man of theory who can see nothing but general principles and the mere man of business who can see nothing but particular circumstances, which marks the perfect lawyer.

6. We also believe that now his life, so full of judicial independence and dignity and so full of professional honor, and with unlimited public respect, has closed; and, though the deep, damp vault may claim its prey and the casket may molder into dust, the hand of history will snatch the jewel from the grave and enshrine it in the annals of his country's imperishable memory.

7. That, though we know that grief is a vestal virgin who retires in secret to hide her woe, we trust that some echo of this tribute of respect from the far-off Northwest may penetrate the halls of mourning and bear some consolation to the sorely bruised hearts of his family and friends.

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*Examples of the Press Comments.*

The *Boston (Mass.) Globe* (Independent Democratic), reproduced in the *Evening Transcript* (Independent Republican): "Outside the narrow circle where it is held as a tenet of political faith that no Southern man should ever hold office, the integrity and ability of the late Justice Lamar were acknowledged well nigh unanimously. First and last Mr. Lamar had played no unimportant part in our history, but his latest years were unquestionably his best years. He ranked as one of the most earnest and progressive men of the South in Congress. As a member of Mr. Cleveland's Cabinet, he acquitted himself worthily and well; and all his colleagues on the Supreme Bench unite to bear willing testimony to his great worth."

The *Bridgeport (Conn.) Standard* (Republican): "Justice Lamar has proven a better man for the position than was expected at the time of his appointment. If not conspicuously able, he has had the good sense to refrain from any exhibition of incapacity, and preserved undiminished the dignity which belonged to the high position he held."

The *Review of Reviews* (editorial): "The death of Justice Lamar was followed by a unanimous chorus of tributes to his high character. He was esteemed as highly in the North as in the South. He was an ornament to American public life. His varied career was typically American. He stood emphatically for the new issues of a restored Union, though he had thrown himself with enthusiasm into the cause of the Southern Confederacy."

The *New York Daily News* (Democratic): "Although engaged in very diverse pursuits, the two notable public men who died unexpectedly yesterday were very much alike.

Phillips Brooks, the ablest Bishop of the Protestant Episcopal Church in America, and Justice Lamar, of the United States Supreme Court, both belonged to the broad-minded type of humanity. Nothing could ever make a crabbed theologian of the one, or a narrow political partisan of the other. They both were proof against all the influences that chill the heart and stunt the mind. Bishop Brooks was by descent and birth a Puritan of the Puritans. Justice Lamar was by the same circumstances pre-eminent among the proud Southern planters of the antewar period. Both should have been filled with the narrow views of their sections, but neither had even a suggestion of them. . . . It was while in the Lower House of Congress that Lamar delivered the eulogy on Charles Sumner, which won him the respect of the people of the North and endeared him still more to those of the South. That speech did more to obliterate the old bitterness between the sections than anything that had preceded it. It was permeated throughout by the spirit of brotherly love, and it made strong men who had fought on both sides weep. Men wept, too, when Phillips Brooks preached from his pulpit against the bigotry which sees nothing good in other creeds; and men and women will weep when they realize what a loss not only the nation, but the human race, has sustained in the death of these two champions of the divine injunction to 'love thy neighbor as thyself.'"

The *New York Evening Post* (Independent): "His physical weakness has indeed shadowed his career upon the Supreme Bench, to which he was appointed by Mr. Cleveland five years ago, and he has not made the record as judge which his eminent ability would otherwise have insured. . . . Once in a while a great occasion would stir him profoundly, and he rose to the height of genius—as when he, a Representative from the State of Jefferson Davis, paid an eloquent tribute to Charles Sumner, the abolitionist. . . . Mr. Lamar has left no enduring mark upon national legislation or Federal jurisprudence; but he rendered his generation an even greater service by furnishing the example of a patriot and statesman who was ready to sacrifice his continuance in public life to do his duty to the people who elected him, and who then, in a fit of folly, tried to instruct him to do what he believed to be wrong. It is such acts as this of Mr. Lamar's which attest the success of popular government, and revive the hope of its permanence.

The *New York Tribune* (Republican): "If he was not conspicuously qualified for the Supreme Bench by learning and temperament, his rectitude and sincerity were universally recognized in the closing years of his life; and within the limits which physical infirmity imposed he more than satisfied the expectations which his appointment suggested. He was not a man of robust intellect, and his disposition was retiring and contemplative; but he was not deficient in moral any more than in physical courage. . . . He died respected and esteemed by all his countrymen."

The *Rochester* (N. Y.) *Herald* (Democratic): "It was the influence and example of men like Justice Lamar that contributed, more than any other cause, to allay Northern resentment and suspicion toward the South during the gloomy and trying days of reconstruction, and to facilitate the restoration of amicable relations between the two sections. Without the display of great sense and self-control by the leaders of Southern opinion, this healing process would have been seriously retarded; and of this group of leaders none has earned more respect or gratitude than the Mississippian who is now dead at the age of sixty-seven. . . .

"In the twenty years that elapsed before his death he proved that he could be a useful and broad-minded supporter, as well as a former determined enemy, of the Union. It was given to no other Southerner to 'live down' more happily and effectively than Lamar the terrible mistake of secession. In 1874 he evoked the fervid applause of the North by pronouncing upon the dead Charles Sumner in the House an eulogium that was magnificent in itself, and derived unique power and grandeur from its peculiar source. . . .

"He was one of the bravest and ablest of the apostles of an honest and lasting peace.

"Both in the House and in the Senate Mr. Lamar attained as large a measure of distinction as any Representative of a former Confederate State. He was never rated as a mere master of parliamentary strategy; his accomplishments were of a higher order. He was a statesman. Senatorial duties probably suited his tastes better than any other that he was called upon to perform, and it can be said that some of the best speeches in the Senate from 1877 to 1885 came from his lips. He was an affable, mild-mannered, peace-loving man, yet the country had evidence that it was dangerous to arouse within him the old Southern fire. It was at Conkling that he hurled one of the most scorching personal denunciations ever heard in either House of Congress.

"Lamar's mental grasp of public questions was conceded by his fellow-Senators of both parties, and his speech on the tariff in 1883 or 1884 was one of the most powerful delivered on that subject in Congress. In inviting Lamar into his Cabinet in 1885, President Cleveland not only honored one of the best and most popular of Southerners, but added wisdom to his council board.

"Lamar's transfer to the Supreme Court Bench was the crowning reward in a series that had been fairly won by eminent public service. Of the erring sons of the Republic who labored unselfishly, wisely, and usefully to retrieve their historic fault of 1861, by demonstrating the sincerity of their new allegiance to the Union, L. Q. C. Lamar will occupy an honored place in the public memory."

The *Philadelphia* (Pa.) *Evening Telegraph* (Independent Republican): "It may with truth be said that a great mind is at rest; that the South has lost one of its ablest men, and the nation a thoroughly reconstructed and reconciled patriot. . . . An ordinary man in public life can drift along upon the tide of public opinion and approval—and, alas! this seems to be the highest aim with the average so-called statesman of our time; but Lamar was so constituted that when he saw what he conceived to be his duty he went steadily forward, regardless of personal consequences. . . . He made a department chief of conspicuous and painstaking fidelity. His ambition was not in the line of this routine work, and his elevation to the Supreme Bench was a just recognition of great qualities and undoubted merit. He was the equal of his associates in learning and judicial capacity; and his retirement by the great reaper will be the occasion of sincere regret by those with whom he labored, and he will be everywhere spoken of with profound respect."

The *Philadelphia* (Pa.) *Ledger* (Republican): "Among the many distinguished men who have honored the Supreme Bench, Justice Lamar will hold high rank in future histories. A learned and most upright judge, he bore himself with dignity and honor. Before his elevation to the Bench he was a strong, and at times even a bitter, partisan; but in that position he knew neither political friend nor foe."

The *Chicago* (Ill.) *Globe* (Democratic): "Thus has passed from the stage one who has modestly played a great part in the making of the new Republic and the unmaking of the old. Lamar has died rich in everything but money; poor in all but the honor, the love, and the memory, not alone of his own South, but of his whole country. His career covers and is entwined with the country's greatest crisis, and in his own person he bore the message of peace and union to the South. . . . He has passed, with Hayes and Butler, to the tribunal of history, where Blaine will soon follow, leaving behind a united people who will not soon forget the great figures of the great war and of the great reconciliation."

The *Chicago* (Ill.) *Inter-Ocean* (Republican): "Justice Lamar may be said to have come into national prominence at the time Charles Sumner died. No more glowing and just tribute was paid to the stalwart Senator from Massachusetts than the one which fell from the lips of the Southern jurist who has just appeared before the great assize. That eulogy gained for Mr. Lamar almost universal praise at the North, and did not, so far as known, lessen his popularity at home.



"When President Cleveland sent his Cabinet list to the Senate Mr. Lamar was on it for Secretary of the Interior. It was regarded as a good appointment; not that the Senator from Mississippi was specially adapted to the position, but that he was a worthy representative of the South. His appointment to the Supreme Court Bench in the last year of the Cleveland administration was, however, regarded at the time as an unwise appointment. . . . It is due to his memory to say that he acquitted himself with more credit than was anticipated. He had a judicial turn of mind; and had he been thoroughly trained for the Bench, he would have been a great judge. As it was, he left a creditable record. He had won the respect of his associates and the bar as a painstaking, fair-minded, upright, and able jurist."

The *Detroit* (Mich.) *Free Press* (Democratic): "Few men have appeared so conspicuously in the affairs of the country and been so little understood by the masses of the people. . . . During his terms of service in Congress Mr. Lamar was recognized as a clear thinker, an able disputant, and a man of unquestioned integrity. A portion of his service was during a period when partisan feeling was aggravated by memories of the war; but he was always the dignified statesman, never displaying sectional animosity, and always enjoying the highest respect of his fellow-members. . . . Time will insure a just estimate of his character, and the future historian will recall him as among those leaving their impress upon the eventful age in which he lived."

The *Minneapolis* (Minn.) *Tribune* (Republican): "In sterling integrity, fidelity to conviction, and courageous stand for his convictions, in spite even of the demands of his constituents, Justice Lamar was one of the notable figures in American politics."

The *Denver* (Col.) *Sun* (Republican): "Justice Lamar was faithful in every position of public trust which he held, and equal to all its duties and responsibilities. He was just and true in all the relations of life. His death was a national loss."

The *St. Louis Republic* (Democratic): "He held many positions of trust, and never showed himself unequal to the duties of any. Whether in the Legislature of his State, where he began his long career in politics, or on the Bench of the Supreme Court of the United States, where he ended it, he knew how to do his duty so as to win the approval of those he served."

The *Louisville* (Ky.) *Courier-Journal* (Democratic): "Justice Lamar was in many respects so big a figure in our national life as to impress his proportions upon the mere observers, as well as upon the students, of current affairs.

"He was, in truth, a big man, whose breadth and strength of mind, enriched by a thorough classic culture rare among the public men of these days, gave no inconsiderable momentum to the thought and action of the time, despite a certain lack of aggressiveness, due in part to temperament and in part to ill health. Whether as soldier, scholar, statesman, or jurist, his sincerity, his independence, his ability, and accomplishments compelled the respectful and deferential recognition which such qualities are bound to command. . . . Serving his party as disinterestedly as he did, he served his country as well; and the learned dreamer and Southern secessionist won the confidence of the country, as he won the love of all who came within the association of his engaging personality, and dies worthily filling a seat on the highest tribunal of the nation, no member of which is more generally admired, respected, and trusted. . . . In history he will stand among the greatest of the scholars, statesmen, and jurists whom the South has given to the nation."

The *Atlanta* (Ga.) *Constitution* (Democratic): "The typical American has been the subject of much discussion. Some have found him in Lincoln, and others point to Lee. Perhaps it will not be amiss to take up another branch of the subject: the typical Southerner. We believe that there will be no dissenting voice when we name Lucius Q. C. Lamar. Chivalric, and yet conservative; imaginative, and yet practical; scholarly, and yet a man of affairs; 'loving a nation into peace,' and yet devoted to his

native South—Lamar was all this, and more. . . . Surely this Rupert of debate was our typical Southerner.”

The *New Orleans (La.) Times-Democrat* (Democratic): “Mr. Lamar was a typical Southerner. He loved the South and its people with a depth of affection that was only bounded by the limits of the trials to which they were subjected, and the great abilities with which nature endowed him were used solely for their advancement. With singular self-sacrifice he gave his talents freely to his country and to his people, giving no thought to his personal interests. . . . It was after the war, however, that the great abilities, the pure patriotism, and the almost matchless eloquence of Mr. Lamar commanded national attention. He soon became known as one of the deepest thinkers in the United States Senate, one of the best constitutional lawyers in the country, and one of the readiest debaters that ever sat in Congress. The courage and the genius that he displayed in combating the attacks upon his State and his people soon made him a leader on his side of the Chamber. His defense of the rights of the States from the continued assaults of the ablest Republican statesmen of the country marked him as one of the most distinguished men that the South had ever sent to Congress. His record as a Senator will compare favorably in point of ability with those of the greatest statesmen that the country has ever produced, and his patriotism and his affection for his people were unsurpassed by the purest of them. In the administration of the office of Secretary of the Interior and in his career on the Supreme Bench the same great qualities were shown. At one point in his career Mr. Lamar seemed in danger of losing the place he held in the affections of the people of his State. Though he represented a constituency intensely Southern, he was the first of the leaders of his party in the South to accept, without reserve, the issues decided by the war, and to take a long step forward toward the reconciliation of the sections. But the people of Mississippi had full confidence in his judgment and in his fidelity, and without hesitation marched to the advanced position behind him. In the death of Lamar the country has lost a statesman and a jurist which it could ill spare; Mississippi, its most distinguished citizen; and the South, a patriot who will go down in history as one of her ablest and best sons.”



# APPENDIX.

## SPEECHES, LETTERS, ETC.

### Appendix No. 1.

#### ON NICARAGUAN AND KANSAS AFFAIRS.

*Speech in the House of Representatives, January 13, 1858.*

The House being in Committee of the Whole on the State of the Union, and having under consideration the President's Annual Message, Mr. Lamar said:

*Mr. Chairman:* It is not my purpose to discuss the various questions involved in our Central American relations. Should I avail myself of a future occasion to do so, I may be forced reluctantly to dissent from some of the views so ably presented by my distinguished colleague [Mr. Quitman]. However painful this may be to myself, I nevertheless feel confident of his generous indulgence, especially when he sees in my course only the reflex of his own spirit of independence; a spirit which runs like a stream of fire through all his acts and writings, which enabled him a few years since to light up the ardor of a thousand patriots, to fire his countrymen to the assertion of their rights, and at this day enshrines him in the hearts and affections of the people of his State without distinction of party.

Mr. Chairman, any proposition which has for its object the advancement and progress of Southern institutions, by equitable means, will always commend itself to my cordial approval. Others may boast of their widely extended patriotism, and their enlarged and comprehensive love of this Union. With me, I confess that the promotion of Southern interests is second in importance only to the preservation of Southern honor. In reading her history and studying her character, I delight to linger in the contemplation of that stern and unbroken confidence with which she has always clung to the integrity of her principles and the purity of her honor. In that unfortunate division which has separated our country into sections, natural causes beyond our control have assigned to her the weaker section. A numerical minority finds safety and protection alone in the power of truth and invincibility of right. The South, standing upon this high ground, has ever commanded the respect of her friends and defied the assaults of her enemies. When ruthless majorities have threatened wrong and injustice, their hands have been stayed only by the deference which the worst spirits unconsciously pay to the cause of justice. In the long and bitter contests which have marked our internal struggles, the South has made but one demand—the constitution of our common country, the claims of justice, and the obligations of States; and it is our boast to-day that we can present a record unstained with a single evidence of violated faith or attempted wrong. The same regard for truth, justice, and honor which characterizes our intercourse with the various sections of our own country, furnishes the safest rules for our dealings with other countries. As the constitution is the law of our conduct at home, so let good faith be the rule of our conduct abroad.

If I could do so consistently with the honor of my country, I would plant American liberty, with Southern institutions, upon every inch of American soil. I believe that they give to us the highest type of civilization known to modern times, except in those particulars dwelt upon so elaborately and complacently by the gentleman from Massachusetts [Mr. Thayer]. In that particular form of civilization which causes the population of a country to emigrate to other lands for the means of subsistence I concede to the North great superiority over our section. [Laughter.] There can be no doubt that New England, and especially Massachusetts, is a splendid country to emigrate from, and in this respect stands unrivaled, with perhaps the single exception of Ireland. [Laughter.] And right here I desire to express my acknowledgments to the gentleman for the very apt and classical comparison which he instituted between his section and the *officina gentium*. It never occurred to me before, but since

he has mentioned it, I must confess to the resemblance, in many respects, between the recent emigration from New England and the irruption of the Goths and Vandals. [Laughter.] It is also due to say that the gentleman's vindication of the emigrant aid societies places the objects and motives of that enterprise upon more defensible grounds than we of the South supposed to exist. For one, I am perfectly satisfied that the thing was demanded by necessity, and has resulted in benefit to all parties concerned; that the country was benefited by getting rid of the population, and the population greatly benefited by leaving the country. [Laughter.]

To return from this digression. While I am a Southern man, thoroughly imbued with the spirit of my section, I will never consent to submit the fate of our noble institutions to the hands of marauding bands, or violate their sanctity by identifying their progress with the success of unlawful expeditions; and most especially when I see them receiving the countenance and sanction of a distinguished Senator, whose course on the Kansas question is so fresh in our recollection.

Before I consent to any new schemes of territorial acquisition, to be effected, as usual, by the prowess of Southern arms and the contribution of Southern blood and treasure, I desire the question of the South's right to extend her institutions into territory already within the Union practically and satisfactorily settled by the legislation of this Congress. These territorial acquisitions, so far, have been to the South like the far-famed fruit which grows upon the shores of the accursed sea: beautiful to sight, but dust and ashes to the lips. We learn from the President's message that, the people of Kansas having reached the number that would justify her admission into the Union as a State, she has, by her duly constituted authorities, taken all the steps necessary to the attainment of this object, and will, in a short time, demand the redemption of the pledge of the government that she "shall be admitted, with or without slavery, as her constitution may prescribe at the time of such admission." But in advance of her application we are informed by the distinguished author of the Kansas Bill, and gentlemen upon this floor, that her case has been prejudged, and her claims rejected. This presents a question before whose colossal magnitude the wrongs of Walker and the criminality of Paulding sink into insignificance.

I propose to examine into the grounds upon which this violation of plighted faith is attempted to be justified. The ground principally relied upon is that the constitution which she presents was framed by a convention not called in pursuance of an enabling or authorizing act of Congress, but on the mere motion of a Territorial Legislature. Now, sir, apart from the practice of the government, which has not been uniform on this subject, I, for one, admit to the fullest extent the propriety and importance of such an act of Congress. I have always held that the sovereignty over these Territories was vested in the people of these United States; that the power of legislation in reference to them belonged to Congress, and that this power was limited only by the constitution and the nature of the trust, and that before the inhabitants of the Territory are competent to form a constitution and a State government it is necessary that Congress should first withdraw its authority over the Territories. The necessity of an enabling act I concede to the fullest extent. Whenever individuals in a Territory undertake to form a State government, without the previous assent of Congress, they are, in my opinion, guilty of gross usurpation and flagrant disregard of the rights of the United States and the authority of Congress. Under such circumstances it becomes a question purely of discretion with Congress whether to remand them to their territorial condition, or to waive the want of authority and to ratify the proceedings as regular and lawful. The question now presents itself: Do the circumstances attending the application of Kansas for admission into the Union present such a case?

Was the convention at Leecompton an unauthorized and revolutionary assemblage, usurping the sovereignty of the State, and throwing off unlawfully the authority of the United States? I hold that it was a convention of the people called by the regularly constituted authority, and with the previous assent of Congress. I hold that the Kansas Bill was an enabling act, vesting the Territorial Legislature with power to call such a convention. In analyzing the provisions of that noble law we find that it looks to higher objects and more enduring results than the mere organization of temporary territorial governments for Kansas and Nebraska. It looks beyond the territorial status; it provides for its admission as a State, and in express terms pledges the faith of government

that it shall be received into the Union "with or without slavery, as its constitution may prescribe at the time of such admission." It also declares the "intent and meaning of this act" to be, "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 institutions in their own way, subject only to the Constitution of the United States and the provisions of this act."

Now, had the bill stopped here, had it gone no further, there might be some ground for the objection that additional legislation by Congress is necessary; for the bill might guarantee to the people admission as a State and the right of forming their constitution, and yet reserve to Congress the all-important power of determining when the people had attained a sufficient maturity and growth to fit them for the enjoyment and exercise of this highest and most glorious right of self-government. It might reserve to itself the power of determining who should constitute such a people, who should be the qualified voters, and, in short, of prescribing all the steps preliminary to a call of the convention of the people. I say Congress might well have reserved all these high and delicate discretionary powers to herself, and there might be some ground for claiming them in behalf of Congress, had the bill stopped with the clause I have quoted.

But, unfortunately for the enemies of Kansas, the bill does not stop here. It goes on to confer the most ample powers on the Territorial Legislature. In Section 22, after providing for the first election, it says: "But thereafter the times, places, and manner of holding and conducting all elections by the people, shall be prescribed by law."

Again, after providing for qualifications of voters for the first election, it says: "But the qualifications of voters and of holding office, at all subsequent elections, shall be such as shall be prescribed by the Territorial Legislature."

In Section 24 it is further enacted that the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the constitution.

These clauses, taken together, embrace the entire subject in dispute, and vest all powers connected therewith in the Territorial Legislature. What can be a more clear and rightful subject of legislation than to determine the time when a people shall emerge from their condition of territorial pupillage into that of State sovereignty, of calling a convention of the people, prescribing the qualifications of voters, and arranging the usual details preparatory to the application for admission as a State? Indeed, sir, according to the well-settled maxims of civil law, no people can undertake to form or abolish a constitution except in obedience to the summons or invitation of the existing legislative authority. It was in this view that Congress has delegated these high and important matters of legislative discretion to the territorial government. You may take up any enabling act passed by Congress, and you cannot find a provision in it, which is not involved in either the specific grants or general delegation of powers contained in the Kansas Bill.

The conclusion which the language of the bill authorizes is strengthened and sustained by its history. When this bill was first reported it contained the usual power which you find in all territorial bills, of Congressional veto, revocation, or repeal of the territorial laws; but it was stricken out, and the bill became a law, with no reservation of power to Congress touching this point, limiting the broad grant of jurisdiction to the Territorial Legislature over "all rightful subjects of legislation." If the language of the bill and its history could leave any doubt as to the correctness of this construction, it would at once be removed by a recurrence to the debates when the bill was pending in Congress. The speeches of both friends and foes are replete with the proof of what I say. I could quote from the author of the bill and from its supporters in this House, to show that their object was to transfer to the people of Kansas the entire control over her internal affairs, including slavery, untrammelled by any Congressional legislation; but, sir, it is not necessary.

It may be said that, if this construction be true, the bill embraced two entirely distinct and dissimilar subjects: one organizing a Territory, and the other providing for the admission of a State. Well, sir, if I am not mistaken, this very objection was made—to wit, that the bill was against all regular parliamentary procedure; and a distinguished gentleman from Missouri, after exhausting his powers of invective, like a man in fight—reserving his most potent weapon for the last blow—threw at the bill an immense word, which sent our venerable Secretary of State stunned and reeling to the dictionaries. He said it was "amphibological." But the framers of that bill were not after parliamentary symmetry or harmony of outline. Their object was to settle great questions of strife

which threatened the integrity of the Union; to bind in one compact and durable structure the equality of the States, the authority of Congress, and the glorious right of self-government; to build a platform on which the right of every section in the Union might rise above the turbulent waters of sectional strife, and proudly defy all the attacks of fanaticism.

In confirmation of the view I have taken, I desire to invoke the authority of the distinguished publicist and jurist who is now lending his influence to the enemies of the South and of Kansas. Mr. Robert J. Walker, in his inaugural address as Governor of Kansas, speaking of the Lecompton convention, says: "That convention is now about to be elected by you, under the call of the Territorial Legislature created, and still recognized by the authority of Congress, and clothed by it, in the comprehensive language of the organic law, with full power to make such an enactment. The Territorial Legislature, then, in assembling this convention, was fully sustained by the Act of Congress."

Again he says: "The people of Kansas, then, are invited by the highest authority known to the constitution to participate freely and fairly in the election of delegates to frame a constitution and State government. The law has performed its entire function when it extends to the people the right of suffrage, but it cannot compel the performance of that duty. Throughout our whole Union, and whatever free government prevails, those who abstain from the exercise of voting authorize those who do vote to act for them in that contingency; and the absentees are as much bound, under the law and constitution, where there is no fraud or violence, by the act of the majority of those who do vote, as though all had participated in the election."

It is true that the distinguished author of the bill denies that it confers any such power, and yet the very ground upon which he rests his opposition to the admission of Kansas seems to break the moral force of this denial. His position is that the Kansas Bill intended that the constitution, when adopted, should be submitted to a direct vote of the people; that this was its intent and meaning. Now, sir, if the bill went so far as to prescribe the mode of adopting the constitution, it certainly contemplated the framing of it. A constitution cannot be submitted to the people until it is formed.

Having demonstrated that this convention, assembled to form the constitution, possessed every attribute heretofore regarded requisite to complete the work effectually, it is objected that before it can present a valid title to this Congress it should be first submitted, for adoption or rejection, to the people—not to the people whose delegates framed it, but to them and such settlers as may have come into the Territory during its progress to completion.

In order to show how empty and ridiculous are the pretexts for rejecting Kansas, I propose to give this argument in the language of its author. Speaking of what the President says of the convention at Lecompton, the distinguished gentleman to whom I refer [Mr. Douglas] says: "The President does not say, he does not mean, that this convention had ever been recognized by the Congress of the United States as legal or valid. On the contrary, he knows, as we here know, that during the last Congress I reported a bill from the Committee on Territories to authorize the people of Kansas to assemble and form a constitution for themselves. Subsequently the Senator from Georgia [Mr. Toombs] brought forward a substitute for my bill, which, after having been modified by him and myself in consultation, was passed by the Senate. It is known in the country as 'the Toombs Bill.' It authorized the people of Kansas Territory to assemble in convention and form a constitution preparatory to their admission into the Union as a State. That bill, it is well known, was defeated in the House of Representatives. It matters not, for the purpose of this argument, what was the reason of its defeat. Whether the reason was a political one, whether it had reference to the then existing contest for the Presidency, whether it was to keep open the slave question, whether it was a conviction that the bill would not be fairly carried out, whether it was because there were not people enough in Kansas to justify the formation of a State—no matter what the reason was, the House of Representatives refused to pass that bill, and thus denied to the people of Kansas the right to form a constitution and State government at this time."

Proceeding then to discuss the power of the Territorial Legislature to call a convention, he concludes as follows: "If you apply these principles to the Kansas convention, you find that it had no power to do any act as a convention forming a government; you find that the act calling it was null and void from the beginning; you find that the Legislature could confer no power whatever on the convention."

Upon a subsequent occasion, defending his position, he says: "In other words, I contend that a convention constituted in obedience to an enabling act of Congress previously giving assent, is a constitutional body of men, with power and authority to institute government; but that a convention assembled under any act of the Territorial Legislature, without the assent of Congress previously given, has no authority to institute government. . . . This was my position in regard to the effect of an enabling act. I then went on to show that, there having been no enabling act passed for Kansas, the Lecompton convention was irregular."

It is rather late in the day for this gentleman to begin to rectify such irregularities. We need go no further back than California. She was begotten by a military general, and forced into the family of States by the Cæsarean operation of an executive *accoucheur*. [Laughter.] Yes, sir, without any previous assent of Congress, without even the authority of a Territorial Legislature, without any census, a band of roaming adventurers was lugged into the Union over all law and precedent, as the coequal of the oldest State of this Union, because it happened to be a free State. What then said this stickler for enabling acts? How spoke the putative father of these latter-day doctrines? Mr. Douglas said, in 1850: "I come now to consider California as a State. The question is now presented whether we will receive her as one of the States of this Union; and, sir, why should we not do it? The proceedings, it is said, in the formation of her constitution and State government have been irregular. If this be so, whose fault is it? Not the people of California, for you have refused for the period of two years to pass a law in pursuance of which the proceedings would have been regular. Surely you will not punish the people of California for your own sins, sins of omission as well as of commission."

"It will be recollected by every Senator present—I trust the fact will not be forgotten—that more than one year ago I brought in a bill to authorize the people of California to form a State constitution and to come into the Union. Had that bill passed, the proceedings would have been regular."

"Well, the bill was defeated; and the people of California, acting upon these suggestions, and relying upon the precedents cited, have formed a constitution and presented themselves for admission. Now they are to be told that they cannot be received, because Congress failed to pass a law, and the proceedings are irregular without it. I do not precisely understand what is meant by the irregularity of these proceedings. I have examined the precedents in all the cases in which new States have been admitted into the Union, from Vermont to Wisconsin. I will not go over them in detail. . . . Those precedents show that there is no established rule upon the subject. There are several cases in which there have been no previous assent of Congress, no census taken, no qualifications for voters prescribed. There is no rule, and can be no regularity. . . . I hold that the people of California had a right to do what they have done; yes, they had a moral, political, and legal right to do all they have done."

How different is his language to Kansas! The very refusal of Congress to pass an enabling act for California is urged as a justification of her monstrous proceedings, and is presented as her strongest title to admission; but when Kansas applies, the same action by Congress is relied upon as an insurmountable obstacle to her admission. The California convention had the perfect right, moral, legal, and political, to do what they have done; but the Kansas convention, although acting under an act of Congress which pledged the faith of the nation to her admission as a State, acting under a regular and legal call of her people, every safeguard provided, is held to have no power to do any act as a convention forming a government; that the act calling it was null and void from the beginning, and that Congress, in refusing to pass an enabling act (no matter what the motive), denied to the people the right to form a constitution and State government.

Sir, how are we to reconcile such glaring inconsistency? There is but one solution, and every day is riveting it in the Southern mind; and that is, where a State, with a constitution excluding slavery, applies for admission, no irregularity can be too enormous, no violation of precedent too marked, no disregard of constitutional procedure too palpable, no outrage too enormous, for its admission as a State into the Union; but when a State, with slavery in its constitution, applies for admission, no excuse can be too trivial, no pretense too paltry and ignoble, to keep her out. Sir, the direct tendency, and with some the avowed object, of all this opposition is to delay the admission of Kansas until she becomes a free State. I do not charge this on that gentleman; but why does he



pursue this course? It is but an offshoot of that damnable policy which has been preying upon the vitals of the South for the last forty years: that of buying peace for the turbulent and fanatical at the expense of the quiet and orderly. When Missouri applies for admission, abolitionism gets up an excitement about slave territory. For peace's sake Congress overleaps the constitution, and marks out a line beyond which slavery shall not go. Abolitionism raves to be heard in Congress about slavery generally, and for the sake of peace Congress allows it to fill the capitol with abolition petitions which it has no power on earth to grant. Abolitionism hires armed bands to go and drive slaveholders out of Kansas; and Robert J. Walker, for peace's sake, would hand it over to them. To pacify a band of rebels, reeking with the blood of Southern men, women, and children, to whom he is indebted for all he is, he turns against his benefactors; he violates his pledge; abuses his trust; disgraces his office; truckles to the vile; tramples on the just; and scatters the firebrand of discord throughout Kansas, the Union, and the capitol. And Stephen A. Douglas, who was for lassoing California and dragging her into the Union over all law and precedent and the violated rights of fifteen of the sovereign States of this Union, would now subject Kansas to all the rigors of the Inquisition to keep her out of the Union.

But we are told that it is a contempt of the authority of the people of Kansas, that it is an inroad upon popular sovereignty, to withhold from them a revision of their constitution. Sir, the authority of the people is fully recognized, the popular sovereignty, as a principle, is fully enforced, when an opportunity is afforded to the legal voters to deposit their votes for delegates to a convention. And are not those delegates the people's representatives? Is there a lawyer present who would teach his client that the acts of an authorized agent are invalid if not submitted for ratification to the principal? Would he tell them that such acts unsubmitted would be insulting to the principal's dignity or intrusive upon his prerogatives? Would you say that no respect should be paid to the acts, or to the principal himself, if he suffered them to go forth as his own, unratified? The truth lies just in the opposite direction. "The right of electing delegates to a convention," in the language of the profoundest writer on the philosophy of government, "places the powers of the government as fully in the mass of the community as they would be had they assembled, made and executed the laws themselves, without the intervention of agents or representatives."

The people act in their sovereign capacity when they elect delegates; and the delegates thus elected and convened are, for all practical purposes, identical with the people. Sir, I take higher grounds. I hold that the highest embodiment of sovereignty, the most imposing political assemblage known to our constitution and laws, is a convention of the people legally assembled, not *en masse*—for such an assemblage is unknown in our representative system—but by their delegates, legally elected. When such a body, with no declared limitation upon their powers, are deputed to form a constitution, and they execute their trust, the constitution, *ipso facto*, becomes the supreme law of the land, unquestionable and unchangeable by any power on earth, save that which ordained it. This is no novel doctrine. It has the sanction of the wisest and greatest men known to American history. Mr. Calhoun, speaking of a convention of the people, says that it implied "a meeting of the people, either by themselves or by delegates chosen for the purpose, in their high sovereign character. It is, in a word, a meeting of the people in the majesty of their power—in that in which they may rightfully make or abolish constitutions, and put up and down governments at their pleasure." (Calhoun's Works, Vol. II., page 612.)

Our present Chief Magistrate, in standing by the action of the Lecompton constitution, is only acting in accordance with his opinions, long since recorded. In the debate on the veto power, he said: "The Senator [Mr. Clay] asks why the veto has not been given to the President on acts of conventions held for the purpose of amending our constitutions; if it be necessary to restrain Congress, it is equally necessary to restrain conventions. The answer to this argument is equally easy. It would be absurd to grant an appeal through the intervention of the veto to the people themselves against their own acts. They create conventions by virtue of their own undelegated, inalienable sovereignty; and when they speak, their servants—whether legislative, judicial, or executive—must be silent."

Such was the convention of Lecompton; and the constitution it presents was established under laws, Federal and territorial, to which every man in Kansas (except rebels) has given his consent. These laws direct the election, prescribe the order of it, the qualifications of voters, and the times of holding the meeting, and the duties and qualifications of the presiding officer. In this way the dele-

gates were elected. They met, and upon mature deliberation framed a constitution—a constitution republican in form, and securing to the people of Kansas all those great institutions of freedom which have ever been regarded as the only and surest bulwarks of civil liberty. Violating no law, inconsistent with no principle of the Federal Constitution, it preserves and guarantees to the people of Kansas all the great agencies of freedom (the right of *habeas corpus*, trial by jury, freedom of the press and speech, and liberty of conscience) as inviolate and pure as when they were first given to us, baptized in the blood of our Revolutionary fathers. Now, sir, can a greater insult be offered to the understanding of the American people than to say that a constitution thus established would gain anything of credit or sanctity by a ratification like that contended for? I grant that the people, through the Legislature, may reserve to themselves the right of ratification, or the delegates may recognize it in the constitution itself; and in either case a ratification would become necessary to the validity of the instrument; but without those terms it would become absolute as soon as sanctioned by the delegates.

I go further. I holdly maintain that wisdom, prudence, and policy, demand that the delegates should be entirely untrammelled in framing the fundamental law. The people in mass cannot deliberate upon a constitution, adopt what is good, and amend what is faulty in it. They must adopt or reject it in the entire; and thus, on account of objections to a single clause, they might reject the most admirable constitution ever devised by the wisdom of man. The radical error which underlies the whole argument of these gentlemen is this: They assume that there is a general agreement of opinion, a collective sentiment of the people, as a unit, as to what shall be the principles and provisions of their fundamental law, and that this common sentiment is to be ascertained only by a direct vote of the people. And yet, sir, such a course might result in a grave and capital delusion. If a method could be devised for collecting the opinion of each citizen, upon each clause of a constitution, the diversities of sentiment would be equal to the number of voters, and perhaps greater. The theory of ratification, however, does not allow to the people the right of framing a constitution, or even offering amendments and modifications; they can only, like a witness on cross-examination, answer "yea" or "nay." And I repeat, a constitution which might stand an imperishable monument of human wisdom could be voted down by an immense majority, of which each individual member might be in an actual minority on the particular subject-matter of his dissent. Such a process, so far from evoking the general pervading sentiment of a people as to what shall be their fundamental law, may signally fail in eliciting the true view of a single individual.

Sir, I admit that a direct vote of the people is a fair test of their will when you submit to them a single isolated proposition, such as the question of excluding slavery submitted by the Kansas convention; but whether it is the best mode or not depends upon circumstances. It depends, for instance, upon the number voting on the question of ratification as compared with the number who vote for delegates. Now, so far as I have observed, the elections in which the people manifest the least interest are those in which they are called upon to pass upon constitutions and constitutional questions. It is not the way the people choose to exercise their right of self-government. In the ancient city of Athens, where democratic absolutism existed in its purest form, the number of citizens entitled to vote amounted to about twenty-five thousand persons; and yet not more than five thousand votes were generally given on the most interesting questions, and on questions of ostracism six thousand votes were sufficient. If you will consult the poll books of the different States of this Union, where men and propositions claim the suffrages of the people at the same time, you will generally find that the men get three votes where the proposition gets one. I could call attention to numerous instances of this kind which have fallen within my own observation.

We accordingly find that nearly all writers on governmental and social science, representing every class of opinion (except a few run-mad red Republicans of Germany and France) unite in condemning this theory of direct appeal to the people. Montesquieu, in his "Spirit of Laws," speaking of democracy, says:

"The people, in whom resides the supreme power, ought to do of themselves whatever conveniently they can; and what they themselves cannot rightfully perform they must do by their ministers.

"The people are extremely well qualified for choosing those whom they are to intrust with a part of their authority.

"Should we doubt of the people's natural ability, in respect to the discernment of merit, we need only cast an eye on the continual series of surprising elections made by the Athenians and Romans, which no one surely will attribute to hazard. But are they able to manage an intricate affair—to find out and make a proper use of places, occasions, moments? No; as most citizens have a capacity of choosing, though they are not sufficiently qualified to be chosen, so the people, though capable of calling others to an account for their administration, are incapable of the administration themselves."

A distinguished Senator has laid down the proposition that, under the power to admit new States, Congress is forced by a paramount duty to see that the constitution of a State asking admission into the Union embodies the will of the majority of the people. Sir, I hold that a constitution presented by the regular and legally constituted authority is conclusive upon Congress as to the will of a people. We will not allow any such issue to be presented. We assert the right of the people to form their government; but we hold, and I think I have already shown, that the highest and purest exhibition of their sovereign will is a people acting by their own chosen delegates in convention assembled. The Federal Government and half of the States of this Union were formed in this way, and they need no improvement from the constitutional tinkering of this day.

To object that the convention may have abused its powers, and that the constitution should be submitted to a direct popular vote, in order that it may be ascertained whether it accords with the will of the people, is to beg the question, and to strike at the very root of all constitutional and legal authority. It is an objection, not to the constitution of Kansas alone, but to the very genius and framework of all representative government. Upon the same ground that a constitution framed by delegates should be submitted to the people it may also be demonstrated that every law enacted by Congress or by a Legislature, and that every verdict by a jury or decision of a court, should likewise be submitted for the approval of the people. Sir, a delegate *may* misrepresent the people, a Senator or Representative *may* misrepresent his constituents; but the remedy does not lie here in this central power of the Republic (more liable to abuse than any other); it lies in the hands of the local constituency, to whom the representatives are immediately responsible. And here lies the efficacy and power of our form of government. The direct responsibility of our rulers to their constituents, the right of suffrage among the people, aided by that great moral engine of freedom, the liberty of the press, are the *vis medicatrix naturæ* of our political system, sufficient to remedy every disorder and throw off every impurity, without resorting to violent irregularity and revolutionary action.

When a State applies for admission, Congress is bound to subject her to no restrictions except such as Congress may constitutionally impose upon the States already composing the Union. There is but one limitation which you are bound to impose, and that is that her form of government is republican; but under the power to guarantee a republican form of government, you have not the right to range with unlimited discretion through every provision of her constitution, interfere with her internal and local distribution of political power, adjust questions of majority and minority, lay down arbitrary rules of your own as to what constitutes republican government, and, by compelling her to conform to them, to substitute the will of Congress for hers as to what shall be her fundamental law. Are not the constitutions of the original thirteen States pretty fair tests as to what constitutes republican government? Can any one say that the Kansas constitution, tried by this test, the only one which you can rightfully apply, is not a republican form of government? Where is the feature in it contrary to our republican institutions or repugnant to the paramount constitution of the Union?

We are told by a distinguished gentleman that he would "pass over forms, ceremonies, and organizations to get down deep to the will of the people." Sir, the will of the people can only be obtained through these forms, ceremonies, and organizations; and the structure of our government is intended to provide these forms and organizations, through which the people can speak authentically and authoritatively. What can he mean by passing over and disregarding these forms? The Constitution of the United States is a form; times, places, and manner of holding elections, and qualifications of franchise, are but forms through which the people exercise their power; this matchless government, springing from the constitution, and the division of power between the Federal and State governments, is but an organization. Would he pass over all these to get down to what he sees proper to consider the will of the people? The

doctrine is monstrous, dangerous, and disorganizing. It gives to the action of regular government no more authority than belongs to an ordinary, voluntary assemblage of citizens outside of the constitution and law. If these views be correct, we had better at once tear down this splendid fabric of American architecture, and discard conventions, Legislatures, and Congress, as inconvenient, cumbrous superfluities, and resort at once to the democratic absolutism of Athens. The doctrine has been in Europe omnipotent for pulling down forms, ceremonies, and organizations, but powerless for reconstruction—like those serpents in the East, which, while they inflict a deathblow, breathe out their own life in the wound of their dying victim.

We are told by the gentleman from Ohio [Mr. Cox] that the constitution is not republican in form, because it prohibits amendment, alteration, or change, until after 1864, and then hampers the perfectly free action of the people by requiring a majority of two-thirds of the Legislature to concur before they will allow the majority to call for amendment. But the climax of antirepublicanism is the provision that "no alteration shall be made to affect the rights of property in the ownership of slaves"—a doctrine that would tumble into irretrievable ruin the Federal Constitution and the constitutions of half the States in the Union, including that of the gentleman's own State; for there is not one of these which does not contain as stringent and dilatory limitations as are found in this Kansas constitution. The argument by which he supports this view is that the "Democracy, as taught in Ohio, believes in the repealability of everything by the popular voice." Do the Democracy of Ohio consider the clauses of the constitution securing all those great rights, such as freedom of speech, freedom of the press, liberty of conscience, inviolability of property, repealable by the popular will? Do the Democracy of Ohio believe in the repealability of that clause guaranteeing the right of a State to equality of representation in the Senate of the United States? This may be Democracy in Ohio, but I hope it is a Democracy confined to Ohio alone. It may be Republicanism, but it is not the constitutional republicanism of America; it is the red republicanism of France. The very tenure by which the gentleman exercises the privilege of uttering these objections against the Kansas constitution is an oath to support a constitution liable to them all—a constitution imposing the heaviest restrictions on the power of amendment; a constitution whose framers intended it, not as an instrument of power, but as an instrument of protection against power.

It would be well for these gentlemen to consider when and by whom this particular mode of adopting a constitution, which they insist is the only true mode, was first established. It was not by the fathers of this Republic, the men of 1776. The Federal Constitution was not submitted for adoption to a direct vote of the people, nor were the constitutions of the Old Thirteen. The first instance in modern times, so far as my researches go, was the constitution of 1799, which was submitted to the people of France, and accepted by a vote of three million to fifteen hundred. This was in accordance with the teachings of Rousseau—the doctrine of unlimited, indivisible, undelegated power of the people—a doctrine almost identical in terms to that upon which the opposition to the admission of Kansas rests. What was the result? The sovereignty of the people was established and recognized, the king was beheaded, the nobility were banished, the religion abolished, property confiscated; and France was converted into one moral and political volcano, from the conflict of whose discordant elements arose the demon of centralization and military despotism, the rod of whose power smote down all the valuable rights of the people and the cherished interests of humanity. It was during the progress of this fanatical and bloody drama that one of its most conspicuous and sanguinary actors, appalled by the magnitude of the power that he had evoked, exclaimed: "Do you not see that the project of appeal to the people tends but to destroy the representative body? It is sporting with the sovereign majesty of the people to return to it a work which it charges you to terminate promptly."

The next constitution submitted to the people was the consular constitution of 1802 (only three years later) making Napoleon Bonaparte consul for life, and conferring on him the power of naming his successor and the Senate—in other words, a despotism. It was submitted to the people of France, and accepted by a vote of 3,568,885 against 8,374; and from that time the unlimited sovereignty of the people has been the potent instrument by which the Napoleons have fastened upon France a despotism more grinding and debasing than that of the Autocrat of Russia. The fathers of our Republic proceeded on principles totally opposite. Adopting as a fundamental dogma that all political

power springs from the people, they insisted and incorporated it into their organic law that this power should not be unlimited and absolute. They accordingly established our grand system of representative government, with its checks, balances, guarantees, and organic laws—the noblest political institution that adorns the pages of the history of civilization, and which experience has shown to be the only means of securing and diffusing among the people that broad civil liberty which constitutes the distinguishing features of the American and British Governments. I say British Government; for the statesmen of 1776 founded our institutions, not upon Utopian theories, but upon those great fundamental principles of the common law inherited from our Saxon ancestors, which guaranteed to English freemen the right of personal security, personal liberty, and private property, with their judicial safeguards and protecting forms, as inviolable and irrevocable by any power on earth.

The convention in Kansas, having declared in their fundamental law that the right of property in slaves, already existing, shall not be interfered with, has only given a constitutional sanction to a principle as old as the foundations of free government; and, sir, Congress is bound by the most solemn obligation that honor can impose to admit her with this very clause in her constitution. Sir, we of the South demand the redemption of your pledge. The issue is boldly tendered, and we are ready to go before the great Areopagus of the American people upon it; and when the enemies of Kansas shall attempt to justify their opposition to her by invoking a principle which has deluged Europe in blood, only to sink her into more degraded despotism, we will justify her admission upon the principles which lie at the foundation of our Republic. We will call upon the people to stand true to the traditions of our ancestors and the practice of the government when Washington was President and the men of the Revolution ministered at the altars of liberty.

One word on the bill introduced into this House by a member from Massachusetts [Mr. Banks] calling another convention in Kansas for the purpose of framing a second constitution, to be submitted to the people for acceptance or rejection. Mr. Chairman, Congress has no more right to call a convention of the people of Kansas than it has the right to call such a convention in New York. By the Act of Congress and the action of her people the entire relations of Kansas to this government have been changed. It is no longer a Territory of these United States; she has, by your own authority and permission, thrown off the habiliments of territorial dependence, and stands now a State, clothed with all the attributes and powers of a State, and asks admission as an equal in this noble confederation of sovereignties. You may reject her application if you will, but it will be at your own peril. To remand her to her territorial condition you cannot, any more than you can roll back to their hidden sources the waters of the Mississippi. Kansas is a separate, organized, living State, with all the nerves and arteries of life in full development and vigorous activity. Between your laws and her people she can interpose the broad and radiant shield of State sovereignty, and may laugh to scorn your enabling acts.

## Appendix No. 2.

### ON IMPORTANT TOPICS OF THE DAY.

*Newspaper Report of the Address Delivered before the Legislature of Mississippi, and the Citizens, at Jackson, November 3, 1858.*

Although a comparative stranger to the most of his audience, Mr. Lamar was sure that among Mississippians there was always a bond of union that bound them together, and never failed to make them friends. He knew that a welcome so warm and disinterested could come from none other than a patriotic community; and he highly appreciated the opportunity of addressing those who, though not his constituents, had extended to him a mark of esteem and kindness which was doubly dear.

In 1851 the people of Mississippi published to the world a proclamation of principles known as the Union Platform, but which should be called the Mississippi Platform. It contained two distinct provisions. One was the feature of acquiescence in the compromise measures of 1850; the other, looking to the future, laid down the line beyond which free-soil aggression should not pass. This latter portion of that platform still exists in undiminished vigor now, and will continue to operate with deathless energies; and from the time of its adoption to the present day, men of all parties in Mississippi have stood by it, deter-

mined to maintain its pledges with unwavering support and sleepless vigilance. It was this which gave him the greatest pleasure in appearing before them. For he felt that upon the great paramount questions of the day which are nearest to their hearts there was no diversity of sentiment between his audience and himself to reconcile; that their views were his views, their feelings his feelings, and their destiny his destiny. But in casting his eyes over the assembly he could not but feel that there were other assemblages in this great Republic in which the same harmony does not prevail. He could not but feel the contrast between his present position compared to what it was a few months ago, when he was amid the exciting scenes and angry collisions of the last session of Congress.

Early in the session Kansas applied for admission into the Union as a State. But, though the Federal Government in all its departments was bound by the most solemn pledges which honor could impose to admit that people, with or without slavery, the entire free-soil North, without an exception, repudiated the pledge, denied the claim, and, to the extent of their power, rejected her application. That was a gloomy period in the history of our Republic; for, to our dismay, many Northwestern men, in whose fidelity to the sacred principles of the constitution we had been taught to repose unlimited confidence, failed us in the hour of trial, and took their place in the ranks of our mortal enemies.

Among them was one endeared to the South by the recollection of his former devotion to her rights. He too went over to the enemy, and shot back a Partisan arrow into the ranks of his former allies. That man was Stephen A. Douglas, once regarded by the South as the model of political consistency and purity. The speaker was not among those who thought that a long career of noble service should be forgotten on account of one error or blunder. It was but natural that a spirited people like ours should admire the bold and dashing style in which Douglas handles his competitor, yet they cannot forget his treachery and Punic faith. They cannot forget that all that force and aggressiveness of character, that intellectual energy and power, which he is now exhibiting on the hustings of Illinois, were invoked against their rights, their interests, and their honor in the late session of Congress, when, striking hands with Seward and Hale, he ranged himself under the banner of that hideous fanaticism which threatens to crush the constitution and the South. They despise and defy the impotent malice of Lincoln, but they accept no such championship as that which Douglas offers. What is it? Why, that a Territorial Legislature, a little police affair, may lawfully exclude Southern institutions from the Territories of the Union.

And yet this same man, in the last Congress, denied to the people of a nascent State the right to establish slavery in their constitution unless it was submitted back to the people for ratification. We are told, however, that the issue is confined to Douglas and Lincoln, and that we must choose between them. And have we Southerners sunk so low as to be forced to accept an issue so dishonoring and ignoble? Hitherto the South, although a minority, has, by the courage and pride and union and intelligence of her people, made her own issues and dictated her own policy. So far from allowing Northern men to force their views upon her, she has ever impressed her own views upon the national policy. There is scarcely an event which adorns the political history of the country which is not the offspring of the Southern mind or the achievement of a Southern hand. And now, having lost our political equality, shall we lose our pride also, and be content to follow along the trail of Mr. Douglas' inconsistencies and tergiversations? Shall we be told by the Democracy of Illinois, or by the Democracy of the North, that it "is true that neither of these men is acceptable to the South, that our man has trampled under foot your rights as you understand them, has outraged your public sentiment as represented by your great and wise statesmen, has defeated your cherished policy, and is now engaged in an effort to tear down the glorious administration which is interposing the only check between your section and the overpowering antislavery section of the North; but, for all that, take him you shall, or you shall have the black Republican, Lincoln?" If that be the best issue which the Democracy of the North can present us, then perish the Democracy of the North! and, if need be, perish the Union! but preserve unblemished the honor, and unhurt the rights, of the South.

Returning to the events of the last session, Mr. Lamar referred to the bold and defiant attitude assumed by the Free-soilers upon the defection of Douglas and his followers. It was then that William H. Seward announced that startling programme of Northern antislavery action which fell with such appalling effect

upon the Southern mind. He congratulated the North upon its brilliant future; he welcomed Douglas and his allies as recruits in the ranks of free-soilism, and promised him the rewards of his treachery; and it was not until they paid his treachery in its own coin by nominating Lincoln for the Senate that Mr. Douglas took ground against black Republicanism. He said that the North would soon wield the machinery of the Federal Government, and he expected to live to see the day when within the limits of this Union the footprints of not a single slave could be seen; and in his triumph he advised Southern men by timely concessions to mitigate the fate which they could not avert. Here Mr. Lamar alluded in terms of severity to the course of Bell and Crittenden and other Southern men, who seemed ready to bow to the haughty mandates of this vainglorious foe of the South. He also paid a tribute to the patriotic and noble stand taken by Zollicoffer and the other Americans of Tennessee, and Trippe and Hill, of Georgia, which was responded to with enthusiastic applause.

He then referred to the settlement of the Kansas question. After answering some objections which had been urged to the measure, he expressed his conviction that the principle on which the bill was based secured to the South the unlimited right of extending her institutions, if carried out in good faith. He was not among those, however, who regarded the measure as a final settlement of the slavery question. It had been spoken of as the rainbow which betokens the departure of the storm. Alas for political rainbows! They most frequently bespan the brow of an advancing, not a receding, cloud. If asked if the principle of this bill would be carried out in good faith, he could only answer: When has the North ever observed in good faith any settlement into which she has entered with the South on this subject? The history of the North in all contests in which the rights of the South were involved, might be written in two words: *Punica fides*.

Continuing to review the political history of the country, he touched upon other epochs, all of which he discussed with consummate eloquence and great boldness. He asked how long any compromise had ever remained as a monument of Northern fidelity. The Ordinance of 1787, by which Virginia ceded the vast territory of the northwest to free soil, was ruthlessly trampled under foot. The Missouri Compromise, too, was treated in the same manner by Northern cupidity, it having been violated in less than four months after its passage. Her conduct was such as to teach us that nothing could be expected from her. California, upon the plan she had always adhered to, was dragged into the Union over the violated rights of the Southern States. Upon this sliding scale of compromises we had been invariably cheated out of our rights.

The distinguished orator, after presenting his views upon the national issues of the day, drew a parallel between the North and South in point of wealth, prosperity, and education; and from the crushing array of statistics which he brought to bear in the discussion of this subject, all were convinced that, though we could present to the commercial world no men whose fortunes would challenge comparison with those of an Astor or a Lawrence, yet the general distribution of wealth was such as to afford each and every man the necessities of life; and that we were unlike the other portion of the confederacy, where one might see side by side bloated and overgrown wealth and squalid poverty. Here there was a greater equality of wealth and, of necessity, a corresponding homogeneity in the character of our population; here we witnessed no revolutions of the poorer class driven by power of hunger to cry for "bread or blood." His whole argument on this point was a masterly exposition of the real condition of the two sections in a moral, religious, and educational point. We would not impair the happy impression which it made upon his delighted auditory by attempting a synopsis.

In conclusion, he returned his thanks to the ladies for the attention which they had given his remarks, which he feared had seemed to them dry and prolix; and yet there was no subject in which the ladies should take a more direct and vital interest than the preservation of the benign institutions of the South. It is universally conceded that no other institutions in the world were so favorable to the development of all that is pure, lovely, and virtuous in woman, and so well calculated to bring out and intensify those exquisite graces and finer traits which are her peculiar adornment. The most perfect and complete of all God's creatures is a high-bred, well-educated Southern matron. In no other nation do you see so much tenderness, so much goodness, so much purity, with such exquisite refinement and delicacy. The reason is obvious: in the South, homage to female virtue is cherished as a "household God."

## Appendix No. 3.

ON THE ELECTION OF SPEAKER, AND IN REPLY TO HON. W. KELLOGG,  
OF ILLINOIS.*Speech in the House of Representatives, December 7, 1859.*

Mr. Kellogg, of Illinois, having addressed the House at some length, Mr. Lamar said:

*Mr. Clerk:* I wish to make my acknowledgments to the gentleman from Illinois [Mr. Kellogg] for the very explicit, frank, and ingenuous statement which he submitted to the House this morning. I desire, however, to reply to the charge which some gentlemen have made as to the undue sensibility which the South has exhibited upon the subject of the pamphlet or circular now under consideration.

The gentleman from Ohio [Mr. Sherman], the recognized organ of that side of the House, complained that we had brought this question needlessly before the House. The gentleman from Indiana [Mr. Kilgore], in an attitude and manner of offensive defiance, denounced the resolution of the gentleman from Missouri as a firebrand upon the floor; and still another gentleman [Mr. Palmer], with a classic elegance of language characteristic of his style, and with a refinement of manner peculiar to himself, spoke of it as lugging the negro into the House, and said that he must be put out. Other gentlemen, and one from New York, asked, in a tone of triumph: "Who is to blame for this agitation? Whom does the fault rest upon?" From every one on that side we hear language of remonstrance and rebuke of Southern men for rising and expressing their sentiments in relation to the treasonable doctrines of that circular.

Now sir, I wish to submit a few remarks by way of vindicating Southern Representatives from the charge of needless agitation upon this subject. Scarcely six weeks have elapsed since a foray was made upon one of the sovereign States of this Union by a band of lawless, desperate men, fresh from the scenes of bloodshed, arson, murder, and treason in Kansas, of which it has been the seat. A public armory belonging to the Federal Government is seized; Southern citizens—innocent, law-abiding citizens—are taken prisoners; peaceable citizens attending to their ordinary business are shot down like dogs in the streets of a Southern town; Southern soil is polluted with the blood of traitors to the State and to the Union. After being taken prisoners their correspondence is laid before the country. The face of that correspondence shows that the leader of these blood-stained desperadoes was in communication with men distinguished for their intelligence, for their wealth, and for their moral worth, all over the North.

More than that, a distinguished Senator of the United States—I put out of the way everything that he has said prior to that occasion; I do not choose to throw any light upon this transaction from the previous speeches of that Senator; but that correspondence shows that that Senator, the Corypheus of Northern antislavery sentiment—is implicated in this lawless, treasonable proceeding; a proceeding to excite a servile insurrection, the object of which is to place the South a bleeding, mangled victim at the foot of Northern power. I say the face of the correspondence shows it. I make no charge upon Senator Seward; I do not even express the opinion that he is guilty. I hope that he may show innocence of the charge. I am only showing what were the condition and circumstances in which the Representatives of the Southern States met these gentlemen here upon the floor of the House.

Well, sir, no sooner do we meet here upon this floor, than through the agency and industry of the press of the country there is disclosed a circular foreshadowing the very events which were consummated upon the soil of Virginia, proscribing Southern slaveholders, socially, politically, and religiously, sowing firebrands and arrows, discord and death, throughout the land; and we find it with your signatures attached to it and yourselves recommending it.

I ask if there was not occasion for sensibility. I ask you if there was not a propriety and fitness in invoking a disclaimer from that part of the House. The gentleman who now bears the banner of that party says they have said nothing, but have "preserved a studied silence." Aye, sir; you have. You understand the policy of a wise and masterly inactivity. [Applause.] You know there are occasions when the truth not spoken, which ought to be spoken, will pierce like an arrow and rankle like poison. [Renewed applause.] And you observed this studied silence because you knew that from it in future would spring forth baleful and discordant utterances. That, sir, is the secret of that studied silence. I commend the policy of the gentleman, but it will not avail you; we will have an explicit avowal upon this and upon other subjects.



Well, sir, with these facts palpably and undeniably confessed, written upon every newspaper, a resolution is introduced, giving gentlemen an opportunity for disclaiming the treasonable utterances of that pamphlet. How is it received? Why, with that same freedom of manners which they claim for their principles: with a guffaw, with uncourteous and indecent laughter.

What follows? Under one of the most able and solemn appeals that I have ever listened to, when the gentleman from Virginia [Mr. Millson] had called attention to the fact that they had met this call with contemptuous silence, they still responded with laughter; and these were the circumstances, and these the positions, in which this controversy stood, up to the moment in which the gentleman from Ohio took the floor. One gentleman, to whom I have already alluded, said that we had brought the negro here, and that he must be put out. Let us see you do it. [Applause.]

Sir, there are twenty members from the South standing upon this floor by virtue of the negro, not as property, but as "persons not free." Put them out, will you? Sir, your fathers and my fathers did not put the negro out. They put him, as an institution of property and of society and of government, in the constitution which you gentlemen swore to support. [Applause.] They did more than that. They put in that constitution which you swore to support a clause making it the duty of Congress to suppress insurrection; and when you signed your name to a document which encouraged and incited servile insurrection, you did it in the teeth of an oath to suppress insurrection. [Applause.] This is not all. That same constitution makes it your duty to return the negro to his owner, even when he escapes into your own non-slaveholding State. Not only that; that same constitution, framed by your fathers and my fathers in a lofty spirit of enlarged patriotism, also made the institution of slavery part and parcel of this Federal Government. It now holds here titles to this floor, and is an important element of Federal power by virtue of that instrument. Put the negro out at your peril! No, sir; it cannot be done. We of the South, under the necessities of our position, see what is our mission. Regarding that constitution as the instrument of our protection, we are determined to maintain its sacred compromises. You being a majority, and looking upon it as an instrument of restraint upon your power, have taken issue with the constitution and are attempting to throw off its restrictions. That is the fight between us, and we are ready to meet it here. [Applause upon the floor and in the galleries.]

Mr. Clerk, it is not my purpose to discuss the question of disunion upon this floor. I have no desire to discompose the nerves of any of those timid gentlemen to whom the gentleman from Pennsylvania [Mr. Stevens] referred yesterday. I know that it was spoken in irony. I know that these gentlemen are by no means timid. From the bottom of my heart I believe that your object is to drive us to disunion, and I have no idea that the intrepid gentlemen from Pennsylvania will feel the slightest apprehension. No, sir; I almost tremble for the South when I recollect that the opposing forces will be led by the distinguished hero of the "Buckshot War."\* [Great laughter and applause.] Whatever may be the result, however gloomy the catastrophe, his salutary accomplishments will enable him to leap out of any difficulty in which he may be involved. [Laughter and applause.] We have talked about secession in the South sometimes, and I would desire to take the gentleman down into my State to give my people a practical illustration of peaceable secession; for I understand that he gave, in a conspicuous way, a practical illustration of that doctrine upon a certain memorable occasion. [Laughter.] On that point, then, I have nothing to say. All that I desire to say, Mr. Clerk is, that, for one, I am no disunionist *per se*. I am devoted to the constitution of this Union; and so long as this Republic is a great tolerant republic, throwing its loving arms around both sections of the country, I, for one, will bestow every talent which God has given me for its promotion and its glory. [Applause.] Sir, if there is one idea touching merely human affairs which gives me more of mental exaltation than another, it is the conception of this grand Republic, this great Union of sovereign States, holding millions of brave, resolute men in peace and order, not by brute force, not by standing

\* "Buckshot War"—allusion to a political controversy in Pennsylvania in 1838. There were two parties, the Democrats and the anti-Masons. The former had carried the Legislature; but in the organization of the Lower House the latter contested certain seats, and undertook to control the House. Each party organized separately. The agitation reached the Senate, though not to the same extent. Mr. Stevens, although a member of the Senate, was one of the leaders of the anti-Masons. "To aid in this infamous scheme of subverting the government, Stevens induced Gov. Ritner to call out the military; and some twelve hundred or fourteen hundred volunteers, with all the pomp of war, with buckshot and ball, were quartered for weeks at Harrisburg for the purpose of intimidating the Democracy." It is said that at one time the excitement in the Senate, was so great that there was prospect of a riot among the members, and that Mr. Stevens, with some of his friends, made their escape through a back window. The efforts of Stevens failed, and the Democrats carried the day.—*National Intelligencer*, 1866.

armies, indeed by no visible embodiment of law, but by the silent omnipotence of one grand, glorious thought—the Constitution of the United States. [Applause.] That constitution is the life and soul of this great government. Put out that light, and where is “that promethean heat which can its light relume?” That is our platform. We stand upon it. We intend to abide by it and to maintain it, and we will submit to no persistent violation of its provisions. I do not say it for any purpose of menace, but for the purpose of defining my own position. When it is violated, persistently violated, when its spirit is no longer observed upon this floor, I war upon your government, I am against it. I raise then the banner of secession, and I will fight under it as long as the blood flows and ebbs in my veins. [Applause.]

But, sir, these gentlemen have assured us that when they signed that document inciting to insurrection they did not know what was in it, and that they had no intention of indorsing its sentiments. That document emanated from a man by the name of Helper. Two years ago it was made the basis of an argument in the Senate Chamber by a distinguished United States Senator. Its facts were controverted, and the character of the author was held up to derision and scorn, by a Senator from North Carolina. The discussion in reference to that book was one of the most pronounced features of that stormy session. Why, sir, it was the occasion of a brutal and violent assault upon this floor upon the person of a member of this House. Yet gentlemen, on the face of these notorious facts, indorse him *in blank*. They indorse all that he could say and all that he might say. I honor them for repairing the mischief to the extent that they have; but, sir, it comes too late for the victims of the Harper's Ferry tragedy. That was the logical and practical carrying out of your recommendation. Brown doubtless read it. Yours was the mere idea, but his raid in Virginia was the practical illustration of that idea. He crystallized that idea into action. You may now get up and say that you did not know what you were signing; but it will not reach the dull, cold ear of John Brown and his associates, who now fill felons' graves. You cannot, by that disclaimer, call back into life the men who were shot down like wild beasts in the streets of Harper's Ferry; and I call upon you, gentlemen, now, to rise and answer, in the name of God, are you guiltless of the blood of John Brown and his co-conspirators, and the innocent men the victims of his ruthless vengeance?

But you assure us, notwithstanding your indorsement of that circular, that you intend not to violate a single right of Southern citizens; that you do not intend to come in conflict with a single constitutional right of the Southern people or of the Southern States. The gentleman from Ohio made that declaration, and the gentleman from Illinois [Mr. Kellogg] asserted, with his usual and characteristic impetuosity, that any man who dared to charge upon any one of his constituents a desire to interfere with a single constitutional right of Southern people belied them. Now, sir, I have this to answer; John Brown would have said precisely the same thing; he did say, I am told, that he did not intend to interfere with a single constitutional right of any Southern man. Fortunately for the South, our constitutional rights are not to be graduated by your prostituted standard of constitutional law. Now I appeal to gentlemen right here to know what you mean when you say that you will not interfere with our constitutional rights. Do you mean our rights as you understand them? Where is the gentleman from Illinois [Mr. Kellogg], with whom I have in times past been on agreeable terms of courtesy? The ingenuous manner with which he spoke this morning induces me to interrogate him a little further. Is it not the purpose of your party to bring to bear all the machinery of this government—the executive, the judiciary (by remodeling it if necessary), and the legislative—to strike with its Congressional arm the institutions of the Southern States from the Territories of the Union? I ask you that, and I ask you if you do not know that when you strike slavery from the Territories you have taken the initial and most decisive step toward the destruction of slavery in the States. You know that that is your policy; and if there is any difference between you and John Brown, the difference is between the impetuous charge of the rude Cossack and the stealthy operation of the sapper and miner. Why cannot I get a response to that question?

MR. KELLOGG, of Illinois: I made what I supposed would be a clear, distinct, and unqualified statement of my views in relation to slavery in the Territories. I will make it again if the gentleman desires it. I stated that in the States slavery was a matter of their own. I believe it to be a State institution, not a national institution. As a State institution, I treat it as such, for the constitution recognizes it as a right. Beyond the limits of a State the institution finds no warrant in the constitution; and, believing as I do that it is a moral, social, and political wrong, I said then, and I say now, that, with all constitutional power, I will resist its aggression. [Applause and hisses in the gallery.] These hisses and applauses in the gallery are all immaterial to me, and I know they are to the gentleman from Mississippi; and I remark here that I

and the gentleman from Mississippi, I doubt not—between whom and myself have been social relations of a friendly character—both desire that these manifestations shall cease upon either side.

MR. LAMAR: I have no feeling whatever in this controversy. All I want—and I know that I shall get an explicit, unqualified, and distinct avowal from the gentleman—is to know whether you are not in favor of exerting the power of the government, and especially of Congress, to exclude slavery from the Territories, in order that there may be no more slave States.

MR. KELLOGG, of Illinois: Before the country and my God, I declare I desire that the blighting curse of slavery should never extend beyond the States in which it is. As a State institution you have it, and you can perpetuate it in your State; and I pledge you that we will not interfere with it. Is the answer explicit? If it is not, I will endeavor to make it so.

MR. LAMAR: I have no doubt that the want of explicitness in the answer is owing to my own vagueness in putting the question. I acquit the gentleman of any intentional effort to evade an answer. He now, as I understand, asserts that it is the desire of his party that slavery should not extend beyond the limits of the States in which it now exists. The question to which I desire to direct his attention is, whether he does not intend to accomplish that desire by exerting all the power of the government to exclude slavery from the Territories belonging to the Union?

MR. KELLOGG, of Illinois: In every constitutional way, I do.

MR. LAMAR: I ask the gentleman if he does not believe that the passage of an act excluding slavery from the Territories is a constitutional way.

MR. KELLOGG, of Illinois: I believe it is. [Applause and hisses in the galleries.] I believe that we now understand each other.

MR. LAMAR: Yes, sir, we do understand each other; and I am rejoiced that the gentleman has told us what he means when he says that he and his party will respect our constitutional rights. He declares that they will confine slavery to its present limits; and the vast domain now belonging to our common government, or hereafter to be acquired, shall be appropriated to the Free-soil North. But why don't these gentlemen continue their responses? Are the revelations ill-timed and embarrassing? "Ye gods, strike these dumb Republicans and make them speak!" [Laughter, applause, and hisses.] Why so still upon this occasion? Is it another specimen of your "studied silence?"

MR. STEWART, of Pennsylvania: By the rules of the House there can be but one speech at a time.

MR. LAMAR: I am glad to hear that exceedingly luminous remark. [Laughter.] I thank the House for its attention; and, as I have disclosed precisely the positions which have been occupied, I will not detain the House any longer. I desire, however, to say one word to the gentleman from New York [Mr. Clark], who said (and I listened to him, holding my breath in silent wonder) that he had never seen a known abolitionist until he came to this city. All I have to say is, to commend to that gentleman from New York City a sentiment of an old maxim: "Know thyself." [Laughter and applause.]

#### Appendix No. 4.

##### SOUTHERN SLAVERY AND SOUTHERN SLAVEHOLDERS.

*Speech in the House of Representatives, February 21, 1860.*

The House being in Committee of the Whole on the State of the Union, and having under consideration the President's Annual Message, Mr. Lamar said:

Mr. Chairman: I obtained the floor several days ago for the purpose of replying to some arguments advanced in a very ingenious and well-considered speech from the gentleman from Connecticut [Mr. Ferry]. I desire to begin my remarks to-day by a quotation from the philosopher and poet, Coleridge, which I will thank the clerk to read for me.

The clerk read as follows: "An American commander, who had deserved and received the highest honors which his grateful country, through her assembled Representatives, could bestow upon him, once said to me, with a sigh: 'In an evil hour for my country did the French and Spaniards abandon Louisiana to the United States. We were not sufficiently a country before; and should we ever be mad enough to drive the English from Canada and her other North American Provinces, we shall soon cease to be a country at all. Without local attachment, without national honor, we shall resemble a swarm of insects that settle on the fruits of the earth to corrupt and

consume them, rather than men who love and cleave to the land of their forefathers. After a shapeless anarchy and a series of civil wars we shall at last be formed into many countries, unless the vices engendered in the process should demand further punishment, and we should previously fall beneath the despotism of some military adventurer, like a lion, consumed by an inward disease, prostrate and helpless beneath the beak and talons of a vulture, or yet meaner bird of prey.”

The distinguished commander there referred to, Mr. Chairman, was Decatur. No one can read that declaration without feeling some disposition to inquire whether we are about to realize its fulfillment. The animosities that exist between the two sections of the Confederacy, the discord that reigned for seven long weeks on this floor, are fearful tokens of a deep-seated disorder in our political system.

My object to-day is to inquire how far my constituents and the people with whom they are associated are responsible for the existing condition of things. Mississippi, sir, has grown up under this Federal Union. There is not within her limits a proprietor who does not hold his home under a grant from the Federal Government. Her noble university and her common schools are all established by donations from the public domain, which she has received in common with all the new States. It is true that in the special and appreciable advantages of Federal legislation (such as discriminations in favor of industrial pursuits and commercial enterprise, and the return of taxation in the form of government expenditures) she receives far less than an average. She has no ships to participate in the monopoly granted to American vessels of the coasting trade, and the benefit of tonnage duties in their favor in the foreign trade. Her population have no fishing or other bounties from the national treasury, and the tariff on imports does not operate to protect the productions of her industry. She has no army of contractors or Federal officers, nor are there any public buildings of imperial magnificence constructed by the government within her limits; but she is prosperous, and the hearts of her people beat truer to the Union than to their own tranquillity. Nor will she be driven from her devotion, except by causes which she has not created and by consequences for which she is not responsible. Mississippi has never declared herself in favor of disunion, *per se*. She will not make that declaration until she becomes convinced that her sister States North are deliberately determined to endanger her internal and social institutions, or to impair her dignity and equality as a Confederate State.

Now, sir, I should not be candid if did not say that there are many, perhaps a majority, in my State who do not speak with the same reserve and caution as I am doing on this occasion. The obvious and unmistakable tokens of design in the long-continued and crafty agitation of this slavery question have produced alienation and distrust. It is a unanimous sentiment in the South that the existence of this Republican organization is a standing menace to her peace and security, and a standing insult to her character. More especially have the recent events in Virginia, the discordant proceedings of this House, and the angry discussion on the Helper book, created a tone and tendency in the public feeling which must tell unhappily on the political transactions of our country for a long series of years.

I was pained, during that discussion, to hear the distinguished gentleman from Ohio [Mr. Corwin] ask, in a tone of levity, which evinced how lightly he esteemed the temper of our people: “Why, gentleman, can a small book like the Helper Compend endanger your proud institutions?” Sir, a million of such books could not for an instant affect the South, but for the conviction that it represents and embodies the sentiments of a large class of the Northern people. You, gentlemen, who have disclaimed and repudiated its *practical recommendations*, do not deny, I believe you all admit, that the *fundamental doctrine* of the book—that slavery is a great moral, social, and political wrong, to be opposed by the government everywhere and under all circumstances, by all constitutional means; its extension to be prohibited, and the powers of this government to be applied to confine it with a view to its extinction—is the predominant opinion of a large mass of the Northern people; that it infects their literature, pervades their jurisprudence, is inculcated in their theology, controls their local legislation, and constitutes this day the sole creed of a political party which commands a majority of States, and overwhelming majorities in States, at the North.

Now, sir, this is a portentous fact; for a moral sentiment thus diffused among the majority of a great people will work itself out into practical action, and the law, fundamental or statute, which obstructs its progress to development must yield before it or be overborne by it.

Sir, institutions and constitutions and laws and governments are at last but external structures whose roots are in the moral and intellectual life of the people for whom they exist; and any revolution in that moral and mental life must have its corresponding effect upon institutions subject to its influence.

Now, sir, among a great, earnest, and religious people, whose moral and religious conviction is that slavery is a "sin against God and a crime against humanity," in the language of the gentleman from Connecticut [Mr. Ferry], I ask what countenance or support will be given to a constitution which sanctions that sin, or to institutions which uphold and establish that crime. Let, sir, the party which represents this sentiment get possession of this government, trench itself in all its departments, arm itself with its power; and I ask if the barriers of the constitution, the forms of law, the obligations of humanity, and the sovereignty of the States will not all melt down in its fiery path. Is it strange, sir, that our people should think of withdrawing their imperiled institutions from the sweep of this fanatical revolution? And, yet, sir, if a Southern gentleman, from a heart oppressed with gloomy forebodings for his country, expresses any such sentiment upon this floor, forthwith these Republican gentlemen—aye, sir, and grave Senators—seize upon it, tear it from its context, misrepresent the spirit which prompted its utterance, and send it forth grouped with other expressions similarly garbled, to arouse passion, inflame prejudice, and madden fanaticism.

Sir, the calamity of the times is that the people of the North do not understand the people of the South, and it is to the interest of a certain class of politicians to perpetuate the misunderstanding.

The gentleman from Connecticut, sir, in his speech a few days since, repeated the assertion of the gentleman from Ohio [Mr. Corwin] that it was the policy of the founders of our Republic to prevent the establishment of slavery in new communities. In my opinion, a greater error was never committed upon this floor. My own State is a standing refutation of the proposition. Sir, slavery exists this day in Mississippi by the encouragement—certainly with the consent—of this Federal Government when it was in the hands of the founders of our Republic. By the act of 1798 the President was authorized to extend over the Mississippi Territory the same government which existed northwest of the Ohio, excepting the last clause of the famous ordinance prohibiting slavery, and that was repealed. And upon the motion of Mr. Thatcher, of Massachusetts, to protect what he called "the rights of man," the Wilnot Proviso principle was proposed to be extended over Mississippi, and received at first but twelve votes, and upon the last proposition but one vote. Now, sir, this seems to me to be a legislative declaration to exclude the conclusion that there was any desire upon the part of the founders of our Republic to prevent the establishment of slavery in new communities. It certainly displays the considerate caution which then existed on this subject. It shows that there was no disposition on the part of the founders of our Republic to interfere with the delicate relation in new Territories, and it would have been a policy of peace had this precedent been followed in all subsequent legislation. This act shows that the United States gave their free and spontaneous consent that slaves might be carried and held in Mississippi as property, and that her freemen were at the proper time to form an independent government and become a member of the Union on equal terms with the other parties to the compact. Now, sir, Mississippi stands here to-day, and finds slavery, through the action of this Federal Government, an integral and live element in her social system, interfused with the social relations, the industrial pursuits, the investments of capital, and the political forms of her people.

Gentlemen, I ask, have you the right—I do not mean the constitutional power—have you the moral right, is it just, is it tolerant, to reverse the action of this government and embark it in a career of hostility to an institution which the action of this government has made the basis upon whose durability our social and political order is constituted? The condition of Mississippi is that of other new States in the South and Southwest.

The gentleman from Connecticut justifies this policy of his party on the ground that our institution is regarded by the people of the North as "hateful to God and unjust to man;" that "it cannot exist of natural right." But when he seeks to give the authority upon which he bases this dogma, he takes particular pains to lodge it in that most secret place in all nature, "the instincts of the human heart" and the dictates of natural reason.

MR. FERRY: An enlightened conscience.

MR. LAMAR: Yes, sir; the dictates of an enlightened conscience. Sir, he almost repeated the proposition of the gentleman from Ohio [Mr. Bingham] in a debate during the last Congress, when he said: "I appeal to your immortal spirit, can you be rightfully reduced to slavery?" The gentleman from Connecticut, following that line of argument, asks: "Is there a man upon this floor who would not rather die than be a bondman, who would not rather see his little son dead in his coffin than see that son sold into slavery?"

Well, sir, I answer the gentleman (and I presume it is just as he wishes me to an-

swer) that I cannot be rightfully reduced to slavery; nor can you, sir; nor can the gentleman himself. But, sir, does it follow that men are right-angled triangles, that whatever is true of one is predicable of all men? Will these gentlemen say that that is the test by which the rightfulness of a civil regulation is to be determined? If so, I will ask these gentlemen a question: "I appeal to your immortal spirit," can you rightfully be reduced to a felon's cell? I ask the gentlemen: "Is there a man upon this floor who would not rather die than be" a felon; who "would not rather see his little son dead in his coffin" than to see that son torn from his mother's embrace and doomed to imprisonment for life with hard labor, the associate of convicts and criminals?

MR. FERRY: Does the gentleman wish an answer?

MR. LAMAR: Not just now. Sir, they can give me but one answer, and that is the answer which I give to their question. And yet there are some hundreds of thousands of our fellow-citizens, in whom the same immortal spirit resides, who are reduced to that ignominious condition; and these gentlemen justify the ordinances and statutes which condemn them to it, not because they are not "created with equal, inherent, natural, and inalienable rights," but simply because the order and well-being of society require that they shall be deprived of that liberty and equality which, in our hands, is such a priceless, peerless blessing. But I again "appeal to the gentleman's immortal spirit." I ask him if he can be made subservient and obedient to another's will; his intellectual and moral nature subject to the restraint and control of another's authority. Sir, these gentlemen are ready to fight for the liberty of private judgment; and yet all the young men of the country under twenty-one years of age are reduced to that condition, not because their rights are not natural, inherent, and inalienable, but simply because the interests of society require that they should be kept under this personal restraint until they are fitted for political and social equality.

But, sir, I appeal again "to the gentleman's immortal spirit," and I ask him if he can rightfully be deprived of all political power, even the right of voting; every civil privilege, even of suing, in a government which acts upon every relation of his being, which taxes his person and taxes his property, and affects, for weal or woe, the destinies of his posterity. The gentleman from Ohio [Mr. Bingham] has already justified rebellion in Kansas "to maintain the natural right of self-government," and the gentleman from Connecticut [Mr. Ferry] has asserted that one of the objects of our Revolution was to establish "universal equality in political rights;" yet, sir, one-half of our adult population—the better half, who have the same immortal nature, and a far purer nature than ours—are reduced to that condition, are deprived of every political right, of every civil privilege. Their existence is ignored by the laws of some States, and their very persons in many instances are subject to the custody of coarser and inferior natures. And these gentlemen justify all this, not upon the ground that woman's nature is not immortal, or that her rights are less inherent or inalienable, but simply because the necessities of society demand her consecration to those high and noble responsibilities which unfit her for the exercise of political rights.

Now I put the question, and I want it answered, whether female dependence or the immaturity of youth constitute any better reason for the privation of social and political equality, for the infliction of civil disabilities and personal restraints, than the ignorance, superstition, the mental and moral debasement, which centuries of barbarism have entailed upon a servile race? I want to know, sir, if the good of society, its interests and order, as a whole, require that this race should be retained in its existing relation; whether the institution does not stand vindicated by every principle upon which human institutions repose.

Mr. Chairman, the mistake of these gentlemen is this: that men are to be governed by certain fixed, inflexible, invariable rules deduced from natural reason; and that a government which is applicable to a race of intelligent white men can be forced upon States consisting of two distinct races opposite in color, and differing as widely in character, disposition, moral and mental habits, as are the opposing characteristics of barbarism and civilization.

But, sir, shall we always be disputing about these "natural rights of man" and the foundations of society? Are we to have no time-honored institutions, no recognized precedents, no grand maxims of common law growing up around our constitution, and almost as sacred as the constitution itself? Is our grand Republic, its destiny, its administration, its policy, to be forever floating hither and thither upon the uncertain billows of this beautiful but dangerous sea of political metaphysics? Are these gentlemen prepared to say that every institution of society must stand or fall, according as it conforms, or fails to conform, to some principle of natural right, deduced by each generation from natural reason? Where, sir, would such a principle stop? There are philosophers, and I believe they are correct, who say that the right of individual property cannot be deduced from the natural reason of man.

But, sir, this principle is not limited in its action to political forms; it institutes revolt in all the elements of the social system, and raises impious war against the recognized ordinances and express commandments of God. The gentleman from Connecticut [Mr. Ferry] stated the other day that there was no warrant in the language of inspiration for the relation of master and slave as it exists in the South. Now, sir, I am not going to quote the Bible on these gentlemen; but I propose to give them the language of a learned Northern divine, the President of a Northern college, an advocate of immediate abolition, whose book on moral science is the text-book of your Northern colleges, academies, and schools. Dr. Wayland, in his letters on the subject of slavery, speaking of the twenty-fifth chapter of Leviticus, in which the Hebrews are commanded to buy the children of the strangers among them, uses the following language:

"The authority to take them *as slaves* seems to be a part of this original, peculiar, and anomalous grant."

I presume, Mr. Chairman, that none but an abolitionist would characterize a grant of God as *anomalous*. [Laughter.]

Again:

"I grant at once that the Hebrews held *slaves* from the time of the conquest of Canaan, and that Abraham and the patriarchs held them many centuries before. I grant also that Moses enacted laws with special reference to that relation."

I hope that I have the attention of the gentleman from Connecticut [Mr. Ferry] to the next sentence:

"I wonder," says Dr. Wayland, "*that any should have the hardihood to deny so plain a matter of record. I should as soon deny the delivery of the Ten Commandments to Moses.*"

MR. FERRY: Will the gentleman yield to me a moment?

MR. LAMAR: It is this stupid hour rule that prevents my yielding to the gentleman.

MR. FERRY: I do not wish to interrupt the gentleman further than to say that I will take another opportunity to answer him.

MR. LAMAR: Sir, the gentleman said that the sentiment of all Christendom was repugnant to the institution of slavery. Christianity came into the world when the relation of master and slave was one of hostility and cruelty. "Our slaves are our enemies," was the observation of the elder Cato. How did our Saviour and his apostles treat that relation? I propose, sir, no views of my own; but I will give an extract from Dr. Wayland's "Elements of Moral Science," the text-book of your Northern schools. In an argument seeking to prove "the moral principles of the gospel to be directly subversive of the principles of slavery," he makes the following admission:

"The gospel neither commands masters to manumit their slaves nor authorizes slaves to free themselves from their masters; and, also, it goes further, and prescribes the duties suited to both parties in their present condition."

Again:

"The *duty of slaves* is also explicitly made known in the Bible. They are bound to obedience, fidelity, submission, and respect to their masters, not only to the good and kind, but also to the unkind and froward; not, however, on the ground of *duty to man*, but on the ground of *duty to God*."—*Wayland's Elements of Moral Science*, pages 225 and 229.

This is abolition authority, I want it understood.

Now, sir, the teachings of the apostles, as they are here made known by Dr. Wayland, were the teachings of the Christian Church. The Church itself was a slaveholder, and Christian kings and princes followed its example. There is in the Hampton Court at this day the marble bust of the favorite negro slave of William III., Prince of Orange—one of the cherubim of English liberty—with a carved collar around his neck, with a padlock upon it, and in every respect made like a dog's collar.

But, sir, there is one authority which I came near forgetting to read, and which, I suppose, stands higher with these gentlemen than even Dr. Wayland. It is a work which is an elaborate exposition of certain abstract principles of New England theology and politics, albeit in a narrative and dramatic form. I read from the "Minister's Wooing," by Mrs. Harriet Beecher Stowe. [Laughter.] In this novel, which would stand unequalled as a work of fiction but for the antislavery bigotry which runs like a coarse black thread through the otherwise admirable tissue of thought and feeling, she puts in the mouth of the erudite and learned Dr. Hopkins—the hero, by the way, of the tale—the following answer to Mr. Marvin's question: "Was there not an express permission given to Israel to buy and hold slaves as of old?"

Says the Doctor:

"Doubtless; but many permissions were given to them which were local and temporary. For if we hold them to apply to the human race, the Turks might quote the Bible for making slaves of us, if they could; and the Algerines have the Scripture all

on their side; and our own blacks, at some future time, if they can get the power, might justify themselves in making slaves of us." (Page 174.)

Now, sir, I do not wish the point of my argument to be misunderstood. I am not seeking to show a Bible sanction of Southern slavery as it now exists. I do not ask your assent to that. My point is that the *principle* with which you are warring upon us is condemned by the ordinance of God and the language of Scripture. I say that God would never, even "for local and temporary purposes," have given permission for that which comes in conflict with those immutable principles of natural right of which he is the Author. When he established slavery among the Jews he established the principle that there may be conditions and circumstances under which slavery is not "hateful to God or unjust to man." Nor does this argument justify Turkish slavery, Algerine slavery, or white slavery; it justifies no sort of slavery except that which justifies itself by the rightfulness of its own conditions and circumstances. And this is the ground upon which we of the South place our cherished institutions. We maintain that these justifying circumstances do exist in relation to our institution of negro slavery. They consist in the unfitness of the black race for a condition higher than that of slavery. Our proposition is that when these two races are brought into contact, the supremacy of the white man must be acknowledged, and his right to govern both races with reference to the happiness of both. This is the principle upon which, until recently, the legislation of all your Northern States was founded. They all asserted the supremacy of the white man and the subordination of the black man.

The gentleman from Connecticut [Mr. Ferry] stated that the object of our Revolution was to establish "universal equality in political rights, and the indefeasible title of *all men* to social and civil liberty." He ought to have had the candor to have held up his own State to public reprobation for violating this principle, for in Connecticut he knows that the negro has neither political nor social equality; that he is deprived of the right of voting; that he is legally incompetent as a witness against white men, and excluded from the right of intermarriage with whites. Those gentlemen guard sedulously enough against all contact of this race with themselves or their own class of society. I could not insult that gentleman more grossly than to ask him if he is willing to throw open the sacred precincts of his family and allow the negro to come in as an equal member. No, sir; but he is for *freeing his labor*, and possibly for giving him the right of voting, and by that means bringing him in contact and equality, *not with himself*, but with the *laboring white freeman of the North*. And why such a proposition does not kindle a consuming flame of indignation among those laboring freemen of the North is one of those political phenomena for which I will not undertake to account.

Sir, the only cause of the difference between the legislation of Northern and Southern States upon the subject of slavery is that the negroes are not in sufficient numbers at the North to make it necessary to reduce them to the condition of domestic servitude; while with us that condition is indispensable to the good order and welfare of the whole society. And it is demonstrable (and I will make it so appear, if I have time) that the negro in the Southern States has reached a moral and intellectual development superior to his race in any other position in which he has been placed; that he contributes more in his present condition to the good of mankind, their moral and intellectual progress, than in any other position in which he has been placed. What was his condition when he was first brought here? Look at him upon his native continent. The most humane explorers of the African continent tell us that they exist there without social or political order, without modesty or shame, some of the tribes not even reaching the civilization of the fig leaf.

I propose just here to read from "Hegel's Philosophy of History," an imperishable monument of human genius, in which the author holds "freedom to be the essence of humanity, and slavery the condition of injustice." And what does he say?

"The negro, as already observed, exhibits the natural man in his completely wild and untamed state. We must lay aside all thought of reverence and morality, all that we call feeling, if we would rightly comprehend him. There is nothing harmonious with humanity to be found in this type of character. (Page 97.)

"The undervaluing of humanity among them reaches an incredible degree of intensity. Tyranny is regarded as no wrong, and cannibalism is looked upon as quite customary and proper. . . . The devouring of human flesh is altogether consonant with the general principles of the African race. To the sensual negro, human flesh is but an object of sense, mere flesh." (Pages 99, 100.)

After describing many other characteristics, the author concludes

" . . . Slavery to have been the occasion of the increase of human feeling among the negroes. The doctrine which we deduce from this condition of slavery among the



negroes, and which constitutes the only side of the question that has an interest for our inquiry, is that which we deduce from the idea—viz., that the 'natural condition' itself is one of absolute and thorough injustice, contravention of the right and just. Every intermediate grade between this and the realization of a rational state retains, as might be expected, elements and aspects of injustice; therefore, we find slavery, even in the Greek and Roman States, as we do serfdom, down to the latest times. But thus existing in a State, *slavery is itself a phase of advance from the merely isolated, sensual existence, a phase of education, a mode of becoming participant in a higher morality and the culture connected with it.*" (Page 104.)

Now, sir, who will say that the three hundred thousand negroes, whose character is thus described by this German author, brought over to this continent, would ever have had their condition improved, or would ever have secured to themselves the benefits they now enjoy, had they been left in their "natural condition?" At that time there were two barbarous races which came in contact upon this continent with the European. The one was the African, occupying the lowest point in the scale of human existence; the other was the noble Indian race, superior to the African in intelligence, in moral and physical development. Free as the wild bird of his native forests, bold as the stream which dashed down his mountain gorges, generous as the bounteous nature around him, the American Indian goes into history the poetic embodiment of savage life. What has been his fate compared with that of the African?

What has become of the Narragansetts, Pequots, Senecas, Oneidas, and Delawares? Driven back by the advancing wave of European civilization to continually contracting circles, with diminished means of subsistence, into degradation, wretchedness, and extinction.

The African, with all its foulness, with all its prosaic vulgarities, domesticated and disciplined, has been by that same wave borne up higher and higher, until now it furnishes inspiration for Northern song, heroes and heroines for Northern romances, and is invited by Northern statesmen into their charmed circle of political and social equality. Not just yet, gentlemen, if you please. He is not your equal; and history proves that even when he has reached this point of civilization, if you take from under him the institution that has borne him up to it, he relapses into his pristine barbarism. I intended to show this by detailed reference to the French Islands, the English Antilles, and other countries in which slavery has been abolished. I could have shown that in Hayti, where the negro was left with all the endowments of a civilization which vied with that of Rome in gorgeous magnificence, you see now nothing but poverty, vice, indolence, and all other signs of a rapidly approaching barbarism. I intended to show from antislavery authority that the British Antilles have disappointed every promise and frustrated every hope that accompanied the act of emancipation. I intended to show the condition of the free colored population in Peru, as exhibited by a most intelligent German traveler, Von Tschudi, whose work was published among the "Choice Reading" of the antislavery publishing house of Wiley & Putnam, in New York.

I need not refer to Liberia. The gentleman formerly from Missouri [Mr. Blair] has demonstrated on this floor that Liberia is a failure, and Africa still the "house of bondage." The distinguished gentleman from Ohio [Mr. Corwin] has expressed some doubt about that matter, but he can certainly point to no sign of an advance beyond the original moral status of the colony; and, sir, if it does not show signs of decay and dissolution, it is because the emigration of our freed negroes pours constantly into the shrunken veins of its sickly civilization fresh tides of moral and mental life. I need not refer to the condition of the free negro in the Northern States. These gentlemen are familiar with it. One thing I will say: that the census returns show that his moral and physical condition is superior in the South to what it is in the North; and if freedom to the individual be such a boon and blessing to the African, Southern slavery has done more in this respect for the race than Northern abolitionism. There have been one hundred thousand more emancipated by the Southern States than have been emancipated by the Northern States; and there are now forty thousand free negroes living in the South more than are resident in the Northern States.

If, then, we show that the condition of the negro at the South is superior to his condition in any other country, and that the abolition of slavery has always been followed by immediate retrogression, I ask of what has humanity to complain against the institution?

Sir, another argument that has been advanced by Northern gentlemen and by the leader of their party is that the interests of the white race require the exclusion of this institution from new territory; that it should be dedicated to free soil and to the freemen of the North. Now, I want to say, in passing, that that puts out of view every consideration of humanity which these gentlemen have made the instrument of the

fanaticism that has hitherto been waged against us; but I will pass on. How do the interests of the white race require the restriction of slavery? They say that free labor is dishonored by its contact with slave labor. How? The two systems coexist under our Republic. Look at labor as it exists at the North, the mighty North, the seat of commerce, manufactures, mechanic arts, accumulated wealth, and common schools. Look at the mighty population that fills that vast territory with the hum of its free industry, the toiling millions that constitute the substratum on which this splendid fabric of free society rears its aspiring head. Are they not all freemen? Is not each one of them the equal of the proudest and richest in the land, tenacious of his rights, and proud of his position? What, though he is often compelled to toil in midday while the very earth is melting with fervent heat, and while the negro slave is resting from his work? Still his labor is dignified and honorable, because it is free; and, although commerce may languish and manufactures go into decay and the wages of labor fall and the cost of provisions increase, yet he can hush the mutterings of discontent and still the gnawings of hunger by the one proud, glorious thought: *the dignity of labor*. Now, how is this labor contaminated by the existence of Southern slave labor? Sir, our negroes are working *under* and *for* your free laborers at the North. They furnish them with the raw material on which this free labor exercises its skill and industry, the raw material which is the very basis of your commerce and manufacturing enterprise.

But you say that it becomes dishonored by coming in contact with slave labor in the common Territory. This very contact exists in the South; and is labor dishonored there? Why, according to the estimate of these gentlemen, there are only three hundred and twenty thousand slaveholders in the South; all the balance are nonslaveholding laborers. Mark that! Now, gentlemen, universal suffrage exists in the South. Each one of these three hundred and twenty thousand slaveholders has one vote, and no more; each one of the five million nonslaveholders has one vote, and no less. These latter, then, have the overwhelming majority. Sir, the institution is in the hollow of the hand of the nonslaveholder of the South. He has but to close his hand, and the institution is crushed. He sees its effects on the slave; he feels its effects on himself. Sir, if these effects were degrading, why not throw it off, when he could do it by simply depositing a ballot in a senseless urn? I will tell you why he does not do it. I will show you why it is that from that vast body of independent, voting freemen there comes up not one whisper of disapprobation, not one murmur of discontent, not one protest against its morality, its justice, and its expediency. It is because there is no class among whom negro slavery secures such widespread blessings as the nonslaveholders of the South. There has never been a race of men more maligned and lied about than that very class of freemen in the South. I know them. I have lived among them, and have felt the heart-warm grasp of their strong hands; and I tell you, Mr. Chairman, that God's sun does not shine on a nobler, prouder, happier, more prosperous and elevated class of people than the nonslaveholders of the South. It is impossible, from the very nature and constitution of Southern society, that it should be otherwise.

I have time to mention only one fact, among others, that shows you its advantages in their view. Mr. Webster, in one of his speeches, spoke of the ownership of land as constituting the basis of free government, and said that suffrage should be restricted to those whose property gave them an interest in the preservation of the State. Now, I do not think that. I think that an honest, intelligent laboring man is as much entitled to a participation in the government as the member of any other class of society.

But there are certain moral advantages in favor of a landowning community. Sir, in every country and in every age the proprietorship of the soil has been regarded as a position of dignity and of personal elevation. Now, sir, that is the position of the non-slaveholding laborers of the South. They are a nation of landowners. There is not such a body of landowners in the world as the nonslaveholders of the South. Each of them feels in himself a pride of character, an elevation of position. And, sir, he feels that he is not merely a freeman; he is a freeholder. More than that, he is a *gentleman*. You talk about free labor at the North, and free soil, as if it did not exist in greater purity in the South than anywhere else. What you call "operatives" have to share the profits of their labor with capital, and it is hinted that capital gets the lion's share. What we call "slaves" are owned by capital, and get their return only in food, raiment, shelter, and protecting care. But, sir, true free labor is that which the Southern farmer, with his own free arm, applies to his own soil, allowing neither master, capitalist, nor employer to have any participation in its profits. And, sir, what are those profits? Not alone the crop of cotton, corn, and potatoes; something more than that. When the strong, brave man drives his plowshare through the fallow ground, the up-

turned sod reveals to his eye that which is richer to him than the golden sands of California.

'Tis the sparkle of liberty

and personal independence. Sir, at the end of the year he has other gains, too, that his labor brings him: the industry and honesty of the father, the household virtues of the mother, the intelligence of the sons, the chastity of the daughters—there, sir, is a harvest which we would not barter for this wide world's commerce and all its honors besides.

But, sir, let us see what this institution has done for the progress of mankind; and this brings me to the third class of men in the South who have been subject to misrepresentation. I allude to the Southern planters. I have but a moment to spare, and I will allude to one branch of Southern industry as an illustration of the whole: I mean cotton culture. Some idea of the importance of the cotton trade to the civilized world may be obtained by the following graphic description of its influence upon Great Britain, from the pen of Macaulay:

"I see in this country a great manufacturing population drawing the materials of manufacture from a limited market. I see a great cotton trade carried on, which furnishes nearly two million people with food, clothes, and firing; and I say that if you shut out slave-grown cotton you would produce a mass of misery among the people whom Providence has committed to your charge frightful to contemplate; you would introduce desolation into your richly flourishing manufacturing districts; you would reduce hundreds on hundreds to beggary and destitution; you would risk the stability of your institutions; and when you had done all this, you would have great reason to doubt whether you had conferred any great benefits on the particular class for whom you made such a sacrifice."

Now, sir, the cotton plant grows in the East Indies. It has been long a product of Bengal and Malabar. It grows in the West Indies. During the French domination Hayti exported a larger quantity of cotton than the North American continent. It exists in Persia; it exists in Brazil; it exists in Egypt and China; in Spain, in Malta, and in Mexico; it exists in Africa itself. The peculiarity of climate and soil necessary to its production has been greatly exaggerated, in my opinion. I attribute the vast production, swelled from one hundred and fifty thousand pounds to four million bales in seventy years, to the combination of moral and physical qualities which have been associated in its culture.

The Southern planter is not the indolent, aristocratic nabob which he has been represented to be. He is, in general, careful, patient, provident, industrious, forbearing, and yet firm and determined. It is these qualities which have enabled him to take a race of untamed savages, with no habits except such as inspire disgust, with no arts, no information, and out of such a people to make the finest body of fixed laborers that the world has ever seen. Sir, England has imported Coolies, Chinese, natives from the African coast, into her colonies, and yet she has been unable to compete with the Southern plantations. There is no product which requires such constant and unremitting attention, such continuous labor, as the cotton plant. The great complaint in the British colonies is that the fruit of each year's effort is lost by the broken and irregular labor of the operatives. Now, sir, the Southern planter has secured continuity, consistency, and steadfastness, in the most indolent, inconsistent, and capricious of the human race. Burke, in his speech upon conciliation with America, paid to the victorious industry employed in the fisheries of the colonies of New England a just and glowing tribute of admiration. The perseverance, the dexterous and firm sagacity enlisted in that perilous mode of industry, is worthy of his esteem. Something of the same qualities are displayed by the Southern planter in the production of those beneficent results which have flowed from the culture of the great tropical products of the Southern States.

The Southern planter penetrates the dense forests, the tangled brake, the gloomy wilderness of the river swamps, where pestilence has its abode; and there, day by day and year by year, amid exposure, privation, and sickness, are his foresight, his prudence, his self-reliance, his adaptation of means to ends, called into requisition. In the communion with himself—which his isolation makes indispensable—and in the daily and yearly provision for a large body of domestics and dependents for whom he has to think, and whose labor he has to direct, he forms those qualities which enable him to emerge from his isolation to fill the county court or to become a member of his State Legislature, to discharge the duties of local magistracy, or to take his place in the national councils.

The solution of the enigma of the "slave power," so mysterious to transcendental and infant school philosophers, may be sought here. Its basis lies in that cool, vigorous judgment and unerring sense applicable to the ordinary affairs and intercourse of

men which the Southern mode of life fosters. The habits of industry, firmness of purpose, fidelity to dependents, self-reliance, and the sentiment of justice in all the various relations of life which are necessary to the management of a well-ordered plantation, fit men to guide Legislatures and command armies.

I see that gentlemen are disposed to smile at this suggestion. In confirmation of what I say, I have only to point them to the fact that it was in such communities as these that a Washington, a Jackson, a Taylor, a Scott, a Twiggs, a Quitman, a Davis, a Lee, a Ringgold, a Bragg, a Butler, and a host of others, acquired those qualities which enabled them, in the positions in which their country placed them, to add such undying luster to the American name. It was in such communities that such men as Jefferson, Madison, Monroe, Polk, Lowndes, Calhoun, Clay, Macon, Marshall, Taney, and a host of others that I could mention, acquired those characteristics which their countrymen North and South instinctively discerned whenever "called upon to face some awful moment to which Heaven has joined great issues, good or bad, for human kind."

I have sought, sir, in a cursory way, under the whip and spur of this hour rule, to show that there is nothing in our institutions that cannot stand justified before impartial history for our mode of dealing with the race which Providence has placed in our hands. I do not pretend to say that, in the adjustment of our economic forces, there may not be ameliorations; I do not pretend to say that we have arrived at a standard of ideal perfection; but I do say that there is a reach of thought and a maturity of judgment brought to bear upon this subject in the South which is always adequate to evolve the greatest good. We certainly can learn nothing from the enemies of our institutions and conspirators against our peace.

I come to the last consideration I think it proper to urge upon the attention of the House. Is it the part of statesmen to attempt to exercise the powers of this government in a spirit unfriendly to the institutions and interests involved in the political and economical system which I have been discussing? The father of the constitution, Mr. Madison, on the floor of the convention which framed it, expressed a different sentiment:

"He admitted that every peculiar interest, whether in any class of citizens or any description of States, ought to be secured as far as possible. *Wherever there is danger of attack, there ought to be given a constitutional power of defense.* But he contended that the States were divided into different interests, not by their difference in size, but by other circumstances, the most material of which resulted partly from climate, but principally from the effects of their having, or not having, slaves. These two causes concurred in forming the great division of interests in the United States. It did not lay between the large and small States. It lay between the Northern and Southern States; and, if any defensive power were necessary, *it ought to be mutually in these two interests.* He was so strongly impressed with this important truth that he had been casting about in his mind for some scheme that would answer the purpose."

I do not anticipate that the magnanimous counsels of a wise and patriotic statesman, whose provisions embraced in their scope the entire Republic, will obtain such authority as to secure additional guarantees to our institutions. These we have not asked. We ask only our constitutional rights in the Union. The Southern people demand that this organized "irrepressible conflict" shall stop, that the institution of slavery shall be maintained as an existing fact in this Confederacy. The sentiment is rapidly approaching unanimity among them that any attempt to impair its property value, or a single political privilege which it confers, or any of the constitutional rights by which it is guaranteed, or to place over them the party which arrogates to itself the right to do any of these things, will be a fatal blow at the peace and stability of this great country.

## Appendix No. 5.

LETTER TO HON. P. F. LIDDELL, OF CARROLLTON, MISS.

WASHINGTON CITY, D. C., December 10, 1860.

*My Dear Sir:* Your letter of the 4th inst., requesting me to give you my views as to the best method of concentrating the efforts of all the friends of a real and *bona fide* resistance in Mississippi and the South to black Republican rule, is before me. Apart from my disposition to oblige an esteemed friend, the relations which exist between the people of Mississippi and myself as one of their Representatives in the Federal Congress, the uniform kindness and confidence I have experienced from the portion that form my immediate constituents, and the necessity I feel for frank and open-hearted communication with them, are additional reasons for complying with your request.

The result of the recent Presidential contest has inflicted a dangerous, perhaps a fatal, wound upon the confidence of the Southern States in the integrity of the Federal Government.

I have not supposed that the Federal Executive would always command the support of, or inspire confidence and esteem among, all the peoples of the Union. The framers of the constitution did not anticipate that we should always have a wise, faithful, and patriotic President.

We may reasonably expect that delusions will often exist in respect to the worth of a nominee for that office, and that parties and demagogues may sometimes succeed in debauching or misleading the popular judgment in favor of an unworthy candidate. There are in our constitution important checks upon Presidential power; and the tenure of office is not so long as to enable a vicious man, unassisted, to do irreparable mischief, even in the full possession of that power. The people of the South understand fully the nature and functions of the Federal Government. They do not need to be taught that its legitimate structure furnishes them ample and efficient means of checking the vices of executive administration, protecting themselves against the hostile and unconstitutional purposes of the existing incumbent, and of even repairing such violations of the fundamental law as may, during his term of service, be beyond their control. The personal character of Mr. Lincoln and his political opinions (except so far as they represented that armed doctrine which menaces our peace, and was contrived for our degradation and dishonor) have not formed, with them, the subjects of either inquiry or interest. The stern protest which has spontaneously leaped from the hearts of the Southern people, simultaneous, and yet without any concert, free from revolutionary excesses or party recklessness, indicates a thorough knowledge of the real extent and depth of the grievances inflicted upon them, and shows a political maturity in that people adequate to evolve the proper remedy and firmly to apply it.

Let us look at this event in its mildest aspect, dissociated from the sectional hostilities in which it originated, and apart from the purposes which it was designed to accomplish. It is the first step toward the subversion of American representative liberty.

There is, as you know, a Northern and a Southern theory of the constitution; the former regarding it as one political community, a consolidated Republic, in which a majority of the people govern under the forms of the constitution; the latter regarding the United States as a confederacy of States, sovereign, independent, and equal. Either theory may be adopted for the purpose of my argument. Let us, for the sake of argument, adopt the latter. It is an essential condition of representative liberty that the powers of government (of which the choice of rulers is not the least important) be distributed through the entire mass of the nation. This is the point from which all representative liberty starts, and to which it must return: that the central authority must derive its nutriment and draw its force from all the parts of the entire body of society, so that by their reciprocal independence they can counteract the tendency of any one part to usurp the sovereignty of the whole. It is required that all the parts should seek and contribute to legitimate rule in common; and if any part, whatever be their number, insulated from the rest, assumes the common government over the others by virtue of a prerogative which it arrogates to itself as its exclusive possession, the result is not liberty; it is tyranny unmixed. Test the recent Presidential election by this principle. The Northern States—or, if you prefer the expression, the Northern people—have usurped an entire branch of the government, to the exclusion of the Southern people. I do not wish to be understood as saying that the Southern people have been deprived of the privilege of depositing their ballots and having them counted with all the formalities of law. My proposition is that the principle, not the form, of representative government has been violated. The policy of a conquering power has ever been to disguise its grasp upon the liberties of a people under the sameness of external forms; not to startle the people by any striking alterations, but to cheat them by respect for their usages and customs into acquiescence in the control which it covertly assumes over their public affairs. The Greek Republics retained all their forms of municipal government—the freedom of legislative and judicial proceedings unchanged—while all Greece lay, a subjugated nation, at the feet of Philip. This is the relation which the Southern people, if they quietly submit to this election, will sustain to the executive department of the government on the 4th day of March, 1861. They will live under a Chief Magistrate whose power touches them at every point, penetrating into their States, their towns, cities,

villages, and settlements, their business arrangements and family relations—a Chief Magistrate elected in no part by them, but over them, by another people widely distant from them in locality, and still more widely distinct in passions, prejudices, interests, civil and domestic institutions, than they are in geographical position. The obligation to submit and live under a Chief Magistrate thus elected for one Presidential term implies the obligation to do so under an indefinite number of terms—forever. The right of the North to place the executive department in such a relation to the Southern people involves the right to place all the departments of the government in that relation. But would that be representative liberty? Liberty does not exist where rights are on one side and power on the other. To be liberty, rights must be armed with vital powers. A people cannot be free who do not participate in the control of the government which operates upon them. If it is irresponsible to them, if they cannot contribute to the check upon its operations, they are not a free people, but subjects, dependent for their rights and interests upon no power in themselves, but upon the moderation and justice of irresponsible rulers, or upon those revolutionary remedies which constitute no part of the machinery of civil society. Such will be the condition of the Southern people if they remain in the Union until after the 4th of March next. You will observe that it is a matter of no importance to the people of the South whether Mr. Lincoln was elected according to the forms of the constitution or in disregard of those forms. Had he been appointed by the Governors of the Northern States, or nominated by the crowned heads of Europe, his selection as Chief Magistrate would have been, in either case, no more in disregard of the wishes, interests, and feelings of the entire South than his election has actually been. When one of the vital principles of a political system has been destroyed, society, in all its elements, is thrown into disorder. In this election the Democratic element of our government shares the fate of the representative idea. Mr. Lincoln is elected by a minority of nearly a million votes, the South being thus subjected to all the terrors of a passionate Democracy and the tyranny of a selfish oligarchy.

It may be said that this is a mere temporary displacement of the political forces, and that another Presidential election will readjust them and restore the harmonious operation of our political system. But our people cannot shut their eyes to the fact that this revolution in the government only manifests and embodies a mightier moral revolution which has for fifty years upheaved the bosom of Northern society, a revolution which has never gone backward, and whose very law is progression. They cannot but see in this election the sword of empire drawn by a fanatical majority section in a contest which cannot be declined, and yet on the issue of which the existence of the minority section is staked; that it is a movement impelled by a fanaticism whose footsteps have never been seen in voluntary retreat; that it is a victory secured by the citizens of States whose Legislatures have solemnly recorded their determination that no oath shall bind them to observe the constitutional compact in respect to slavery. They are convinced that this antislavery fanaticism is rife at the North, and that society, in all its elements, is surcharged with the deadly poison; that it infects their literature, pervades their jurisprudence, is animating the spirit of their theology, is taught in their academies and schools; and they behold the party which represents this spirit intrenched (by overwhelming majorities in all their States save one) in the departments of the Federal Government, armed with the sword in one hand and the purse in the other.

According to the theory of the constitution which prevails at the South, ours is a Confederacy of equal and independent States. A Confederacy of itself, in the absence of any express stipulation, is an implied recognition of, and friendliness to, the subsisting institutions of its various members. By this election the nonslaveholding States have seized upon the powers of a common government, with the declared purpose that these States shall not continue part slaveholding and part nonslaveholding. There is no proposition better established than that the overthrow of the civil and domestic institutions of one people by an external or foreign power is, in effect, a conquest and subjugation of the former. The Southern people are law-abiding, long-suffering, and averse to rash innovations; but where the alternative is presented of a change in their political relations or an overthrow of their political institutions, they will not hesitate.

Such an election (in view of all the circumstances attending it), in my judgment, not only justifies, but imperatively demands of, the Southern States to take measures for their security. I believe that this sentiment is entertained from Mason and Dixon's line to the Rio Grande, and that hundreds of thousands

in the Northern States, who have opposed in vain the unrelenting hostility of our persecutors, regard it with approbation. There is, of course, a diversity of opinion as to the extent of the measures to be taken. There is a large class in the more Northerly of the slaveholding States who will be content with measures of vigilance, and who look to a reorganization of parties which will modify the action of the Federal Government, or insure the overthrow of the party which has succeeded in the present election. The friends of the constitution and the Union in the Northern States, they think, compose a larger class than the Presidential election indicates. They have a natural dislike to what they deem extra-constitutional or extreme measures, and are willing to abide the issue of the election. I think that in the more Southern States the time has passed when parties can command confidence. They rather fatigue contempt. A second class fully recognize the existence of an arrogant and contumelious disregard of their obligations by the New England States and Wisconsin and Michigan, in relation to the law for the extradition of fugitive slaves, and that self-respect requires that notice should be taken of their measures of nullification.\* They are ready to make a demand for redress, and to put it in the power of these States to take measures to place the Union on constitutional foundations. They require time for consultation among the Southern States and for a change of sentiment at the North, so that before resorting to the extreme measure of disunion they shall have exhausted every other remedy. A third class—considering the long agitation that has existed upon the subject of slavery, its fatal effects upon the society of the United States, and their conviction that there will be no suspension or pause in the agitation, and that the conflict is indeed irrepressible, and arises in the antagonism that exists in the political and social ideas of the two sections, and that the predominance of the antislavery idea in the politics of the Northern States has been and will be sufficient to prevail against the opposition of the entire South, even in combination with their friends in the North—are in favor of secession. But considering all the evils that belong to any disruption of the government, and appreciating the value of the existing Union, they are willing to return to it with loyalty if they can find adequate guarantees for their security from further collision and strife. This class would expect amendments to the Federal Constitution, so that the conditions of slavery in the States and Territories and in all places of Federal jurisdiction be placed beyond cavil or dispute, and that the slaveholding States should mutually guarantee their own rights; so that in the event of the renewal of another slavery agitation the remedy will be plain and adequate. There is a fourth class of energetic, resolute, and high-spirited men who consider the Federal Government a failure, the connection of Northern and Southern States as unnatural, and the independence of the latter a supreme good. These are for immediate, unconditional, and even abrupt secession. The first class is diminishing in numbers and influence, and the fourth class is increasing. This class is dominant in one State, commands perhaps a majority in another, and is influential in all. It is possible that all the classes, which favor some action, would be brought to act in concert if they only understood one another's opinions. In my judgment, this long-continued and rancorous agitation (which has divided our Churches, rent asunder political parties, diminished and embittered the intercourse of society, unfitted Congress for the performance of the functions imposed by the constitution), the incendiary dispositions manifested in its course by the representative men of the Northern States, and the habitual attack upon the foundations of our society by men occupying public stations of the highest trust and responsibility, have estranged the majority of the Southern people from their Northern connection; and they would prefer a Union among themselves, other conditions being equal.

\*In allusion to the so-called "Personal Liberty Laws" passed by fourteen of the Northern States—viz.: Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Illinois, Indiana, Ohio, Wisconsin, Iowa, and Michigan. These statutes were a great offense to the Southern people. They were regarded as having been designed to practically nullify the fugitive slave laws of Congress, and as being a direct breach of the constitutional compact between the States on which the Union was formed. They were denounced, not more because of the obstacles thrown by them in the way of the reclamation of fugitive slaves, than because of the insult and reproach to the slave States imported by their existence, or than because of their direct tendency to encourage slaves to run away, and to foster in the people of the Northern States a spirit of resistance to the acts of Congress. Their general tenor was to prohibit State officers from aiding in the arrest of fugitive slaves, to require the States' attorneys to defend them, to provide for the payment of the fugitives' expenses of defense out of the State treasury, to deny the use of the State courthouses and jails in such cases, to so regulate the rules of procedure and evidence as to hinder the master, to give a right of trial by jury instead of by the court, to provide heavy penalties against the master in case of unlawful seizures, etc.—*DeBow's Review* (September, 1860), p. 370.

That is, if a Southern Confederacy could be formed without war, or violent change in existing conditions, the popular mind would receive no shock; the people would anticipate more of security and happiness than in the present Union.

The corruption of the State and municipal governments North, the magnitude of their cities, and the consequent disorder and crime and disparity of condition among the inhabitants; the increase of heterogeneous populations, their red Republicanism, infidelity, and anti-Christian ideas; the intemperance and violence and indecorum of the Northern clergy, and the anarchy of opinions upon all questions of social interest, and the want of any sound public opinion—furnish strong evidence that sooner or later society there will experience a general overturn. But the distrust of Northern institutions and the dislike of Northern manners are not active or stimulating emotions, and show themselves rather in the want of any anxiety to disturb or restrain this movement. If the formation of a Southern Confederacy, to extend from the Delaware or the Susquehanna to the western line of New Mexico, or to include California, were adopted, I believe that a large majority of the Southern people would be rejoiced. I believe that the patience of the people with New England and some of the Western States is exhausted. In my opinion, it is the duty of all the members of the Southern States, in the present emergency, to maintain a large, liberal, and magnanimous course of conduct toward one another. "To be subject one to another" is the lesson of wisdom in this conjunction of affairs. It is not necessary for me to declare to what class of those I have enumerated I now belong, for I shall not enlist as a partisan of any opinion in any part of this contest. I shall resign my own opinions with facility whenever I can perceive that good can be accomplished. What I desire to have, what I desire to represent and cooperate with, is the sound and deliberate opinion of the people of Mississippi first, and then of all the Southern States, after a candid, impartial, and deliberate review of the whole subject, and having reference to all their responsibilities, to themselves, their ancestors, and their posterity.

But I feel it my duty to say that I think acquiescence on the part of the South in the results of the late Presidential contest is fraught with more danger to the safety of her society, the stability of her institutions, the freedom of her citizens, and the lives of her people, than can possibly attend any of the plans of resistance to black Republican rule.

Upon the stability of slavery in the Southern States as an institution of society, government, and property, entitled to the recognition and protection of the Federal Government at home and abroad, and the right to carry our property upon the common territories of the Union and to enjoy it there, without bar or hindrance from any quarter, I am prepared to advise firmness. Believing as I did that a vast majority of the Southern people prefer a Union of the Southern States to the existing connection with the North—provided such a result could be secured without radical changes in their fundamental system or shock to existing conditions—I submitted for the consideration of the Legislature of our State the plan to which your letter refers.\* It is intended to avoid the perils that attend transitions from dismemberment to reorganization, and also the evils of provisional governments.

The leading feature of that plan is the adoption of the present government, either by a general convention of the Southern States or by commissioners appointed by their authority, who shall provide that the Constitution of the United States shall remain in full force and effect among the States withdrawing; that the laws and decisions of courts which are now of force in the Republic of North America under the authority thereof shall be adopted as a body of laws for the Federal Government about to be established; that the people of the States so withdrawing will bind themselves to observe and sacredly carry out the stipulations of all treaties subsisting between the United States of North America and foreign governments anterior to the date of said ordinance, until such treaties are changed or altered, or are disregarded by such nation with this government about to be established. As the first step in this direction I submit for your consideration the ordinance which I think the people of Mississippi should adopt in their convention on the 7th of January:

"An ordinance of the convention of the people of Mississippi, assembled at the capitol of the State, at Jackson, pursuant to the election of the people, pursuant to an Act of the General Assembly of the State of Mississippi, entitled, etc.

"Whereas on the 1st day of March, 1817, the Congress of the United States

\*In allusion to the address before the Legislature, November 11, 1859.



passed an act entitled 'An Act to enable the western part of the Mississippi Territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States;' and

"Whereas on the 15th of August, 1817, the people of Mississippi, by a convention called for the purpose, did form for themselves a constitution and State government, and by ordinance did then consent to become a member of the Federal Union, on an equal footing with the original States; and

"Whereas on the 10th of December, 1817, by resolution of the Congress of the United States, the State of Mississippi became a member of the Federal Union, and has remained such from thence hitherto; and

"Whereas for sufficient causes, in the opinion of this convention, the said Federal Union should be dissolved,

"Be it therefore ordained by the authority of the people of Mississippi, in convention assembled, That the ordinance of the 15th day of August, 1817, by which the State of Mississippi consented to become a member of the Federal Union, be, and the same is hereby, repealed, and that the State of Mississippi resume all the rights, powers, and functions therein conveyed, and be divested of all the restraints and duties contracted in favor of the said Federal Union, and from henceforth be a free and independent State.

"Section 2. Be it further ordained, That the State of Mississippi hereby consents to form a Federal Union with the States of Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Louisiana, Arkansas, Texas, Tennessee, Kentucky, and Missouri, and the Territory of New Mexico, and the Indian Territory west of Arkansas, under the name and style of the United States of America, and according to the tenor and effect of the Constitution of the United States, adopted September 12, 1787, saving and excepting such parts thereof as embrace other portions than the States above named.

"Section 3. Be it further ordained, That the laws enacted by the United States, under the said constitution, from 1789 until the day of the sitting of this convention, and all treaties made under the authority of the same, shall be obligatory upon the people of Mississippi, in so far as they are applicable, in the same manner as if this ordinance had not been made, until the termination of the first Congress of the government hereinafter mentioned.

"Section 4. Be it further ordained, That all officers of the United States within the limits of Mississippi shall remain in office, and perform the same functions therein, until the Federal Union hereby ordained shall be fully organized and established.

"Section 5. That all the regulations, contracts, and engagements made by the United States of America shall continue to be binding as before upon the State of Mississippi, and that provision shall be made for the fulfillment of the obligation in respect thereof.

"Section 6. That the Governor of Mississippi shall perform all the functions of President of the United States, under this constitution, within the limits of Mississippi, until the organization of the Federal Union referred to in the second section of this ordinance.

"Section 7. The accession of nine of the States mentioned in Article II. is requisite to give this ordinance effect, and for the establishment of the constitution between the States ratifying the same.

"Section 8. That it shall be the duty of the Governor, immediately after the event described in the last preceding article, to direct an election of members to Congress in each of the Congressional districts, and also to direct the election of electors of President and Vice President at the same time, under all the regulations, except as to time, as are contained in the existing laws."

It will be observed that the plan proposed aims at no change in our form of government, but seeks to protect existing forms from destruction. It proposes to give us our old glorious constitution in vigorous operation, strong enough to suppress domestic violence and repel foreign invasion, safe in the affections of our people from the attacks of fanaticism and sectionalism and black Republicanism and red Republicanism all combined. It gives us all the laws of the old Republic, and those grand decisions of the judiciary, which have grown up around the constitution, as part of the fundamental law, and are almost as sacred as the constitution itself. It proclaims to the civilized world that as loyalty to the constitution is the law of our conduct at home, so will good faith and the observance of treaties regulate our intercourse abroad. It gives us the traditions and the historic wealth, colonial and revolutionary, of the glorious old Commonwealth of Virginia. In a word, it gives us the Union and constitution as

the fathers made them, and separates us from the enemies to both, who themselves have seceded from the constitution, and are indeed rebels and traitors.

With great respect, your friend,

To HON. P. F. LIDDELL, Carrollton, Miss.

L. Q. C. LAMAR.

## Appendix No. 6.

JEFFERSON DAVIS,

*President of the Confederate States of America,*

To all to whom these presents shall come: Greeting.

KNOW YE, that, for the purpose of establishing friendly relations between the Confederate States of America and the Empire of Russia, and reposing special trust and confidence in the integrity, prudence, and ability of COLONEL LUCIUS Q. C. LAMAR, I have appointed him Special Commissioner of the Confederate States to the Empire of Russia, and have invested him with full and all manner of power and authority for and in the name of the Confederate States, to meet and confer with any person or persons, duly authorized by the Russian Government, being furnished with like power and authority, and with him or them to agree, treat, consult, and negotiate concerning all matters and subjects interesting to both nations; and to conclude and sign a treaty or treaties, convention or conventions, touching the premises; transmitting the same to the President of the Confederate States for his final ratification, by and with the advice and consent of the Senate of the Confederate States.

In testimony whereof I have caused the seal of the Confederate States of America to be hereunto affixed.

Given under my hand at the city of Richmond, this nineteenth day of  
 { SEAL } November, A.D. 1862.

JEFFERSON DAVIS.

By the President: J. P. BENJAMIN, Secretary of State.

To HIS MAJESTY, ALEXANDER II., Emperor of all the Russias, etc.

*Great and Good Friend:* Animated by a sincere and earnest desire to establish and cultivate the most friendly relations between the Confederate States of America and the Empire of Russia, I have for that purpose selected COLONEL LUCIUS Q. C. LAMAR, one of our most intelligent, esteemed, and worthy citizens, and have commissioned him as Envoy Extraordinary and Minister Plenipotentiary of the Confederate States to reside near the court of your Majesty. He is well acquainted with the wishes and interests of the Confederacy, and your Majesty will therefore be pleased to give full credence to whatever representations he may make in its behalf.

May God preserve your Majesty in his safe and holy keeping!

Your good friend,

JEFFERSON DAVIS.

Richmond, November 19, 1862.

## Appendix No. 7.

THE STATE OF THE COUNTRY, AT HOME AND ABROAD.

*Address delivered at the Athenaeum, Atlanta, Ga., April 14, 1864.*

At the hour of 8 P.M. Col. Lamar entered the large hall, which had long been crowded with a brilliant assemblage of ladies and gentlemen, and was greeted with enthusiastic applause. He arose and began:

*Ladies and Gentlemen:* Invited by a portion of the citizens of Atlanta to address you upon the "State of the Country, at Home and Abroad," I appear before you this evening, not simply as an act of courtesy, but in obedience to my sense of public duty. I presume you desire that I should first state to you some of the results of my observations during my recent visit to Europe.

Though absent during a period not exceeding twelve months, I had unexpected opportunities of ascertaining the state of public opinion in England and France, and of obtaining some information of that throughout Europe, touching American affairs.

In Great Britain the leading contestants for power, the Conservatives and Whigs,

supported by the great body of their respective adherents, are favorable to the success of the South. Many causes, however, combine to prevent this partiality from producing any practical result. Not only the Government party, but even the Conservative leaders are exceedingly timid in regard to any movement which might give umbrage to the United States. They seem to consider that a war with that country would be the greatest calamity, short of actual dishonor, that could befall Great Britain; and there exists a universal conviction that the United States would not regret the occurrence of a contingency which would justify them in declaring war. This belief has made a deep impression upon the mind of England; and though it has increased the willingness to witness the dismemberment of a hostile power and diffused in a wider and still widening circle, the sympathy for the South, it has, notwithstanding, exerted a powerful influence in holding that government to the so-called policy of neutrality which it announced at the commencement.

Another cause lies in the peculiar composition of parties in both Houses of Parliament. I presume you are all aware that neither of the two great parties has such a working majority as will insure its continuance in power. The Conservatives can at any moment oust the Whigs, now in power; and the latter can, in turn, with equal facility, eject their successors. This gives the balance of power to the Radicals, under Mr. John Bright and others. Although weak in numbers in Parliament, this last-named party has become necessary to the maintenance of either party in power; at least their united opposition would be fatal to any administration which might be organized.

These men are the warm partisans of the United States, and had, a short time previous to my departure, made a series of striking demonstrations by public meetings and addresses on the subject of slavery. I was told that it was well understood that United States gold was freely used in getting up these spectacles; and although they have been participated in by but few men of any note or consideration, yet they have been sufficiently formidable to exercise a powerful influence upon the policy of both the leading parties. It was thought that some of Lord Russell's remarkable declarations about slavery were elicited by these demonstrations.

If the nation were divided solely on the American question, the overwhelming force of public opinion would be on the side of the South.

With the exception of John Stuart Mill (the author), Mr. Cobden, and Mr. Bright, I cannot call to mind a single man in England, eminent in letters or politics or society, who will profess himself, publicly, in favor of the North. The nobility, a body of independent and highly cultivated men, who still rule that country, though compelled to do so in accordance with the wishes and instincts of its people, are generally in our favor. The same may be said of the clergy of the established Church.

The Army and Navy may be pronounced almost unanimous in their sympathy for the South. There are seven leading daily newspapers in London. Of these but two, the *Star* and *News*, both issued from the same office, alone advocate the cause of the North. The *London Index* is a weekly paper, ably conducted, and entirely devoted to the Southern cause, in whose columns you may find some of the highest and proudest names of Great Britain on a committee to raise a statue to the memory of Stonewall Jackson [applause]; and in every number there are acknowledgments of contributions from the most distinguished sources to a fund for the relief of Southern prisoners, which had already before my departure reached the amount of several thousand pounds. I have heard the debates in Parliament, in which every allusion to the South was received with cheers, and every compliment to the North met with unequivocal tokens of disapprobation. Mr. Gladstone, the brilliant Chancellor of the Exchequer, in the very speech in which he opposed our recognition upon grounds of policy, paid such a tribute to our people as almost itself acknowledged our title to recognition. I state these facts because the rigid exclusion of our people from all contact with the English mind, by the blockade, has prevented us from seeing what the North has long discerned, in spite of Earl Russell's diplomacy, that the heart of England beats for us. Nor have reluctant concessions, extorted by the most indelicate menaces, blinded our keen-sighted enemies to the fact that we have there almost a unanimous nation as our friends—a friendship too timid indeed to be of any practical benefit to us, but none the less discouraging and exasperating to our enemy on that account.

But inasmuch as this apprehension of war with the United States does exist, and as the American question is subordinate to many questions both of domestic and foreign policy, and as the two parties are equal in strength, the Radicals really control the action of the government in regard to American affairs. Nor do I see any causes now at work which promise any change in the unjust diplomacy of Earl Russell, or justify any strong hope of practical aid from England. Nevertheless, no one, not even

the government itself, can anticipate its action on this subject. It may be reversed by the events of a day, as for a time was likely to be the case when the notorious outrage was committed on board the Trent.

The Northern Government has been more successful in acting upon public opinion in Germany than in other countries, and have many of the German newspapers in their interest. It has its agents throughout Germany enlisting laborers to take the places of those who have joined the army. They profess that they only want them for this purpose. They have been successful in finding men willing to emigrate on the favorable terms offered; and, as we all know too well, these men have largely swelled the ranks of the Northern army. This, combined with other causes, has made the lower classes warm partisans of the North. While I was in Europe there prevailed an impression that the Court of Austria was most anxious for the termination of the war, and was not unfavorable to its termination on a basis of Southern independence. The intelligent classes of the people of that empire are certainly in hearty unison with what was supposed to be the sentiment of their government. Notwithstanding the hostility of the masses of the people of Prussia to us, I think I do not go too far in saying that in the court circles and army of Prussia there exist great sympathy and earnest wishes for our success. I believe that these two courts would cheerfully acquiesce in any measure inaugurated by other leading powers for our admission into the family of nations. The Russian Government does not conceal its wish for the restoration of the American Union, but professes to be not hostile to the South. Strange as it may seem, the references to the South in the diplomatic papers of this government are far less offensive to us as a people than those in the communications of Earl Russell, whose object, it seems, is to conceal the pusillanimity of his policy under the polished insolence of his words.

I presume, fellow-citizens, that it is not necessary to dwell at any length upon the inclinations of the Emperor of France. [Applause.] His proposition to the British and Russian governments for a joint mediation in the American trouble, his subsequent offer to the United States Government, the authoritative expression of his readiness to follow England in the recognition of Southern independence, his declarations in his speech to the *Corps Legislatif*, and the frank, unshrinking avowal of his views to Mr. Dayton, would seem to justify the opinion prevalent in Europe, that we have a warm friend and well-wisher in this powerful monarch and accomplished politician.

I know that it has been thought by some that the difference in the conduct of England and France was not so much a difference of policy and purpose as of diplomacy, or rather, diplomatic manners, and that our gratitude to the emperor is founded on rather what we expect than what we have received. But it is no small advantage to have the publicly avowed sympathy and moral support of the name of Louis Napoleon. [Applause.] Under his sway, France, risen from her fallen condition in 1848, has again taken the lead in Europe. In all difficulties the eyes of all turn to Paris and her emperor as the recognized arbiter of peace and war. It is the honorable distinction of the Napoleonic dynasty that, under its *régime*, France has been the protectress of oppressed nationalities and the friend of people struggling for liberty. It is not to be supposed that he will abandon finally a nascent State, whose heroic people have become, by his kindness, permanently attached to his person and the fortunes of his dynasty.

In the way of his effecting by his own agency what he sought to accomplish in combination with other powers, I know there lay some great obstacles. Notwithstanding the emperor has made France more prosperous at home and not less glorious abroad than ever before, the elements of opposition still exist, and are in unceasing play. When he was elected on his own programme of government in 1852 by a majority of over seven millions of votes in his favor, Paris, it is true, was no longer France, and ceased to be the absolute and capricious ruler that she formerly was; but, though she lay at his feet a disrowned monarch, she is not destitute of political power. She participates in the universal suffrage in which France rejoices. She can no longer bring into play her organized *emeutes* and mobs and barricades against the resolute will, the farseeing intelligence, and firm hand, backed by a devoted army, which now holds the power of government; but she has sent to the *Corps Legislatif*, I think, a unanimous delegation in opposition to his policy, led by the orator and historian, M. Thiers, who is suspected of disguising his hostility to the *régime* under the garb of opposition to the administration. The Orleanists oppose his policy, whatever it may be. The lawless red Republicans of France sympathize with the lawless black Republicans of the North, and are bitterly hostile to us. The philosophers and *littérati* are deeply inimical to our domestic institutions, which they imagine to be slavery as it existed in the French colonies. The Legitimists and Imperialists are thought to be in our favor.

The domestic difficulties in his way, however, he could easily overcome, but for another cause affecting the policy of governments, the force and extent of which it is difficult for American statesmen to appreciate. The nations of Europe are a commonwealth of States, a sort of federative league, which, though it has no central head, is so intimate and elaborate as to subject the action and sometimes even the internal affairs of each to the combined surveillance and intervention of all. No government, therefore, except at very great peril, can enter upon a policy exclusively its own; and its action in reference to foreign matters is constantly liable to modification, even after it has been entered upon. This is the reason why Earl Russell is so deeply engrossed with the conferences, rivalries, and jealousies between the leading powers of Europe, and manifests such profound indifference to the fate of constitutional government in America. To thwart some supposed cherished scheme of aggrandizement on the part of Louis Napoleon, or to lessen his ascendancy in the cabinet councils of European States, is in his eye far more important than to pursue any policy with America, which is regarded as an alien in the European system. It is yet to be proved that this alienage, cheerless and isolating as it now seems, is a national misfortune to us. For, fellow-citizens, the system of international law as it is enforced in Europe is not exactly the Christian code. It stands somewhat outside and independent of that code, and recognizes in the political order, as the law of nations, not so much principles of public right and morality as reasons of State and considerations of policy.

Earl Russell, in his speech at Blairgowrie, admits that the blockade of the Southern ports was not effective, according to the treaty of Paris. Lord Palmerston, in the House of Commons, in reply to Mr. Cobden, declared with emphasis that there was no distinction between furnishing one belligerent with arms and the other with ships, and that if the municipal law of England was not sufficient to prevent the latter his government would never propose to make it more stringent. But the blockade is respected, and the ships supposed to be for the South are seized; and the law of England must be again changed at the dictation of a foreign power. This is done, not in hostility to the South, but because the British Cabinet deem it to be policy to waive the rights—aye, and the duties—of a neutral, rather than enforce them by war with the United States. So with reference to recognition. We assert what we consider a clear and unquestionable title to admission into the family of States. The North contests it. Europe refuses to look into the question of *right*, and declares it to be a question of fact that must be settled between the contestants and by the arbitration of arms. It is not pretended that the North is justified in attempting to force their government upon the South against her consent. It is not denied that the South is justified in resisting this pretension of the North; but they hold that, to make good her moral right to independence, she must establish it *de facto*, by driving off the Northern armies and conquering a peace from the power that asserts dominion over her. When we point to the cases of Greece, Belgium, and the Italian States, whose independence was not and could not be established *de facto*, but who were, nevertheless, recognized upon the ground of right, the reply is: "These were not cases of *recognition*, but of *intervention*, dictated by policy." It does no good to say that such a doctrine discards all moral basis for society, and founds the State on the simple principle of force, on the principle that might gives right, and that to be weak is to be wrong; for it is true that in nearly all the Continental States authority is maintained by armed force.

The noble sentiment of loyalty, and the reverence for authority, outside of England, have lost much of their hold upon nations. Some of the most eminent men of Europe hold that the people have the right, by insurrection, to overthrow the existing constitution of a government, even in the absence of any tyrannical act on the part of that government, provided that they are able to do so. The most popular opponent of the South, in England, who wrote a series of articles over the signature of "Historicus" in the *Times*, in one of them quoted approvingly the execrable maxim that "rebellion, if successful, is sacred; if not, is treason;" and Earl Russell, in the speech to which I have already alluded, could find but one point upon which he gave his sympathy to the South: that is that we are in rebellion. His lordship may economize his sympathies, for the Southern people proudly repel the imputation of rebellion. [Applause.]

It is true that our enemies, and all who hold to the sacred right of rebellion, irrespective of any unconstitutional act of the government forfeiting its legitimate authority, are estopped from opposing our independence. But our cause rests upon higher ground than revolution. Our people believed it to be the assertion of legitimate sovereignty, made by States, some of whose constitutions are centuries older than that of the government which asserts its supremacy over them. It is a movement founded upon historical right, public law, morality, the inviolability of constitutions, and the

independence of free and sovereign States, in defense of which we have for three years maintained a war unsurpassed in magnitude, signaling each campaign by grand battles and glorious victories. [Applause.]

It is clear that the sovereigns and statesmen of Europe are convinced that our movement possesses the only condition essential, in their view, to legitimacy. They believe, and are acting upon their belief, in the certainty of our success. They regard themselves as better judges of the probable issue of the contest than either the North or the South. We are in the midst of the conflict, and they are calm observers. They have learned to judge of war and its results, for no generation passes in Europe without knowing something of its trials by experience. The nations have seen it for themselves, each in their turn, and everywhere its traces are visible. They have invaded and suffered invasion; overrun, and been overrun. France has seen the victorious banners of her enemies wave over Paris. Austria, Prussia, Russia, Italy, and Spain, have seen their capitals surmounted by the eagles of France. They have learned to appreciate what it is so difficult for our enemies to understand: that a people determined to be independent are not subjugated even when they are overrun by the superior forces of their enemies. The policy of the English Government is avowedly based upon the certainty of the dismemberment of the Union and a determination that Great Britain shall incur none of the responsibility. I give you, as an illustration, what was said in the debates by the opponents of the motion to recognize the South. Lord R. Montagu led off in the opposition, and concluded thus:

"He trusted that he had proved that it was useless to attempt to promote peace among the American States, whether by armistice, recognition, or mediation, until those States were tired of war. ['Hear, hear.'] But there was another point. Our troops were scattered over Canada, fifty here and a hundred there, and so on; but the North had a large number of troops; and if they were to attack Canada and take our troops, what a very pretty figure we would cut! ['Hear, hear,' and a laugh.] Then England was a great commercial country, and they might do serious injury to our commerce by a few Alabamas. ['Hear, hear.'] But there was another point. England imports an immense quantity of corn. Where did this corn come from but from Poland and the Northwestern States of America? But how much corn should we get from Poland this year, and must we not look, therefore, to the Northwestern States of America for our supplies? ['Hear, hear.'] If those States could find a market for their corn in England, it would promote a good feeling between them and Canada; but if this country went to war with America, that good feeling would be prevented. By such a fratricidal war the effusion of blood would not be stopped, but rather increased; the burdens of the people would be augmented, and the sources of food for this country would be cut off."

I give this not as a specimen of British eloquence, but as a specimen of British apprehension of war.

Mr. Clifford also opposed the motion to recognize us:

"He said that if any precipitate action plunged this country into hostilities with the United States a new feature of horror would be added to those now to be witnessed in America. . . . The Southern States could not be said to be waging a war of rebellion, for the constitution which bound the States together distinctly acknowledged that for all purposes, except for such matters as the customs and the postoffice and external relations, the States were separate sovereignties. . . . Into whatever society one went, high or low, one found that the general impression was that the South was making progress, and that its efforts would be ultimately crowned with success. That the end of all this must inevitably be the separation of the two groups of States was the conviction of every thinking man in Europe and even in America."

Mr. Gladstone also opposed recognition. Speaking for the government, he said:

"If we take the case of the Southern States, there can only be few who do not sympathize with a resistance as heroic as has ever been offered in the history of the world on the part of a weaker body against the overpowering and vastly superior forces of a stronger. ['Hear, hear.'] . . . Moreover, I believe that a very general union of sentiment and opinion exists in this country, not upon every matter relating to the present war, but upon this great question: whether we wish that this war should continue or should cease. My belief is that at least ninety-nine out of every one hundred in this house—I do not know indeed that there is a single exception—earnestly and fervently desire that it should terminate. ['Hear, hear.'] Why, sir, was there ever a war of a more destructive, more deplorable—I will venture to add, of a more hopeless—character? . . . No man is justified in wishing for the continuance of a war unless that war has a just and adequate, and an attainable, object; for no object is adequate, no object is just, unless it be also attainable. [Cheers.] We do not believe that the restoration of the American Union by force is attainable. [Cheers.] I believe that the public

opinion of this country is unanimous upon the subject. ['No.'] Well, almost unanimous. [Loud cheers.] . . . I do not think that there is any real or serious ground for doubt as to the issue of this contest. . . . No doubt my honorable and learned friend [Mr. Roebuck] thinks that the recognition which he proposes would bring the contest nearer to a close, but I must venture to join issue with him on that point."

The honorable Chancellor then proceeded to argue against recognition on the ground of policy alone.

These extracts, all from the opponents of recognition, show a perfect concurrence of opinion as to the certainty of the success of the South. But have the English no eye to the benefit of this event? Let us see. Great Britain is a great commercial and manufacturing country. London is the center of the present commercial and industrial system of the world. Whenever nations wish to make a loan, London is the market where it is offered and taken or rejected. Well, both sections have submitted their future to this unerring test of British opinion. An agent of the United States was sent for the purpose of putting a loan on the market, and failed to effect the negotiation. The agents of the Southern Confederacy made the same attempt. A loan for three million pounds was put upon the market, and when the books were closed the subscriptions amounted to fifteen million pounds sterling; and though, owing to Northern bears and bulls, and other causes not connected with our credit, it fell to considerable discount, it frequently rose and continued afloat, and was at last accounts still advancing. This was called a financial recognition, and was regarded at the time as an incident of no ordinary significance.

The Emperor Louis Napoleon is not only a powerful monarch, but also a subtle and astute politician, who, when he cannot direct events, knows how to direct his policy by them. He has established a French protectorate in Mexico, whose durability depends alone upon the establishment of the Southern Republic. The acceptance of the throne of Mexico by the Archduke Maximilian, with the acquiescence of the Austrian Emperor, proves that they look upon the American Union as at an end. The Archduke is, I am told, personally one of the most popular, as he is most decidedly one of the best informed and most intellectual, of all the princes of Europe. His politics are of the advanced liberal school. The Archduchess has the reputation of being an ornament to her sex and an honor to her distinguished father, King Leopold, of Belgium, whose government will not be behind the first to acknowledge the independence of the South. If anything can restore the greatness of Mexico and give stability and freedom to that distracted country, the result will, I think, be accomplished by the Archduke's acceptance of the crown.

The interests of Mexico and the Southern Confederacy will be closely united. As a Republic, she will be at the mercy of the United States; as a monarchy, she will be our friend and ally. Will the United States accept and recognize the accomplished fact, and thus maintain friendly relations with France and the new government? I attach but little importance to the resolution reported by Mr. Henry Winter Davis, and unanimously adopted by the House of Representatives at Washington, protesting against such recognition. Mr. Davis is a man of great national pride; and doubtless his force of character, combined with the fear of their constituents, caused the members of the House to vote unanimously for its adoption. But it will be only a repetition of the Trent affair. The United States Government will recognize the Government of Mexico, and at once proceed to clandestine efforts to overthrow it. But whatever course the United States may pursue, the cause of human freedom, civilization, and of the Confederacy (assuming our own success as certain), will be promoted by the establishment of the projected government in Mexico. [Applause.]

I have attempted, fellow-citizens, to disclose to you as precisely as I could the attitude in which you stand to the nations of the earth. A distinguished Southern statesman (Gen. Cobb), in his address at Newnan, is reported to have said: "The whole world is against us; we can expect no help from Europe." As to the first remark, I differ from that distinguished gentleman, though concurring fully in the opinion that we are to expect no aid. In my opinion, the annals of nations do not furnish an instance of a struggle which inspired such anxious, intense, and even tremulous aspirations for its success as are felt throughout a great part of Christendom in our behalf.

The great task before us, after peace, and one to the performance of which we will have to summon all the resolution, intellect, and religion of the country, will be to maintain the high reputation which our arms have acquired. Wherever I went, upon land or sea, I could hear from all ranks and classes of society

tributes to the unsurpassed valor of our troops, the genius and skill of our generals, the conservative moderation of our legislation, the high civil and moral qualities of our President, and the heroism and fortitude of our people; and when, standing under foreign skies, I heard these tributes to my dear, bleeding Southern land, my heart thrilled with pride in feeling that I was a Confederate citizen, a title I would not barter for this wide world's wealth and all its honors besides. [Applause.]

But, it is asked, what good will all this sympathy and admiration do us if we get no practical assistance? If there be any truth in the saying, "A good name is rather to be chosen than great riches," if reputation is the best part of man's and a people's estate, it is certainly no small thing to rise from the degrading estimate which our enemies had by their calumnies caused all the nations of the earth to form of our character—to rise, I say, to our present exalted position. Nor is this favor so unproductive of material results as some suppose. Public opinion is a great moral power to which the mightiest and most reckless nations must yield sooner or later. Sovereigns and cabinets may refuse to utter its decisions for a time, but it goes on noiselessly gathering power until it becomes mightier than an "army with banners."

The Pope of Rome, though despoiled of his principal temporal supports by the sovereigns of Europe, is still the recognized chief of the greater portion of the Christian world; and as a devout and humble Christian he is as much respected and beloved by Protestants who come in personal contact with him as by Catholics. This spiritual head of the Catholic Church, who has never yet lowered his crest before the powerful governments that have despoiled him, has risen and, in the name of religion, humanity, civilization, and the integrity of States, pronounced us right, and recognized the title which we have assumed among the nations. [Applause.]

I have been frequently asked if my observation of the workings of the monarchies of the old world, in connection with the unhappy end of the American Republic, had not somewhat impaired my faith in republican institutions, and if I would not be willing to have such a government as that of England, for instance, established here. I reply that my confidence in republican institutions as the normal political state of the Southern people, so far from being shaken, is strengthened and confirmed. [Applause.] My opinion is that the well-being, stability, and freedom of society depend more upon the essential characteristics of the people who compose it than upon its external political forms. The Government of England is certainly an admirably balanced Commonwealth, in which political power and individual freedom are in perfect poise and vigorous operation; but the Constitution of England is the history of England. Its government, its civil and religious and educational institutions, are but external structures whose roots lie deep in the moral and mental life and social habits of its people. It is no machine to be fabricated or imitated by other people.

If there was any one peculiarity which struck me more forcibly than all others, it was the absence of any system whatever. It is practical unity amid theoretical contradictions. The two great antagonistic principles which warred for the mastery through so many bloody revolutions are now working together in the same constitution in harmonious compromise. The hereditary principle, as represented in the monarch and the nobility, is prevented from being despotic or tyrannical by the House of Commons; the elective principle, the principle of democracy, of the numerical majority, is embodied in the House of Commons, but is limited and prevented from becoming absolute and oppressive by the Crown and the House of Lords. Now, as we have neither kings nor nobility, we can have no hereditary principle with which to check the absolute power of the numerical majority. The division of powers between our President and Senate and House of Representatives does not effect the object, inasmuch as they all are the representatives of the one and same elective principle. It would be an easier task to transfer the English people to our soil than the English monarchy. But the principle of State sovereignty forms in our system the balance which the hereditary principle furnishes in the British system. I trust that it will never be given up. [Applause.] Indeed, the difference between the essential principles of the two governments is not so great as many imagine. Ours is a democratic Republic of independent States; theirs is a regal Republic of independent estates. Our constitution, like the English, is the growth of time, and, like theirs, is the principle of our political being, on whose preservation inviolate depend the issues of life and death.

Nor have the events of this war impaired my faith in republican institutions.



I do not believe that there is on earth a single nation which could have sustained the shock and constant strain to which we have been subjected during three long years without the most fearful social convulsions. The attachment shown by our people to their constitution during the transition from the dissolution of the old Union to the formation of the new one—when, though in theoretical abeyance, it nevertheless held undisputed sway over all minds and hearts—relieved my mind of all apprehension that our liberties would be lost by any act of the people themselves; and I am to-day more confident than ever that the great mass of our honest, simple, truthful, law-abiding, and brave-hearted people have just the qualities from which would naturally grow up a constitutional Republic, destined to take its stand among the best and most enduring forms of human government.

It is true that, on my return, I see many signs of distress and suffering, and that our enemies have made a large part of our beautiful and teeming country a land of desolation and mourning and woe; but I also discern in our people, of all ages and sexes and conditions, a greater capacity of self-sacrifice, a higher tone of thought and feeling, greater earnestness of purpose, purer motives of action, a deeper moral life. You, my fellow-citizens, are unconscious of the moral transition through which you have passed; but to one who has been absent the result is clear and striking.

It is also true that among some there prevail depression at the thought of future trials and sacrifices to be endured, and impatience at the heavy charges which the necessities of our government have forced it to impose upon the people; but even with these, I see the same unflinching devotion to the cause, the same inflexible determination to toil on, fight on, and live on the bare necessities of life, in order to maintain our rights, save our honor, and secure a glorious independence. [Applause.]

The efforts to excite opposition and dissatisfaction among the people with the measures of the last Congress are certainly to be lamented for the effect which will be produced abroad, and upon our enemies, who will not understand their spirit and purpose; but of their effect upon our people I have no apprehension. [Applause.] These measures have been the theme of a message from the Executive of Georgia to the Legislature, in which they are denounced, in unmeasured terms of bitterness, as unconstitutional and violative of State sovereignty. The act suspending the privilege of the writ of *habeas corpus* is characterized as a "fell blow," struck "with the assent and at the request of the Executive, at the liberties of the people of these States." I have from the first believed that these appeals and recommendations, directly tending to bring the Confederate and State authorities into disorganizing collision, would prove fruitless and unavailing. [Applause.] The people believe that there has been no violation of the constitution, and that their government meditates no blow injurious to the liberties of its own citizens. [Applause.]

Fellow-citizens, the privilege of the writ of *habeas corpus* is one of those great guarantees of English and American liberty whose violation would indeed be a most dangerous and oppressive usurpation of power; but, fellow-citizens, the legislative power of suspending this privilege, in time of invasion or rebellion, when the public safety requires it, is coeval with the writ itself. The Governor is mistaken in his intimation that the British King has not ordered the arrest of any person in civil life, nor suspended or attempted to suspend the privilege of this writ, since 1689. This privilege has been repeatedly suspended (not by the Crown, it is true—which has no such power—but by Parliament), and the power to arrest has been vested in an officer of the Crown one hundred years since the time stated by the Governor.

The existence of this power in the Constitution of the United States and of the Confederate States is no longer disputed, but the constitutionality of the act in question is denied: first, upon the ground that the power to suspend the privilege of the writ is an implied power, and must, therefore, yield to certain express guarantees of personal liberty with which that act is supposed to conflict. In my address to the members of the Georgia Legislature (session in March last) I could not but express my astonishment, in perhaps rather strong language, at this assumption in the message that the power to suspend the writ of *habeas corpus* is derived by implication only from the constitution. I will now take the liberty of saying that this astonishment is greatly increased by the sanction which this assumption has received from a distinguished statesman (the Vice President) whose intellect and character command my highest respect and deference. It has been said, however, that the Governor did not put his argument

against this act "upon the idea that the power to suspend the privilege of the writ is an implied one, or that clearly implied powers are weaker, as a class, and subordinate to others positively and directly delegated." . . . He simply states a fact, as it most clearly is, that the power to suspend the writ at all is an implied power. There is no positive, direct power delegated to do it. The power, however, is clear, and clear only by implication. . . . The language of the constitution . . . clearly expresses that the power may be exercised in the cases stated, but it does so by implication only, just as if a mother should say to her daughter: "You shall not go unless you ride."

This proposed modification of the argument of the Governor I do not think can be sustained. His language is too plain and emphatic. He says: "The power to suspend the *habeas corpus* at all is derived, not from express and direct delegation, but from implication only; and an implication can never be raised in opposition to an express restriction. In case of any conflict between the two, an implied power must always yield to express restrictions upon its exercise. The power to suspend the privilege of the writ of *habeas corpus*, derived by implication, must therefore be always limited by the express declarations in the constitution," etc. It is obvious that he here means something more than simply to state, as a fact, that the power is an implied one. Such certainly is the view of Judge Linton Stephens, who introduced the resolutions in support of the Governor's views, which, after amendment, were adopted by the Legislature. The first of these resolutions, after setting forth the alleged restriction upon the power in question, says: "And this conclusion results from the two following reasons: First, because the power to suspend the writ is derived, not from express delegation, but only from implication, which must yield to express conflicting and restricting words." I propose to show that no such reasons exist, and that the power to suspend the privilege of the writ of *habeas corpus* is derived, not from implication, but from positive and express delegation.

Fellow-citizens, according to our commentators on the constitution, including Story, the chief of the Northern school, and Calhoun, of the Southern, "implied powers" are those which are derived from what is called the discretionary clause of the constitution—that is, the grant which authorizes Congress to pass all laws necessary and proper to the execution of those expressly delegated. The Southern school of statesmen regarded these powers with distrust, as doubtful and dangerous in their character. The Story and Webster school, on the contrary, denied that "clearly implied powers are weaker as a class and subordinate to others positively delegated." But while the opposing schools differ widely as to the extent, validity, and dignity of these powers, there was no question about the clause of the constitution from which they were derived; and that, I repeat, was the clause which authorizes Congress to pass all laws necessary and proper to carry into effect those expressly conferred. "They are called implied powers," says Story, "because they are incident to, and therefore implied in, the foregoing powers" expressly conferred. "They are called implied powers," says Calhoun, "because they are auxiliary, being necessary to the execution of the powers expressly vested in the government." But can any one call the power to suspend the privilege of the writ of *habeas corpus* a power of this kind? To what express power is it an "auxiliary?" To the execution of what independent substantive power is it necessary? Listen to the clause: "The writ of *habeas corpus* shall not be suspended unless in cases of rebellion or invasion the public safety may require it." Can language be made more positive and explicit? How then can this great historic power be said to be implied? Because "there is no positive, direct power delegated to do it," says the Vice President. It is then upon the mere form of the phraseology—upon the fact that the clause does not say: "Congress shall have the power to suspend," etc.—that this assertion is predicated. I affirm that many of the most important provisions of the constitution, many of its most vital powers, are expressed in similar phraseology. The power of the Vice President to give the casting vote is expressed in this form of words: "The Vice President shall be President of the Senate, and shall have no vote except," etc. The clause describing the qualifications of Senators and Representatives is expressed in the same form: "No person shall be a Senator who shall not have attained to the age," etc. The clause conferring the power of punishing in cases of impeachment, by removal from office, disqualification to hold any office, etc., is expressed in the same way: "Judgment in cases of impeachment shall not extend further than to removal from office," etc.

The same is true of the clause conferring the power to convict in cases of im-

peachment. The power of adjournment is conferred in negative terms also. The power of Congress to make appropriations of money in the absence of recommendation from the President and heads of departments is given in terms of the most peremptory negation: "Congress shall appropriate no money," etc.

Fellow-citizens, the greatest truth that ever burst upon the world was communicated in this way. I believe that all denominations of Christianity concur in the opinion that the doctrine of spiritual regeneration is expressly taught in the Scriptures. That great truth was conveyed by the Saviour of the world in these words: "Except a man be born again, he cannot see the kingdom of God." And when it was questioned, he repeated: "Except a man be born of water and of the Spirit, he cannot see the kingdom of God." And then, by way of repetition, he says: "Marvel not that I said unto thee, Ye must be born again." Showing that in this negative form was contained the most imperative affirmation of the great truth which was to thrill the world with joy.

But I call to my support the very mind in which this construction originated. Speaking of the illegal distillation of grain into spirituous liquors, Gov. Brown, in his message, "earnestly requests that an act be passed authorizing the Governor to impress all the stills in the State, which he has reasonable grounds to suspect have been used in violation of the law;" "that he be authorized to use all military force necessary to accomplish the object, and that provision be made for paying the owner just compensation for such stills when seized." He also says: "I recommend the enactment of a law authorizing State officers, under the direction of the Governor, to make impressments of provisions in all such cases, and providing for the payment of just compensation to the owners of the property impressed."

Now, fellow-citizens, the clause of the Georgia Constitution from which the Governor claims the power of the Legislature to pass such laws is almost exactly the same in its terms as that in the Confederate Constitution in reference to the suspension of the privilege of the writ of *habeas corpus*. Mark the language of each: "Private property shall not be taken except for public use, and then only upon just compensation paid to the owner." (Georgia Constitution.) "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." [Laughter and applause.]

Now, fellow-citizens, if the power to suspend the writ of *habeas corpus* is a power derived by implication, is not the power to seize stills and impress provisions also a power derived by implication? [Applause.] And if the power to suspend the writ of *habeas corpus*, being an implied power, is limited by the express guarantees quoted by the Governor, is not the power to take private property subject to the same limitation? Now let us see what these limitations are which he quotes and reiterates. "Thus," says the Governor, "it is the express guarantee of the constitution that the persons of the people shall be secure." But that very same clause says that the "effects of the people shall be secure." [Applause.] "But," says the Governor, "the constitution declares that 'no warrants shall issue' but upon probable cause, supported by oath or affirmation particularly describing 'the person to be seized.'" But that very same clause also declares that "no warrant shall issue but upon probable cause, supported by oath or affirmation, particularly describing the thing to be seized." [Laughter.] "It is an express guarantee of the constitution," proceeds the Governor, "that no person shall be deprived of liberty without due process of law." But the clause which the Governor refers to expressly guarantees something more than that: it says, if my memory serves me aright, that "no person shall be deprived of life, liberty, or property without due process of law." [Applause.] Every guarantee thrown around personal liberty is also thrown around the right of private property. Personal security, personal liberty, the right of private property—these are the sacred and august landmarks which stand along the boundary that divides tyranny from civil liberty; and none of these are more essential to civilization than the inviolability of private property. Now, fellow-citizens, my object is to show, not that Gov. Brown has requested your Legislature "to strike a fell blow at the rights of the people" of Georgia, nor do I mean to intimate that "encroachment upon constitutional liberty" is a malady which sometimes affects a State Executive, no less than a Confederate; but it is to show that upon Gov. Brown's own principles this power to suspend the privilege of the writ of *habeas corpus* is not merely an implied power, and that its exercise by Congress involved no infraction of the constitution. [Applause.] I do not wish to be understood as asserting that the power to suspend the privilege of this writ is not limited by

the clauses referred to. There is no such thing in our constitution as an unrestricted power, however absolute in its terms. All the provisions mutually limit one another, and should be construed together, so that no one may be rendered nugatory.

Now my objection to the construction placed on these clauses by the Vice President is that it seems to me to annul entirely a plain and palpable provision of the constitution. His denial of the constitutionality of the Act of Congress rests upon the ground that this power, being in the original constitution, is restricted by certain guarantees of personal liberty in the amendments subsequently adopted as "further declaratory and restrictive clauses," and that this construction is applicable to the Constitution of the Confederate States. He then groups the power and these guarantees together and deduces this conclusion: "With these views, it will clearly appear that under the constitution, courts cannot be deprived of their right or be relieved of their duty to inquire into the legality of all arrests except in cases arising in the land and naval forces, or in the militia, when in actual service—for the government of which a different provision is made in the constitution. Under a constitutional suspension of the privilege of the writ, all that the courts can do would be to see that the party was legally arrested and held, upon proper warrant—upon probable cause, supported by oath or affirmation setting forth a crime or some violation of law. Literally and truly, then, the only effect of a constitutional exercise of this power over the writ of *habeas corpus* by Congress is to deprive a person, after being legally confined, of the privilege of a discharge before trial, by giving bail, or on account of insufficiency of proof as to probable cause, or other like grounds. This privilege only can be suspended, and not the writ itself."

Now in the first place I respectfully submit that the right of being discharged on giving bail is outside of the question. What is the writ of *habeas corpus*? The right to bail? Certainly not. It is an order of a judicial officer to the person holding another in custody to produce the body of the prisoner with the day and cause of his arrest, "to do, submit to, and receive" what the judge issuing the writ may determine. The privilege of the writ is the right of the citizen when under arrest to have the writ issued. It is his right, his privilege; but the constitution says that this privilege may be suspended in certain cases. Now the argument that the right of the citizen to have this writ issued, and the duty of the courts to issue it, cannot be constitutionally suspended, is to argue that a plain, palpable provision of the constitution is itself unconstitutional. For look at the effect of this construction. If the Vice President's view be correct, it follows that the constitutional exercise of the power to suspend the privilege of the writ of *habeas corpus* does not suspend the right of the citizen to be free from all except judicial arrests upon oath or affirmation. It does not suspend the duty of the court to inquire into the legality of the arrest; it does not suspend the writ of *habeas corpus*. It does suspend the right to give bail. Inadmissible as such a conclusion must appear, it is rendered more so by the fact that upon the principles laid down by the Vice President it cannot even suspend this last—the right to give bail. His proposition is that the suspension of the privilege of this writ does not suspend any of the express rights and privileges guaranteed in the amendments to the constitution. Now, fellow-citizens, the right to bail is a right guaranteed in those very amendments. Here it is: "Excessive bail shall not be required." [Applause.] If this express guarantee may be suspended by the exercise of this power, why may not the others? But, to proceed. If the Vice President is correct that none of these guarantees can be suspended, it follows that, though the privilege of the writ be suspended, the citizen can rightfully claim: first, that he be arrested only by judicial warrant, on oath or affirmation; secondly, that he is entitled to have the writ of *habeas corpus* issued so that the legality of his arrest may be inquired into by the courts; and thirdly, that he is entitled to be discharged, upon giving bail, after the legality of his arrest is established. So that this great constitutional power, granted so formally and with restrictions so carefully thrown around it, amounts to nothing—a mere illusion, a magnificent unreality.

I come now to the last objection made to this act. "This act is unconstitutional," says the Vice President, "not because Congress has not power to suspend the privilege of the writ of *habeas corpus*, but because they have no power to do the thing aimed at in this attempted exercise of it." The unconstitutional provision is said to be that portion of the bill which vests in the President the power to arrest persons not in the military service, and not subject to the rules and articles of war, charged with certain offenses; that the bill thus "attempts to de-

prive the Judiciary Department of its appropriate and legitimate functions, and to confer them upon the President." I have read with attention and interest the arguments in support of this view, and I do not think them sufficient to justify your Legislature in denouncing the measure as unconstitutional. Upon this point allow me to make a preliminary remark. As there have been no suspensions of this writ in America previous to the present war, the question of the power of the Executive in such cases is a new one in this country. But, as I said before, this power, just as it exists in our constitution, was derived from the British Constitution. The guarantees of personal liberty, which are said to be violated by the Act of Congress, were also derived from that constitution. The principle of the division of the powers of the government into Legislative, Executive, and Judicial sprang from the same source. I think, therefore, that the action of the British Government in cases of the suspension of the privilege of this writ cannot fail to throw light upon this question, and that it is entitled to great weight in forming our conclusions.

But objection has been made by the Vice President to "analogies between this country and England, on the suspension of the writ of *habeas corpus* and the effect of such suspension," for the reason that "between their system and ours there are several differences," and "none more striking and fundamental than the difference between the two upon this subject;" that "the striking difference between their system and ours, which should never be lost sight of, is that with them all power originally belonged to the Crown. All rights and liberties were granted from the Crown to the Parliament, and through them to the people; while with us all power originally belonged to the people, and essentially still resides with them." Neither of these statements is entirely accurate. In the first place, it is not true that all powers originally belonged to the Crown of England. The Crown of England never had, in itself, the power of legislation, independent of Parliament; it never had, in itself alone, the power to impose taxes; nor was the power of making arrests, simply upon the royal order, ever vested in the king. It is true that the Kings of England were in the habit of violating the principles of the constitution in all these respects, and that a servile court, in one instance, sustained an arrest based upon a special order of the king; but it is also true that these usurpations were resisted. And hence those grand struggles of the English people against the claims of arbitrary power, of which *Magna Charta*, *Petition of Rights*, *Habeas Corpus*, *Acts of Settlement*, wrested, it is true, by force from the sovereigns, are but the recorded evidence; conflicts from which England emerged, furnishing to the world the first example of a great people, free and well governed.

Equally incorrect is the statement that all power in this country originally belonged to the people. The people of this country were originally British subjects, and their governments colonial dependencies. Nearly all were under charters from the Crown, securing to the colonists, it is true, the institutions of English liberty as they existed in the mother country. When, therefore, George III. and his Parliament, in a spirit of aggression, attempted to tax the colonies against their consent, they rose to defend their liberties and rights. They wrested, by force, from George the acknowledgment of their rights, just as the English did theirs from the Tudors, Plantagenets, and Stuarts. But they did more than they first intended: they wrested national independence and all governmental power from the mother country and lodged it in the people of the several States, who, in their sovereign capacity, ordained a constitution of government; and in it they incorporated this power to suspend the writ of *habeas corpus* in the very terms, and subject to the same restrictions, which exist in the British Constitution. Hence, I repeat, that in the absence of any precedents on the subject in our history, we may very safely, and with great benefit, consult those which have arisen in English history. It is admitted, I believe, that under the suspension of this writ in England the power of arrest is vested in the executive ministers. This ministerial power of arrest is not intended to rob the Judiciary Department of its functions. These arrests are not considered judicial or punitive measures; they are executive measures of precaution, designed by their promptness in times of great danger to arrest mischiefs and convulsions which the tardiness of judicial processes would be inadequate to suppress. This view reconciles the seeming conflict between these provisions of our constitution. How else are they to be reconciled? Here are two clauses, one giving the citizen freedom from arrest, except upon due process of law; the other vesting in the government at a certain time the power to suspend the writ by which the enjoyment of the right is secured. Certainly if "due process of law" means judicial

warrants, issued upon oath or affirmation, the right and the power cannot be enforced at the same time. In my opinion, the framers of the constitution did not intend that they were to be put into operation at the same time. They, or rather the Providence under whose superintending care our institutions grew into shape and form, have given us a constitution and organization of society designed to throw around the person, the liberty, and the property of the citizen, every safeguard against encroachments in time of peace, and yet to vest in government the entire command of the power and resources of the community in times of invasion or rebellion when the public safety requires it. [Applause.] And that such is the legitimate end of all good constitutions, no one can deny without coming in conflict with principles laid down in the very hornbooks of governmental science. Allow me to fortify myself by the authority of one whose colossal intellect dedicated all of its unrivaled powers to the cause of liberty, and whose great heart broke in the very tension of its devotion to the South. I mean John C. Calhoun. [Applause.] "In estimating what amount of power would be requisite to secure the objects of government, we must take into reckoning what would be necessary to defend the community against external as well as internal dangers. Government must be able to repel assaults from abroad as well as to repress violence and disorders within." Speaking of wars between contiguous communities, he proceeds: "So long as this state of things continues, exigencies will occur in which the entire powers and resources of the community will be needed to defend its existence. When this is at stake, every other consideration must yield to it. Self-preservation is the first law as well with communities as individuals."

Is not this our present condition? Are we not engaged in a struggle involving our very existence? Is not every State in the Confederacy invaded by overwhelming masses of our enemy, waging a war of ruthless vengeance? And if, in the opinion of Congress, the contingencies prescribed had arisen, it was the duty of Congress to exercise this high constitutional power. The nonperformance of that duty would have involved as great a disregard of the constitution as the usurpation of a power not granted. A constitution not enforced is a constitution violated.

I take occasion here to say that I am not among those who condemn the course pursued on this subject by our distinguished Vice President. When a statesman in his position believes the measures of his government to be unconstitutional, oppressive, and fraught with ruin, no circumstance can justify his silence. It is his duty to speak out and contribute the influence of his intellect and character to rectify the policy of the government of which he is an eminent and responsible member. While, therefore, I cannot concur in the sentiments of his able and eloquent speech, while I deplore the wound that it has inflicted on many patriotic hearts, and the injury that it may do to interests dear to us all, I cannot withhold my homage to the conservative spirit and courageous sincerity with which he has spoken what he believes to be the truth and for the interest of the country. [Applause.] In his opposition to the measures of the government, he expressly disclaims all imputation or reflection against the President, and emphatically declares: "I am for no counter-revolution." The action of the Legislature, exceptionable as I think it is, upon principle, is qualified by the same conservative views. It discountenances that conflict between the State and Confederate authorities of which your Governor seems to contemplate the possibility with something of the ardor of a champion eager for the strife. They also, by a unanimous vote, evince their confidence in the integrity and patriotism of the President; and they give practical proof of this confidence by virtually turning over to the President, contrary to the urgent advice of the Governor, what he called the "active militia" of the State. [Applause.]

As a citizen of this Confederacy, however, I must be permitted to express the opinion that its action upon the particular measure now under discussion was ill-advised and subject to grave objections. The government of a State certainly has the right to protect the reserved powers of the State from violation. But with what sovereign right of Georgia does this act conflict? The constitution says that the privilege of this writ may be suspended in certain cases. That constitution was ordained by Georgia, and every act passed in pursuance of it is the act of Georgia. Every agent who comes upon her soil to execute its provisions is doing so in the name of Georgia and by virtue of her sovereign authority, and he who resists it is arraying himself in opposition to the sovereignty of his own State. [Applause.] Fellow-citizens, from my early youth I have been devoted to the doctrine of States' rights, and as long as I live I shall support that

great doctrine with every power that God has bestowed upon me. But I would rescue it from the interpretation of its recent advocates. For instance, I saw not long since in an able and influential paper, published not a thousand miles from Atlanta [*Atlanta Intelligencer*], that the Confederate Government sustained to the governments of the States the relation of an agent to a principal. If John C. Calhoun were alive, he would be aghast at such a travesty of his doctrine. That great statesman maintained that both governments, State and Federal, were coordinate agents of the people of the several States, and coordinate members of one great system, and that this principle of coequality was essential to the equilibrium of that system. He was considered an extremist on this subject, and held to the right of a State to interpose and make null and void an unconstitutional Act of Congress. But how? By the action of its Governor? No, indeed! It is only of late that Governors have acted upon the principle "I am the State." [Applause.] By the Legislature? Never! That is the doctrine of Massachusetts and other Northern States whose Legislatures pronounced the fugitive slave law null and void. But he held that the power to annul an Act of Congress required the interposition of the people of a State in their sovereign capacity, in that august and majestic capacity in which they ordained constitutions, both State and Confederate; and hence when South Carolina passed her famous ordinance against the tariff of 1832, it was done by a convention of the people, to a convocation of which a majority of two-thirds of the Legislature was necessary. Even this was held to be not a permanent annulment of the act, but only an arrest of its operation until an appeal could be made to a convention of all the States, to whose decision it was the duty of the nullifying State to submit.

The best service that any one can render at this time to the cause of States' rights is to sustain and uphold the Government of these Confederate States. [Applause.] It was established to maintain States' rights, and is based upon that principle. All over the world it is regarded as the embodiment and representative of State sovereignty, against which the Northern Government is waging war for consolidated despotism. Every triumph achieved by the Confederate Government is a victory for State sovereignty. [Applause.] Every defeat, every blow which it receives, is a calamity to the cause of States' rights. With its overthrow is involved the common ruin of all the States and grinding oppression to the Southern people. Under the old Union, fellow-citizens, the defect of the system was its danger of consolidation. The Federal Government claimed the supreme power, and denied State sovereignty. Hence its rapid strides toward a central despotism which was averted only by disruption. In our Confederacy the central government makes no such claim. State sovereignty is the fundamental principle of government written down in the organic law. The danger with us is, therefore, in the opposite direction. The tendency which must be guarded against is the one common to all confederacies: that of inharmonious action and dismemberment. But it is said that under this act the President could, if he were so inclined, wrong and oppress our truest and most loyal citizens; and we are asked what security we have against such abuse. Well, you have the same securities (and some you would not have had) against Gov. Brown's using oppressively the power he asked over the entire provision crop of the people and the power to seize their property upon what he deems a reasonable ground of suspicion that they are using it illegally. I undertake to say that your President is not more apt to seize the persons of the people than your Governor would be to seize the property of the people upon unreasonable grounds of suspicion. [Applause.] You have the same security against the abuse of this power that you have against the abuse of any delegated power. The doctrine that no power must be exercised which is liable to abuse would put an end to all human government. The securities against the abuse of this power lie in the power of Congress at any time to repeal the law conferring it, and the liability of the officer exercising it illegally to impeachment and punishment; in universal suffrage, which, with our frequency of elections and the responsibility of the rulers to the ruled, places the government almost as completely within the control of the people as if they were directly engaged in the act of legislation; in the virtue and intelligence of the people; and, as little as you think of it, fellow-citizens, in a slight sprinkle of common honesty and common sense on the part of your rulers. [Applause.] And now I will ask you, my countrymen, "Can't you trust Jeff. Davis" with such power as the constitution authorizes Congress to confer upon him? [Applause.] When this great movement began, when all hearts were animated by a sublime patriotism, the Provisional Congress at Mont-

gomery—which, in my opinion, embraced the highest intellect and moral worth of the country—trusted him with the fortunes of the new Republic. These men, who knew him well, and had been (many of them) his colleagues in the House and Senate of the United States, had faith in the disinterestedness of his patriotism and the firmness of his principles, and placed the fate of the Southern cause in his hands, confident that its mighty interests would never be surrendered to selfishness or ambition. He was then unanimously elected by the people; and from that moment to the present he has been regarded all over Europe, all over the world, as the firm, the able, the undaunted chief of an heroic people struggling to resist subjugation and tyranny. Even the oldest monarchies are struck with admiration and wonder at the firmness and majesty of that resistance, which, under his Presidency, has repelled the millions of the North and conducted the unrecognized flag of our young Republic to a degree of military glory rivaling in luster the renown of the oldest empires. As a soldier, you find him a knightly hero, gallantly leading his regiment to the charge; as a statesman, self-poised in the counsels of his own mind, he marches right up to the performance of his duty, doing nothing rashly, yet nothing doubtfully or timidly. Keenly alive to the perils which environ his country, and saddened by the sufferings which afflict large masses of his countrymen (especially those of his own beloved Commonwealth), he nevertheless allows no dangers nor disasters nor opposition nor factious clamors to swerve him from the grand purpose to which he has consecrated himself, or to relax the firm hand with which he grasps the helm of State.

To strengthen the armies of his country, to gather up all its resources of men and means, to rouse his countrymen to high thoughts and heroic deeds, to retrieve disasters, to recover lost ground, to strike new and heavier blows of resistance—such is his policy and such are the designs which occupy his mind unceasingly; while timid souls brood over reverses, and dissatisfied spirits assail him with bitter words. [Applause.] But with all this firmness of conviction and steadfastness of purpose, I have never known any man more opposed to the exercise of arbitrary power, or more cautious and reserved in employing that which he considers doubtful. The *habeas corpus* was suspended in 1862, and no one can point to any oppressive use of the power conferred upon the President. If it was exercised at all, the acts fell upon the people, like flakes of snow, so impalpable that the country was unconscious of the suspension of this great privilege. It is said that it was not enforced because the President became satisfied that the power was not constitutionally conferred. Very well. Take that view, and you have another guarantee of the President's determination to conduct his government by the landmarks of the constitution. For one, I believe that the highest earthly ambition of Jefferson Davis is to be instrumental in securing the independence of these Southern States, with all the civil liberties of the people unimpaired and inviolate. [Applause.]

But we are told that "the objects or motives or patriotism of those who have adopted this policy is not the question." "Nor is the probability of the absence of the power the question." Now I hold that if the power in question be within the limits of the constitution, yet nevertheless a dangerous power, capable of being perverted to the purposes of tyranny, oppression, and injustice, the motives or objects of patriotism of the person in whom it is vested become a very important and decisive question. If he be a man of unsullied honor, unswerving truth, high moral courage, distinguished by his devotion to liberty and hatred of tyranny, you would decide the question very differently from what you would if he possessed the opposite qualities. I believe that nothing can be more injurious to the prosperity of a country than the habit, which our violent party contests have fixed upon our people, of overlooking the question of virtue and ability and patriotism in our public men, and subordinating it to what, in the excitement of the conflict, are called "important principles." Fellow-citizens, a distinguished statesman and philosopher, and an attentive student of our institutions (M. Guizot), has observed, as a serious fact, "the tendency in free democratic society to drive the most eminent men, and the wisest among the most eminent, from the administration of public affairs." Alluding, I presume, to the trial of feeling, the violence of opposing parties, the denunciations and agitations of factious demagogues, the vituperations of a partisan press, and the fluctuating state of public sentiment, he says: "It would seem as if, in this form of society, the task of government is too severe for men who alone are capable of comprehending its extent and desirous of discharging its trust in a proper manner. . . . It is for the honor as well as for the interest of society, that such minds should



be drawn into the administration of its affairs and retained there; for no institutions, no societies, can supply their place." Elsewhere this great writer, speaking of the things which are essential to the success and tranquillity of Democracy, says: "It must believe in the genuine devotedness and moral superiority of its leaders."

It is not to be expected that our Chief Magistrate should be able, in the trying exigencies of this great war, to satisfy the wishes of all by the measures of his administration. The magnitude of the war, which has scarcely a parallel in modern history, has required that the entire resources of the country should be applied to the single great purpose of defending our existence as a people. The leading feature of the war policy of the United States has been to exhaust our strength by the grand scale on which the invasion is conducted. It was early perceived by them that their hope of subduing us by the divisions of our people was visionary. By the adoption of the most vigorous war measures they have hurled against us their utmost strength, and this has forced upon our government a vigorous policy in defense. Hence arose the Acts of Conscription, the Impressment Acts, and the various laws calculated to strengthen and subsist the army. The legislation of Congress has been devoted almost exclusively to the absorbing objects of the war. They called for volunteers until every man who could do so, in justice to interests at home, responded to the call; but more were needed, and the government had to indicate these by law. In the class thus subjected to conscription were a large part of the volunteers themselves. The law was obeyed just as the call had been responded to; and in obeying that law they showed the same patriotism which caused them first to volunteer under the impulse of enthusiasm. [Applause.] One of the best proofs of the capacity of our people for self-government is their principle and habit of obedience to law, self-restraint, reverence to legal authority, and fidelity to the constitution. It was, in part, by men thus subjected to conscription that the victory at Williamsburg, the glorious victories in the Peninsular campaign, and those of Fredericksburg, Chancellorsville, Bull Run, and Chickamauga were achieved. That this law has operated in some instances with great severity cannot be denied. We are told of an instance in which a boy who had arrived at military age was carried by his father to the enrolling officer; but as he did not wish him to be a conscript, he had selected as his company the one to which his brothers belonged. This was refused; and, upon his father's insisting, the boy was ordered to jail, to be sent to the camp of instruction, to be assigned to any company his officers might choose. It was a foul and monstrous outrage. But I know another case in which my sympathies have been more strongly enlisted. A rosy-cheeked boy had volunteered before he was of military age. He was honorably discharged; but soon afterwards, arriving at the military age, he was enrolled as a conscript. I saw him start with his new accouterments, burning with ardor to join the ranks. He was asked if he did not dislike to go as a conscript. "No," said he; "I am bound to fight for my country, and Jeff. Davis knows better than I do where I am needed most." [Applause.] Now, gentlemen, it is true that this boy does not go scorning conscription; but I believe he will follow his flag just as gallantly as the one who, though "scorning conscription," was ready to volunteer. I hope that the patriotism of both these brave youths, together with their mothers' prayers, will prove a talisman against all temptation to vice in the army. If the one that I speak of be spared to return, and if he does return to take his wonted place between his mother and sister, with the same pure heart that he now carries to the field, O, who will ask his rank or commission, whether he be officer or private, volunteer or conscript? [Applause.] There is no height of moral excellence or social position or honorable distinction to which such a youth may not aspire, hopefully and successfully.

It is very probable that the very best that human wisdom is capable of has not always been done, but in judging the policy of our government this consideration should not be lost sight of: the intrinsic and inexorable difficulty of our situation, which no policy could have provided against. Of course it is not difficult to find fault under such circumstances; but men can be wise at a distance, just as they can be virtuous in the absence of temptation. Perhaps they might, if the task of government were assigned to them, find the difficulties somewhat greater than they appear. From the very nature of the struggle, there must necessarily arise numerous cases of injustice and oppression to individuals. It is painfully true that our people have been subjected to many hardships; that the conscript laws and impressment laws and tithing laws, all severe and harsh enough at best, have been made more repulsive by the mode in which they have

sometimes been administered by inexperienced, incompetent, and even reckless agents. Individual instances of outrage have been taken up and dwelt upon; and, for one, I would not mitigate the indignation which such recitals excite in every freeman's heart. Our provost marshals and military guards are not always, I suppose, models of politeness; and the restrictions to which the people, in all their pursuits, are subjected, must be onerous to men all their life accustomed to perfect freedom from restraint. Speculation and extortion, no doubt, are rife in the land. The tendency of all such struggles as this is to throw to the surface those moral disorders which, in quiet times, lie concealed in the bosom of society. But let us bear in mind that we suffer all these evils only temporarily, to obtain our liberty and independence. The evils to which this struggle for liberty subjects us seem the greater because they are concentrated within a short space of time, and are all seen and felt at once. John Milton, replying to the description of the sufferings brought on the English people by the great rebellion, "commanders fleeing their districts, soldiers rioting on the spoils of a ruined peasantry, upstarts enriched by the public plunder and taking possession of the hospitable homes of the old gentry," is represented by Macaulay as using the following language: "Many are the evils of this civil war. It is the price of civil liberty. When the devil of tyranny seizes a hody politic he departs not but with struggles and foaming and great convulsions. Shall he therefore vex it forever, lest in going out he for a moment tear and rend it?" Now, fellow-citizens, the devil of the North has seized the South, and we are now in the throes of its exorcisms. They are terrible, but we shall be delivered, and then freedom will be a possession and "a joy forever."

"Independence first, and liberty afterwards," does not, as is asserted, subordinate liberty to independence; it merely means that one is the antecedent of the other. We are told that this is a fatal delusion; "that liberty is the soul of our system of government, and, like the soul of man, when once lost is lost forever." True, but suppose in this struggle for existence our system of government perishes, will not liberty, like that same soul, take its everlasting flight? If we lose our independence, will not liberty be lost, and lost forever? Gentlemen, the thing to be accomplished now is to make good our defense against invasion and to secure the independence of the country. Have you ever, fellow-citizens, calmly reflected upon what the independence of your country involves? Such reflection would, I think, restrain the contemptuous talk about "not turning on my heel for independence without liberty."

It means vastly more than Presidents, Cabinets, Congresses, and Armies. Go to your homes—that word whose sweetness you will never know until the foes of your country despoil you of them. Survey your entire possessions—the land which you have plowed and sowed and planted until your own heart has seemed almost to take root in its soil. Go into the house and look upon your household gods: the wife, the children, and perhaps the aged parents. Recall all the joys and sorrows, the hopes and fears, the friendships, the love, the sympathies, and tender griefs, which constitute the hallowed associations of your life. Think of the neighbors and friends around you with whom you have long exchanged friendly offices and interchanged freely your opinions on every subject. Now, whenever your enemy makes his appearance, but one result follows. And so it will be with you. That land is no longer yours; the very courthouse which contains the record of your title is razed to the ground, your houses and barns sacked and destroyed, your stock taken; your wife and children are no longer, in the true sense of the word, your wife and children. You must see them subjected to ribald insults without daring to lift your voice, or even an indignant look, for fear of greater outrage; your neighbors plundered and scattered. What then will become of your politics and your views on *habeas corpus*? Compressed within an oath of allegiance which divests you of your manhood and perjures your soul! Here, then, you see what the independence of your country means. It means your land, your stock, your father and mother, your wife and children, your joys, your griefs, your friendships, your dignity as a man, your rights as a citizen. Is any temporary sacrifice, then, too great to save the independence of your country? Suppose the rulers of your own choice tell you that a brief suspension of the *habeas corpus* is necessary to save your country. Are you not ready to say: "Let the *habeas corpus* be suspended?" Well, if you are not, thank God! your gallant soldiers, your heroic Joseph E. Johnston and Lee and Beauregard and Longstreet and Bragg and Hood, with their no less heroic officers and privates, have said: "Let it be suspended!" When the war first broke out they suspended the *habeas corpus* over themselves, and have been for three

long years pouring out their libations of blood upon the altar of their country. There is no *habeas corpus* in the army; and surely if its suspension all the time and for all causes is not derogatory to the soldier, its suspension for a short time and a few causes ought not to be derogatory to the citizen who is not a slave simply because that soldier's arm interposes between him and his country's foe. These brave heroes who resist tyranny at the point of the bayonet—who fight superior numbers of the enemy, and have won victories on a hundred battlefields, these veterans who have, who want, no *habeas corpus* to deliver them from arrest—at the end of the hardest military service that ever was endured, now voluntarily reënlist till their country is independent.

It is such conduct as this which makes me believe that these Confederate States can never be conquered or subjugated, and that a Divine Providence has ordained a brilliant destiny of enduring liberty and happiness for this country. This conviction never deserts me for a moment. I am sure that if our people were to look calmly and firmly in the face their present position they would see causes of hopefulness and thankfulness. I have heard men draw doleful contrasts between the fortunes of the two countries engaged in this war. They have alluded to the fact that the North has been able to send vile mercenaries upon us, while we have had to send against them the flower of our youth to be sacrificed; that their land has not only been exempt from the ravages of war, but their people are rioting in newly gotten wealth; and some have said that it seemed as if God were sparing our enemies and frowning upon our efforts to be free. . . .

O my countrymen, cease your repinings; and when you bend your knee to God thank him for giving you such a country and your children such a heritage. If you love that country, do not complain because she cannot in this mortal struggle to give you liberty, give you also ease and luxury and gold. Let not the world be deceived as to your true sentiments by these seeming dissensions; but rise like true brothers, as you are, and show that you have the courage to strike for the right a braver blow than your enemy dare strike for the wrong.

During the delivery of the peroration of this address of Col. Lamar the immense audience exhibited the most intense emotion, and at its conclusion burst forth in unanimous and prolonged applause.—*Reporter*.

## Appendix No. 8.

ROBERT E. LEE.

*A Letter to the Vicksburg Committee.*

OXFORD, Miss., Dec. 5, 1870.

TO COL. WILLIAM H. MCCARDLE, and others, Committee, etc., Vicksburg, Miss.,

*Gentlemen:* When, on the occasion of Gen. Lee's death, I received your invitation to deliver an address on the 19th of January next, at the city of Vicksburg, the strongest impulses prompted me to an immediate and cordial acceptance. Subsequent reflection, however, showed me that I could not so regulate my engagements as to permit the making of a positive promise to be present on that proudly mournful occasion.

If my long delay in giving you a final answer seems strange, consider it as due to my anxious desire to avoid the necessity of relinquishing such an opportunity of giving voice to the emotions which fill my soul when contemplating the life that has just closed amid the tears of a nation's sorrow.

While a career illuminated by every accomplishment of the soldier and scholar, as well as the highest feelings of the patriot and gentleman, is beyond all eulogy, it is nevertheless our duty and delight to make every effort to give some expression to our sense of its grandeur, just as it behooves us to make every preparation for eternity, although eternity is beyond the grasp of our comprehension.

The day of his death will be the anniversary of the South's great sorrow. But it was not *his* darkest day. I was at Appomattox when the flag which had been borne in triumph upon his many battlefields was torn from his loving and reluctant grasp. After the terms of capitulation had been arranged, chance brought him to the spot where my tent was pitched.

I had seen him often before. On one occasion, especially, I remember how he appeared in a consultation of leading men, where, amid the greatest perturbations, his mind seemed to repose in majestic poise and serenity. Again, I saw him immediately after one of his grand battles, while the light of victory shone upon his brow.

But never shall I forget how completely his wonted composure was overthrown in

this last sad interview. Every lineament of his grand face writhed, and the big tears fell from his eyes as he spoke of the anguish of the scene that he had just witnessed. And yet his whole presence breathed the hero still. A consciousness of a great calamity to be greatly endured gave to his face the grandeur of victory as well as the mournfulness of death; and when he exclaimed, "*It is worse than death!*" I could easily see how he would have welcomed the grave for himself and all that he loved, could it only have averted his country's awful woe. Ah, my countrymen! well may you weep over his grave, for there lies one whose heart broke in the very tension of its love for you and your country.

Between the characters of Washington and Lee, Dr. Palmer, in a recent address, draws a parallel which is no less true than it is eloquent and suggestive. The points of resemblance between them were indeed many and striking. Both were Southerners; both were slaveholders; both, by inclination as well as inheritance, were planters; both possessed in an eminent degree those qualities which ennoble and invigorate the Southern character; and both were inspired by a heroic devotion to liberty and right. But here the parallel ends. As the orbs of heaven are alike in brilliancy and grandeur and divinity, while yet "one star differeth from another star in glory," so were the wonderful virtues which were common to the souls of both these men strangely diverse in their manifestations. Each was a man *sui generis*. Purely original in their characters, neither ever thought of forming his own nature on any prototype or of establishing in himself an archetype for others. This indifference to what men generally seek with greatest assiduity—conformity to some recognized model—naturally produced peculiarities to some extent alike, but to a larger extent unlike.

For instance, both were of unfecked social purity. Washington, however, was cold and austere in his nature. Inaccessible to men, formal to women, no warmth of social enjoyment or rational pleasure ever thawed the frigid dignity which enveloped him. Lee, on the contrary, was affectionate and genial. Cheerful without levity, cordial but not obtrusive, he enlivened the hours of relaxation with a humor almost sportive in its fancy, while the moments of sorrow were comforted by the sympathies of a loving heart.

The soul of Washington was pure and cold, like an Alpine glacier; the soul of Lee was limpid and warm, like the waters of the Indian ocean.

Both were just, magnanimous, and modest. Washington, however, was born with a love for command, and a yearning after it. He fawned upon no one, and he scorned to act the part of a demagogue; but those whom he suspected of disputing his leadership he denounced with fierce and vehement wrath. Even those who beheld him for the first time intuitively recognized in him a master; for the intensity of his will, and its calm self-assertion, placed him in authority over men as naturally as the sweep of pinion and the strong grasp of talons place the eagle in the kingship of birds.

To Lee self-assertion was a thing unknown. His growth into universal favor and honor was the result of a slowly dawning consciousness in the popular mind of his retiring merit and transcendent excellence, of that affinity which silently draws together great men and great places when a nation is convulsed.

Washington wooed glory like a proud, noble, and exacting lover, and won her. Lee sought not glory; he turned away from her. But glory sought him, and overtook him, and threw her everlasting halo around him; while he, all unconscious of his immortality, was following after duty.

Both were born to command, and both led the armies of a mighty struggle. But Washington, though in a great measure he began and conducted to a successful end a great revolution, has never had accorded to him by history the title of a great military genius. From a want of opportunity or some other cause it was not permitted to him to make those brilliant manifestations of military capacity which startle the world into the acknowledgment of that attribute.

Lee, by his splendid generalship and grand battles, wrung homage from the lips of his bitterest enemies, and inspired his armies, always inferior to the enemy in numbers and appointments, to endure sacrifices and perform prodigies of valor which excited the wonder and admiration of the world.

Washington was a man of strictest integrity and sublime virtue, and there is much in his writings which evince a profound sense of a Divine Providence in human affairs; but he could not, I apprehend, be called a pious man.

Lee, with the same majestic morality, with the same imposing virtues of truthfulness, courage, and justice, blended the sweet and tender graces of a holy heart and a Christian life.

Both were patriots, but Washington stood before the world an avowed revolutionist. The movement he led was an acknowledged insurrection against established authority. He drew his sword to sever the connection between colonies and their parent coun-

try, between subjects and their legitimate sovereign—a connection that rested on his-  
torical foundation and undisputed legal rights.

But there was not in Lee or his cause one single element of revolution or rebellion. Conservative in his nature and education and associations, unswerving in his loyalty to the power which for him was paramount to all others, the cause in defense of which he drew his sword was founded upon historic rights, constitutional law, public morality, and the inviolable rights of free and sovereign States, many of whose constitutions were established and in peaceful operation while that of the United States lay unthought of in the far-off years of futurity.

It has been said that "Gen. Lee's memory belongs to no particular section; that his fame is to be, not that of the *Confederate* chieftain, but of the great *American* soldier." I must confess that I do not believe that this sentiment finds any genuine response in the hearts of our people. True, the war has closed; and it is high time that the evil passions which it aroused should be hushed. Would to God that the memories of its outrages and atrocities could be banished forever from the minds of men! And if the victorious North would afford to the defeated people of the South the benefits of the Union and constitution, in whose name the desolations of war were visited upon them, and permit them to enjoy, in the Union, *real union*, concord, amity, and security from oppression, the Southern people would be prompt to bury all the animosities of the war, to remember only its glories, and to regard the glories won by each people as the common property of the American nation. But into this common heritage they will never consent to put the name and fame of Robert E. Lee. They will ever feel that they cannot, and ought not to, surrender him to America. They cannot forget that after the war had closed, after the South had surrendered her arms and submitted to the Constitution of the United States upon the Northern interpretation of it, after slavery had been abolished and secession pronounced null and void in every Southern State, after the integrity of the Union was established and recognized in every county, town, house, and hovel in the desolate land, Robert E. Lee and his people were, to the day of his death, branded as rebels and proscribed as traitors to America. By far the greatest military genius on the American continent, his love for his country obliged him to withdraw from the American army and throw himself into the breach of its colossal invasion; one of the most superb gentlemen in America, he was proscribed from the higher employments of American society, and compelled to earn his living in the seclusion of a Southern college; possessed of the highest order of statesmanship known to America, he was deprived of the ordinary rights of American citizenship; and thus his eyes closed in death on America. Purity of heart, fervor of religion, might of intellect, and splendor of genius, were rendered hateful in the sight of those who arrogate to themselves exclusively the title of the American people, by the single sin of love for the South, the land of his birth.

He has already taken his place in history; not as an American, but as a Southern patriot and martyr, of whom America was not worthy. Every thought of his brain, every pulsation of his heart, every fold and fiber of his being, were Southern. Not a drop but of pure Virginia blood flowed in his veins. Virginian, Southern, Confederate, secession, from crown to sole, he had no aspiration in common with America as America now is, or sympathy with her works as they now are; and from the day on which his venerable State seceded from the American Union there was not an hour when he would not have gladly offered up life and all that life holds dear on the altar of Southern rights against American oppression.

It has also been said that "Gen. Lee belongs to civilization." Aye, he belongs to civilization! But let it not be forgotten—for such will be the record of impartial history—that it was the Southern type of civilization which produced him! And now that a sublime self-immolation has fixed him on the topmost pinnacle of fame, let his immortal image look down forever upon the ages, the perfect representative of the mighty struggle, the glorious purpose, and the long-sustained moral principle of the heroic race from which he sprang. Thanking you, gentlemen, for the kindness which prompted your invitation, I am,

Your friend and obedient servant,

L. Q. C. LAMAR.

## Appendix No. 9.

## MISRULE IN THE SOUTHERN STATES.

*Speech in the House of Representatives, June 8, 1874.*

The House having under consideration the report of the Committee on Elections, in regard to the Louisiana contested election, Mr. Lamar addressed the House in support of the right of G. A. Sheridan to the seat in contest. The opening argument, involving matters of detail purely local, is omitted. After showing that Mr. Sheridan was fairly and legally elected by a majority of 10,614 votes, Mr. Lamar said:

*Mr. Speaker:* I realize fully that the arguments which I have been advancing and the arguments which I have been replying to are not the considerations which will control the action of this House. The remarks of my friend from New York [Mr. Smith], and the argument which followed in the same course after him about the "wicked slaveholders' rebellion" and "the conspiracy in Louisiana to trample down the colored people of that State," show that connected with this simple contested election case there is another question of a higher importance upon which the members of this House are fixing their thoughts, and with reference to which their votes will be cast. It is a well-known fact that at the time when these gentlemen claim each to have been chosen as a member of Congress there was a general election in Louisiana; that at this election John McEnery and his associates were, by an actual count of the official returns of a legal returning board, and as proclaimed by the legal Governor according to law, declared to be actually and legally elected; that these persons so elected were invested with their respective offices, and would be to-day in the peaceful exercise of the sovereign power of the State but for their ejection by the military power of the United States Government.

It is also a notorious fact that a body of five men, claiming to be a board of returning officers, declared W. P. Kellogg and certain other men associated with him to be elected to the offices of the State Government for which they were the respective candidates; that this declaration was based upon no actual count of official returns; that they had not a single official return before them; that the result at which they arrived was manufactured upon *ex parte* affidavits, most of them forged, oral statements, one-sided reports made contrary to law, and a conjectural "estimate of what the vote ought to have been" by a comparison with the votes of a preceding election, which election was admitted by them to have been carried by frauds of the grossest character.

It is also a well-known fact that to fix them in power, which they could not otherwise have held for a moment among that people, a Federal judge, upon a bill to perpetuate testimony, issued an order enjoining the legal government of the people from exercising its legal functions, and decreeing the defeated candidates into the armed possession of the sovereign power of the State; in pursuance of which order Federal soldiers seized the capitol of the State, and inaugurated Kellogg and his Legislature by force of arms and in defiance of law. Indignant as the members of this House must unquestionably feel at the wrongs perpetrated upon the citizens of Louisiana; aghast as they must be at the general overturn of all the safeguards of government, social stability, and security, which the present condition of that State reveals, for some reason they recoil from casting a vote which may indirectly involve the repudiation of Kellogg's government or the recognition of McEnery's claim. There seems to be an apprehension that in the success of the latter there will be the reascendency of a system hostile to the interests of the Republican party; that the McEnery government represents that class in the South which was engaged in the attempt to overturn the government, and among which yet lingers the spirit of disunion and slavery; that its accession to power means the supremacy of the white race and the oppression, or at least the subordination and subjection, in some form, of the black race.

I desire to remove these impediments to a decision of this case upon its merits. I do not believe that the interests of the Republican party are identified with the maintenance of that so-called government now fixed upon the people of Louisiana, or of the governments of a kindred nature in the Southern States. No party supported by the moral sentiment of the American people can long bear the responsibility of the infamy and disgrace which these grotesque caricatures

of government have brought upon the very name of Republicanism. Nor, on the other hand, is there anything in the character of the people of that State who elected McEnery, or of the people of the Southern States, or anything in their history before the war or since, which can justify on the part of Congress any suspicion of their designs in once more getting accession to power in their own States—nothing, sir, which should cause Congress to regard their restoration to the management of their own affairs as a menace against any of the results established by the war, against the safety of the black people of the South, or against the security of the so-called loyal men of that section.

As this subject has been introduced into the discussion by the gentleman from New York, permit me, in order to disclose the real position and purposes of the original citizens of the South in their true light, to review the events of the last few years.

I am aware, sir, of the fact that the bare mention of these events is calculated to excite apprehension that something may be said to revive resentments and to inflame passion. I presume, sir, I need not assure this House that such is not my purpose. I fear that the two sections can never obtain a genuine and permanently good understanding unless we speak to each other upon these subjects in a spirit of open-hearted frankness. Reticence and reserve, persisted in, will, it is to be feared, be productive of additional misunderstandings.

Mr. Speaker, in 1860 the Presidential election, for the first time in the history of this country, placed the Federal Government in the control of a party whose organization, candidates, and voters were all confined to one section of the Union and animated by a common sentiment of hostility to the slavery institutions of the other section; whose leading policy was, not only to exclude those institutions from the Territories, but also to use the powers of the Federal Government, to the extent of its constitutional authority, to effect their extinction in the States throughout the Union: There is no proposition better settled than that the overthrow of the civil and domestic institutions of a people against their will, by a power external and paramount to their own, is, in effect, the subjugation and conquest of that people. To the Southern people, therefore, was presented one of two alternatives: either to submit to the overthrow of their civil and political institutions or to change their political relations.

Early in 1861 seven of those States, by the action of the people thereof, withdrew from the Federal Union, and by the same authority established a common government, styled the Confederate States of America.

With this controversy between the two sections about the relations of race and labor, other questions arose, among which was one relating to the reserved powers of the several States and their relation to the Federal authority. One school asserted the doctrine of State sovereignty, and, as an incident, the right to secede from the Union; the other theory is that the nation, the United States, is the sole indivisible sovereign, and that the Federal Government is charged with the duty of using all its powers to maintain the national unity and integrity of the national domain. This last question antedated the foundation of our government, and remained unsettled till 1865, when it was adjudicated by a tribunal from which there is no appeal.

Such were the issues staked on the result of the war. Sir, can it be said that in such a conflict (in which questions as old as the government had passed from theory into fact) between two great sectional organizations, whose armies, larger than those of the first Napoleon, stretching their line of battle across the continent and maintaining a war of four long years of alternate victory and defeat, the crime of treason could attach to either belligerent? I do not mean the technical treason that the fortunes of war give you the power to record against the Southern people, but the moral guilt that lies in treasonable intent. They certainly did not conspire or attempt to subvert your form of government or to destroy your constitution or to depose your rulers. When their secession was consummated, they left the United States, the United States still, a great and powerful nation, with its extended seacoast, its teeming population, its vast extent of territory, its mechanic arts, its commerce, its constitution safe, its laws unobstructed, its administration unembarrassed, its magistracy—Federal, State, and local—with unimpaired authority. Do not say, then, that we attempted to overthrow your government; for there it stood, after we left you, one of the greatest and most powerful nationalities upon the face of the earth.

There was no dispute between the two sections about the form of government. Devotion to the constitution, to the principles of American freedom, was the fountain at which both sections drank in inspiration for the stupendous war

which they maintained; and when that war closed with defeat for the South and victory for the North, the controversy was closed also. The result of that victory has been to embody in the constitution two great principles: the legal indissolubility of the American Union and the universality of human freedom on the American continent.

But, sir, the North was not satisfied with these results. Holding that, having plucked the black race from the shelter as well as the restraints of existing institutions, protection to that race was an imperative duty, and holding that they were further bound to fortify the results of the war against further disturbance or reaction into the organic law of the Republic, they adopted the thirteenth amendment, which was followed in quick and logical succession by the fourteenth and fifteenth amendments, for a stricter enforcement of which were superadded your reconstruction measures; whose pitiless provisions sunk the iron deep into the soul of the Southern people. I refer to them, not to complain or to arraign your policy, but simply to remind you how completely and effectually the logical results of the war have been interwoven in the very elements of your national life. You never comprehended how entirely the South realized that the fate of her labor system and her creed of separate State sovereignty were staked upon the issues of the war. From the day of the surrender of her armies to the present moment, in no part of her vast territory has one single hand of insurrection been raised against the authority of the American Union. Nowhere within the limits of your great empire has the national supremacy been maintained with such absolute omnipotence. Is not this fact, of itself unprecedented in the annals of civil war, occurring among a brave people, a sufficient gage of their fealty to your constitution and laws? Have they not abided in good faith by your policies as you have successively established them?

Sir, my friend from New York read something from a Kuklux report, and invoked from me either an indorsement or a repudiation of it. I cannot, sir, now give the language of that quotation, but I tell him that he was quoting not from a report of the Democrats on that committee; it was the special report of a single member, for which the others should not be held responsible.

MR. SMITH, of New York: The gentleman will allow me to correct him. It bears the signatures of eight Democratic members of that committee.

MR. LAMAR: If the gentleman will read the report, he will find that those particular sentiments are those of one individual member, and not of the others.

MR. SMITH, of New York: Those particular sentiments are repeated four, five, and six times over.

MR. COX: I will say that they were the sentiments of Judge Van Trump. I was a member of that committee. We never read the report. It was the report of a subcommittee; and when it was made several of us took occasion to disavow it. We never agreed to retrogression as to African slavery, but simply on the social question involved in it.

MR. SMITH, of New York: I never heard that report retracted heretofore, and I am rejoiced to hear it now.

MR. LAMAR: I am not either indorsing or condemning the views or policy of either of the great parties. I think I can respond to the question of my friend more distinctly than by repudiating or indorsing a detached sentence, which, to say the least of it, is susceptible of different constructions. Mr. Speaker, upon a recent solemn occasion I announced on this floor that the Southern people had not only submitted to, but would abide, the legitimate results of the late war. Sir, that sentiment has not met one dissent throughout the whole extent of the Southern land. The occasion has been criticised by a few persons as not a proper occasion to utter it, but the sentiment itself is the all-pervading sentiment of the Southern people. In reply to my friend from New York [Mr. Smith], who has challenged me, I will distinctly enunciate what I conceive to be the position of the Southern people on this subject.

Sir, the Southern people believe that conquest has shifted the Union from the basis of compact and consent to that of force. They fully recognize the fact that every claim to the right of secession from this Union is extinguished and eliminated from the American system, and no longer constitutes a part of the apparatus of the American Government. They believe that the institution of slavery, with all its incidents and affinities, is dead, extinguished, sunk into a sea that gives not up its dead. They cherish no aspirations or schemes for its resuscitation. With their opinions on the rightfulness of slavery unchanged by the events of the war, yet as an enlightened people, accepting what is inevitable, they would not, if they could, again identify their destiny as a people with an in-



stitution that stands antagonized so utterly by all the sentiments and living forces of modern civilization. In a word, they regard the new amendments to the constitution which secure to the black race freedom, citizenship, and suffrage, to be not less sacred and inviolable than the original charter as it came from the hands of the fathers. They owe allegiance to the latter; they have pledged their parole of honor to keep the former, and it is the parole of honor of a soldier race.

I repeat that your policy of securing the results of the war has reached its consummation.

There is no class of people in this country who have more liberty and who are more secure from the assaults of enemies than the colored people of the South. Every man, woman, and child of them can do precisely as they like without the slightest restraints from the whites.

Every black man of twenty-one years possesses a vote, and exercises the same right and the same individual freedom as the wealthiest and proudest white man in America. There is not a trace of privilege throughout the land. Morally, mentally, politically, negro liberty is universal, thorough, and complete; and their equality before the law is without an exception. To go further is to make it a privileged race. Would it not be wise and statesmanlike to pause before you push your policy to further extremes, and see the results of it as time will disclose them?

But, sir, is it true that in the establishment of the Union and the enfranchisement of the black men American statesmanship has exhausted its resources and absolved itself from all obligations growing out of the tremendous conflicts through which the country has passed? Is no regard to be had for the white population in these Southern States, for the seven million men in whose veins runs the blood of the races that uphold the Christianity and civilization of the world; a population in which reside the intellectual culture, the moral strength, the material interests, the skilled labor, the useful capital of that entire section, as well as its political experience; a population which, whatever heated partisans may say of it, has in every period of your country's history furnished its due proportion of Presidents for your Federal Republic, ministers in your cabinets, judges upon your bench, statesmen in your National Legislatures, generals in your armies, and troops of unsurpassed bravery upon your battlefields; a population whose leaders guided your country for sixty out of seventy years of her existence, and only fifteen years ago surrendered her to your control, to use the language of one of them upon that occasion, "without a stain upon her honor, matchless in her glory, incalculable in her strength, the pride and admiration of the world?"

But in a speech, to which I believe by the rules of this House I am not allowed to refer more particularly, it is said that, statesmen as they were, "they were engaged in a wicked rebellion to overturn the government which was intrusted to their hands;" and, "though they have surrendered their arms, they are rebels still, cast in the mold of rebellion, and cannot bend."—"You can no more conciliate them by giving them back their privileges than you can conciliate the rattlesnake by restoring to it its fangs." And another, to which I am precluded from alluding, says that "things are in a bad way down in the South, but it is the legitimate fruit of their own misconduct. They have sown the wind, and they must reap the whirlwind."—"It is said that the black people have governed badly, and are of a lower order of intelligence; but give to me the lower order of intelligence that is loyal, rather than the higher order of intelligence that has derived its culture from the blood of the Republic."

Sir, the inevitable effect, if not the direct object, of such views will be to fix upon the government a policy that works the degradation, humiliation, wretchedness, and torture, for its own sake, of the Southern people; but I believe, sir, that this spirit is passing away even from the minds of my friends on the other side. It is condemned by the spirit of the age. You can find no sanction for it in the ethics of Christian or American statesmanship, and the authors of the sentiments might have learned even a nobler lesson from the allegories of heathen mythology. When Prometheus was bound to the rock, it was not an eagle, the proud bird of Jove, but a vulture, that buried its beak in his writhing frame. This is not the spirit that animated your Northern people to war upon the South, nor was it the spirit that fired your brave men to follow McClellan and Grant and Sherman.

Sir, the issues of the war are well defined. The people of the South believed that if the States of this Union, whose institutions were so discordant that they

could not live together under a common government, "part slave and part free," could divide into two great American Republics, each pursuing its own destiny, the freedom, the progress, and the greatness of its own people, without interfering with the other, it would furnish the grandest example and the grandest argument in favor of free institutions that the world had ever seen. The North believed that such separation was death to the Americanism of government; that it was dissolution to the whole system, and it proclaimed and waged war to give effect to the principle that the people of each State and every section must pursue their freedom and their greatness and their glory only in the freedom and greatness and glory of the American Republic, which would make them freer and greater and more glorious than they would become in two separate confederacies. And the whole theory upon which your war was fought was that it was as much for the good of the Southern people to fail in their cause of secession as it was for the good of the Northern people to succeed in the cause of the Union.

If this be not so, then you must admit that you were waging a war of aggression upon the Southern people to bring them back into the Union for your own sectional aggrandizement, and that the terms "constitutional liberty" and "American Union" were empty subterfuges. Assuming that it is your desire and your aim, having brought us back into the Union, to give to the Southern people the blessings of good and honest government, to secure to them the prosperity and well-being that ought to be enjoyed in this great Union, I ask you—not by way of complaint—I ask you if such a desire has been realized or such an aim been attained in that unhappy country.

I do not propose here to enter upon any detailed description of the condition of our people. I shall do so if the opportunity occurs on some future occasion. I prefer to-day to take the language of a Northern gentleman, not because he is Northern nor because he is Republican, but because when I first read his words they struck me as solid and thoughtful and wise, exhibiting a maturity of judgment and a tremulous anxiety for the welfare of his country which I did not expect from so young a man: "For the last few years the infamy and disgrace of certain Southern State governments have been constantly on the increase. There have been corrupt electors and corrupt elections; there have been corrupt Legislators and corrupt legislation; there have been double Legislatures, double Governors, double Representatives in this House, and double Senators year by year in many States; there have been bad men in these States who have bought power by wholesale bribery, and have enriched themselves at the expense of the people by speculation or open-handed robbery. Corruption and anarchy have occupied and possessed these unfortunate States."

I read from a speech delivered by the gentleman from Maine [Mr. Hale], in 1872, at the second session of the Forty-second Congress. Now, Mr. Speaker, I have heard gentlemen allude, with some significance of manner, to the fact that the pains and penalties of treason have not been inflicted upon the South; that their leaders have not been hanged or exiled or subjected to confiscation. I ask you, gentlemen, can a greater calamity, a more awful curse, be visited upon a people than to commit them to the possession of anarchy and corruption? Confiscation passes away with its victims and its authors; but anarchy and corruption entail ruin, wretchedness, and blood upon untold generations.

[Here the hammer fell.]

Many members: Go on.

MR. SYPHER: I move that the gentleman's time be extended.

THE SPEAKER: If there is no objection, the gentleman will proceed.

There was no objection.

MR. LAMAR: I was saying that confiscation is not the worst of evils when it is followed by good government, for then it gives you security for the present and a promise of guarantee for the future; but anarchy and corruption are the lingering death that brings decay with life enough to realize its own loathsome degradation.

We have, indeed, as a bare recital of facts—known to many and denied by none—would show, a condition there that even the eloquent words of the gentleman from Maine fail to depict. Language is inadequate to convey a distinct conception of it. There is, however, one mistake which I must correct before I leave this topic. The evils of that condition are in no way, as is so often alleged, the result of a terrible civil war and the social convulsion produced by the abolition of slavery. Those States were far removed from the field of invasion, except for a short time and to a small extent. They were never torn by civil strife

until the desolating furies of peace came among them; they were not subjected to intestine commotions. They were united during all the war. But, sir, the border States—Virginia, Tennessee, Kentucky, Missouri—were the field upon which the great armies of the two sections met. They were the theater of the conflict. They passed through the same social transformations, and were besides ravaged by the war of factions locally intermingled. Yet those States, their affairs restored to the control of their own people, rebels as they were, have staggered to their feet, and are exhibiting a degree of prosperity and progress remarkable when compared with the blight and ruin of their unfortunate sisters farther South.

Why this difference? If I have not trespassed too long upon your time, I will give you a brief analysis of the cause. Mr. Speaker, the point at which government affects most vitally the interests of a people, for weal or woe, is its fiscal action. "The fisc is the State," once said a great French statesman. The function of collecting and disbursing the revenues places the entire resources of a community at the command of those in whom it is vested. It has in all ages been the machinery by which arbitrary governments and those who rule them can plunder a people and raise themselves to the greatest degree of riches and splendor. According to the views of a great American statesman and profound thinker, Mr. Calhoun, even in the best regulated governments the action of this part of the system naturally divides society into two antagonistic classes: those who pay the taxes and bear the burdens of government, and those who receive the taxes and are supported by the government; the latter class being interested in swelling the revenues and expenditures to the highest amount, and the former, in keeping them down to the lowest figure. There is but one principle by which the people who bear the burdens of taxation can keep themselves from being despoiled and ruined by those who impose and consume the taxes; that is the principle which will not permit taxes to be imposed except with the consent of the taxpayers—or, in other words, which makes the tax-consumers, the men who impose and receive the taxes, responsible to the men who pay them.

Such was the relation of these two classes of the South before the war. The men who imposed the taxes were responsible to the people who paid them. The consequence was that their governments were models of republican simplicity and prudential economy and virtue in the administration of affairs.

Sir, the events since the war have reversed these relations. When, in order to consummate your policy, you divided the Southern country into military districts, your military commanders, distrusting the purposes of the Southern people, and knowing that the negroes were incompetent to manage the affairs of government, called to their aid and installed into all the offices of the States, from the highest to the lowest, a set of men from the North who were strangers to our people, not possessing their confidence, not elected by them, not responsible to them, having no interest in common with them, and hostile to them to a certain extent in sentiment.

I am not going to characterize these men by any harshness of language. I am speaking of a state of things more controlling than ordinary personal characteristics. Even if it were true that they came to the South for no bad purposes, they were put in a position which has always engendered rapacity, cupidity, corruption, grinding oppression, and taxation in its most devouring form. They were rulers without responsibility, in unchecked control of the material resources of a people with whom they had not a sentiment in sympathy or an interest in common, and whom they habitually regarded and treated as rebels who had forfeited their right to protection. These men, thus situated and thus animated, were the fisc of the South. They were the recipients of all the revenues, State and local; not a dollar of taxes, State or local, but what went into their pockets. The suffering people on whom the taxes were laid could not exercise the slightest control, either as to the amount imposed or the basis upon which they were laid. The consequence was that in a few short years eight magnificent Commonwealths were laid in ruins. This condition of things still exists with unabated rigor in those Southern States; for when, by your reconstruction measures, you determined to provide civil governments for those States, the machinery by which these men carried their power over into those civil governments was simple and effectual. Under your policy generally—I repeat that my purpose to-day is not arraignment—under that policy you disfranchised a large portion of the white people of the Southern States. The registration laws and the election laws in the hands of these men kept a still larger proportion away.

But there was an agency more potent still. By persistent misrepresentation a majority in Congress was made to believe that the presence of the United States Army would be necessary, not merely to put these governments in force, but to keep them in operation and to keep them from being snatched away and worked to the oppression and ruin of the black race and the few loyal men who were there attempting to protect their rights. Thus was introduced into those so-called reconstructed civil governments the Federal military as an operative and predominant principle. Thus, with a quick, sudden, and violent hand, these men tore the two races asunder and hurled one in violent antagonism upon the other; and to this day the negro vote, massed into an organization hostile to the whites, is an instrument of absolute power in the hands of these men. These governments are in external form civil, but they are in their essential principle military. They are called local governments, but in reality they are Federal executive agencies. Not one of them emanates from the uncontrolled will of the people, white or black; not one of them rests upon the elective principle in its purity. They have been aptly styled by a distinguished statesman and jurist in Mississippi, Hon. W. P. Harris, "State governments without States, without popular constituencies;" for they are as completely insulated from the traditions, the feelings, the interests, and the free suffrages of the people, white and black, as if they were outside the limits of those States. Where is the public sentiment which guides and enlightens those to whom are confided the conduct of public affairs? Where is the moral judgment of a virtuous people to which they are amenable? Where is the moral indignation which falls like the scathing lightning upon the delinquent or guilty public officer? Sir, that class and race in which reside these great moral agencies are prostrated; their interests, their prosperity, jeopardized; their protests unheeded; and every murmur of discontent and every effort to throw off their oppressions is misrepresented here as originating in the spirit which inaugurated the rebellion. Sir, the statement that these Southern governments have no popular constituencies is true, but they nevertheless have a constituency to whom they bear a responsibility inexorable as death. It is limited to the one point of keeping the State true and faithful to the administration; all else is boundless license. That constituency is here in Washington; its heart pulsates in the White House. There is its intelligence, and there is its iron will. I do not exaggerate when I say that every one of these governments depends every moment of its existence upon the will of the President. That will makes and unmakes them. A short proclamation backed by one company determines who is to be Governor of Arkansas; a telegram settles the civil magistracy of Texas; a brief order to a general in New Orleans wrests a State government from the people of Louisiana and vests its control in the creatures of the administration. Sir, even conceding that the decision in one or two of these cases accorded with the rights of the people, there stands the startling fact that all the rights, peace, and security of those people hang upon the precarious tenure of one man's will or caprice. Is it wonderful that beneath the chill shadow of such a colossal despotism the hope and enterprise and freedom of that people should wither and die?

Mr. Speaker, my heart has on more than one occasion thrilled under the tributes of applause paid by Northern members, who were Federal officers in the war, to the valor of Southern troops and the fortitude of Southern people during the war. Sir, if the conquest over self is the greatest of all victories, then that people deserve a still higher meed of praise for their conduct in peace; for, sir, they have borne unprecedented indignities, wrongs, oppressions, and torture, with unexampled patience and dignity.

It is true, sir, that in a few districts, for a time tortured, goaded, and maddened, there were neighborhoods in which misguided men rose up, sometimes disguised, and inflicted bloody retaliations. And, like all such blind vengeance, the blow fell upon the innocent instead of the guilty; and it served only to call down upon the naked and defenseless heads of the people of the South the wrath of this government, which misunderstood the outbreak, considering it as the indication of the temper of the Southern people, when it was only the indication of their agony. These outbreaks that flamed up here and there, without concert and irregular in their succession, were but signal guns of distress.

Sir, the condition of these States is fully illustrated by the events out of which this contested election originated, and but for which it would never have existed.

I have before me the House document referred to by the majority report. The official dispatches contained in that report show that the executive department of the Federal Government, by its own hand, in a time of profound peace, hurled

out of existence the civil government of Louisiana—I mean the Warmoth government—which itself had recognized as legal and constitutional, and created another in its stead. We have often heard it said that all the President did in Louisiana has been to enforce the decisions of the courts. Sir, these dispatches show, on the contrary, that the entire plan of establishing Kellogg's government by the military power was in advance communicated to the Federal authorities at Washington, from the very first step to its final consummation, in every detail, and that this plan received their full sanction and promised coöperation. Strong as this statement seems, you will be satisfied that it is simply just if you will briefly examine with me the record in this document.

On the 27th of November, 1872, W. P. Kellogg writes to Attorney-General Williams a letter, in which he recites certain measures of Gov. Warmoth, whose purpose is to have "the result of the recent election declared in favor of the Republican party," letting fall, however, the remark: "The details of his action in this particular you are probably familiar with; if not, some of our members of Congress, who have just left for Washington, will post you fully."

Then, referring to his application for an injunction against Warmoth (of which the Attorney General had been informed eight days before), he unfolds the first step in his scheme of having himself and the other candidates who were rejected by the people of Louisiana installed in the offices of that State: "I inclose herewith a copy of the bill marked E. This application is being now elaborately argued before the court, and I am of the opinion that the court will maintain its jurisdiction."

Now, sir, here is the whole case—the measures of Warmoth, the bill of Kellogg to thwart him, and Durell's anticipated action—all laid before the Attorney-General of the United States. But what, sir, is the next step in the scheme? He informs the Attorney-General that "the Supreme Court is known to sympathize with us, and has incidentally passed upon the legality of our returning board."

Again he says: "Our returning board being held as the legal returning board and as in no wise affected by the promulgation of the recent election bill, may make the returns required by law, which will show the Republican State ticket elected, and a Republican majority in the Legislature." But he proceeds to disclose the third step in this monstrous scheme of perfidy: "I ought to mention that the Supreme Court will next Monday pass upon the case of Bovee, ejected over a year from the office of Secretary of State by Gov. Warmoth, without any legal right or showing. They will reinstate him in the office. . . . Under the State election law the returns of the canvassing board come to the Secretary of State, and he makes a return of the members elected to the Legislature to the Secretary of the Senate and the Clerk of the House, who are both Republicans. You will at once appreciate the full effect of this point."

But, sir, all these steps accomplished, one more yet is indispensable to consummate the scheme of placing himself and his confederates in possession of the government of Louisiana. That final step he does not hesitate to propose. Here it is, sir, with the reason for making it prefaced: "I say to you frankly that this fight is extremely distasteful to me, and I would be glad to get rid of the whole matter; but I feel bound, in the position in which I find myself, to do all that I can to avert a condition of things such as will inevitably follow the accession of the Democratic party to power in this State. I therefore respectfully suggest that Gen. Emory, who I think appreciates the necessity and sympathizes with the Republican party here, be instructed to comply with any requisition that the United States Courts may make upon him in support of its mandates and to preserve the peace."

Sir, what is the response which comes from the law officer of the President's Cabinet to this disgraceful disclosure and this infamous proposal for his aid and coöperation in carrying it out? I give it without a word of comment:

"DEPARTMENT OF JUSTICE, December 3, 1872.

"S. B. PACKARD, Esq., United States Marshal, New Orleans, La.

"You are to enforce the decrees and mandates of the United States Courts, no matter by whom resisted; and Gen. Emory will furnish you with all necessary troops for that purpose.  
GEORGE H. WILLIAMS, Attorney-General."

Sir, at once the plot began to be carried out, without the omission of a detail, in the precise order in which they are given beforehand to the Attorney General of the United States. Durell *did* maintain his jurisprudence; the Supreme Court

*did* "decide our returning board to be the legal returning board;" "our returning board" *did* so count the returns—and that, too, without having a single one before them—as to show the Republican ticket elected, and a Republican majority in the Legislature; the Supreme Court *did* decide in favor of Bovee, and reinstated him as Secretary of State; Bovee *did* make a return of the members elected to the Republican Secretary of the Senate and the Republican Clerk of the House; Durell *did* issue the anticipated mandate, and that mandate *was* executed by the United States troops under Gen. Emory. Hear the result:

"NEW ORLEANS, December 6, 1872.

"PRESIDENT GRANT:

"Marshal Packard took possession of Statehouse this morning—at an early hour with military posse, in obedience to a mandate of the Circuit Court, to prevent illegal assemblage of persons under guise of authority of Warmoth's returning board in violation of injunction of Circuit Court. Decree of court just rendered declares Warmoth's returning board illegal, and orders the returns of the election to be forthwith placed before the legal board. The board will probably soon declare the result of the election of officers of State and Legislature, which will meet in Statehouse with protection of court. The decree was sweeping in its provisions, and, if enforced, will save the Republican majority, and give Louisiana a Republican Legislature and State government, and check Warmoth in his usurpations. . . .

JAMES F. CASEY."

"NEW ORLEANS, LA., December 9, 1872.

"HON. GEORGE H. WILLIAMS, Attorney-General:

"Senate, by vote of seventeen to five, have resolved into high court of impeachment. Senator Harris elected President of the Senate, Lieut. Gov. Pinchback S. B. PACKARD, United States Marshal."

Have I not made good the statement that the legal and constitutional government of Louisiana was destroyed by the Federal Executive by military force? There was not a member of that lawless cabal who was not an officer of the Federal Government. And, sir, is it not manifest that these criminals would never have dared to do what they did but for the assurance given them of aid and co-operation from Washington? Would that besotted judge have dared to debase his court as he did if the Attorney-General, knowing beforehand what he would do, had not instructed Gen. Emory to sustain his acts and enforce his mandates?

But, sir, that government thus set up and put in operation had no power to sustain itself. On the very first day of its existence it appealed to the President for military protection. It was a lifeless thing, incapable of movement except when galvanized into action by the military power which created it. Here is the appeal:

"NEW ORLEANS, December 9, 1872.

"PRESIDENT GRANT:

"Having taken the oath of office, and being in possession of the gubernatorial office, it devolves upon me to urge the necessity of a favorable consideration of the request of the General Assembly, as conveyed in the concurrent resolution of this day telegraphed to you, requesting the protection of the United States Government. Be pleased to send the necessary orders to Gen. Emory. This seems to me a necessary measure of precaution, although all is quiet here."

"P. B. S. PINCHBACK, Lieut. Governor, Acting Governor of Louisiana."

What do they want protection against—violence? Not at all, for he expressly declares that "all is quiet here;" and on the next day he telegraphs: "I do not regard any outbreak imminent." What is it, then, that causes these conspirators, in the very moment of their success, to tremble, and to send eight dispatches in one day urging the President to recognize them and to send the military of the United States to protect them? You will find the cause in the following dispatch. It seems that the ghost of the murdered legal government will not down at their bidding:

"NEW ORLEANS, December 11, 1872.

"HON. GEORGE H. WILLIAMS, Attorney-General, Washington, D. C.:

"The Warmoth Legislature is now in session at the City Hall, in defiance of the restraining order of the court. S. B. PACKARD, United States Marshal."

But what possible danger can possibly arise from the mere meeting of a body of men divested of all official authority if "no outbreak is imminent?" The true danger is revealed in this dispatch, sent on the same day:

"NEW ORLEANS, December 11, 1872.

"PRESIDENT GRANT:

"Parties interested in the success of Democratic party, particularly the *New Orleans Times*, are making desperate efforts to array the people against us. Old citizens are dragooned into an opposition they do not feel, and pressure is hourly growing. Our members are poor, and adversaries are rich; and offers are made that are difficult for them to withstand. There is danger that they will break our quorum. The delay in placing troops at disposal of Gov. Pinchback, in accordance with joint resolution of Monday, is disheartening our friends and cheering our enemies. If requisition of Legislature is complied with, all difficulty will be dissipated, the party saved, and everything go on smoothly. If this is done, the tide will be turned at once in our favor. The real underlying sentiment is with us if it can but be encouraged. Gov. Pinchback is acting with great discretion, as is the Legislature, and they will so continue.

"JAMES F. CASEY, Collector."

Well may this Federal collector characterize as "our quorum" this miserable contrivance that needs the presence of United States troops to prevent its dissolution from sheer imbecility and poverty.

But, sir, the legal government of Louisiana, though disseized of its capital and deprived of its insignia of political authority, still asserts its existence and its right. In the name of justice to an outraged people, it lifts its voice in imploring invocation to the President at least to give their cause a fair hearing through the Governor of their choice and a committee of a hundred of their best citizens. Here is the response they receive:

"DEPARTMENT OF JUSTICE, December 13, 1872.

"HON. JOHN McENERY, New Orleans, La.:

"Your visit with a hundred citizens will be unavailing so far as the President is concerned. His decision is made, and will not be changed; and the sooner it is acquiesced in the sooner good order and peace will be restored.

"GEORGE H. WILLIAMS, Attorney-General."

Sir, can anything be more imperial in its tone than this? "The President's decision is made, and will not be changed!" He does not want to hear from the people! Let them acquiesce in his decision! But, sir, they came in spite of this imperial ukase. An investigation in Congress began. The conspirators shrunk from the threatened exposure; they began to talk of a compromise with the government which they had subverted, a compromise which promised at least peace and tranquillity to the State. But, sir, the idea was discountenanced. The following private dispatch was sent, and afterwards got into the papers:

"WASHINGTON, February 26, 1873.

"T. W. DEKLYNE, Deputy United States Marshal.

"Tell Kellogg to keep his shirt on. His talk of a compromise only irritates authorities. The only compromise is for members elected to go in and take their seats in the Legislature, and that excludes all contest. The McENERY government must be broken up as soon as Congress adjourns. S. B. PACKARD."

This command was obeyed to the letter. All thought of compromise was abandoned. After Congress adjourned "the McENERY government" was "broken up" and dispersed by a brigade of metropolitan police backed by the United States troops.

Mr. Speaker, the real issue pressing upon us for decision did not originate with this Louisiana case. It underlies our political system, and in its results we are to find solved the great question of self-government, not for the South alone, but for every part of the Union. I know, sir, that in the blind fight of factions the great peril is lost sight of in the presence of the evils that more immediately affect the contestants; but there is that involved in the real issue which is of infinitely greater importance than questions of races or the material interests of many generations.

The antagonism of races, as to the cause of which I differ so widely from my

friend from New York [Mr. Smith], cannot last always. With thirty-seven millions of white people, increasing not only by the ordinary laws of population, but by the tides of immigration pouring in from Europe, to only four millions of blacks continually falling off in its percentage of growth, with no supplies from any foreign sources, it does not call for a scientist to calculate how long it will take for the weaker or smaller race to disappear before the more populous and stronger.

So, too, the prosperity of the South may be utterly destroyed, and with it no small part of that of the North, whose present distresses are, in my opinion, not so much due to the contraction or expansion of the currency as to the rapid closing up of the North's best market and the impoverishment of her best customers; but, sir, the land and climate of the South will still remain, and long after we have passed into oblivion her deep, rich soil will respond to the wants of humanity, and the great Mississippi will bear whole continents in solution to the Gulf, depositing and creating wider and richer fields for cultivation.

But the people of the United States cannot afford to have destroyed the principles of constitutional government and representative liberty. I need not waste your time nor my strength in eulogies upon our political system. What it was previous to the late war we all recognize and rejoice over. What it is to be we cannot tell, for we are in the midst of one of those great political transitions in which a people, deceived by the retention of the form, are in danger of losing the substance, of free government. Because their rights and liberty have to be won by bloody and violent struggles it is difficult for them to realize that those very rights and liberties may silently disappear through the subtle, insidious usurpations of power and the unseen and covert attacks of political chicanery and fraud; yet such has been the history of the failure of republican institutions in all ages.

Were not this so, the wrongs, the usurpations, and the undisguised tyranny so forcibly depicted in the record I have just read were not possible. That which has happened to Louisiana, Texas, Arkansas, Alabama, and South Carolina, originates in an abuse of power that is applicable to Massachusetts, New York, or Ohio. The appeal which I make for my own unfortunate section I make for the entire people of the United States. In what I have said I mean no assault upon the character of the President. It is the system which I protest against, a system which is not merely centralizing all powers in the general government, but is also permitting one department to usurp and hold them, to the utter ruin of the other two. I deplore the acquiescence of Congress in these usurpations.

There are in our constitution important checks upon Presidential power and ample and efficient means by which Congress can protect the States and people against the unconstitutional action of executive administration.

It is only the consent of Congress that makes it possible for the will of one man to wipe out all State authority, and with that authority all vestige of free government.

## Appendix No. 10.

*Letter from a Prominent Colored Republican Officeholder to Col. Lamar.*

VICKSBURG, MISS., April 25, 1874.

HON. L. Q. C. LAMAR.

*Dear Sir:* Not having the pleasure of a personal acquaintance, but being a Mississippian, and one that would sacrifice everything to her greatness and glory, you will pardon me for this intrusion upon your valuable time, though not a member of the political party to which you belong.

There is a bill pending before the Congress of the United States known as the Civil Rights Bill. The passage of that bill at the present session will prove the utter annihilation of the carpetbagger in this State and the other Southern States. In the canvass next year they will have nothing to go before the people with but their damning records and outrages perpetrated in the Legislature under the name of party. Their plea last year was that if the Democrats got in power their civil rights would be taken away from them in this State. The great majority of our party are very ignorant, and it is an easy matter for the carpetbagger to work upon their prejudices and passions. If the Southern men in Congress are truly and dispassionately without prejudice, looking to the interest of the South, they will use their united efforts and influence to secure the passage of that or some other bill that will settle this question



and take it out of Southern politics; and those cormorants and thieves with which all the Southern State governments are afflicted will go out of the South with it. To me the end to be achieved justifies the means. Your constituents, bitter though some may be, the great majority would indorse you. Have not those thieves, with Ames at their head, taken entire control of our property and, under a law from which there is no appeal, assessed values to be raised hundreds of millions, and no reduction of the *per centum* on taxation? We are to be robbed outright, and will you and those claiming to be friends of the South stand by and see the life's blood of the people sapped out before you unbend from some of your prejudices? In the last few months I have talked with over a thousand Democrats (and some of them very prominent ones) upon this question and the ruin that stares us in the face, and they agree with me fully. Through this lies our only salvation. Maj. Barksdale, Generals Lowry and Wirt Adams, McCardle, and quite a number from your district, urge the passage, or, at least, put no stumbling-blocks in the road. The carpetbagger from the South will look out for that, for its passage is death to them. The acts of the last Legislature have opened all the paths to fraud and corruption. Our State Government is run by John B. Raymond, Public Printer and business manager and first clerk in the Treasury Department; Auditor Gibbs; and O. C. French. This is the Cabinet, and with a few *attaches* rests all that once belonged to proud, now degraded, Mississippi. Again asking pardon for this lengthy intrusion, I have the honor to subscribe myself

Your obedient servant,

H. C. CARTER.

### Appendix No. 11.

#### CENTENNIAL CELEBRATION OF AMERICAN INDEPENDENCE.

*Speech in the House of Representatives, January 25, 1876.*

The House, as in Committee of the Whole, having under consideration the bill (H. R. No. 514) relating to the centennial celebration of American independence, Mr. Lamar said:

*Mr. Chairman:* It is only within the last few moments that I have consented to participate in this debate, although I have given the subject that calm and earnest reflection which its importance demands. I have listened with riveted attention to the arguments of gentlemen upon the other side controverting the constitutional power of this body to pass this measure. While I perhaps am unable to point out the fallacy which I think lurks in their reasoning, it has failed to bring me to the conclusion which they have reached. I concur with them in the importance and gravity of the constitutional aspect of this question. Profoundly conscious of the importance of this measure, anxious for its success, painfully apprehensive of the misconstructions and unhappy influences which its defeat may produce, yet if I thought it even constructively violated the constitution of my country, I would vote against it.

I agree with the gentlemen that the shaping of the destiny of this country lies in the supremacy and inviolability of its organic law. Every act of this government which does not bring around it the clear and complete sanction of that instrument is a lawless act, and establishes a precedent which, if persisted in, would result in the destruction of constitutional government and constitutional liberty.

Believing this, I have attempted to give full consideration to the argument which impugns the constitutionality of this measure. I desire here to say that I concur in many of the canons of constitutional construction which gentlemen have laid down. I believe that this is a government of limited powers, and that it can exercise no power whatever or do any act which the constitution does not expressly authorize, or which is not necessary to the execution of some expressly granted power.

I also concur in the view of the gentleman from Virginia [Mr. Tucker] that that clause which speaks of the common defense and general welfare contains no substantive or affirmative grant of power to Congress. I go further than the gentleman from Virginia. In my opinion that clause is a limitation, is a restriction upon the powers which are grouped around it, and it means that Congress shall have power to lay and collect taxes, duties, etc., only for the objects therein prescribed: the common defense and general welfare. The powers conferred are thus limited, and the government is prohibited from doing the acts therein enumerated for any other purposes than those of the common defense and the general welfare.

While I hold these views as strictly as my friend from Virginia and other gentlemen upon this floor, I do not think that they touch the real issue of this controversy. In attempting to demonstrate the power of Congress to act upon this measure it is not

my purpose to go into the question whether the Constitution of the United States originated from a compact between the several States as independent sovereignties or whether it emanated from the will of the American people as one vast indivisible sovereign society and community. I say that that question is not involved. Whether it originated in the one or the other, the constitution is the supreme law of the land in either event; the divisions of power are the same; the distribution of political functions in our system between the States and the Federal Government, and between the different departments of the latter, is all the same upon either theory; and the discussion of the theory upon this question is sterile in its uses and fatal in its abuses. The question before us has relation only to the existence and residence of this power, whatever may have been the origin of the constitution.

There is one point upon which I presume there can be no difference of opinion; that is, that there is one division of delegated powers to this government which is broad and marked unmistakably. It is like some lofty mountain which has two watersheds, indivisibly connected and yet sloping in opposite directions. One is the side that looks to internal administration, and the other is the side that looks to external relations. Now all the principles which my friend from Virginia [Mr. Tucker] has laid down relate to internal administration. Nearly all the powers under this system for internal affairs are given by the constitution, or, if the gentleman prefers the expression as I do, are reserved under it to the States singly and severally.

All matters affecting individuals or citizens in their relations within the States concerning all private rights, personal security, and liberty; the enforcement of contracts, the tenure of real property, the devolution of estates real or personal, marriage dower, inheritance, the jurisdiction of private wrongs, and the supervision of acts of violence—all these are conferred upon the States in their separate character. The powers given to the Federal Government on that side are but few and general, tending to the regulation of commerce between the States and the questions growing out of interstate communication.

But, sir, when you turn to the other side of the constitution you see a phenomenon of an entirely different character. You see there (whether the United States be a nation or be a body of States united under a compact) that the whole political authority of our system, in all its plenitude, is conferred upon the Federal Government. Whether you consider that government an agent, or whether you consider it a supreme power, makes no difference. The powers of the entire political organization in its foreign relations are in the Federal Government, and the States have either divested themselves or have been divested of every single attribute of government in their relations to foreign powers or in any extra-territorial relation whatever. Is it not true, sir? In that direction they do not possess, and have never under this constitution exercised, a single power of a sovereign State.

Not a State has had a flag, which is one muniment of sovereignty recognized by foreign nations. They have never made a treaty; they have had no control over foreign commerce or interstate commerce. They cannot coin money or establish a postoffice; they cannot send or receive ambassadors, or enter into an agreement or compact with another State or with a foreign power. Sir, they have not as full a measure of power over their external affairs this day as the colonies of Great Britain in Canada or Australia which did not revolt; for these can tax the commodities of foreign countries, and even those of the parent country itself.

Here is the condition of these State governments in their external relationship: divested of all authority. In connection with this I will mention one single fact that has been brought to my attention by the gentleman from Massachusetts [Mr. Hoar]. Long ago the State of Vermont passed a law which looked to the extradition, or rather the intradition, of fugitives from justice from Canada. The law was that these fugitives should be taken by the authority of the State and carried to the line, where they would be delivered over to the Canadian authorities. The Supreme Court of the United States decided that that law of Vermont was unconstitutional, because it partook of the nature of a compact; it was something like an alliance, something involving a reciprocal understanding between that State and a foreign State, a jurisdiction of which the States were divested or had divested themselves. On the other hand, all the political powers, by the constitution strictly construed, have been transferred to this Federal Government; and the specifications of power in this connection which are found in that instrument have reference to the distribution of power between the different departments of the Federal Government, reserving none whatever to the States.

In confirmation of the argument just submitted, I quote from an authority pronounced by no less a man than John Stuart Mill to be one of the most advanced thinkers of the nineteenth century upon subjects of political philosophy. I read from

Mr. Calhoun's work upon government, which sustains precisely the view that I have been trying to present upon this subject. I omit his discussion of the powers which belong to the States in their sovereign capacity; for this is a question with which we have nothing to do here, because whether the government originated in compact or otherwise does not affect practical administration in any way. Some of the strictest constructionists I have known were advocates of the national theory, while the most latitudinarian and liberal constructionists have been the advocates of the compact theory. Mr. Calhoun proceeds to say: "This leading principle embraced two great divisions of power which may be said to comprehend all or nearly all the delegated powers, either directly or as a means to carry them into execution."

Now I ask attention to the next paragraph: "One of them"—that is, one of these divisions of power—"embraces all the powers appertaining to the relations of the States with the rest of the world, called their foreign relations; and the other, of an internal character, embraces such as appertain to the exterior relations of the States with each other. It is clear that both come within the leading principle, as each is of a description which the States, in their separate character, are either incompetent to exercise at all, or, if competent, to exercise consistently with their mutual peace, safety, and prosperity. Indeed, so strong and universal has this opinion been in reference to the powers appertaining to their foreign relations, that from the Declaration of Independence to the present time, in all the changes through which they have passed, the Union has had exclusive charge of this great division of powers. To the rest of the world the States composing this Union are now and ever have been known in no other than their united, confederated character. Abroad—to the rest of the world—they are but one. It is only at home, in their interior relations, that they are many; and it is to this twofold aspect that their motto, *E pluribus unum*, appropriately and emphatically applies."

Now, Mr. Chairman, the question arises, with this authority in the hands of this Federal Government in its utmost possible extent, can gentlemen say that there is constitutional incompetency in the Congress of the United States to invite the commissioners of foreign countries to bring over here articles of commerce, art, and industry for international exhibition, and for the advancement of commerce, science, art, and the progress of mankind? Sir, was it unconstitutional in the President to give the invitation which this law authorized and invoked him to make? If not, the power is clear and unquestionable to appropriate the means for this purpose.

My friend from Virginia [Mr. Tucker], in giving the grounds for several acts which constitute precedents in the line of this legislation, uses this language: "The exploration of the Polar Sea is legitimate either under the power to provide and maintain a navy or the power to regulate commerce with foreign nations."

Mr. Chairman, is an exploration in the Polar seas not rather a greater strain upon that grant—exploring the Polar seas for some contingent amelioration of commerce in the future—than this act which brings the commerce of the world to our own shores, and which must result not only in its regulation, but its improvement and advancement all over the world?

Well, sir, I therefore am in favor of this measure upon the clear, indisputable ground of constitutional jurisdiction, and I have the right to look around and see what the benefits are which the exercise of this established jurisdiction will produce. I do not agree, however, with the distinguished gentleman from Maine [Mr. Frye] that this Constitution of the United States, this charter of our Union, the rule of its destiny and the law of its being, is an unintelligible enigma. I must say that it is a perilous doctrine for gentlemen representing New England States to advocate upon this floor. I tell you that the ground of political power in this country is shifting, and a day may come when their only reliance will be upon these constitutional guarantees.

MR. HOAR: The gentleman from Maine is not in his seat. I understood him to say that this enigma was not in the constitution, but in reference to certain interpretations of the constitution given by gentlemen on this floor.

MR. LAMAR: His expression was that "the constitution is an enigma."

MR. HOAR: He referred to the various constructions of the constitution.

MR. LAMAR: Upon the gentleman's representation, then, of what he did say, the gentleman from Maine [Mr. Frye] would have the right to call the Bible an enigma on account of the various constructions of its inspired oracles. [Laughter.] It is only by virtue of constitutional guarantees that New England to-day stands in this great, powerful government, with but three millions of population, possessing six times as much positive and affirmative power as the State of New York with four millions. Where does she get it? Where, except by the guarantees of the constitution? And, sir, if the people of this country were to rise up in their might and the

States unanimously, saving only herself, were to demand that Maine should be stricken from her equal right of representation in the United States, what would the gentleman from Maine do but hold up this constitution, not as an enigma, but as a clear, radiant shield which should protect the sovereignty of his State? [Applause.] Standing upon that simple guarantee, she would be upon a rock, and an earthquake could not shake her.

An enigma, sir! Are the three constitutional amendments adopted and ratified by the States of this Union enigmas—these amendments which clothed in the twinkling of an eye four millions of people, whose immemorial condition had been that of domestic servitude, with freedom, with citizenship, with suffrage, and with participation in American sovereignty? It was no enigma, but a grand, august, imposing reality. I could go on, sir, with these illustrations, but I must speak of some of the benefits which result from the exercise of this power.

The motive which prompts me is one which has been the law of my career since I have been in Congress. It is my desire to see the pacification of these sections—to see my people of the South restored to the proud position of dignity and equality in this Union to which, under the constitution, they are entitled; and to do that it is necessary that these Representatives of the North, and if not they, then their constituencies, the people of the North, should become satisfied of the longing and desire of our people to live with them in peace and perpetuity in a restored and fraternal Union. Before that cherished purpose and inspiration all others with me sink into insignificance. [Applause.]

I see I have the attention of the distinguished gentleman from New York [Mr. Townsend], who, in his jealous surveillance of the conduct of our newly enfranchised members from the South, seemed to object both to their mode of gesticulation and the poise of their head while they were in the heat of argument. He spoke, sir—and I was pained at the allusion—of Preston Brooks. Mr. Chairman, I shall not even make an inquiry as to the object of that allusion. I will not believe, sir, and certainly will not express the belief, that there lurked one motive in his breast less pure than patriotic love for the whole country; but the inevitable effect of the taunt was, I tell him, to excite passion, to inflame animosity, and to madden the hatred of sectionalism. Sir, the gentleman, unconsciously to himself doubtless, gravitated into a plagiarism. It was not the first time that this taunt has been contemptuously hurled. Another distinguished gentleman flung it upon another distinguished occasion, when the object of it was not a Southern, but a Northern man. Sir, when Charles Sumner stood up for amnesty, for concord, and for the equal rights of all, this same taunt was lanced at him from a distinguished source; and he was told that he was associating with secessionists, with the men who upheld and sustained Preston Brooks in his brutal assault and attempt to commit murder upon him. Sir, I trust that the gentleman from New York will allow me, not to make a reply to his jeer, but to repeat to him the words of Charles Sumner, as if the spirit of that great philanthropist, that statesman, that sympathizer with human rights and human sorrow, were here present in my place. Here, sir, is what Mr. Sumner said as to that: "You entirely misunderstand me when you introduce an incident of the past, and build on it an argument why I should not support Horace Greeley. What has Preston Brooks to do with the Presidential election?" And what, sir, has he to do with this discussion? "Never while a sufferer did any one hear me speak of him in unkindness. And now, after the lapse of more than half a generation, I will not unite with you in dragging him from the grave where he sleeps to aggravate the passions of political conflict and arrest the longing for concord. And here is the essential difference between you and me at this juncture. I seize the opportunity to make the equal rights of all secure through peace and reconciliation; but this infinite boon you would postpone. Seven years have passed since we laid aside our arms; but unhappily during all this period there has been a hostile spirit toward each other, while the rights of our colored fellow-citizens have been in perpetual question. Seven years mark a natural period of human life. Should not the spirit be changed with the body? Can we not, after seven years, commence new life, especially when those once our foes repeat the saying: 'Thy people shall be my people, and thy God my God?'" [Applause.]

I will not say that on account of these patriotic utterances, but certainly after them and in spite of them and for having proposed to strike from our national banners and the archives of our country the records which would assail the sensibilities of his conquered brethren, Charles Sumner was deposed from the chairmanship of an important committee, the honorable position he had maintained for so many years, by the men whose party he had built up, and was censured by the Legislature of his own Commonwealth in a joint resolution. And, sir, those who knew him best knew that, with his noble and lofty spirit, such an act inflicted upon him a martyrdom whose agony

was greater than that which any personal assault could give. It was the grief of his life, only alleviated by the magnanimous act of another Legislature of the same State when it obliterated from its records this assault upon his sensibilities and this imputation upon his honor.

Now, sir, I might advocate this scheme simply because it comes up in the spirit which this great man expressed—the spirit of peace and conciliation; and I believe, sir, that it will be carried out. I do not believe that this measure will be defeated. It is, sir, something like an image of the feelings of our people which demand that the alienation hitherto existing between the two sections of the Union shall no longer disturb the peace and the happiness of the American Republic, nor obstruct their prosperity and greatness and glory. I say “hitherto existing,” for I do not believe that this alienation any longer exists; and I do believe that if each of the two sections could be brought to see and understand the inward feeling and inspiration of the other the real fact would be developed that at no period since the inauguration of Mr. Jefferson have the entire body of the American people been animated by such a universal and common sentiment in favor of harmony and fraternal union, or by a purer, intenser, broader, and more universal patriotism.

I know, sir, that this sentiment, this aspiration, has not found full expression and development here in this hall. It has been kept under and stifled by the strong network of an intolerant political organization, and its voice unheeded amid the clamors of impassioned partisans. But in the political as well as in the natural world the agencies which are the most powerful are not the noisiest. Violence, passion, fanaticism, and animosity, can always find voice and rend the air with their factious clamors; while deep and earnest conviction lies unspoken in the heart of a people. The currents of passion and of feeling may flow hither and thither under extraneous influences and forces, like the dash and roar of waves lashed to fury by the storm, while the great sea, the unsounded depths of a common humanity, a common hope, a common interest, and a common patriotism, lies voiceless but almighty beneath.\* [Much applause.]

#### Appendix No. 12.

#### IN RESPECT TO THE PRIVILEGES OF PARLIAMENTARY COMMITTEES— THE BELKNAP CASE.

*Speech delivered in the House of Representatives on the 7th of March, 1876.*

Mr. Clymer having risen to a question of privilege in relation to a subpoena issued by the Supreme Court of the District of Columbia and served upon the members of the Committee on Expenditures in the War Department, commanding them to bring certain papers and testify in relation to the charges pending in that court against William W. Belknap, late Secretary of War, Mr. Lamar said:

I have a resolution to offer.

MR. KASSON: I have one to offer, if any are to be offered.

MR. LAMAR: I have no doubt that the gentleman will concur with me.

MR. CLYMER: I trust that the resolution may be reported.

MR. LAMAR: Before my resolution is reported I should like to make a remark or two. I do not think this is a question pertaining merely to the delicacy or personal privilege of members, nor is it one upon which there should be any party feeling or excitement. In the presence of such solemn events as are now throwing their shadows over this House it seems to me that the voice of faction for a moment at least should be hushed.

I regard this mandate or summons or subpoena, whatever it may be called, which has been issued to the members of that committee by the Supreme Court of this District as an outrage upon the privileges of this House in the persons of the members of that committee. I do not say that such was the object of the court, nor do I mean to intimate—I mean to disclaim any intimation of the sort—that it is prompted by any purpose to hush up or to suppress investigations. The question is one purely of parliamentary privilege, whether or not the members of this House and of the

\*On the next day Mr. Lamar said: “I am reported (in the *Record*), and no doubt correctly, as having said that in respect to our foreign affairs the States or people had divested themselves of their entire sovereignty and delegated it to the Federal Government. I intended to say, and thought I did say, that they delegated to that government the authority to exercise all the powers of sovereignty. I do not wish to be understood as saying that the sovereignty inherent in a society or a State or a people can be delegated or pledged away.”

committees of this House are amenable to the processes of the criminal court for the purpose of testifying and bringing the papers and the records that are in the various committee rooms before the courts for investigation and for revision.

MR. BLAINE: Nobody says they are.

MR. LAMAR: "Nobody says they are," says the gentleman from Maine [Mr. Blaine]. Then if nobody says they are, ought not this House to take some measures to protect the privileges which have been invaded by this summons?

MR. BLAINE: It is no violation of privilege.

MR. LAMAR: No violation to issue a summons to a member of this House commanding him to bring all the records of a committee of this body before that court, and to command him there to remain and not depart until the court or the district attorney shall allow him to do so! Suppose that a member of this House should waive his privilege; suppose he should go there and take these papers. How long would it be before the district court, if it should choose to do so, would relieve us of the power, and forever deprive our committees of the opportunity, to investigate?

MR. BLAINE: Allow me a question.

MR. LAMAR: Certainly.

MR. BLAINE: Does not the gentleman from Mississippi [Mr. Lamar] see, and does not the entire country see, that, having possession of all the evidence upon which an indictment can be found, having every fact of the guilt of this party in its possession, this House puts itself behind its privilege when it says this court shall not view that evidence, and throws itself across the indictment of Belknap, and that to-day this House stands as the obstacle, and the sole obstacle, in the way of the indictment of the late Secretary of War?

MR. LAMAR: Neither "the gentleman from Mississippi," nor the country, nor the gentleman from Maine, sees any such thing.

MR. BLAINE: I see nothing but that.

MR. LAMAR: It is everything but that; that does not touch it anywhere. The question is simply this: Can this House permit its records to be at the beck and call of the district court? Shall it do it? There is no doubt about the fact that when an investigation is completed, when the articles of impeachment are presented and the case is gone through with, it is within the discretion of this House to permit the courts of the country to come in and act upon that evidence; but that any court has the right *pendente lite*, while the investigation is going on, while the committees are taking their testimony—

MR. BLAINE: Not in this case; for the committee, when they reported last Thursday, stated that the case was closed, and they dismissed the witness and reported all the facts to the House. And now, according to the doctrine of the gentleman, they propose to keep possession of all the papers and testimony concerning the guilt of this man, and shut the doors of the Congressional committee room under this miserable pretense of privilege, and shield him against criminal prosecution; for that is the effect of the action proposed here to-day.

MR. LAMAR: Such is not the effect of it, and no one knows that better than the gentleman from Maine.

MR. BLAINE: I know nothing else.

MR. LAMAR: The statement is utterly destitute of foundation; and the gentleman from Maine, if he does not know it, ought to be sufficiently advised of parliamentary procedure to know that when a tribunal of the country has jurisdiction of a case, when it is proceeding with that case, it is not within the power even of a coordinate tribunal, especially an appointee of the Executive, to come in and order the entire records of that committee to be taken from it, and the members of that committee to appear before it; otherwise what would be the effect? Every single investigation could be suppressed *in limine*. I do not say that that is the object; I do not even suggest that such is the purpose; but to say that this House is bound to allow its papers, the members of the House, the members of its committees, to be called away from their duties to go before a court and reveal each step they have taken, is a proposition not only monstrous, but it is preposterous and ridiculous.

MR. BLAINE: Allow me a moment.

MR. LAMAR: Not now.

MR. BLAINE: Just one moment.

MR. LAMAR: I would be glad to finish my statement.

MR. BLAINE: If the gentleman will permit me one moment, I agree with him entirely that to interrupt the proceeding *in limine* is a thing that would not be tolerated, nor has the court of the District of Columbia any power whatever to go to a committee room, either, when the investigation has begun—

MR. LAMAR: This court has come to the committee room.

MR. BLAINE: The court has no power whatever in the matter. This House is supreme. The question is whether the House will permit that testimony to go. The House can refuse it or it can send it there. I dare, I dare that side of the House to refuse it. [Loud applause on the Republican side; cries of "Order!" on the Democratic side.]

MR. LAMAR: O gentlemen, you are doing yourselves injustice by making such demonstrations upon a pure question of constitutional and parliamentary law.

MR. WHITE: I rise to a question of order.

THE SPEAKER: The Chair will entertain no motion until the House is in order. [After a pause.] The gentleman from Kentucky [Mr. White] will now state his point of order.

MR. WHITE: My point is that this clapping of hands is all out of order. [Laughter.]

THE SPEAKER: The gentleman from Mississippi [Mr. Lamar] will proceed.

MR. LAMAR: I hope that the point of order will be overruled. This demonstration is about the only forcible thing that I have yet heard presented in opposition to this assertion of the privileges of this House against an attempted invasion. I do not blame gentlemen for applauding, for it is about the only thing that I have heard yet on that side that has any point in it.

In reply to the defiance of the gentleman from Maine [Mr. Blaine], I will tell him that no threat or menace, either of language or manner on his part, or any challenge, can prevent me or the gentlemen with whom I am associated from asserting our constitutional rights in this House as a body. I present a resolution which asserts those rights, and which I hope will maintain them.

There can be no question about the right of the criminal courts to carry on their prosecution of an offender at the same time that we prosecute him by impeachment; but they have not the right to invade the precincts of this House—this House which can impeach that judge himself. Suppose, sir, that in the prosecution of this "safe burglary" case matter should come up which would touch the honesty and integrity of a member of the court, and he should at once issue his mandate upon the committee sitting here investigating that matter, and as soon as the witnesses were dismissed order that committee to come before him and to bring all their papers, all telegrams, all testimony, all receipts, everything that any witness had said before them; would the gentleman from Maine get up then, and, in that way which is characteristic only of himself, cry out: "I dare you to withhold the information?" Sir, this House, I presume, dares to do what is right, dares to do what is honest, dares to maintain its constitutional privileges, and to continue the prosecution of this investigation.

Sir, I have presented a resolution which I had supposed would meet the assent of every gentleman present. This case has not been finished. Other testimony must come before the committee. One of the witnesses, from causes which have been variously alleged, has disappeared. Other testimony will have to come before the committee. It is impossible that these investigations should go on if they are to be subject to the vexing and constant interposition of the criminal courts. I ask that the resolution be read and adopted.

MR. PAGE: I would like to ask the gentleman from Mississippi [Mr. Lamar] one question before the resolution is read. I wish to inquire whether he knows any way by which Mr. Belknap, late Secretary of War, can be indicted for his crimes except upon the very testimony now in possession of the committee.

MR. BLACKBURN: I will say to the gentleman that there is not an atom of testimony now in the possession of the committee.

MR. LAMAR: He can be indicted, of course, by the production of the witnesses.

The clerk read as follows:

"Whereas the Speaker of this House did, on the 20th of December, 1875, appoint the following Committee on Expenditures in the War Department—to wit: Hiester Clymer, William M. Robbins, Joseph C. S. Blackburn, Lyman K. Bass, Lorenzo Danford; and whereas thereafter, on the 14th of January, 1876, this House adopted the following resolution:

"Resolved, That the several committees of this House having in charge matters pertaining to appropriations, foreign affairs, Indian affairs, military affairs, naval affairs, postoffice and postroads, public lands, public buildings and grounds, claims and war claims, be, and they are hereby, instructed to inquire, so far as the same may properly be before their respective committees, into any errors, abuses, or frauds that may exist in the administration and execution of existing laws affecting said branches of the public service, with a view to ascertain what change and reformation can be made so as to promote integrity, economy, and efficiency therein; that the Committees on Expenditures in the State Department, in the Treasury Department, in the War Department, in the Navy Department, in the Postoffice Department, in the Interior Depart-

ment, in the Department of Justice, and on Public Buildings, be, and they are hereby, instructed to proceed at once, as required by the rules of the House, to examine into the state of the accounts and expenditures of the respective departments submitted to them, and to examine and report particularly whether the expenditures of the respective departments are justified by law; whether the claims from time to time satisfied and discharged by the respective departments are supported by sufficient vouchers, establishing their justness both as to their character and amount; whether such claims have been discharged out of funds appropriated therefor, and whether all moneys have been disbursed in conformity with appropriation laws; whether any, and what, provisions are necessary to be adopted to provide more perfectly for the proper application of the public moneys and to secure the government from demands unjust in their character or extravagant in their amount; whether any, and what, retrenchment can be made in the expenditures of the several departments, without detriment to the public service; whether any, and what, abuses at any time exist in the failure to enforce the payment of moneys which may be due to the United States from public defaulters or others, and to report from time to time such provisions and arrangements as may be necessary to add to the economy of the several departments and the accountability of their officers; whether any offices belonging to the branches or departments, respectively, concerning whose expenditures it is their duty to inquire, have become useless or unnecessary; and to report from time to time on the expediency of modifying or abolishing the same; also to examine into the pay and emoluments of all offices under the laws of the United States and to report from time to time such a reduction or increase thereof as a just economy and the public service may require. And for the purpose of enabling the several committees to fully comprehend the workings of the various branches or departments of government, respectively, the investigations of said committees may cover such period in the past as each of said committees may deem necessary for its own guidance or information or for the protection of the public interests, in the exposing of frauds or abuses of any kind that may exist in said departments; and said committees are authorized to send for persons and papers, and may report by bill or otherwise.

“*Resolved further*, That the Committee on Public Expenditures be instructed to investigate and inquire into all matters set forth in the foregoing resolutions in the legislative departments of the government, except in so far as the Senate is exclusively concerned, particularly in reference to the public printing and binding, and shall have the same authority that is conferred upon the other committees aforesaid.”

“And whereas in the discharge of the duties imposed by said order the said Committee on Expenditures in the War Department did enter upon an examination into the said accounts of said department and into the administration thereof, and did send for persons and papers to investigate certain acts of William W. Belknap, late Secretary of War, on which being reported to this House by said committee, it has taken action to impeach the said William W. Belknap of high crimes and misdemeanors; and whereas the Supreme Court of the District of Columbia, by process bearing date March 6, 1876, has commanded Hiester Clymer to bring all papers, documents, records, checks, and contracts in your possession, or in the possession of the Committee of the House of Representatives on Expenditures in the War Department, in relation to the charge against said defendant of accepting a bribe or bribes while Secretary of War of the United States, and to attend the said court immediately to testify on behalf of the United States, and not depart from the court without leave of the court or district attorneys; and whereas the mandate of said court is a breach of the privileges of this House:

“*Resolved*, That the said committee and the members thereof are hereby directed to disregard said mandate until the further order of this House.”

MR. LAMAR: Mr. Speaker, I propose now to bring back this discussion to the legitimate limit to which it should have been confined during the progress of the debate. What are the facts of this case? A committee regularly appointed by the Speaker of the House under its order proceeds with an investigation, which results in charging against a Cabinet officer the crime of malversation in office, accepting bribes for the bestowal of offices within his gift. Pending these proceedings, a criminal judge, an appointee of the executive department of the government, issues a mandate to members of that committee, ordering them, not “inviting” them, as the gentleman from Iowa [Mr. Kasson] states; not making a polite request, but ordering the members of that committee to bring into that court all the papers, all the contracts, all the testimony in its possession touching this charge against this former Cabinet officer.

MR. FORT: It is a subpoena in the usual form.

MR. LAMAR: Yes, sir; the subpoena is in the usual form, and that is the objection to it. Now the question arises whether or not it was proper for the gentlemen who



are thus subpoenaed to bring before the court the papers in their custody, to obey that summons or to come before this House for instructions. There is no other question; and all this debate, with all the passion that has been flung in here, is irrelevant, and simply tends to convert a pure question of constitutional and parliamentary law into an idle logomachy—a war of words and of passion which can but obscure the issue.

The gentleman from Maine, as soon as these gentlemen modestly, temperately, and properly make their report to the House, says here in debate that he cannot see where the "delicacy" about their action should come in. Upon their report I introduce a resolution expressive of the opinion that this mandate of the court calling upon these members of the House and members of the committee—not individuals who have seen a crime committed, the case with which the gentleman from Maine has tried to analogize it, but these members of a committee, as such—to bring before the court the official proceedings of this body in that committee room. Now I ask whether that was not a breach of the privileges of this House in the person of its members.

Sir, the gentleman from Massachusetts [Mr. Hoar], who never expresses any opinion differing from my own upon law or the constitution without my feeling more like revising my own opinion than correcting his, rose in his place after reflection on the subject, and not only stated that these gentlemen did right in coming here and asking the action of the House, but that they did wrong in going before that court and asking it to suspend its action until they could get the instruction of the House.

MR. HOAR: The gentleman will allow me to explain. I said that in waiving their privilege they did wrong. That is it.

MR. LAMAR: I understand it; and without complaining at all of the gentleman's interruption, I hope he will not correct me again, because I do not think I have misstated his position.

MR. HOAR: I thought you did.

MR. LAMAR: The waiving of the privilege was the reason the gentleman gave; but the fact that they did wrong in going before that court is the statement which he made. He regarded it as a contempt of the House.

MR. HOAR: If the gentleman will allow me, I can explain the matter in six words. The committee themselves said, as I understood them, that they waived their privilege. I said that if they did they did wrong.

MR. LAMAR: O yes; if they did.

MR. HOAR: And they said they did.

MR. ROBBINS, of North Carolina: They only waived their privilege so far as to appear before the court and make their statement.

MR. LAMAR: For the purposes of truth—and I know that the gentleman from Massachusetts has no other purpose in these interruptions—for the purposes of truth, I am willing for all these explanations to come in. The position is that if these gentlemen did waive their privilege they committed a contempt of this House. But suppose they waived no privilege, but only went before the court and informed it that they intended first to take the instruction of this House before they responded to the summons. The gentleman must see that in this case there is no waiver of privilege, either express or implied, but the privilege is reserved subject to the instruction and authority of the House.

Then what, sir? I came forward with a resolution which states all the circumstances and then simply asserts the jurisdiction of this House over the subject-matter, over the person, over the papers in this great impeachment trial, the most august and imposing trial known to the constitution and laws of our country, in the presence of which these passions, these thoughts about Presidential succession and party triumph, actually, sir, fatigue my contempt.

What, sir, is the purport of my resolution? Simply to assert the authority of this House. What else? To tell those members not to regard that summons until its further order. Gentlemen say that it is suppression of the prosecution and of the testimony. No, sir; it is simply to protect the jurisdiction to which we are entitled and which, I undertake to say, has been invaded by this court. If a precedent is established, if it is allowable for members of our committees to be detailed without coming and seeking the instructions of this House to go before that court, you may at once dismiss all your investigating committees. As I illustrated it before, matters proceeding in this court are now the subject of investigation. Has it the right, and is it trifling, is it skulking, for this House to assert at once its authority that these members shall not go before that court with transactions which occurred in its committee until the further order of the House? The House does not refuse the testimony. It does not refuse to allow testimony, but it does call upon members of that committee that the summons shall be disregarded until it orders otherwise.

And, sir, the gentleman from Massachusetts [Mr. Hoar] sustains me. What is it, he says, these gentlemen were guilty of? Of contempt in going there and offering to testify, and he proposes the action of this House to authorize them to go and testify! Now, if it is not trifling with the dignity and privileges of this House to authorize members to go and testify before that court, how can it be trifling with its dignity simply for this House to act precisely on the other line, and say that you shall not go there without our order?

What is the case before the House? It is not a case of personal privilege; it is not a case whether members can waive their personal privilege and go there, but simply whether this House shall exercise its unquestioned and unquestionable authority of restraining them from waiving their privileges as members. It is the privilege of this House, that body in the connected chain of linked responsibilities from the President down which holds all the other departments of the government responsible to it, invested with the authority of examining, criticising, and impeaching them.

If this subpoena was recognized, recognized, sir; if the members had done the thing which the gentleman from Maine seemed to think that they ought to have done, it would have been competent for that court, if they had disobeyed, to punish them with personal attachment. I am ready here to take the responsibility of meeting this thing *in limine*. These papers, this evidence, this testimony, are in the possession of this House through its committee; it has exclusive control and custody of them; and if it allows a judicial tribunal to take them from its control, you are dispossessed of them, and that, too, while this impeachment trial may be going on.

Now another point. William W. Belknap is in the custody of this House, sir. He is undergoing trial.

MR. BLAINE: I hope the gentleman—

MR. LAMAR: Wait until I get through my sentence.

THE SPEAKER *pro tempore*: The gentleman from Mississippi declines to be interrupted, and the gentleman from Maine will observe that fact.

MR. LAMAR: I repeat, sir, he is in the legal custody of this House, under its constitutional control. If the gentleman from Maine means to say that we have not the bodily possession of him by arrest, so be it; but we have got control of him.

MR. BLAINE: We never intended to arrest him.

MR. LAMAR: We may arrest him, and will do it if it is necessary, and can do it. Do you deny our competency?

MR. BLAINE: Undoubtedly in an impeachment; I deny it, and say that it is perfectly absurd.

MR. LAMAR: You also said that it was absurd to say there was anything punishable in an impeachment; and when my friend from Tennessee [Mr. Bright], the distinguished gentleman from that State, spoke of two concurring jurisdictions, one having already acquired it by initiating the proceeding it could not be ousted, the gentleman inflicted upon him that most terrible of all punishments, the forfeiture of his respect for him as an attorney. [Laughter.] I trust that the gentleman will survive; and, in full view of that penalty myself, I assert, sir, that it is true, and that an impeachment is a penal trial; that there is judgment, conviction, and, in the very words which the gentlemen used, "punitive punishment."

MR. BLAINE: Then the gentleman takes the ground that the man could be twice punished for the same offense? I say that impeachment is protective, and that the criminal jurisdiction is punitive. That is what I say, and I go on to say further that there never has been an impeachment in the United States in which there was any attempt to possess the body because of the impeachment. The possession of the body is of no account in impeachment. The judgment which deprives the man of the right to hold office is just as effective if the man were absent as in the case of his being present; and there never was an arrest of a man for impeachment in this country.

MR. LAMAR: Are you sure of that?

MR. BLAINE: Yes, sir.

MR. LAMAR: Then let us form this issue, plain and complete. The gentleman says that there cannot be two punishments inflicted on an individual for the same offense. The same offense. Here is the constitution, which says that the officer shall not only be removed from office on impeachment and disqualified to hold office thereafter, but that he shall be subject to indictment, conviction, and punishment by a jury, besides.

Now, sir, there is the constitution. That answers the question of the gentleman; and I am afraid that the gentleman will lose his respect for the constitution when it responds to his question by saying that a man guilty of an impeachable offense shall be punished not only by removal from office, not only by disqualification to hold office, but also by indictment, conviction, and punishment.

MR. BLAINE: Read it. Read it from the constitution.

MR. LAMAR: Here it is, sir: "Judgment"—

MR. BLAINE: "Judgment," not "punishment." Go on. [Laughter on the Democratic (?) side of the House.]

MR. LAMAR: The gentleman's oracular wisdom calls forth a laugh. Before we are through the laughter will be at him instead of with him. The gentleman says "judgment," and wishes me to explain the word "judgment." "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." Is not that one punishment?

MR. BLAINE: Punishment is not mentioned there. Now, read on.

MR. LAMAR: You say that is not a punishment?

MR. BLAINE: Go on.

MR. LAMAR: I put the question to the gentleman because of his interruption. Is not removal from office and disqualification to hold office a punishment?

MR. BLAINE: If the gentleman speaks of its being a moral punishment—

MR. LAMAR: No, sir.

MR. BLAINE: If he speaks of its being a moral punishment, he may be right; but a legal punishment it is not.

MR. LAMAR: I ask the gentleman, not whether it is a moral punishment or not, but is it not a legal punishment?

MR. BLAINE: It is not.

MR. LAMAR: Then the gentleman says that a removal from office, a disqualification to hold office, while a moral retribution or something of that kind, is not, in the contemplation of the law and the constitution, a penalty, a legal punishment. Very well.

MR. BLAINE: Now read the next part.

MR. LAMAR: I am coming to the next part. That is one thing. Then this provision of the constitution goes on to say: "But the party convicted"—What, sir? "The party convicted?" It is not "judgment" this time; it is conviction. And what is conviction, sir, but the judgment in a penal trial? Very well. I will carry you further directly: "But the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment according to law."

Now notice this language again. Perhaps I can convince the gentleman: "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."

Very well. Now, sir, the gentleman says that that is no punishment, and that the only punishment in the eye of the law is that which this provision speaks of in the second clause. I have too much respect for him as a lawyer to tell him that he is under a mistake on that point, but there are men who hold a different opinion on that. May I have the attention of the gentleman and of his admiring acclamers and applauders to the authority which is almost as high upon questions of constitutional law as himself? I read from Wallace's Supreme Court Reports. Now notice. The court is speaking of certain constitutional disabilities imposed, and uses this language: "The deprivation of any rights, civil or political, previously enjoyed, may be punishment."

MR. BLAINE: "May be."

MR. LAMAR: Well, you are nearly run to the ground. The gentleman has got to the "may be." Well, I suppose his position is this: that the removal from office and perpetual disqualification from office thereafter "may be" a punishment. But whether it may be or not, the officer impeached shall "nevertheless" be liable to indictment, conviction, and punishment according to law. I have got him to the "may be" now. He said a moment ago that it was not so. Now he injects an interruption, and says "it may be a punishment." That is promising. Perhaps I can lead him on a little further. [Applause.] "Disqualification from office may be punishment as in cases"—I have a great mind, sir, to let my friend off. What do you say, gentlemen? Shall I go on? [Cries of "Go on!" "Punish him!"] "Disqualification from office may be punishment as in cases of conviction upon impeachment."

MR. BLAINE: Let me state what I mean. The gentleman read the opinion of the Supreme Court, which said that disability may be punishment. Well, that is just as gentlemen take it. The gentleman from Mississippi did take it as a punishment, but another gentleman from Mississippi, Jeff. Davis, regards it as no punishment. [Cries of "O!" "O!" on the Democratic side of the House.]

MR. LAMAR: "May be punishment." Does the gentleman mean to say that it is punishment or not as the recipient considers it? Is that what this decision means? Well,

sir, let us see what it says; it says that "disqualification from office may be punishment as in cases of conviction of impeachment." It may not be punishment in other cases, but it is in cases of conviction upon impeachment. Note the language of the court: "The disabilities created by the constitution of Missouri must be regarded as penalties; they constitute punishment. We do not agree with the counsel of Missouri, that 'to punish one is to deprive him of life, liberty, or property, and that to take from him anything less than these is no punishment at all.' The learned counsel does not use these terms—'life, liberty, and property'—as comprehending every right known to the law. He does not include under liberty freedom from outrage on the feelings as well as restraints on the person. He does not include under property those estates which one may acquire in professions, though they are often the source of the highest emoluments and honors. The deprivation of any rights, civil or political, previously enjoyed, may be punishment, the circumstances attending and the causes of the deprivation determining this fact. Disqualification from office may be punishment, as in cases of conviction upon impeachment."

Now, sir, here is this trial going on, the trial of a former Secretary of War. The process of impeachment is not complete. All of the testimony has not been collected, and that which has been collected has been rendered useless by an accident or anything you may choose to call it. But, sir, while that grand trial is going on, here comes a small criminal court ordering the committee to come before them. What for? To bring with them all the papers in their possession to impeach and to try this man, William W. Belknap. It was not my purpose to go into that question, but I will do it for an instant.

Mr. Speaker, there was not a particle of testimony before the committee, or before it now, on which an indictment against William W. Belknap can be found. I say it as a lawyer. I repeat that as against William W. Belknap there is not any evidence or any testimony or anything on which any grand jury can base an indictment against William W. Belknap. There are papers there which, taken in connection with the testimony of Mr. Marsh, might do it. But, sir, there is another fact to which I invoke the attention of my friends on this (the Republican) side of the House, for whom I have the kindest feeling; and inasmuch as the gentleman from Maine [Mr. Blaine] has referred to it, I will state here that toward the Republican party of the country I have no personal animosity or ill feeling. I am indebted to that party for the right of standing here on this floor to-day as a Representative in part of my State; and I say that it was an act of magnanimity on their part to extend to me that privilege, whatever may be my opinion as to the wrong done me and my people in imposing these disabilities upon us. Viewing it from your standpoint, it was a magnanimous act.

Therefore, sir, gentlemen of both parties, I proclaim to you, and I do it as a lawyer, that there is not only no testimony before this committee on which a criminal court could indict or convict William W. Belknap, but there is testimony there upon which Marsh could be indicted, and nobody else but Marsh. Now, gentlemen, we have all the proceedings which have been taken in this House and all the testimony which has been brought before it against William W. Belknap; but with Marsh absent it is useless, and there is no way of criminally proceeding against William W. Belknap. The only effect will be to indict, try, and convict Marsh, the confessed accomplice, who gave his testimony against Belknap. Sir, the question is whether we shall permit this testimony to go or hold it until, in the discretion of this House, the members of the investigating committee shall be ordered to go before that court and testify.

I believe there is no Republican on this floor who has any disposition to screen this distinguished general who has recently been exposed in this terrible crime. The calamity is so great, the hideous ruin into which he has fallen is such as to make him sacred from attack; and all that we can do is to let the law take its course, feeling no sentiment of indignation against the unhappy man, no sentiment other than that of commiseration; but in the meantime it behooves the House of Representatives, and I invoke its action to-day, to see to it that its constitutional rights and its powers are respected.\* [Applause.]

I now call the previous question.

\* After I concluded my remarks, Mr. Sampson, of Iowa, came to my seat and called my attention to the statute of 1861, under which the testimony given by a witness in an investigation of this kind before a committee of the House is forbidden to be used in any criminal proceeding against him. Having, in the hurry of offhand debate, overlooked that statute, I think I oversteated the liability of Marsh to be indicted on the evidence before the committee, exclusive of his own depositions.

## Appendix No. 13.

THE POLICY OF THE REPUBLICAN PARTY IN THE SOUTH, AND  
THE CONDITION OF SOUTHERN AFFAIRS.*Speech in the House on the 2d of August, 1876.*

The House being in Committee of the Whole on the bill (H. R. No. 2592) to transfer the conduct of Indian affairs from the Interior Department to the War Department, Mr. Lamar said:

*Mr. Chairman:* I listened early in the session with great pleasure to an interesting and suggestive speech delivered by the gentleman from Massachusetts upon the proposition to amend the constitution so as to make the President of the United States ineligible to a second term of service. I was struck with the views which he presented upon the subject of the relation of this proposed amendment "to the corrupt and debasing practices which have crept into the public service of the country." I do not propose to discuss that subject fully now; it is too large; but I may say as to the whole subject of civil service reform that no cure can be successfully applied which does not secure that removal from office shall be made only for cause, and that the tribunal which decides that cause shall, by its freedom from all interest or feeling as to the result, guarantee the good faith and impartiality of its decision; and my object on this occasion is to discuss in this connection certain great agencies which, through this service, affect the public interests.

Mr. Chairman, it cannot be asserted that the practices and peculiar system of measures adopted by the present administration for several years past command the approbation of a majority of the people of this country. On the contrary, the assertion may be ventured, with entire confidence in its accuracy, that the sentiment with which the greater portion of the American people regard the conduct of our public affairs is one of decided dissatisfaction and despondency. This sentiment is irrespective of the hostilities of party. Inside of the dominant party itself, among those in entire sympathy with the political principles which brought it into power—that is to say, among Republicans of earnest purpose, self-abnegating patriotism, and unbiased intelligence—there is an anxious protest against the methods of administration, the tone and character of the public service, and the principles of legislation which have marked the action of the government for many years past. It must also be admitted that this sentiment, so pronounced and so pervading, has not produced its legitimate effect upon the action of the government, has wrought no change in the administration either as to character or policy.

This is a noteworthy fact in American politics.

In every country enjoying the privilege of representative government such a condition of public sentiment would have found its active political expression. In England, whence we have derived our parliamentary instincts and habits, in spite of the checks upon the popular will to be found in a hereditary peerage and monarchy, such a condition of public sentiment would produce a change in the administration in twenty-four hours. How, then, is it that in our government, the completest representative of the popular will in theory that has ever existed, with no check or hindrance upon the prompt and free expression and application of public opinion to its machinery, depending for its vitality upon its ready and sensitive sympathy with the public conscience, such a condition of public sentiment fails to impress itself upon the administration? What is this mysterious and invisible influence which, paralyzing the free activities of the American people, prevents them from bringing the action of the government into conformity with their will? We must believe that the moral character of our people is sound, that they enter upon the second century of their nationality with increased moral earnestness, with higher standards of public virtue and official rectitude, and with a more solemn sense of the needs of restoring their government to the tone and purity of the earlier days of the Republic. The question then grows in urgency: What is it that prevents the sentiments of a free people from finding realization in the character and policy of its government? I desire to give a single example which is typical of the general condition that I am trying to illustrate.

But a short time since a convention of the Republican party of Massachusetts was called in Boston. The president of that convention, upon taking the chair, uttered the following significant remarks. After referring with eloquence to the proud achievements with which the party named was identified, he warned the convention "against the mistake of fighting the battles of the future upon the issues of the past."

"In the year when a glad and patriotic people swells the chorus of a nation's jubilee, it is not by lighting again the camp fires of conflicts that are ended, it is not by kindling anew passions that ought to subside, it is not by postponing the final hour of peace and reconciliation, that victories deserve to be won.

"Speaking as a Republican to fellow-Republicans, I shall offer no apology for plain and honest words. No one who has watched the current of recent political events has failed to see a deep, widespread, and growing dissatisfaction with the management of national affairs.

"Have you any longer a doubt as to the causes which have wrought this change in our fortunes? Surely we have not abjured our creed. Our distinctive policy and aims were never more clearly affirmed, our traditions and the names of our great leaders never more reverently held.

"No, gentlemen, the protest is not against the record or the creed, but against the methods of administration; against dominant influences and tendencies that have debased the character and tone of the public service; against a leadership that has wielded power and patronage for its own ends, and not for the public good; against a partisanship—narrow, intense, and violent—that has usurped the place of a broad and enlightened statesmanship, and repelled accessions of recognized character and ability as an element too repugnant to be tolerated; against a code of financial morality that has corrupted the standards of official honesty and turned places of public trust into opportunities of private gain or public plunder.

"Observe with me for a moment, gentlemen, some of the forces of opinion and sentiment that indicate the drift and demand of the hour. Note first the anxious looking for relief from the long-continued depression that rests upon the material interests of the country and the feeling that some change, some new dispensation, is essential to such relief."

It will be perceived that this gentleman here arraigns the vices and practices of the national administration, its lawless usurpations, the corruption which revels in its high places, the trifling with the important interests of finance and currency, the prostitution of public office to personal gain, in language which, if uttered upon this floor by a Democrat, would be regarded as the exaggerations of partisan animosity. Yet, singular as it may seem, that convention was held in the interest, exclusively, of the great political organization under which these evils, thus characterized and thus held up to the reprobation of the American people, have been fastened on our government. And these gentlemen, the members of the convention and the president of it, and perhaps large portions of their constituents, with all their talents and moral influence, are in active cooperation with the administration so denounced in the support of a political party which has indorsed that administration and has in return been indorsed by it.

Now what is the influence which thus sweeps vast masses of a free and virtuous people into a course of conduct in direct contravention of their most solemn convictions and their most earnest purposes?

More than a quarter of a century ago one of the greatest of the great statesmen of America, Daniel Webster, declared that the power of the Executive of our national government had increased until it had become dangerous to liberty; and he predicted that if ever the President, who was the head of the nation, should become the mere head of a party such party could and would, by the sheer force of the political power and patronage which it grasped, maintain that power, from term to term, and continue any policy which it devised in direct resistance to the will of a majority of the people, unless that majority became overwhelming in numbers and rose to simultaneous action by some great excitement only short of civil revolution.

Another great statesman, from another extreme of the Union, belonging to a different school of politics, and yet his peer in intellect and patriotism, Mr. Calhoun, declared that the patronage of this government at that time—and it was nearly half a century ago—in the hands of the President was too great a power for the Chief Magistrate of a free people; that it was imperial in its character, giving him absolutely to the extent of that power more control than the autocrat of Russia; and he predicted that when the corps of officeholders under this government should reach one hundred thousand the people might almost as well surrender their liberty. The contest would be too unequal; for the party thus entrenched in power could show a vast superiority over the two-thirds of a popular majority scattered over the country unorganized and acting upon different grounds of opposition.

In the predictions of these two great statesmen we see developed the powerful agency which now nullifies the sentiment of a free people and prevents the application to the machinery of this government of that great social force in all free governments, public opinion.

An intermediate and irresponsible body known as "the Party" has interposed itself between the people and their government; a body unknown to the constitution, having no part in the civil apparatus of society, yet tyrannizing with selfish and relentless energy over both people and government, converting the agents of the one—aye, its highest officers, Cabinet officers—into the willing and active instruments in the advancement of its ambitious designs, and employing the passions of the other as the servants of its partisan and mischievous purposes. This centralized party organization, forming, as I said, no part of the government, yet fastened upon it, entrenched in its interior departments, extending and ramifying its network of selfish power and dishonest influence to the remotest points and the obscurest neighborhoods of the Union, garrisoning with an army of one hundred thousand officeholders and a reserve of another one hundred thousand expectants every department, every post-office, and every customhouse in the land, tempting men from honest industry into the dependence and servility of officeholding and office seeking, welded by a single will into unity of purpose and concert of action—this monstrous perversion of popular liberty is the great and insuperable obstacle to the reforms which the people demand, and which threatens to make this government in all its departments the instrument of an irresponsible and despotic power.

But, sir, this, while it is the chief obstacle in the way of the harmonious coöperation of all the elements in favor of reform, is not the only one. There are thousands of voters, too honest to flatter power, too independent not to speak their condemnation of its abuses, and brave enough to unite in the effort to overthrow their own party for the good of the country, who yet hesitate, in view of the uncertainty and responsibility attaching to the next step. They are reluctant to accept and coöperate with the Democratic party as the instrument for inaugurating the system of measures which good government demands. Their objection to such a course is based on the apprehension that an improvement in the public service and reform in the methods of administration cannot be guaranteed by a mere change of party relations, by bringing the Democratic party into the administration from which the other party has been expelled, with the same system at work, with the same amount of patronage, subject to the same tendencies, with the same control over its vast machinery, and addicted, as they charge, in the past periods of its power, to the same use of the patronage in its hands.

Sir, whether this apprehension be well founded or not, there is one consideration touching this subject which should not be overlooked. It practically gives up the demand of the people for a reform in their government; it is a virtual abandonment of the struggle. For, though it may be possible or probable that the change of party may not insure this reform, it is unquestionably certain that no change at all will end all hope of reform. Sir, it is utterly impossible that the reforms desired can be effected by continuing in power the party whose debasement of the civil service of the country and corruption of its administration are the things to be reformed. And the reason is obvious. This result arises from the fact that such vicious tendency is the predominating influence, the strongest principle of the political organization which controls the government; while the counteracting element of purity and reform is weak and subordinate.

If this be so—if the controlling spirits of a party organization be those who represent its worst tendency, if they are the men of action and resolution, aggressive and dominant; while those who represent the other element are passive and inactive, acquiescent and submissive—it is utterly impossible that such an organization should reform itself by its own inherent and self-evolving energy, as impossible as it is for an insane mind to restore its own reason by its own will. In addition to this, the success of this party at the polls will of itself give immunity to the corrupt practices which are the subject of such universal condemnation. If the people of this country, at the ballot box, in view of the great evils complained of, in view of the issue made against the present administration and the bold acceptance of that issue by the Cincinnati convention, decide or indicate their feeling that they have other objects paramount to that of reform, such action is equivalent to a ratification of the existing system in all its enormity, and closes all opportunity for overthrowing it. To say, then, that by a change we have no assurance of a better state of things, is the policy of despair, of abnegation. It is the surrender of liberty to power which Webster and Calhoun contemplated with such pungent apprehension.

On the other hand, if this great Republican party with its imposing achievements of the past is hurled from power by the American people on account of the abuses of its civil service, on account of the practice of using the patronage of the government for the purpose of consolidating party strength and controlling elections, such a defeat for such a cause will of itself inflict an incurable, if not a mortal, wound upon this

pernicious system. It will of itself give to the successors in power a practical warning of a like fate if they pursue a like policy. These will come in holding their newly acquired power under a tenure of office, which tenure is an abstinence from the courses of their predecessors.

I do not overlook or undervalue the declarations of the Republican candidate for the Presidency. I believe that they are sincere. I applaud the sentiments and honor the author. But their significance must be measured, not by what he is willing to promise as a candidate, but by what he will be permitted to perform as a President. Sir, rarely in history have we seen the man who had the courage and resolution to put down the exacting tyranny of his own party, to impose upon it the impress of his own will, to infuse into it a higher life, and say to the selfish and ambitious politicians who had chosen him as their tool: "Behold your master!"

The character and fixed policy of the party of which he has consented to be the representative, the influences which are now combined in his support, are in direct opposition to those declarations. While these promises of the candidate are held out to the ear, the administration which supports him itself is in every moment of its existence breaking them to the hope. While the Republican candidate declares that there shall be no appointment as a reward for party service and no removals for party disservice, the administration is eliminating from its own organization every element of reform that has by the mutations of appointment found its way there.

But there is an avenue of reform, available and effective, which a change of parties will open. One of the greatest sources of the abuse of patronage and the corruption of administration is to be found in the enormous revenues and expenditures of government, making necessary this extravagant number of officers and agents to collect this revenue and dispense these expenditures. A system of retrenchment and reform, cutting down the revenues and expenditures to the most economical needs of the government, would at once deprive the Executive of a large percentage of this patronage. To that policy the Democratic party is not only pledged, but it has signalized its past administrations by a faithful adherence thereto, as a comparison of Democratic administrations with that of the party now in power will abundantly demonstrate.

Sir, the objections which the people of this country have hitherto had to the reascendency of the Democratic party have never grown out of its administration of the fiscal concerns of this government; they are based upon its use of the powers of this government for what was supposed to be the maintenance of the interests of the slaveholding sections of the country. All the lawless usurpations and misuse of powers of government charged against the Democratic party have reference to those subjects, and to those alone. Upon all other subjects and in all other interests, when the Democratic party surrendered the government into the hands of their opponents, it was, in the language of one of its most eminent men, "without a stain upon its honor, matchless in its splendor, incalculable in its strength, the wonder and admiration of the world." The power which the nation showed in the great civil conflict, its resources of men and material, its vast appliances, manufacturing, mechanical, and commercial, were but the rich harvesting of a period of sixty years under Democratic rule out of seventy of the country's existence.

But, sir, there are other influences still more controlling which obstruct the tendencies of the people to change their administration of government. One of them is the apprehension of a large class of voters that the Presidential election involves, not merely questions of administrative reform, but political principles of vital importance to the country. They believe that the great social and political transformations in the South which have resulted from the war of secession should be guaranteed a successful and peaceful working, undisturbed by adverse influences; and they fear in the advent of the Democratic party to power an influence unfavorable and dangerous to their stability and permanence. These misgivings, based upon their estimate of the past career and purposes of the Democratic party, are strengthened by the fact to which they point: that the people of the South are united against the party which established the new order of things and in support of the party which opposed it, thus threatening the reestablishment of that Southern sectional domination so repugnant to the sentiment and the purposes of the Northern people. They therefore are not prepared, for the sake of correcting the disorders of administration, to peril the newly established condition of things by placing it in the hands of those who were originally inimical to its institution.

Without questioning the sincere acquiescence of the Democratic party in the changes wrought by the constitutional amendments, they do not regard that party as sufficiently identified in its views and purposes with the objects of those amendments to guard them against the dangers of reactionary movements. They consider the



supervision and intervention of the Federal authority as necessary to the exercise and protection of the rights which these amendments guarantee to the newly enfranchised race at the South, and that, should the Democratic party succeed, this necessary supervision will be withdrawn.

I have attempted, Mr. Chairman, to state these views fully in order that the Southern people, the people whom in part I represent here, shall be fully apprised of the precise character and force of the public opinion which bears upon their present condition and their future destiny. I shall endeavor, as a representative of the South, to appreciate the value of these grave apprehensions. In doing so, I shall speak as one who feels that he represents in part a people who even in their desolation are no unimportant element in the national life; who have accepted with manly sincerity the changes which the war has brought; who know that they have the confidence of the country to regain, but who are assured that, with a fuller and truer knowledge of their condition, their motives, and their purposes, to which it is our duty here to contribute, they can claim, and will receive, that restored trust and affection which can alone bind the great sections of this Republic in the unity of the spirit and in the bonds of peace, that peace which in these days of miserable discord almost passeth the understanding.

I believe that the apprehension growing out of the united Southern support of the Democratic party is wholly unfounded, and should not stand in the way of the aspirations of a great people for progress and reform in their government. The idea that the South under any combination of parties will ever again obtain the control of this giant Republic and wield its destinies against the will of its mighty people is of all ideas the most visionary and baseless.

Sir, if such an idea has any effect whatever with the North, no such hallucination inflames the imagination of the South. The Southern people are a prostrate people. They have been defeated in war, and they have been made to know and feel that the sacrifices, the humiliation, and helplessness of defeat are theirs; while the North have reaped the rich results of a victorious war, and have interfused them into the very elements of the national life and constitution. Their institutions, political and social, have been destroyed as completely as if an earthquake had overwhelmed them; their agricultural industries are disorganized; their fertile soil sterilized by an all-devouring taxation; their educational institutions languishing; their population impoverished and so inferior in numbers as to place them in every department of the government in such a hopeless minority that, so far from ruling the interests of other sections, they are impotent to protect a single interest or right of their own.

Sir, even if such a dream were in their mind, the occasion for it is gone. The conflicts in the past grew out of questions connected with slavery, its area, and the maintenance of its constitutional right, its political privileges, and its property interests. These questions have been eliminated from the problem of American politics, and with them have gone all the passions and antagonisms to which they gave rise. Nor is there any influence or incident connected with their present condition which makes them not fully homogeneous with the whole American people, nor anything, except harsh and ungracious administration, to prevent their sympathy and identity with the interest and destiny of the American nation. She feels that she must be either part of the nation or its province, must be part of the government or held in duress under it. With her people national patriotism is a philosophy, a moral and political necessity. To obey the law of their country, and to recognize its authority over themselves and their society as a mere matter of force and compulsion and fear, would be, as they well know, degrading to their character. As Southern men, they know that to keep up the high moral standard of a high-spirited people, obedience must emanate from patriotic love, and not from ignoble fear. Their very sectionalism, which has hitherto tended to insulation, now identifies them with the national life, and makes them cultivate that wider and broader patriotism which is coextensive with the Union. They have no aspirations not bounded by the horizon of that Union, no purpose adverse to the national instincts, no scheme that looks to the disturbance of the elective franchise as it exists in the constitution.

In acting unitedly with the Democratic party they are simply obeying the imperative law of self-preservation. It is not that they desire to reverse the policy of this government as fixed and fortified in the fundamental law by the victorious forces of the Union, but simply because they desire to escape from the practical grievances and sufferings which the hostile and oppressive policy of the Republican party brings upon them.

No, sir; the great constituency of a Democratic administration, as must be seen by consulting the statistics of population, will be national, and not sectional. The President will be a citizen of the State of New York. The Vice President will come from

the mighty West. The public sentiment which will be brought to bear upon its conduct of public affairs will come from that quarter in which the physical and political power of the country so overwhelmingly preponderates, that which is the seat of population, commerce, the mechanic arts, and all scientific and material development. All that the South can hope for is such an influence as a moral and intellectual elevation will give her Representatives and a representative share of the benefits and responsibilities of the common government, according to the measure of her resources and population.

Equally unfounded, I think, sir, is the apprehension that the results of the war as embodied in the constitution are unsafe in the hands of the Democratic party. Whatever may be the future administration of this country, freedom, citizenship, and suffrage are established institutions, embodied in the fundamental law, recognized in all statutes, Federal and State, enforced by courts, accepted and acted on by the people. To say that these conditions will be periled by trusting them to the party which opposed their original establishment is to contradict the philosophy of history, and, if acted upon, would in every free government keep the administration of its affairs always in the hands of one single party. There has not been a single great measure in the constitutional history of England, not a single great reform, which after its establishment by one party was not in the course of time, and a very short period, placed in the hands of the party originally opposed to it. Repeated instances might be given; indeed, no instance to the contrary can be found. The repeal of the corn laws, the great measures for law reform, the more recent measures of parliamentary reform which brought England to the verge of revolution and came near sweeping from the English constitution the House of Lords where the Tory party had its greatest strength, have, by the suffrages of the English people, over and over again been placed in the hands of that Tory party with perfect confidence of security. Indeed, it is considered the very highest policy, after securing reforms adopted and pushed by the party of progress, to mature and consolidate them by placing them in the hands of the party of conservation and opposition. The Democratic party, when these measures were proposed, stood by the inviolability of the constitution, and opposed them on that account; but this very principle of devotion to the constitution which forced that party into opposition, makes them now the safest custodians of those very innovations which by the vote of the people have become established parts of the constitution itself.

Now, sir, is there anything in the relation of the Democratic party to this subject or its creed or its past conduct which would justify any such apprehension? Its reluctance to adopt the measure referred to has simply been a little later than that of the Republican party. Its advocacy of slavery and all its incidents, its pledges to the exercise of the powers of government for its protection where it existed, were simply maintained for a short period after its Republican opponents changed their policy.

Events have galloped upon this subject, and both parties have been more or less the subjects of prodigious revolutions of sentiment. It was but a short time since (in 1861) that a Republican House of Representatives by a large majority adopted resolutions in favor of the enforcement of the fugitive slave provision of the constitution and called upon the States to enact laws for remanding all fugitive slaves to their condition of servitude. It was but a few days prior to the publication of the proclamation of emancipation that the illustrious author of that historical document declared in a public letter that he would be in favor of establishing slavery if the doing so would save the Union. It was but a short time previous to the incorporation of these great amendments into our constitution that State after State in the North, by overwhelming popular majorities, recorded what seemed to be an inflexible hostility to granting to this newly emancipated race any of the rights of citizenship. As late as 1865 the most distinguished war governors of the North were unequivocally opposed to the policy of incorporating the four millions of emancipated slaves into the political system of the country and investing them with citizenship and the right of voting.

I will next address myself to the objection that the accession to power of the Democratic party will suspend the habitual supervision by national authority over the conduct of affairs in the Southern States, and that such a suspension of that supervision and intervention will involve great peril to the enjoyment of the newly acquired rights of the race recently enfranchised in the South, and that the Republican party, with all its misconduct and misgovernment, is still an evil necessary to be endured for another Presidential term in order to secure these rights and the conditions upon which they are based.

Sir, I ask a patient, charitable consideration of the reply which it is my duty as a Southern Representative to make on this subject. I think, sir, if the gentlemen will accompany me into an examination of the causes which produced the present condi-

tion of things in the South they will find that it does not grow out of any natural or necessary conflict of race or any desire to abridge the rights, political or personal, of any class of American citizens.

The first to which I would call attention is the sudden incorporation into the political system of the South of an element, not only incongruous with the political habits of our people and to the established conditions of their old society, but impossible except through time and education to be raised to that level of ordinary citizenship to which a century's training of freedom has elevated the white citizens of the country. The magnitude alone of this new element—four millions of people made citizens, eight hundred thousand of them voters, made such in the twinkling of an eye—was of itself sufficient to shock and shatter the political order of any community on earth.

Mr. Chairman, but a short time since, when it was proposed to admit the distant and sparsely settled Territory of New Mexico into our Federal community of States, the distinguished gentleman from Massachusetts [Mr. Hoar], who addressed the House to-day so impressively and so earnestly, objected strenuously to the measure upon the ground that that feeble population of one hundred and twenty thousand inhabitants, largely composed of Mexicans and Indians, because they could not read or speak the English language, was disqualified to exercise the privileges of citizenship, and should not therefore be admitted into the community of American States.

MR. HOAR: My point was that a community made up of such people ought not to be admitted as a State; not that the individual should not be allowed to exercise the rights of citizenship.

MR. LAMAR: Did the gentleman understand me as saying that?

MR. HOAR: The gentleman used the phrase that such persons were disfranchised, or should be disfranchised, from exercising the rights of citizenship.

MR. LAMAR: No, sir; the gentleman puts into my mouth a word which I did not use.

MR. HOAR: I so understood the gentleman.

MR. LAMAR: I repeat my proposition. The gentleman's ground, as I understood, was that a body of that sort, composed of people speaking the Spanish language (not because they spoke that language, but because they could not read nor write the English), was as a body unfit and disqualified, or rather unqualified, to discharge the duties of American citizenship, and therefore as a community should not be admitted into our Federal system.

Sir, but the other day a distinguished Senator from the Pacific Coast made a most striking protest against the further immigration of Chinese into the community there, and still more recently both parties seemed to be vying with each other as to which should go furthest in preventing this admixture of the Mongolian race with ours. To illustrate the disturbing force of this measure, let us suppose that in the six New England States and the States of New York and New Jersey, whose population corresponds most nearly to that of our Southern States, in one night four millions of unaccustomed, incongruous population, such as Mexicans and Chinese, should be incorporated into the political system of those Commonwealths, and by some paramount power outside of those States should be so compacted together as to gain control of all the departments of their government, of all the offices, all the institutions, State and municipal—in a word, invested with the entire sovereignty of their body politic—I ask you would not the repose of society be disturbed? Would not all assurance of law, of healthful industry, of business arrangements and investments, would not all confidence give way to dismay and perplexity, to restless fears, wild passions, and bloody scenes? Why, sir, the more splendid their political civilization, the more complex their system of laws, and the more perfectly adjusted their social and economic forces, and the higher the moral tone of their society, the more hideous would be the ruin and the more refined the agony of the people subjected to such a catastrophe.

But the case as supposed is not as strong as the case which actually occurred in the Southern States. The four millions of people who by a scratch of the pen were made citizens and crushed into our political system, the eight hundred thousand voters and officeholders and legislators and magistrates, had just emerged from the immemorial condition of slaves.

The fearful experiment was regarded by thinking men all over the world with the profoundest concern and misgiving. It was viewed with disfavor by a large majority even of the Republican party. Its most able and its most extreme leaders looked upon it as committing society to the sway of ignorance, servility, corruption, and tyranny; and such was their sentiment until the conflict of the Republican party with President Johnson and one other cause, which I shall notice before I close, seemed to sweep away every consideration of reason and justice.

In 1865, the year in which there was in the South certain legislation which has been the subject of much denunciation of the South and the occasion and excuse for the oppressive and humiliating methods which have been applied to her people—I say, in that year Mr. O. P. Morton, in a message to the Legislature of Indiana, used the following language:

“It is a fact so manifest that it should not be called in question by any that a people who are just emerging from the barbarism of slavery are not qualified to become a part of our political system and take part, not only in the government of themselves and their neighbors, but of the whole United States.

“So far from believing that negro suffrage is a remedy for all of our national ills, I doubt whether it is a remedy for any, and rather believe that its enforcement by Congress would be more likely to subject the negro to a merciless persecution than to confer upon him any substantial benefit.

“By some it is thought that suffrage is already cheap enough in this country; and the immediate transfer of more than half a million men from the bonds of slavery, with all the ignorance and the degradation upon them which the slavery of generations upon Southern fields has produced, would be a declaration to the world that the exercise of American suffrage involves no intellectual or moral qualifications, and that there is no difference between an American freeman and an American slave which may not be removed by a mere act of Congress.”

[Here the hammer fell.]

THE CHAIRMAN: The time of the gentleman has expired.

MR. GARFIELD: I ask that the gentleman's time may be extended, hoping that the same courtesy may be granted when the other side shall ask to be heard.

THE CHAIRMAN: If there is no objection, the gentleman's time will be extended.

There was no objection.

MR. LAMAR: Now, sir, in a speech which this gentleman made in Indiana before these people became invested with any political rights, here is his language:

“I believe that in the case of four million slaves just freed from bondage there should be a period of probation and preparation before they are brought to the exercise of political power. . . . What is their condition? Perhaps not one in five hundred—I might say one in a thousand—can read, and perhaps not one in five hundred is worth five dollars in property of any kind.”

Now, sir, notice the language of Mr. Morton in the following sentences:

“Can you conceive that a body of men, white or black, who have been in this condition, and their ancestors before them, are qualified to be immediately lifted from their present state into the full exercise of power, not only to govern themselves and their neighbors, but to take part in the government of the United States? Can they be regarded as intelligent and independent voters? The mere state of facts furnishes the answer to the question. . . . To say that such men—and it is no fault of theirs; it is simply a misfortune, and a crime of this nation—to say that such men just emerged from slavery are qualified for the exercise of political power is to make the strongest proslavery argument I ever heard; it is to pay the highest compliment to the institution of slavery.”

Then he goes on with his objections to clothing these people with the rights of citizenship and suffrage. Says he:

“The right to vote carries with it the right to hold office. You cannot say that the negro has a natural right to vote, but that he must vote only for white men for office.”

Then, after demonstrating that point, he makes this conclusion:

“If you enfranchise all the negroes in these States, you will have at least twenty negro votes to one white vote; and in the work of reconstructing the States of South Carolina, Alabama, and Florida you will have a larger proportion, perhaps thirty colored votes to one white. Now, I ask you, what is to be the effect of that? The first effect will be that you will have colored State governments.”

After going into a long argument to prove this fact, he reaches this conclusion:

“They will have colored governors and colored members of Congress and Senators and judges of the Supreme Court, etc. Very well; and suppose they do send colored Senators and Representatives to Congress; I have no doubt you will find men in the North who will be willing to sit beside them, and will not think themselves degraded by so doing. I have nothing to say to this. I am simply discussing the political effect of it. In every State where there is a colored State Government, a negro for Governor and a negro for Supreme Judge, white emigration will cease; there will be no more white emigration to any such State. You cannot find the most ardent antislavery man in Wayne County who will go and locate in a State that has a colored State Government.”

Now, sir, why ascribe to the conduct of the people of the South this exclusion of

immigration when here is predicted beforehand the result of the state of things which has occurred? Here is his conclusion: "I submit, then, however clearly and strongly we may admit the natural right of the negro—I submit it to the intelligence of the people—that colored State governments are not desirable; that they will bring about results that are not to be hoped for; that finally they would threaten to bring about, and I believe would result in, a war of races."

Those are his predictions in 1865. Now what is his remedy? Here it is: "If I had the power, I would arrange it in this way: I would give these men a probation and preparation; I would give them time to acquire a little property and get a little education, time to learn something about the simplest forms of business and prepare themselves for the exercise of political power."

Well, sir, that looks amiable and friendly toward these men. But why put them under this system of probation? For the benefit of the race? In order to elevate them? That is not the motive which upon that occasion he declared. Here is what he says: "At the end of ten, fifteen, or twenty years"—Sir, that time has not elapsed. What would he do at the end of ten, fifteen, or twenty years? "At the end of ten, fifteen, or twenty years let them come into the enjoyment of their political rights."—Why then?—"By that time these States will have been so completely filled up by emigration from the North and from Europe that the negroes will be in a permanent minority." There is his devotion to the colored race. Keep them ten, fifteen, or twenty years out of the enjoyment of their political rights, until under the influence of immigration the negroes shall be in a permanent minority!

MR. GARFIELD: At what time of the year was that speech delivered?

MR. LAMAR: September 29, 1865. Why would they be in a permanent minority? "Because the negroes have no emigration, nothing but the natural increase; while we"—He actually identifies himself with the whites of the South.

A MEMBER: He was a white-liner, then.

MR. LAMAR: He goes here further than the white-liners: "While we have emigration from all the world, and natural increase besides." He would put them under probation and keep them out of their rights, as he calls them, ten or fifteen or twenty years, by which time they will be in a permanent minority; and there will be no danger of a war of races, because they cannot elect their own people. "Thus by postponing the thing," said he, "only to such times as the negroes are qualified to enjoy political rights, the dangers which I have been considering would have fully passed away. Their influence would no longer be dangerous in the manner which I have indicated, and a conflict of races would not be more likely to happen than it now is in Massachusetts. In Massachusetts the negroes have exercised political rights for twenty-five years, and yet there has been no disturbance there, no conflict of races. Why? Because the negroes have been in the minority."

I ask, sir, to append the continuous extract to my remarks, and one also from Governor Andrew, of Massachusetts.

Now, sir, if this terrible prospect struck this distinguished statesman in Indiana with such alarming effect, what must have been the shock to the people of the South upon whom the thunderbolt fell! If he foresaw this terrible avalanche and warned the people of Indiana who were beyond its destructive sweep, what must have been the appalled feeling, sir, of the Southern society upon whom it was to be let loose! Such was his advice in Indiana. Now suppose him to be in the South; take Mr. Morton from his gubernatorial chair in Indiana and put him in 1865 among the people of the South, and what would have been his advice? What, in point of fact, was his advice to the people of the South? What was the thing that the people of the South were called upon to do at that time by this distinguished gentleman from the North as well as by a distinguished Governor of Massachusetts, whose views I ask permission to print with my remarks? His advice was: "You must not admit these people into the political system of this government. They are not qualified to vote; they must not take part in the government of themselves or the government of their neighbors, or any participation in the Federal Government of this country; and to keep it from them you must fix upon them a system of probation which will hold them down and keep them out of your political system until they are in a permanent minority."

That being his advice, is it strange, I repeat, that the people of the South, just returned from the war, all their society in ruins, full of wretchedness and disappointment, this race emancipated lying upon their plantations, neither slave nor citizen, and without any indication of the national sentiment that they were to become citizens; in disorder, without law—for the slave laws were abolished, and they were at that time not within the provisions of the civil code which applied to the white race—is it strange, sir, that in improvising legislation under this terrible pressure,

this appalling calamity, these bewildering changes, which have followed one upon the other with such rapidity, is it strange that that system should have some of the incidents of the old system?

Sir, is it to be arrayed against them until the end of time as an evidence on their part of a purpose to remand that people to the servitude of slavery? Measure these people by what the sentiment was at that time, and not by standards that you have erected at this time. It was not a system which was well advised or well executed; for, sir, it was repealed by the Legislatures which passed it the very moment the public sentiment of the South could reach those who did pass it.

It is worthy of special attention that Governor Morton predicts the results of this policy which have actually followed its adoption. If, sir, that policy furnishes an adequate and inevitable cause of these disorders which he beforehand said it would do, why now seek to attribute them, when they come, to a different cause? Why send investigating committees to the South, to charge them upon the murderous and rebellious purposes of the whites?

This policy, so repugnant to Mr. Morton's sentiment and view of public interest, so suggestive of the alarming results which have actually ensued, could not possibly have been less acceptable to the Southern people. With no prejudice against the negro, they regarded this clothing of him with the awful powers of government as exposing their society to the wildest disorder; but when the policy was fastened upon them they knew that they had a more tremendous stake in its well working than any other people. They knew that the attempt to reverse or obstruct it would be ruinous; and they set to work with an earnestness for which I know they do not get credit to adjust their ruptured relations to the new order of things, and give it a free, fair, and successful development. It might have had such a development. There were agencies at the South of which Mr. Morton took no note, and which it is difficult from his standpoint to appreciate. Underneath the ruins of our political and social order we had uninjured the old civil institutions of Anglican and American liberty, the principles of the old common law, the mother of freedom and popular government, and that Anglo-Saxon race of which we hear so much, so indestructible and invincible, accustomed to the handling of these institutions and trained in the discharge of the high duties of representative government.

True, we had those four million blacks, just emerged, as Mr. Morton would say, from the barbarism of slavery, now free and invested with citizenship, suffrage, and eligibility to political power. But though a distinct, it was not an antagonistic element. Harmony, friendship, and confidence existed between these two races. Indescribable sympathies, old memories, kindly services mutually rendered, ties of childhood, of youth, of manhood, days of labor, days of battle, nights of watching, nights of anguish, had so intertwined the lives of that generation of Southern men and women, white and black, that at the close of the war there was scarce a black man, woman, or child who did not have some endearing relation with a white man, woman, or child, and was not also the object of a reciprocal attachment.

Under the operation of these benign influences, these friendly relations, and the workings of local self-government, there was a well-founded hope that society at the South might be reconstituted, even though it would have to be done with the *disjecta membra* of the old broken-up system. There was one difficulty in the way. The conflict between the Republican party and Mr. Johnson began. I do not wish to say anything against his memory; but his championship, or seeming championship, of the South seemed to me more damaging than his hostility had been.

The result of that conflict was that the Federal Government assumed, as a political necessity, the exclusive prerogative of reconstructing government in the South. The policy of reconstruction excluded the white race (on account of its suspected disloyalty) as the basis of the new order; but as the black race was considered as incompetent to manage the new structures built for them, military power, for the first time in the history of the American Government, was employed as the force to put and keep in operation the machinery of civil government. I do not propose to discuss this policy, but simply to call special attention to one feature of it. All the measures in the furtherance of that policy: the Freedman's Bureau, which cut all connection of the two races sheer asunder, whose agents and officers were made judges to try and punish offenses by the whites against the rights of freedmen, without jury or the right of judicial appeal; the act dividing the South without reference to State lines into military districts, and vesting the power of appointing all civil officers in a commanding general; the acts for restoring civil governments—were all based upon this one idea of protecting the enfranchised black race against the wrongs anticipated from the disfranchised white race. And, as a matter of fact, therefore, this reconstruction legislation, as conceived and enforced, actually arrayed the two races into distinct and

opposing classes, and drew the color line as distinctly and perfectly as if such race distinction had been enjoined in the constitution. The very first principle of government which your new-made citizen saw in operation was the principle of race discrimination; the very first lesson in civil government which they learned was the proscription of the white race as an object of political distrust and resentment.

The strange spectacle of these two races locally intermingled, bound together by the strongest ties of interest and affection, yet as completely separated politically as if a deep gulf had sunk between them; the passions incident to party contests in which the contestants differ, not in conviction, but in race, and now charged as one of the heavy items against the South—find their authorship and origin in the legislation of the government and the action of its agents. One moment's consideration will convince any fair mind of this. The measures devised for the sole benefit, protection, and ascendancy of one race, will surely command the support of that race; and if the same policy disfranchises the other race, hurls it from its proud tradition into a condition rife with all the elements of humiliation, and deprives it even of its ancient guarantees against the oppression of arbitrary power, the inevitable effect is perforce to drive that race into opposition to those measures. Thus, I repeat, by a policy which drew one race to its support and drove the other into opposition, the separation of the two was produced without the voluntary agency of either, and against the natural tendencies of both.

The report of every investigating committee sent to the South confirms this; for, sir, the South has been subjected to an ordeal that no other community in the world has ever been subjected to. It has been uncovered and subjected to a microscopic investigation into all the details of its society. I hold in my hand a report made by Messrs. Hoar, Frye, and Wheeler, in which, speaking of the state of things in Louisiana, one of the causes there mentioned is the fact that the administration party is made up by massing together almost entirely the black vote with a few whites, largely from other States. These few whites largely from other States are a class of men who came as agents of the Freedman's Bureau, thence transferred to the military department, from which they were carried over by the bayonet to the reconstructed civil government. And there they have been maintained by the power of the Federal Government ever since, gorging themselves with the spoils of that plundered people, until recently their grasp upon our throats has been broken by the protecting force of an enlightened public sentiment at the North and West. It is not my purpose to describe the character of the governments which resulted from this policy. I call attention simply to two principles which they embodied. Gibbon, in his "History of Rome," speaking of Egypt, says that the most absurd and oppressive system of government that can be conceived of is that which subjects the natives of a country to the domination of its own slaves. John Stuart Mill, in his work on representative government, says that a government administered by rulers responsible to the governed may be a good government according to the character of the constituency which it represents, but that a government administered by rulers who are not responsible to the people of the government, but to some other community or power, is one of the worst conceivable systems of government; and, sir, these hideous structures in the South were a composite of those two vicious systems. The people there were subjected to the domination of our former slaves; we were ruled over by men not responsible to the people governed, but to the Federal Government. Gov. Chamberlain and Gov. Kellogg come here to make their reports and to get their instructions, and they neither think of nor care for the people of Louisiana or South Carolina. No man has ever had the temerity, since I have been here, to defend or apologize for these governments. I shall cite only Republican testimonies as to their character.

Now, sir, but a short time ago a great cry was raised that the elections of Louisiana were carried by intimidation and fraud and violence and by organized murder, and a subcommittee was sent to Louisiana for the purpose of investigating and bringing before this body what had occurred in that State. Well, the committee went, and they came back with a report. It was composed of two Republicans and one Democrat. I see attached to the report the name of the gentleman from Ohio [Mr. Foster] who addressed the House the other day. His name was the first in the order of signatures to the report, and I presume that he presented it. Here are his statements in relation to the condition of things in Louisiana. After speaking of one of the parishes that were taken as samples of these intimidations, taken by Republicans, and selected as the worst cases that could be brought before the committee, Mr. Foster says:

"It so happens that that parish was taken as a sample parish of intimidation. Many witnesses from both parties were examined in reference to it. They show beyond question that there was a free, full, fair, and peaceable election and registration

there. There was no evidence of any intimidation of voters practiced on the day of election, although it was asserted that intimidation of colored men before election had been effected by threats of refusal to employ them, or discharge them, if they voted the Republican ticket. No evidence either of discharge or of refusal to employ was produced. Certain witnesses, themselves every one officeholders, testified generally to such action; but hardly any one was able to specify a single instance in which he heard of any employer so threatening or discharging any voter, or knew of any employee being so threatened or discharged. Not one single colored man throughout the entire parish was produced to testify, either to such a threat or to the execution of such a purpose, whether before or after the election."

"Upon the general subject of the state of affairs in the South, and as to whether the alleged wrongs to colored citizens for political offenses are real or were asserted without due foundation," he says:

"As a whole, they are constrained to say that the intention charged is not borne out by the facts before us. No general intimidation of Republican voters was established; no colored man was produced who had been threatened or assaulted by any conservative because of political opinion, or discharged from employment, or refused employment. Of all those who testified to intimidation, there was hardly any one who of his own knowledge could specify a reliable instance of such acts; and of the white men who were produced to testify generally upon such subjects, very nearly all, if not every single one, was the holder of an office. Throughout the rural districts of the State the number of white Republicans is very few; it hardly extends beyond those holding office and those connected with them. No witness, we believe, succeeded in naming, in any parish, five Republicans who supported the Kellogg government who were not themselves officeholders or related to officeholders or those having official employment."

But that is not all. He testifies in this report that there was intimidation, that there was fraud, that there was murder committed for the purpose of carrying the elections; not that it was practiced by Democrats on Republicans, but by Republicans upon Democrats; that the black men who wished to vote the Democratic ticket were the subjects of intimidation. I read further:

"On the other hand, it was in evidence that blacks who sought to act with the conservative party were on their part sometimes exposed to enmity and abuse. In the interior one colored man was shot for making a conservative speech; and in New Orleans it appeared from the testimony that colored men who sought to cooperate with the conservatives were subject to so much abuse from the police, and otherwise, that an association of lawyers volunteered to protect them, but with little effect."

That was not the only kind of intimidation, but there was an intimidation which of all others does more to keep down the public spirit of a people and to strike down the spirit of liberty, the spirit of independence in which our institutions were founded. I call special attention to it, for it is well for the country to know the appliances that have been and may be again used to bring about a predetermined result. I read again:

"On the other hand, applications to the United States Commissioners in the various parishes, not only for alleged crimes, but because of alleged threats of discharge, non-employment, or other interference with political preference, were frequent. Upon these affidavits warrants were often issued, and white citizens arrested and bound over for trial. In many localities the Federal troops were detailed for service under the marshals and assistant marshals, and not only made large arrests immediately before the election, but the reports that they were coming to particular neighborhoods about the election time for the purpose of such arrests, served, as the conservatives claimed, to intimidate, and sometimes even to produce a stampede among, the white voters."

I want the House to recollect that this is the testimony and report of a committee of whom a majority were Republicans.

"That served to intimidate and produce a stampede among the white voters." Sir, I have seen two hundred good, plain men mount their horses and ride out of town without depositing their votes for fear of just such persecution.

But that is not all. He goes on to tell that there was a perfect despotism over that people, eating up all their substance by exorbitant taxation, taxing their real estate in the city of New Orleans up to a point beyond the rents, and in some of the rural districts, eight per cent; and he quotes approvingly, as an indication of the government there, that the political power vested in the Governor of the State was such as is scarcely exercised by any sovereign in the world. But the gentleman from Ohio in his last speech said that in this report he told some truths that bore heavily upon his own party. I was astounded at that declaration.



What! Does it bear heavily upon his party to report that a people charged with fraud, intimidation, and murder, are not guilty? Does it bear hardly upon the Republican party to prove that there is no such state of lawlessness and intimidation among a people who are writhing under all the oppression which corruption can invent and tyranny inflict? Is it a condition of Republican success that the country should be told that there are murder and intimidation, and that if they are not there the truth which states the opposite bears hardly upon his party? Mighty God! Is it true that that is the nutriment upon which the party must live?

Sir, it did strike his party with amazement at the time; and another subcommittee, a thing which I never knew of before, went down to revise and review his action. They came back and reported some things which the gentleman did not report, some things which did not bear so heavily upon the party. It is due to them to say that upon the searching investigation which they made they came back and said that there was an organized system of violence and murder there for the purpose of intimidating voters and carrying elections and for the purpose of remanding these blacks into a condition something akin to their former servitude.

But the gentleman from Ohio would not yield to that; that would not suit him. He made another counter report, and said: "We cannot agree to the report made to the committee by Messrs. Hoar, Frye, and Wheeler. All laws inimical to the colored people of Louisiana, referred to in their report, have been repealed for years." And he goes on to state that, "in the absence of any direct evidence that the late election was not free and fair, the assumption by the minority that enough colored voters were therefore prevented from voting to change the result of the election throughout the State, is an assumption so violent as not to be received."

But even this report of Messrs. Hoar, Frye, and Wheeler contains admissions almost as startling as the statements of Mr. Foster, and shows a state of things which, without resorting to any theory of bloody conspiracies, would produce disorders and violence among the most virtuous people on earth: "In the State of Louisiana there is a Governor in office who owes his seat to the interference of the national power, which has recognized his title to his office, not by reason of any legal ascertainment of the fact by legal process, but has based its interference upon the illegal order of a judge."

Here is what Mr. Hoar says about it. He says, in the State of Louisiana there is a Governor in office. Remember that this is the Governor who has the power of a monarch, according to the testimony of a Federal judge now there.

How did it recognize it? If the Governor owes his place to the interference of the national authority, and that authority has not ascertained it by legal process, how did the national authority ascertain it, and upon what did it base its interference? Mr. Hoar says that it based its action "solely on the illegal order of a judge." The judge who issued that illegal order, upon which the national authority based its action and interference, was driven to resignation by the fear of impending impeachment; but there sits that Governor, who was put there by the national authority upon that illegal order, ruling that people with a scepter mightier than that of a monarch.

So much for the executive. How about the Legislature? Says Mr. Hoar: "In the same State there is a Legislature, one branch of which derives its authority partly from the same order."

What! The Legislature gets its authority from the same illegal order? Yes, sir; one branch of it does, from the same illegal order. How about the other branch? Let Mr. Hoar answer: "The other, being organized by a majority that has been established in power by another interference of the national government, and which majority derives its title, not from any legal ascertainment of the fact, but from the certificate of a returning board which has misconceived and exceeded its legal authority."

Therefore, at the time that report was made every branch of that government exhibited to the American people the spectacle—of an executive officer put there by national authority based upon an illegal order, one branch of the Legislature owing its authority to the same illegal order, and the other branch having a majority based upon another illegal order. Illegality imbedded in illegality, and upon the whole a colossal despotism crushing down the rights and interests of that people.

MR. HOAR: Will the gentleman from Mississippi [Mr. Lamar] allow me to ask him if he thinks that he has fairly stated the conclusions of my report upon the point to which he has referred?

MR. LAMAR: Upon that particular point?

MR. HOAR: Yes.

MR. LAMAR: I think I have.

MR. HOAR: I do not think so.

MR. LAMAR: I will yield to the gentleman.

MR. HOAR: The report which the gentleman does me the honor to quote from states that, in the opinion of those who signed it, Gov. Kellogg had a majority of the legal votes of the people of Louisiana, but that any ascertainment of the legal result by legal evidence was prevented by the frauds of his political opponents, who had so manipulated and treated the registrations and the returns—had finally carried them off, I think—as to deprive them of any legal authority whatever. Thereupon the judge of the United States Court, misconceiving or usurping his power—I do not undertake to say which—ordered Mr. Kellogg to be put in office; and on that order the United States executive officer based his interference.

Now, the committee found, first, by all the evidence that they could get at, that Gov. Kellogg was the lawfully chosen Governor of the State of Louisiana; second, that his political opponents had by fraud destroyed the returns or their legal value, and that they had done wrong to that extent; third, that the judge was unjustified in this order, and the executive was without justification in relying on that order as authority for interfering. That is the statement of the report. I agree that the gentleman from Mississippi has the right to cite my report as evidence of gross misconduct on the part of Republican officials in the State of Louisiana. I do not agree that he ought to cite my remarks as admissions against my own party unless he quotes the conclusions with which they were necessarily connected.

MR. LAMAR: I think I can appeal to the recollection of all present that I said that the gentleman in his report did say that there were intimidation and fraud and murder, and that the elections were carried by those appliances.

MR. HOAR: I also said that in my judgment Gov. Kellogg was lawfully elected.

MR. LAMAR: I have not time to wrestle with the gentleman on that point; but I think that if he will examine the report he will find its statement to be that the result could not be ascertained, but that in his opinion Mr. Kellogg received the majority of votes. Now I think I have the right to receive the gentleman's admissions and reject his conclusions, especially when I give him the opportunity, which I am always glad to do, to interpolate into my remarks any explanation that he may please.

MR. HOAR: The gentleman is perfectly at liberty to receive my admissions and reject my conclusions. I think, however, that he should not state the admissions without the other.

MR. LAMAR: I will allow the gentleman always to state for himself his own propositions and conclusions, and I have yielded the floor to him for that purpose in order that they might not be unfairly stated in passing through the medium of my brain.

MR. HOAR: I thank the gentleman for the very great courtesy with which he has allowed me to do so, and I say to him that I made this interruption of his eloquent and interesting speech with very great reluctance.

MR. LAMAR: Now, sir, as to the character of the government there, we have the gentleman's acknowledgment; and I reiterate that it is not I, but the gentleman, who calls upon the American people to note the fact: "The American people are now brought face to face with this condition of things."

Then he goes on to show that the Governor there owes his authority to the interference of the national power, not by the ascertainment of legal process, but by an illegal order of a judge, and that both the other departments of the government rest upon the same illegal basis. As to his opinion that the election was carried one way or the other, that is a mere matter of opinion; but when he himself proclaims voluntarily that the whole superstructure of executive and legislative power in that State is based upon the interference of the national authority, and that interference resting upon illegal orders, I think that it is doing no injustice to him, nor to his conclusions, to hold that statement up before an astonished people.

The gentleman's report presents the state of things in Louisiana very graphically, and with telling effect against that people, I admit. I do not think that he rightly conceived their condition. He stayed but a short time, and failed to note some of the most important elements of society there. He has concentrated his attention upon two classes: one, the slaveholders, who are not the largest part of the white population; and the other, the blacks. He overlooks that teeming population of nonslaveholders, the super-best race of men in the world. There is no order of men superior to those who were the nonslaveholders of the South. They were freemen and freeholders, free-soilers in the true sense of the term; for they worked their own land, and reared families, economical, independent, and virtuous. And they constitute one of the strongest forces of Southern society at this time; yet the gentleman takes no note of them in his analysis of Southern society.

What does the gentleman say about the character of this government that thus rests upon illegal intervention?

"One fact is that there has been great maladministration by Republican officials; there has been much dishonesty, much corruption in State and local administration in Louisiana. For this the Republican party, especially under Warmouth's rule, is largely responsible, although in numerous instances its opponents have been equally to blame."

Again, he says: "We do not overlook the causes which tend to excite deep feelings of discontent in the white native population of Louisiana. There has been great maladministration; public funds have been wasted, public credit impaired, and taxation is heavy."

What are these admissions? Illegal governments based upon interference of the national authority, maladministration, dishonesty, corruption, waste of public funds—which means embezzlement and the misappropriation of public money—loss of public credit. This is the despotism under which everything that is precious and beautiful and lovely in that State is withering and dying.

I have other testimony. The President of the United States, in his last annual message, said not a word upon the subject of the disorders in the South; for, sir, this cry of disorder, intimidation, and violence always comes up in this hall and in this Federal metropolis just before an election, when it is to be carried, or just after an election, when it is to be set aside. In the interim everything is quiet and orderly. But the President, in his annual message before the last, speaking of these people in the South, where these disorders occur, uses the following language: "I sympathize with their prostrate condition, and would do all in my power to relieve them, acknowledging that in some instances they have had most trying governments to live under and very oppressive ones in the way of taxation for nominal improvements, not giving benefits equal to the hardships imposed."

Sir, take the features of that statement. What are they? Oppressive governments, burdens of taxation, and prostrate people. What greater woe can there be than this? What more accursed fate can befall a people than such a government as Mr. Hoar describes—illegal in its every department, marked by maladministration, and reeking with dishonesty and corruption; or, as Mr. Foster describes it, an infamous despotism consuming all the resources of a people? Where, I repeat, on earth, or in what age of the world, have you not had violence and turbulence, where a people are prostrated by the burdens of oppressive government and tortured and impoverished by taxation? Where have you ever seen orderly, quiet, and peaceable citizens whose governors are lawless felons, whose ministerial officers are forgers and thieves, and their magistrates scoundrels?

And, sir, when this prostrate people, writhing in their agony, turn over and jostle these rickety establishments that would fall down of their own rot if left alone; when, as is almost inevitable, disorders occur, the national authority is called upon, the Federal Executive is invoked—for what? To protect the prostrate people against these illegal, dishonest, corrupt, and oppressive governments? No; but to protect and maintain these governments, and to hold the people down in quiet submission to them. What a policy! This great Federal Government, powerless for the protection of the people against oppressions of local government, but omnipotent to maintain those governments and enforce their oppressions!

Now, sir, I have read all this testimony with reluctance. My purpose has been to show that ample cause exists for these troubles in the South without attributing them to a spirit of cruel vindictiveness, or wild, restless, unlawful ambition on the part of Southern whites. I have appealed to this evidence of earnest, leading Republicans that the sudden enfranchisement of eight hundred thousand slaves threatened the very evils which have come upon us. I do not arraign your policy. Its attempted reversal now would lead to a shock and ruin even worse than that which has resulted from its establishment. All that we ask, in common justice to the South, is that you will reflect and act upon the fact that the governments you contrived have, by your own testimony, proved to you and to the world their utter incompetence to solve peaceably and prosperously a problem the difficulty of which we do not deny. When you point me to acts of violence, I acknowledge and deplore them; but I ask you, who has governed the States where this violence occurs, for the last ten years? Have we? Who have taxed us, controlled our legislatures, filled our courts, received the patronage of the Federal Government, ruled over us at home, and represented us here?

Sir, you cannot by Federal and military intervention preserve those governments without trampling out the liberties of whole Commonwealths, because those governments are in defiance of that highest and most sacred of all constitutions, the law of nature. God had so identified the interests of these two races by the necessities of climate and labor and old associations that time would soon have readjusted their new relations. It is not yet too late for such an adjustment. You have given the black

race the most delicate, the most dangerous, as well as the most sacred, of all privileges. Let that privilege be maintained inviolably; but give him real freedom, and do not make him the janizary of party tyranny. Allow that race to learn what you have learned in New England and carried with you into that new empire of the West which your energy has created: that moral worth, intelligence, and industry and wealth are the true foundations of a people's happiness and liberty, no matter what their color. Let it no longer rely upon Federal bayonets. They inspire a contempt for law, and disqualify for self-government.

Sir, this rare problem is capable of solution. Two English statesmen such as Lord Derby and Earl Russell, or Mr. Gladstone and Mr. Disraeli, could agree upon a basis of settlement in three days; and we could do the same here but for the interposition of the passions of party in the contest for the power and emoluments of government. It could be settled in this district and throughout the South without abridging universal suffrage or subjecting either race to the control of the other. Take the question out of national politics, and it can be settled on a basis which would consolidate all the rights of the black man, make him free and equal with every citizen before the law, protected in the fruits of his labor, safe in his person, happy in his household, secure in the enjoyment of whatever he can in fair competition achieve, whether it be of fortune or fame, and thus secure to him a higher and better life than he now leads as the misguided and deluded constituency of dishonest officeholders.

I have not intended to intimate that the capacity of the black race for freedom and the duties of citizenship should be determined by the considerations which I presented. The freedom of this race, its citizenship, have not had a fair opportunity for favorable development at the South. Controlled through the authority of the government by the worst men, as they have been, it would be unjust to them to form any estimate of their capacity to meet the demands of their high position by the events of the last ten years.

Sir, we know that one great cause of the jealousy with which the Southern people are regarded is the fact that they stand between the ambition of a party and the glittering prizes of honor and emoluments and patronage which the control of the government for another four years will give. I believe, sir, that if they could do so consistently with their constitutional obligations our people would willingly stand aloof and let the Northern people settle the question of President for themselves, upon the condition that there shall be no further intervention in their local affairs. But, sir, they cannot abnegate their rights and duties as American citizens and impose on themselves a sullen and inactive incivism; they must go forward and keep abreast with American progress and American destiny, and take their share of the responsibility in the settlement of the questions in which all parts of the country are alike interested.

But it is asked why we are united in support of the Democratic party. A celebrated author in his work on political ethics says that in the history of all free countries there is no instance of a people being unanimous in sentiment and action, unless they were made so by the imminence of some great and common peril or by the inspiration of some enthusiastic sentiment.

The people of the South are not moved by the latter. Even if the events of the war and the sufferings since the war had not, as they have done, crushed out all their party attachments, nearly one-half the people of the South have no attachment to the Democratic party; and in acting with it for the time being, they only obey, as I said before, the imperious law of self-preservation.

The motive which prompts their cooperation is not the expectation of filling cabinets and directing policies, but simply to get an administration which will not be unfriendly to them; an administration which, in place of the appliances of force, subjugation, and domination, will give them amnesty, restoration to the privileges of American citizenship; which will accord to their States the same equal rights with other States in this Union—equality of consideration, equality of authority, and jurisdiction over their own affairs—equality, sir, in exemption from the domination of their elections by the bayonet and by soldiers as the irresistible instruments of the revolting local despotism. Give them that, give them local self-government, and you will then see at last what will be the dawn of prosperity in all the industries and enterprises of the North; you will see, sir, a true Southern *renaissance*, a real grand reconstruction of the South in all the elements of social order, strength, justice, and equality of all her people. Rising from her confusion and distress, rejoicing in her newly recovered liberty, prosperous, free, great, her sons and daughters of every race happy in her smile, she will greet your benignant Republic in the words of the inspired poet:

[Applause].

Thy gentleness hath made me great.

## Appendix No. 14.

## THE ELECTORAL COMMISSION.

*Speech in the House, on the 25th of January, 1877.*

The House having under consideration the bill (S., No. 1153) to provide for and regulate the counting of votes for President and Vice President, and the decision of questions arising thereon, for the term commencing March 4, A.D. 1877, Mr. Lamar said:

*Mr. Speaker:* I have listened, sir, with great pleasure to the able argument just submitted to the House by the gentleman from Texas, mixed, however, with regret that I am forced to combat the views and to oppose the course of one with whom I have so long had warm political sympathies, for whose talents I entertain so high a respect, and in whose patriotism and integrity I have such perfect confidence. If I understand his position properly, he holds that this bill, by requiring a concurrent vote of the Senate and House to reject the conclusion of the commission, deprives either House of that which is not only its constitutional power, but its constitutional duty—that is, to exercise an effective veto upon any act of legislation which it may disapprove.

Now the fallacy here lies in the assumption that a decision of either Senate or House upon any question in counting the electoral vote or witnessing that count is a legislative act by a legislative body. It is nothing of the sort.

When the constitution declares that the vote shall be counted in the presence of the Senate and House, it does not bring them together as a Congress or a Legislature in any sense. They are the Senate and House, it is true, but only as those words describe the constituents of the assembly. They are as separate and distinct a body from the Senate and House in Congress assembled as a body composed of any other constituents would be.

MR. MILLS: In order that my friend may understand me exactly, I state that the tribunal is one ordained by the constitution and clothed with both legislative and judicial powers.

MR. LAMAR: Yes, sir; I understand. The gentleman says that it is a body ordained by the constitution and clothed with legislative powers and judicial powers; and it is from this proposition, as he states it, that I dissent. Now, sir, if, as the gentleman contends, it is a body under the constitution clothed with legislative powers, it can do no act nor adopt any resolution nor make any order nor take a concurrent vote without having the President of the United States to approve such action; for such is the requirement of the constitution as to all proceedings of the two Houses when acting as a legislature. But, I repeat, it is no legislature in the contemplation of the constitution. It cannot perform any legislative act. Could a bill be introduced and passed in such an assembly? It could not even make an appropriation to pay its employees. The very tellers, by whom the count is made, are appointed for it by the two Houses severally when in session as branches of Congress. It is an organized body provided by the constitution, called into being once in every four years, the two Houses being its constituent parts; but it has only a single function, and that is to count the electoral vote, as one party contends, or to witness that count, as the other party holds. The method therefore which this bill provides for ascertaining the legal votes which ought to be counted, and distinguishing them from the illegal votes which ought not to be counted, may be a good or bad method, a wise or foolish method, but an unconstitutional one it is not; for, in the first place, whatever of power is given to this commission is not given to it by the body intrusted with the duty of counting the electoral vote, but by Congress, by regular legislation of the Senate and House, with the approval of the President.

If I am right in the proposition that the duty to be performed in counting the electoral vote does not attach to the character of the Senate and House as the National Legislature, but is the single function of a special organization provided by the constitution, I think it cannot be doubted that Congress may by law prescribe the means and agencies whereby the assemblage may perform its function with facility and efficiency. If, in order to perfect the machinery of that special organization, Congress by law supplements it with this commission, it cannot be objected to unless it violates some constitutional provision as to its character. The power given to this commission is not the power intrusted to the Senate and House thus assembled of determining who has received a majority of votes, but is simply the power to test the genuineness of a certain class of con-

tested votes, the result of which the two Houses finally determine. Has Congress not the power to do this? Why, sir, the law of 1792 provides the means by which the President of the Senate shall be guided in receiving the electoral certificates, and requires that the certificate of the vote from each electoral college shall be attested by the Governor of each State. Does that law substitute the Governor for the Senate and House or infringe upon their power? So where two returns come from the same State, this bill submits them to the scrutiny of the commission, and requires its attestation to the genuineness of the one which is to be counted, unless the Senate and House determine to reject the finding of the commission.

I desire to examine for a moment the position which has been pressed by gentlemen in this discussion: that the President of the Senate has the right not only to open the certificates, but to count the votes. For the sake of the argument let us admit this assumed prerogative of that officer with whatever of power may be incident to its exercise. It is certain that if he has the right to count the vote he has the right to count it only "in the presence of the Senate and House." Now, sir, give to these words of the constitution the very minimum of significance which gentlemen have allowed them. Say that they mean only that the two Houses shall be present as witnesses, and these words are replete with positive and affirmative power. If they are witnesses, surely no one will pretend that they are blind witnesses and deaf and dumb. Sir, if these two Houses are present under a constitutional duty to witness the count, are they not under a correlative obligation to refuse to witness that which they hold to be not a count? If either of these witnesses denies that it is an honest count, the count is not a legal one. Suppose each of these two Houses retires to its own chamber and there puts on record that it has not witnessed a count, but a fraud and a lie; what is the result? Why, sir, the whole proceeding becomes null and void. It is like the case of a man who is about to make his will. He, and he alone, has the power to make it; but the law requires him to make it in the presence of three witnesses. If the witnesses, or any one of them, refuses to attest, and swears that the signature is not genuine, or that the testator was not of sane or disposing mind, what becomes of the validity of the will? If, then, the Senate or the House refuses to testify to the count, or if they declare upon record that what purported to be a count was a cheating, deceptive, fraudulent pretense, what, I ask again, becomes of the validity of the count?

Surely the two Houses alone can testify whether the right vote was counted. If, therefore, the assumed right of the President of the Senate be granted, the count cannot result in an election unless the witnesses, the Senate and the House, agree in giving their testimony to its correctness. But to do all this implies the right to discriminate the legal from the illegal vote. To accomplish this result it is proposed by this bill that Congress, under its power to pass all laws necessary and proper to the execution of any power vested in any department of the government, shall provide a method by which, in case of two certificates, the Senate and House may ascertain the legal vote which ought to be counted. . . .

[The continuation of this speech appears in the text; see pages 294 to 297.]

## Appendix No. 15.

### THE ELECTORAL COUNT.

*Undelivered Speech—House, February, 1877.*

*Mr. Speaker:* I rise with profound regret to record my vote against the acceptance of the decision of the Electoral Commission.

When I voted for the creation of that commission I was prepared to accept a decision contrary to my own desires and convictions, if such decision should be rendered; and I have not now any factious opposition to make against a result which I disapprove and which it was impossible for me to anticipate.

But I cannot allow this decision to be recorded among the archives of our national history without my earnest protest against the methods by which it has been reached and the principles upon which it rests.

When I voted for the act which created this commission its purpose was as clear as light; there was not in the breast of any member of this House a doubt as to what it intended. A question affecting the election of the Chief Magistrate

of this Republic had arisen where the file afforded no precedent, and where honest and conscientious men might well differ in opinion. Identified as we had been with the partisan struggle which had preceded the election, we felt how possible it was that any decision we might reach would be tainted with the passions and prejudices of the contest. Anxious that the President should take the authority of his great office without a shadow of shame upon his commission, we selected fifteen men whose names, whose ability, whose experience, and whose characters placed them among the foremost citizens of the country; and we said: "Tell us and the people who has been truly and honestly elected, and him we will obey." And I say now, before God and my countrymen, that if that commission had reported that they conscientiously believed that Rutherford B. Hayes was duly, fairly, and honestly elected President of these United States I would have accepted their decision without a murmur.

But, sir, they have said no such thing. We submitted to them a great case of political justice, and they have belittled it below the proportions of an ordinary case of trespass to try title. We asked them to tell us the truth, and they tell us that they cannot ascertain what is the truth. We said: "Here is the vote of Louisiana. We believe that it is corrupt, false, fraudulent." They reply: "It may be so, but we have no right to examine it." We said: "These Louisiana electors are declared incapable of office by the constitution of the country." They answer: "It may be so, but we cannot look to see if they are." We said: "The Returning Board of Louisiana violated the law of their creation." They reply: "We cannot read the law which you submit to us." The point of their decision is that they could neither try nor decide the very questions which they were created to decide. If the Governor's certificate, based upon the report of the Returning Board of Louisiana, was final, then it was binding upon us as well as upon them, and the very fact of reference proved that we did not so consider it; and, as they were clothed with all the powers we possessed, what was not final upon us was not final upon them. As I understand their decision, it is only that certain certificates of the Louisiana vote laid before them are proper in form, and that the question sent to them by us, lying behind these certificates, it is not in their power to investigate; and they consequently send it back to us. Now, sir, without in the slightest degree implying or intending to imply that there was any want of honesty or conscientiousness in this conclusion, without denying that a sharp and narrow attorney might find logic and even precedent for such decision, I cannot but regret that such a view of such a case should have been taken by such a tribunal; and I declare that this method of procedure was, in my opinion, a violation both of the spirit and letter of the act.

But infinitely worse than the method is the principle of this decision. It is a declaration that, while fraud vitiates every act of human intercourse known to the law, it cannot and does not vitiate that supreme act of citizenship, the exercise of the ballot; and that, while not one member of this House could hold his seat here upon proof of such an election, yet the President of the United States can be duly elected by a vote notoriously corrupt and fraudulent. More than that, it converts certain States into rotten boroughs, to be held by the party having the power of the administration as makeweights in any future Presidential election, and to be manipulated by corrupt and perjured returning boards as the exigencies of the electoral count may require.

In the face of this decision, and in the despotic selfishness of party rule, there never will be, there never can be again, an honest Presidential election. The stakes are too high, and you have made loaded dice legal instruments in the game.

With this protest my duty is discharged. I do not regret voting for the act; I would do it again. I would readily submit the question, whether Mr. Tilden was elected President, to any fifteen competent citizens of any party in this country, if they would decide the question submitted to them upon the evidence; and the decision of this commission is the warrant of my confidence. They have not ventured to say that he was not; they have simply declared that they are technically disabled from examining if he was.

Sir, by the decision of this commission I intend to abide. To that my faith and the faith of the South, as far as I could represent it, have been pledged; and that faith will be kept. Earnest, passionate, self-willed we may be; but false we never have been, and never will be.

For the consequences of this violation of all the principles of the government we are not responsible. God grant that those who have taken the responsibility may find themselves—I will not say justified, but—excused before the country by

the wisdom and purity and patriotism of him whom they have so elevated to this great office!

In conclusion, let me say one word to the Republicans, the shout of whose victory I do not pretend or desire to silence. The South, determined that her hopes and fears and fortunes should not again imperil the peace of this country, believing that in the election of Mr. Tilden was furnished a guarantee of repose and fair dealing, was yet willing to submit the arbitration of rights which she scarcely doubted to the integrity and patriotism of this tribunal. Her hopes have been disappointed. The pomp and power of the government are yours—its armies and navies, its vast patronage, its boundless treasure. May you give peace and prosperity to the whole land! But if you would not see your success turn to ashes of bitterness in your hands, if you would escape the reckoning of a people who will come back from the exultation of party success, as well as from the despondency of party defeat, to the solemn conviction that the only safety of the country is the equal administration of equal constitutional rights, you must give us justice, and teach us, by a kindly and patriotic use of your power, to forget the doubtful means in the accomplished end.

### Appendix No. 16.

#### THE PAYMENT OF GOVERNMENT BONDS.

*Speech in the Senate, January 24, 1878.*

The Senate having under consideration the resolution of Mr. Matthews, relative to the payment of bonds of the United States in silver, Mr. Lamar said:

*Mr. President:* The resolution of the Senator from Ohio, omitting its preamble, reads thus:

"That all the bonds of the United States issued, or authorized to be issued, under the said acts of Congress hereinbefore recited, are payable, principal and interest, at the option of the Government of the United States, in silver dollars, of the coinage of the United States, containing 412½ grains each of standard silver, and that to restore to its coinage such silver coins as a legal tender in payment of said bonds, principal and interest, is not in violation of the public faith nor in derogation of the rights of the public creditor."

To this resolution various amendments have been offered, among others one submitted by the Senator from Vermont [Mr. Edmunds], which reads in the following language:

"That all the bonds of the United States issued, or authorized to be issued, under the said acts of Congress hereinbefore recited, are payable, principal and interest, in gold coin or its equivalent, and that any other payment without the consent of the creditor would be in violation of the public faith, and in derogation of his rights."

I shall vote, Mr. President, against both of these resolutions, because I believe that the issue thus made up and joined does not set forth fairly and fully the true issue involved in the great change which is proposed to be wrought in the monetary system of this country by certain measures now awaiting the action of this body. This, I think, is manifest from the remarks with which the Senator from Ohio [Mr. Matthews] opened his argument in advocacy of his resolution. He stated very distinctly that he would not consider the question as to what the interests of this government and of the country required in connection with the exercise of the rights therein asserted. With equal emphasis he waived off the question as to what a sound policy would dictate with reference to the legislation contemplated by his resolution. Refusing to consider either the question of policy or expediency, he confined himself to the sole issue of the right, the legal and moral right, of the government to so frame its legislation as to pay its public creditors in silver coin containing 412½ grains in the dollar.

Now, sir, the very fact that these important and grave considerations are not deemed pertinent to the discussion of the resolution is of itself, in my opinion, a sufficient and conclusive objection to its adoption. Suppose that when the measures which are lying behind this resolution come up for discussion the fact should be developed that the law which is necessary to be enacted before this asserted right can be exercised and put in force would be prejudicial to the interests of this government. Suppose that we should become satisfied that such a measure conflicts with the well-established principles of sound national finance: that it not only runs counter to the lasting prosperity of the country, but may inflict



an incurable blow upon the public credit. What then would be the result of the adoption of such a resolution? Not merely the bare assertion of an abstract right, I respectfully submit. Something more than that: a solemn declaration to the world which, lying upon our records, would be pregnant with embarrassment and injurious misconstructions along the whole track of our future financial interests.

I think that a reference made by the Senator from Ohio to a point in our financial history very strikingly illustrates the force of this objection. He stated that the legislation of 1869 was made necessary by the doubts, the apprehension, and the mistrust which arose from a prevailing opinion expressed by statesmen and jurists that the principal of our public debt at that time was payable in our legal tender paper money, the greenback currency of the country. To settle the question and to remove this distrust, to quiet these apprehensions, to clear away the obstruction to the funding of our bonds at a lower rate of interest, and to bind the government by a solemn Act of Congress that these bonds with all its other debts should be paid in coin, the act of 1869 was enacted. It was, as its style declares, "An act to strengthen the public credit," the public credit which was shaken by the construction to which the Senator referred.

Sir, in my opinion, the argument in favor of the right of the government to pay the principal of those bonds in greenback currency at that time was just as strong, and if possible stronger, than that now made in favor of the right of the government to pay its present debt in silver coin containing 412½ grains in the dollar.

By the law of the land this greenback was then, as it is now, "lawful money," and "a legal tender in payment of all claims and demands against the United States, except for interest upon the public debt and duties on imports." These provisions of the law were indorsed upon the note itself. The commercial world, the business public, had notice of the law under which the bonds were issued; and the business world negotiated and accepted these bonds, advancing for them this very currency, and in some instances at a prodigious discount. As a lawyer, I concur in the opinion that at that time these bonds were payable in greenbacks, according to the literal construction of the contract as it was originally executed. It would not have been a matter of any importance, it would not have been a subject either of interest or inquiry, whether they were payable in greenbacks or coin had the government performed its promise of redeeming its greenback currency; for in that case the two would have been convertible. The holder of our national securities would have felt no more interest in the question as to whether they would be paid in gold or silver than the holder of an English security is now interested in the question of the payment of an English bond in the notes of the Bank of England or in gold.

But inasmuch as the greenback was not redeemed, and was therefore depreciated in value by reason of the government's own act, or rather its default, the question arose whether it could afford to stand upon the letter of its contract. The very agitation of the question caused alarm among the public creditors; and, in the face of the peril to which it subjected the credit and finances of the government, the legislators of that day felt themselves bound to do what they deemed was equitable as well as politic, which was to pledge the government to pay its debts, not in its own unredeemed and depreciated notes, but in coin.

I am not now discussing the ulterior purposes which in this debate are charged to have been the real motive of this legislation; I am considering it in the light of the reasons which are relied on as its justification—*i. e.*, that it was demanded by good faith and financial necessity. Now, sir, had some Senator, pending that discussion, like my friend from Ohio, enamored of the juridical aspect of the question alone, introduced a resolution with a preamble reciting the laws under which the public debt was created, and concluding with the declaration that the principal of "all the bonds issued by the United States under the said acts of Congress is payable, at the option of the government, in the legal tender notes of the United States, and that such payment is not in violation of the public faith nor in derogation of the rights of the public creditors," and had the two Houses, after a declaration by the mover that he wished the legal right asserted, irrespective of what the interests of the people or the suggestions of financial wisdom might require, adopted such a resolution—what, sir, would have been the effect of such action upon the attempt to fund the public debt at a lower rate of interest? Its effect then would have been precisely what the effect of this resolution will be if it is adopted: not merely unfavorable, but, I fear, sir, disastrous.

The resolution of the Senator from Vermont [Mr. Edmunds], in my opinion, is amenable to the same objection. I do not believe it wise or politic or statesmanlike for the two Houses of Congress, in advance of any legislation, in advance of any settled policy, to proclaim to the world their position upon a naked legal point, isolated from all the other important aspects of this sweeping and radical revolution in our monetary system, involving as it does an utter overturn of all existing financial conditions. However it may do in logic, it will not do in practical legislation to lay down and commit yourself to any premise until the other terms of the proposition are well defined and established.

There is another objection. In all these resolutions offered as amendments and substitutes there is, under the circumstances of their presentation, an implied committal against the policy of the remonetization of silver. Such a committal, even by implication, is, in my opinion, at this time extremely inopportune and ill-advised. I believe that there is a method of remonetizing silver, indeed there is more than one method, so as to place that metal upon a solid and lasting foundation as a part of the currency of this country. I believe that it can be incorporated into the national currency so as to conduce to the prosperity of the country, satisfy the popular demand, and that, too, without any shock to the great interests involved, and even with strengthening effect to the public credit.

By concert of action with all those nations who are favorable to the remonetization of silver I believe that a legal ratio between these two metals can be fixed so as to make what is called the double or the alternate standard feasible, at least sufficiently so to advance all the practical purposes of commerce and trade and business. It must be a fair and an honest ratio, one in which the legal relation between these metals corresponds to their actual relation; and there must be co-operation in order to insure this result, for I think that I shall be able to demonstrate that we can make but a slight impression in that direction standing solitary and alone.

Several Senators on this floor in advocating this measure have urged it in this, which I consider its most important aspect; and as the Senator from Tennessee [Mr. Bailey] has set it forth with admirable clearness, force, and brevity, much more so than I can state it in my own language, I ask the Senate to indulge me while I read this view thus presented. He said:

"It seems to me, however, that these gentlemen overlook the fact that the object in remonetizing the silver dollar is not alone to furnish money for the payment of the public debt."

Then what?

"The main purpose," says the Senator from Tennessee, "is to arrest the movements inaugurated in Europe, and blindly followed in this country, to destroy a great part of the wealth of mankind; it is to restore the silver dollar to the service of the world."

An admirable object, and one which furnishes the strongest argument in favor of a movement looking to silver remonetization. He says again:

"Mr. President, I believe that the Congress of the United States by prompt and decided action can arrest the movements looking to the demonetization of silver, and thereby prevent the consummation of what I can but regard as a crime against humanity, the destruction of one-half the money that belongs to mankind. . . . Sir, we can arrest this movement. Our influence among the nations is commensurate with our great population, our vast commerce, and advanced civilization. That influence thrown now into the scale will arrest the attention of the world; it will check the movement of Germany, already brought to a halt; it will sustain the States of the Latin Union in their struggles so long maintained without support. Our action will compel all people to reconsider this question, and count the cost of such gigantic destructions of wealth and the means of creating wealth."

Now, sir, I for one am not an advocate of monometallism either of gold or silver; and while I am in favor of going as far as sound policy and principle will permit toward the establishment of a dual system with a fairness of relation between these metals in the circulation of this country, I do not believe that the bill which was reported from the House and that which is reported as a substitute by your committee will accomplish that object. I believe that the result of that bill will be not bimetallicism in America or in Europe. Its peculiar and all-overshadowing feature is that one metal, and one metal alone, shall be the exclusive ruling element of American currency, and that metal shall be silver. And I say, with all respect to my friend from Tennessee, that if the financiers of Germany and England had combined together to devise a scheme which should drive the

silver as money from the markets of Europe forever and establish silver monometallism in this country they could not have invented one more efficient than that which has been reported by the committee, unless it is the one for which it is a substitute.

I am aware of the holdness of this assertion, and I beg Senators to believe that with my experience here I should not venture upon it without ample authority to fortify the assertion; nor do I intend to invoke to my aid any opponent of the restoration of silver to the currency of the nations or to the currency of this nation. I shall call no bondholder upon the stand, I shall cite no witnesses except those who have made themselves distinguished in their effort to restore silver to the circulation of the world.

Now, sir, the first that I shall ask attention to is a gentleman who has made himself conspicuous among a group of authors, all of whom are distinguished for their efforts in struggling not only against the demonetization of silver in Europe, but for its remonetization there and its remonetization here. I allude to Mr. Cernuschi, a writer of great power and brilliancy as well as a most acute thinker, who has for many years consecrated his great abilities to the cause of bimetalism both in Europe and in America. I have in my hand a work of his entitled "Nomisma, or Legal Tender," containing, besides, his testimony before the United States Monetary Commission. The author is an ardent advocate of the restoration of unlimited legal tender of silver in this country and of its free coinage. No one can read his writings without feeling his own mind strengthened and enriched by the contact. And in order that Senators may understand fully that no advocate of silver remonetization is any more advanced in his position or demands for silver than he, I will first read what he has to say on this subject:

"For the United States to resume specie payments it is necessary for them to rehabilitate silver—give the silver dollar the same value as the gold dollar, then accept silver at the customhouses, and be able to pay their European bondholders in silver dollars."

So earnest is this gentleman in his advocacy of this movement that when he heard of the appointment of the United States Monetary Commission, instead of corresponding with that body, he crossed the Atlantic in order to give his evidence in person. I call attention to what he says upon the subject referred to by the Senator from Tennessee. Mr. Boutwell asked him this question:

"If silver and gold should be used throughout the United States, the Latin Union, Holland, and India, upon the same basis of relative values, what would be the effect?"

Here is his answer, and I read this part simply to show that this gentleman is an unqualified, enthusiastic (even to an extreme) advocate of the theory of the double standard; and I wish to say here that, in my opinion, many of the economic principles which Cernuschi and Ernest Seyd and Hay and other European writers on this subject have laid down in advocacy of the restoration of silver to its former place as money have not been successfully controverted, and, in my judgment, cannot be. Here is his proposition:

"I maintain that the effect would be to constitute a strong mass of money, composed of gold and silver, but without possibility of variation in value of the one against the other."

He develops this theory at some length, with which I will not detain the Senate. But now for the next question:

"What, in your opinion, would be the effect of an agreement to use both metals in the United States, in Europe, and in India?"

Answer: "The effect would be that every variation, every perturbation in the relative value of gold and silver, would be forever impossible. The quantity produced of the one or the other of the metals has nothing to do with the relative value of the two metals. The only cause which produces variation in the relative value of gold and silver is that which is shown in the laws of the different countries."

He exaggerates the influence of laws upon the value of money, and this I think the weak point in his theory. I read this simply to show the extent to which he goes in his advocacy of the restoration of silver to the currency of all the nations, the United States as well as Europe. I ask especial attention to the next question and his answer:

Mr. Bogy: "Supposing that in this country we restore our relation at 16 to 1, while in France and Europe generally it would remain at 15½ to 1, what would be the effect upon this country, and what would be the effect upon Europe?"

Answer: "If you coin at the ratio of 16, France cannot coin at the ratio of 15½. . . . Then, if you coin at 16, you remain alone; and it were better to maintain the greenbacks than to coin silver, if this metal is not also coined in Europe."

I would put this government abreast of the Latin Union at this very moment. If Senators do not wish to wait for coöperation, why go further than France? There is no doubt about the fact that, knowing that she cannot maintain her position as a bimetallic nation, France has stopped the coinage of silver altogether within her limits. Again:

Question: "Suppose that France keeps her mints shut, as they are now, and remains as she is, while the United States adopts the bimetallic system, with the relation the same as that which the Latin Union has now established—Germany is prohibited from sending her silver to France, and the United States boldly adopts the relation of 15½ to 1—I ask what harm could come to the United States in such a condition of things?"

Mr. Cernuschi answers:

"This silver which would come from Germany here should have the effect of driving out all the gold."

Again:

Question: "In the presence of the great demand caused by the wants of this country for the purposes of resumption, how long do you suppose silver would remain at a discount as compared with gold?"

Here is the pregnant answer to that; and it is noteworthy, not only on the ground of authority, but on account of the intrinsic force of the suggestion:

"The silver can remain at a discount forever; but this is not the worst. The worst is that no fixity would ever be possible between the value of gold and the value of silver. If you are bimetallic when Europe is gold monometallic, you are bimetallic only by name. Verily, you would be a silver monometallic country, such as India; and the monetary position of the United States against Europe would be exactly the same as is the present position of India against England, a position which engenders heavy losses to both countries."

I have read this, Mr. President, not only as authority, I say, but to give to the public the reasons, stated with a force far beyond the happiest efforts of my humble powers, which control my vote on this important question. But, sir, I could cite other authority in Europe and England and in this country. I call attention now to the views of an author in this country with whom I am not personally acquainted, but whose book is full of rich and curious and rare information, and the argument is well made. It is the first elaborate work I think in this country in favor of using the remonetization of silver as the means of specie resumption, and it was written before this bill came before Congress. These are the works and teachings of thoughtful men upon the subject before it was flung into the arena of political strife, before passion began to rage around this question and parties began to shape themselves in reference to it. I am now about to read from the work of Mr. S. Dana Horton, in which the author advocates, just as Ernest Seyd and Cernuschi and Wolowski and Smith (all bimetallicists) have done, the remonetization of silver by free coinage, unlimited legal tender, and the payment of your public debt in silver. But the question of judiciously timing your measure is the most important question involved in this controversy; and what does he say upon that?

"Under these circumstances, what course is left open to the United States? It must be recognized that the movement toward demonetization of silver in Europe has in no proper sense spent its force. Motives, powerful to move nations as well as individuals, are still active in promoting it. It was urged in France, before the Franco-German war, that in demonetizing silver France would be enabled to sell its silver to Germany; and after the war the similar expectation was held as to the sale of German silver to France. The pride of leading personages in Europe is enlisted not merely in the maintenance, but also in the further extension of the gold standard; and it is from the demand for silver for the United States that the relief is expected which may facilitate the spread of their great error. It is 'on the cards,' and is an event upon which leading men in Europe calculate, that the United States may be trusted to fail to comprehend its true interest, and hence to deal crudely"—excuse me, Senators; it is not my language—"to deal crudely with this momentous subject—in a word, that it may contribute its \$130,000,000 of gold to the stock of Europe and withdraw the weight of its demand for existing stock and annual product of gold. It is obvious that for the United States alone to attempt to establish the bimetallic standard would result in failure to secure aught but the one depreciated metal."

I am aware, Mr. President, that I am reading more than is usual in arguments of this sort, but really this is a question in which the views of those who have given the subject calm and scientific investigation are entitled to more than ordinary weight.

After this book was published, a second edition was issued; and what is known as the Bland Bill was passed in the House, I think, after the first but before the second edition was published. I read from the appendix to the second edition:

"The causes of the stoppage of silver coinage are not, in any proper sense, temporary. So long as the policy of demonetization prevails in a country which has silver to sell, other countries must abstain from maintaining free coinage of silver as legal tender, or consent to part with their gold in return for the silver thrown upon the market by their neighbor State. . . .

"But if a sufficient number of nations coin silver at one fixed equation with gold, silver would remain an international money, the par would be secured in permanence, and there would be no danger of the latter event above suggested. This was abundantly illustrated in the case of Holland, whose demonetization of a circulating metal (gold) in 1849 was made possible by the working of the bimetallic system in France and other countries. All is different to-day. The northern countries of Europe are demonetizing silver; the product is increasing, and no great combination of nations exists to neutralize so violent a disturbance of the equilibrium of the metals. Hence it is plain that the action of the Latin Union in refusing to coin legal tender silver is, in the present phase of the question, final. It is an adjournment *sine die*. There can be no further action until the final situation is changed. . . .

"It is sufficiently obvious that the leaders of the Latin Union are cognizant of these facts, and they are men who are not likely to stultify themselves. The Latin Union cannot coin the silver franc if we coin the silver dollar at 1 to 16. She cannot become at once the sole receptacle of all the silver demonetized in Germany. . . .

"The bill"—speaking of the bill in the other House—"is really an attack upon the bimetallic system, the restoration of which is needed for the future prosperity of the world; and if it becomes a law, it will prove an obstruction to the prosperity of the United States."

I have adduced all this to show that in the opinion of the ablest and most distinguished advocates of silver remonetization the effect of such legislation as is here proposed will consolidate the currency of all Europe on a gold basis and remand America to "the Asiatic role," and that of those poorer countries of Europe that are condemned by their very necessities to receive the rejected coin of the great commercial nations. I do not say this in any spirit of hostility to the restoration of silver, but the fact is true that that metal occupies a subordinate position in the currency of the ruling nations of the European continent. It is demonetized practically among two hundred and fifty millions of the population of the globe. That is, it is entirely demonetized as a legal tender in England and Germany; and its coinage has been arrested in the Latin Union, and it is demonetized in the United States. Silver cannot go into France to be coined; and the five-franc piece, which is the only silver coin that is a full tender there, is getting scarce.

Now, Mr. President, the fact of demonetization is a fact irrespective of our own wishes on the question; and the consequences of that fact are just the same, whether demonetization was a grand, gigantic error of these enlightened nations or whether it was due to some inherent deficiency in the metal itself as a medium of modern exchange. We must legislate with reference to what exists, to things as they are, and not as to what we would like them to be. It has been said that the causes which led to the demonetization of silver in Germany and its subordination in other European nations had no reference to its relative fitness for exchange as compared with gold. It has been alleged that its demonetization in Germany was due to political reasons exclusively, the policy of the empire to unify and centralize its circulation and get rid of the diverse and somewhat discordant currencies of the German principalities. That is a good reason as far as it goes; but it was as easy for Germany to unify its currency upon a silver basis as upon a gold basis, and it does not explain why that government selected a metal which it had not and rejected a metal which it had as the material of its new monetary system. There must have been some other reason. It has been said in this debate that this demonetization was the policy of despotic governments whose policy was different from that of a free Republic, and that their adoption or rejection of a system should not influence our decision on such a

question. Sir, the nations in which these changes have taken place are those whose institutions are freer than the governments which have adhered to silver money. Their governments are responsible to public opinion, and the administration of their affairs is directed by an enlightened sense of the interests of their own people.

Another fact. How came France to stop the coinage of silver and to that extent demonetize that metal? France was not an empire when she did that, nor was she under the same necessity which is alleged of Germany. The furnace of war which fused the German confederation into one empire simply melted off the imperialism of France, and brought out her republicanism pure and unalloyed; and it was as a republic, under the leadership of Gambetta, Thiers, and others, that she flung back into the lap of Germany the demonetized silver which that power sought to force upon her, and thus performed a financial maneuver which gave her a greater financial victory over her haughty rival than that rival had won over her in the ruder game of war. It was not following her example, but it was simply thwarting the financial  *finesse*  of Germany with a measure of a like character.

Mr. President, this bill deals with two of the most delicate and sensitive parts of the apparatus of civil society: the currency of the country and the all-pervading relation of debtor and creditor. A great statesman has said that there is nothing in the arrangements of human society and government more sensitive, nothing that ought to be touched so cautiously, nothing that rash experiments would injure more seriously. It proposes that the old silver dollar shall be coined as legal tender and made equal with the gold dollar. Now I would ask Senators if the silver coin is not largely overvalued and gold undervalued by this proposed legislation. Will any one deny that the effect of this measure will be to drive whatever of gold circulation we now have out of the country? Such is the invariable effect of this legislation. When you make a certain weight of one metal the lawful equivalent of a defined weight of another metal as money, the overvalued metal is the cheaper one, and drives the other out. You cannot open a work on political economy in which this changeless law is not stated. The coinage history of every country bristles with illustrations of it. Nearly every Senator who has spoken in favor of this resolution and the bill behind it has affirmed the existence and force of this principle in order to account for the limited amount of silver coined in this country at certain periods. They all attribute it to the overvaluing of gold and the undervaluing of silver, each affirming the cause to be that the cheaper money will always drive out the dearer.

The effect of the bill now proposed, if it becomes a law, will expel the gold from the country to the extent that silver is used. The question then arises, should the legislation of this country be so framed as to establish one metal as the basis of currency, and that metal to be silver? Is it a wise policy to legislate gold practically out of existence as money in the United States? Why should we substitute a silver currency for a gold one? What conceivable benefit will silver confer which gold will not confer in a much greater degree? In what one single attribute of money is silver so superior to gold as that our laws should expel the latter and make the former the controlling element of American currency? Take any of the functions of money, whether it be as a medium of valuation or as a means of purchase or as a means of payment or as a transporter of values or a preserver of values, and in what one element is not gold the superior of silver? Both have their peculiar functions. Gold is the great commercial machine which swings the products of a country in one bulk from continent to continent; while silver sends these products, not in bulk, but in litters, through the numerous and labyrinthian mazes of domestic exchange.

We hear it said that the mountains of Nevada are producing this abundant material of money, and that we should have it coined into dollars for the people's use. But, sir, our gold mines are still more productive of a far more valuable material for money. Then, sir, I ask again, what possible reason can there be for this legislation, which in effect demonetizes the more precious product of our American mines and the more abundant? Why should we avail ourselves of only one of these sources of money wealth to the exclusion of the other, especially when the latter furnishes an international money that puts our country  *en rapport*  with the whole commercial world, and the former is a commercial and financial insulator?

Sir, I am well aware that such is not the design of this bill, and that its advocates (those of them who admit that such will be its effect) regard that result neither with complacency nor indifference. Their view, so far as I can gather it,

is that expulsion of gold will be an evil, but an evil incident to the accomplishment of a much greater benefit. Judging by the arguments in favor of this bill, it seems to be pressed as a measure which looks not so much to the principles of a permanent financial policy for the securing of the future interests and the lasting prosperity of the nation as to the immediate relief of the present distress of our people, which is very great and deserves all of the sympathy which has been so eloquently expressed in this debate.

I fully concede that there is at the bottom of this consideration a strong principle of justice and humanity, and of wisdom also, if the purpose could be accomplished. The skillful physician, when he finds his patient writhing under insupportable agony, at once administers laudanum or some other anodyne, although he may know that it will not cure the disease or restore vigor to the constitution. Now there is no doubt about the suffering condition of the people of the United States. It needs present and immediate relief. The distress spreads over the entire country, extending to every class of our population—merchants, farmers, manufacturers, men of business, and laborers. It is a mistake to suppose that those who live on the income of fixed investments or borrowed capital have escaped. The shrinkage in the value of one single class of bonds is stated at the sum of \$2,000,000,000. I am prepared to vote for any measure that will give relief to all these suffering interests, and I will not hesitate to do so from the consideration that it will enable debtors over this country to pay their debts at ninety cents on the dollar. The public man or statesman who will introduce a measure that will enable the people of this country—the indebted classes—to lift their debts by the payment of ninety cents or eighty-five cents on the dollar will be a benefactor to his generation; and the creditor class will be as much the recipient of the benefaction as any other, for what could be the loss of ten cents on the dollar to the creditor class of this country compared to the sacrifice and the insolvency and the beggary and the poverty and the fraud and the ruin and the desolation which are now threatening them? But, sir, how will the remonetization of silver give this relief? We are told that it will bring from our mines in Nevada and the demonetized silver of Germany the needed supply for the wants of our people. It is expected to produce activity in the business and industry of the country, employment for laborers, higher prices for products, and help to the indebted classes in their struggle to escape the burdens which are crushing them into poverty. Mr. President, this is indeed an alluring prospect; and when presented to a people enduring the privation of poverty and the torture of threatened insolvency, it is but natural that they should look upon a measure promising relief with all the eagerness of hope; it is but natural that they should listen with impatience and irritation to the stern truth which negatives these sanguine hopes, and the probabilities, founded on past experience, that such measures promising a wholesale relief to the ills of a people will produce not the effect expected, but the very reverse. And when the delusion vanishes and the stern reality appears, how cruel the disappointment, how much keener the suffering!

Sir, it does seem to me so clear that the relief which is promised for this measure is delusive that I would be criminal if I did not speak my honest convictions.

It is said that all this prostration of business and industry, this destruction of prosperity, is due to the scarcity of money growing out of the policy of contraction; that remonetization will supply the deficiency and restore prosperity.

Let it be conceded for argument's sake (and I concede it only for argument's sake) that the scarcity of money is the cause of all the financial distress which the people of the United States are now suffering. Before any one is authorized to promise or anticipate that the remonetization of silver will increase the volume of the currency, and thus relieve the people from the evils of scarcity of money, he should show that it is the absence of silver at this time from the channels of circulation, as the effect of demonetization, which causes this scarcity. If it can be shown that, but for the absence of silver from our circulation, money would have been abundant instead of scarce, a very rational foundation is laid for the hope that remonetization will bring us the promised relief. Unfortunately, facts show the reverse to be true.

The advocates of this measure have, in order to show what an insufficient supply of money exists in the United States, cited the fact of the great disparity between this and other countries in respect of the proportion of money to population, England having, as it is stated (not with entire accuracy, but let that pass), from \$27 to \$30 *per capita*; France, \$44 *per capita*; Germany, \$24 *per capita*; while the United States has something under \$20 *per capita*. Now, sir, it is a remarkable circumstance that the very nations which are cited as having a more plen-

tiful volume of money are the very nations which have demonetized silver. It is true, sir, that these three nations, two of which have demonetized silver and the third stopped the coinage of it, have in proportion to population a larger volume of money than we have; but that fact proves, if it proves anything, that demonetization of silver does not cause a scarcity of money. It shows that the absence of silver and scarcity of money are not necessarily coexistent phenomena.

But there are other facts in this connection which still more positively negative the presumption that remonetization on the plan now proposed will augment our quantity of money. We have had given to us by a Senator a table of nations in which silver is the sole legal tender and of those in which gold is the sole currency and of those in which both gold and silver are legal tender.

In the list of those having silver money alone, Austria comes first. There, silver and paper are legal tender. Surely if unlimited legal tender of silver is all that is wanted to insure abundance of money, then Austria ought to have that abundance. But, in point of fact, how does Austria stand in the proportion of population to money? Below England, below Germany, below the United States. Why is this? Austria is a silver nation. I do not mean that it has got silver mines, but it has silver coinage and unlimited legal tender of silver, and the mines of Nevada and the thalers of Germany could flow there if something else did not prevent their going; and yet, with silver coinage and an unlimited legal tender of silver, Austria has only \$15 to the head, or, as some authorities put it, \$17. It seems to me that if silver coinage and silver legal tender only are necessary to have an overflow of silver into a country Austria would be that country, and her poet might exclaim:

If there is wealth to be found in the world,  
A heart that loves silver might look for it here.

For she has got the very law which you propose; and yet the silver does not flow there. And Russia, that great colossal despotism, which is extending its conquests almost into the heart of Europe, and threatens to be to some extent its arbiter—Russia is also a silver country. Her metallic currency, according to the most trustworthy authorities that I have been able to consult, is, like that of Austria, exclusively silver and some baser metals; and yet in that country of silver coinage and legal tender the proportion of money to population is only \$12 *per capita*. It is apparent from these facts that, while there may be an abundance of money where silver money is abolished, so there may be likewise a great scarcity of it where silver is recognized and used as the exclusive metallic basis of circulation.

Now, sir, I wish to be understood as not citing these facts to show that silver, either in its presence or in its absence, is the cause of scarcity or abundance of money; I mean only to show that scarcity of money and the presence of silver as a legal tender with free coinage are not necessarily coincident facts, and they do not sustain to each other the relation of cause and effect. The fact is, the proof shows, as far as I have been able to consult the authorities—and I have looked over a large number of them—it neither increases nor decreases the amount of currency in a country. The fact seems to be that the cheapness of silver (caused by demonetization and the discovery of new mines and other causes which I cannot now go into) has only served, in those countries open to its unobstructed inflow, to displace gold. There seems to be just so much of a capacity for metallic currency in those nations, and the flowing in of silver simply causes an outflow of gold without any rise in the volume.

It is something like what is seen in my State, where a crevasse, breaking through the banks, pours its water into a bay or harbor of the gulf. It does not deepen the bay. Ships of no heavier draft than before can bring in their freight on account of it. It simply dilutes and displaces the strong salt quality of the water and destroys the oysters and other fish, of which there was a plentiful abundance before the influx of fresh water.

There is another fact worthy of attention in this connection. Before 1873 we had silver coin and legal tender unlimited, and yet the greatest contraction of our currency was between 1866 and 1869. Silver was demonetized in 1873. In that year our circulation was in round numbers \$738,000,000. In 1874 the circulation rose to \$779,000,000, and this was after the demonetization of silver. I state this fact to show that neither the remonetization nor the demonetization of silver has any very great effect upon the volume of currency in this or any other country in the present monetary condition of the world. It may be asked what, then, is the thing which makes the United States have less money in proportion to population than the countries heretofore named, if it be not the exclusion of



silver. Sir, it is the result of many causes. I have time to refer to but one, which of itself as long as it exists will go far to keep the money of this country inferior in character and less in amount proportionally to population than that of any prosperous country on earth.

Sir, it is true that the money of this country is less in proportion to population than it is in England, France, or Germany; but if we analyze the elements of which those currencies are respectively composed, it will be found that our inequality is owing to the greater quantity of coin in those countries. In other words, while they have a larger volume of currency, we have a much larger volume of paper circulation than they have. In this one fact of a large volume of inconvertible and therefore depreciated paper currency we have a cause which puts a limit to any augmentation of money that will be commensurate with either the growth of our population or the increasing demands of business.

When the currency of a country consists of a depreciated legal tender paper money it puts a stop to the inflow of any coin from abroad as completely as if there were a prohibitory tariff, and thus it renders impossible any increase by the laws of trade. It drives to foreign lands the stable and solid currency of the precious metals, and degrades what is retained into a commodity by driving it from the channels of currency and putting it into the hands of brokers. The law of an inconvertible paper currency issued by government is, "Be it enacted, there shall be so much, and no more;" and no matter what the demand of trade shall be, no matter what commerce shall require, or how your population shall increase, you cannot add a dollar to that currency through the ordinary offices of trade, for the precious metals are excluded by it. Not fifty cents can be added unless a statute is enacted on the subject: "Be it enacted, so much more shall be issued." There is no escape from the bankruptcy of a people who are writhing under the curse of an inconvertible currency. It is an embargo upon the importation of the precious metals as money (of gold and silver alike). It deprives the nation in which it exists of just those agencies which increase and decrease the currency of other countries according to the increasing or diminishing needs of business. You have confirmation of this in all those States in which an inconvertible currency exists. Italy and Russia and Spain—all have but little of coin compared to their paper circulation.

But it is said that this measure is needed not so much to swell the amount of money now in circulation as to arrest the fearful process of contraction to which the enforcement of resumption is subjecting the people.

Mr. President, if it is so absolutely necessary to relieve our people of the pressure of contraction, would it not be best to pursue the shortest way to that end by stopping the process of resumption, rather than to resort to a measure whose effects cannot be known until after the experiment is made?

Sir, the resumption act was not made a law by my vote or with my consent. In common with many others I foresaw the difficulties which have arisen in its enforcement. The objections of John C. Calhoun to the coercion of specie payments by government made a most profound impression upon my mind long ago; but the relation of the government to the subject was just the reverse of what it is now, and the condition of things when he spoke was different from what it is now. It is not true, by the way, that the great South Carolinian ever favored an inconvertible currency. At that time the government itself was out of debt; and as it was the creditor of the indebted classes, it could afford to be generous in its policy. It is now the debtor, and perhaps may be considered as confronted by different obligations. Sir, the remonetization of silver will not relax or arrest the contraction growing out of resumption. In my opinion, its effect just at this time may be the most disastrous of contraction instead of expansion.

The policy of resumption has been entered upon. To go back will simply involve us in more evils than those which it has brought upon us. From various circumstances many things point to a speedy resumption of specie payments, whether anybody wants it or not. Gold was quoted a short time since as low down as 102. Everything points to a speedy equality between the values of gold and greenbacks. If nothing in our legislation prevents it, I think that equality will come very soon. It is manifest now that when gold and greenbacks are at par gold will cease to be a commodity and pass into the circulation. All motive to hoard it or to make brokerage upon it or to speculate in it as a commodity will be taken away. If this be the case, it will at once increase the volume of available currency by the whole amount of gold in the country, and I think that is put at \$130,000,000 by some of the estimates. Some say \$180,000,000, and some \$200,000,000. In spite of everything that is being done to prevent specie pay-

ments from being resumed, the natural condition and effect of our business relations are bringing the two together. When the greenback and the gold dollar are equal it does not necessarily follow that we can resume specie payments or that we can maintain resumption. But that circumstance will immediately unlock the door of the stock of gold in this country and put it in circulation; it will make it part of the currency of the country. Suppose that just when we are so near the unlocking of the door which has kept gold out of the currency of the country for so long, and just when we are in sight of it, we by the passage of a silver bill lock it up again. We have not any silver currency in this country except subsidiary coin; altogether I believe it is less than \$40,000,000. It will take many years for the government to coin a silver currency and put it in circulation. The manufacture of silver coin, I see it stated, is a slow process; the handling of silver is a slow process; and the immediate effect would be to drive out this volume of gold already here and put in place of it the smaller volume of silver that would be available in a short time. This would be a contraction of the currency sharper and more disastrous than anything that can be anticipated from the present condition of affairs.

But it is said that the remonetization of silver at the ratio fixed by this bill of 16 to 1 will give increase of compensation to the laboring classes through the higher prices which it will produce, and to the indebted classes increased means of discharging their debts.

First, let us see what the effect will be upon laborers, even conceding that it will produce high prices. The two things which are least affected by a change in prices are labor and real estate. Everything else rises or falls, as the case may be, before they do. What, then, is the situation of the laborer, who has been earning a dollar a day, after the price of everything has risen ten cents on the dollar—or, which is the same thing, after the dollar has been depreciated ten cents? The price of his labor is the same. He receives the same amount of pay which he received before—that is, a dollar a day—but he receives it in a dollar cheaper by ten cents, while he has to pay for everything he purchases a higher price; and therefore the value of the money which he receives for labor is less, and brings him fewer comforts than it did before.

Look at the price of labor in any of the tables that have been published, and you will find it as firmly fixed as any law, that the prices of labor and of real estate go up more slowly than anything else. Therefore any change which brings higher prices to a country, and unnaturally raises the prices, as certainly brings oppression and distress upon the laborer for the time being. But more especially will this policy fail to benefit the farmers of the South and West. They have nothing to pay their debts with except the money which they make over and above their current expenses. They must first pay the current expenses of the year and then apply their surplus to the debts which are now pressing upon them.

The Senator from Ohio, in reply to a question from the Senator from Connecticut [Mr. Eaton], as to the price in gold in the markets abroad, said: "What have we to do with abroad?" Sir, we of the South have everything to do with abroad. The great production of the South has its price fixed at Liverpool in a gold market, and that dominates the price of the same product with the manufacturers of the North. Then with the proceeds of the sale thus made at the price fixed at Liverpool they are compelled to pay their expenses, the necessities and comforts of life, at the high prices ruled by a depreciated currency. There is no people on earth who can stand such a process long. Senators have dilated upon the evils of a contracting currency. They are very great under some circumstances; but they are not comparable to those of a people who, having to sell what they produce in a market of low prices, are doomed by the laws of their country to buy all that they consume in a market of high prices. There are exceptions to the rule in reference to contraction. There was a greater contraction of the currency, far greater, between 1866 and 1870 than since 1873, and that has been counted a period of great prosperity. The pecuniary distress which we have here is not confined to the United States; it extended to Europe, and was just as great. But there was one great difference. The period of contraction here was a period of unexampled expansion of currency there. So the rule does not seem to be an invariable one, that expansion of currency brings prosperity or that contraction brings financial adversity. But it is a law to which there is no exception that a people will sooner or later come to hopeless insolvency who, selling the product of their annual toil in a market of low prices, are compelled to buy for themselves their food and clothing and shelter in a market of high prices.

Nothing can be more destructive, not even the ravages of armies or "the outpouring of floods or the withholding from the parched and thirsty earth the refreshing rains of heaven."

Mr. President, we have two great American products in this country. One is the cotton product. That product commands gold everywhere on the globe with the single exception of the spot where it is produced. Not a human being handles this product of Southern agriculture, the product of American soil and American labor, not one man touches it beyond the confines of America who cannot command gold for it at its own price; but the producer of it, he who digs and delves and plows the earth, does not obtain what the product of his labor will command over all the world besides. There is another product here in the gold mines of this country, produced in American soil by American labor. The gold mines in the United States are more productive than any in the world. Indeed, they produce more than half of the annual product of the world. They produce more gold than do our silver mines, and yet the product of gold and the product of cotton cannot come together upon this continent.

By some malign influence, gold, the product of American soil, the product of American labor, and cotton, the product of American soil and the product of American labor, are kept apart, divorced; and the very moment they leave the country, the very moment they depart from your shores, they leap together as by a natural affinity, and live in indissoluble wedlock in every other clime on earth. What is the cause of this? There is but one cause, and that is that you have here a currency which will not allow the farmer, with his potatoes or his wheat or his cotton or any other product, to get gold money with that product. You have a currency which drives gold from your shores, leaving you an inconvertible currency, a depreciated currency, a currency which forces the cotton grower of the South and the wheat grower of the West to take for these articles the prices fixed by a gold standard abroad, and to make their purchases here at the higher prices which a depreciated currency never fails to create.

Mr. President, I have said nothing about the effect of this measure in relation to the debtor classes of this country, except simply to demonstrate in my opinion that it will not give them the relief that is anticipated. I believe that it will crush the indebted classes down further than before. Nor have I discussed the question whether the government has a legal right to pay its bonds in silver dollars containing 412½ grains to the dollar. There is so much of magic bewitchment in the dialectics of construction, whether of contracts and bonds or of laws, that we are apt to overlook practical results. I am willing, for the sake of the argument, to put myself along with those who maintain the right of the government, upon the strict letter of the contract, to thus discharge its obligations. There is no doubt that up to 1870 all that this government had bound itself to do was to pay a bond of \$1,000 in \$1,000 of gold or one thousand silver dollars of the then standard value, and that, standing upon that contract, the government could pay its bonds in that way; but in 1873 the government prohibited the coinage of silver dollars, and by legislation withdrew the legal tender quality from silver. Has not that something to do with this question? Senators have contended that the value of silver has depreciated by demonetization. If this government by its own act has lowered the value of silver, can it now equitably claim to pay its obligations in a metal which itself has demonetized and depreciated in the markets of the whole world? Is it not estopped by its own act from insisting upon its right to pay in this coin thus depreciated and demonetized, not by events beyond the control and agency of the government, but by the government itself?

I shall not go into the agencies which produced that legislation. I have nothing to say of the powerful arraignment made by the Senator from Indiana [Mr. Voorhees]. I do not run across that argument of his, masterly, refulgent, and sharp as it was; but, whatever may have been the error, whatever may have been the wrong of the party which fastened that legislation upon the country, it is an act of the government, and it imposes an obligation as solemn as national honor can impose. Silver was demonetized by the sovereignty of the government of the United States; and, according to your own argument, its depreciation this day is owing to that cause, and no other.

Now, sir, conceding that the strict letter of the contract with the public creditors allows the payment of all its bonds, even those issued since 1873 (for which gold in full was received), in a coin depreciated by its own acts of demonetization, does it follow that such a construction is the proper and rightful one as to the true spirit and intent? Such a construction comes under the condemnation of the old legal maxim, *Qui hæret in litera hæret in cortice*, sticking like a worm in

the bark and gnawing away that which protects the life of the fair and stately tree of national credit.

Senators speak of restoring the silver dollar to its legal *status quo* before the demonetization by remonetizing it. Sir, does not the obligation go further? If we are determined to restore the *legal* relation of silver to gold as it was before demonetization, ought we not to restore its *actual* relation also, to put it where it was in point of fact as well as of law?

The argument of the Senator from Missouri is ingenious, but the special pleading which he gives is supposed to be conducted as in a suit between two *individuals* before a *court of law*. This, I respectfully submit, is a fallacy. National credit is quite a different thing from individual credit. An individual is subject to the processes of law; he can be compelled to comply by the judgment of court; mortgages can be foreclosed upon his estate, and execution will bind his goods and chattels. Not so with the nation. No lien can bind its property; execution cannot issue against it.

The security of any investment in its obligations rests not in legal enforcement. Then where is the security? It is in nothing but a sentiment: good faith, *national honor*. What a frail tenure in one sense, and yet how strong in another! Let universal confidence be felt in that honor, and the credit of the nation rests upon a rock, and an earthquake cannot shake it; but let one breath of suspicion touch it, and it crumbles into irretrievable ruin.

Cicero, speaking of public faith, said: "The State to its citizens speaks through its own statutes, decrees, and edicts; but in treaties it speaks the language of universal justice and right as ordained by the immortal gods."

Sir, England has a greater debt than ours. The interest she has to pay is only 3 per cent. What is the cause of this low rate? Nothing, sir, but the sentiment everywhere prevailing of confidence in the sensitive regard which that nation has for its public credit.

In a few years our bonds will fall due. We cannot expect to pay them. We shall have to borrow the entire amount again in the markets of the world. At what interest depends upon our credit. The rate of interest is always measured by the comparative safety or risk of the investment. The risk is always covered by a high interest as a certain compensation against ultimate probable loss.

Now, sir, the question in reference to the debt of this government is not, How shall it be *paid*? but, *How shall it be carried*? Shall it be carried with a heavy burden of high interest or a light burden of low interest? This alone, it seems to me, ought to settle the question of the policy of paying the bonds in a depreciated coin. It has been shown that we could have saved, but for the agitation of this question, \$20,000,000 a year by funding in 4 per cent bonds, which has been stopped simply by the pendency of this bill. I call attention for a moment to the reply of the Senator from Tennessee [Mr. Bailey] to the calculation of a gentleman who was before the Committee on Finance, showing this fact:

"It is urged with much force, however, that the restoration of the silver dollar and making it legal tender money for the payment of debts, public and private, will prevent the funding of the public debt at a lower rate of interest; and tables have been prepared showing the sums which the *government* will save by an abandonment of silver. I have one of these tables now before me, prepared by Mr. Ellis, a banker in the city of New York, and, as the newspapers say, read before a committee of the House of Representatives. I will read it:

"I have made a table showing the amount to be gained, provided that the government can continue its funding operations as at present, on the supposition that, if the silver bill is passed and the principal and interest of the bonds are made payable in silver, its funding operations will cease. I will now read you the figures:

Amount of 6 per cent bonds outstanding.....	\$729,000,000	
Annual interest on same.....		\$ 43,740,000
Amount of 5 per cent bonds outstanding.....	708,000,000	
Annual interest on same.....		35,400,000
Total.....		\$ 79,140,000
If these bonds were funded at 4 per cent, the annual interest would be.....		
		57,480,000
Annual saving.....		\$ 21,660,000

If the 4 per cent bonds shall be paid at their maturity, say thirty years, the total savings would be, not compounding interest..	\$649,800,000
If the bonds should not be funded, and principal and interest should be paid in silver, and the relative value of gold and silver should continue as at present, say a difference of 8 per cent, the saving to the government on the interest payments would be about.....	\$196,000,000
And on the principal would be about.....	115,000,000
Total, not compounding interest.....	\$311,000,000

"Now, upon the assumption that we can fund our debt in 4 per cent bonds (and I do not doubt that we will), and upon the further assumption that the effect of the legislation contemplated by these resolutions will prevent this funding, the statement makes out a strong case. The sum lost to the government is very large, and exceeds \$15,000,000 a year. But will the fulfillment of our obligation destroy our credit? It may be injuriously affected for a time, not because of the fulfillment of the obligations of the contract in their essence and spirit, but because of the disappointment of unreasonable expectations. But when time shall have cooled the passions excited by these disappointments and the deliberate judgment of mankind shall be pronounced, the sentence will be reversed, and our credit will be strengthened by the firmness with which we have resisted these appeals."

There is some force in this suggestion, but it is not satisfactory. It may be that our credit will recover from the blow which would be given to it should our vindication be complete; but, sir, a character unassailed is immeasurably more precious to a nation than a character vindicated.

This is a most favorable opportunity for funding our national debt at a low rate of interest which may not come again. The conjuncture of events which has caused so much capital to be locked up makes it seek safe investments at interest so low as to be very slightly remunerative. This may not last a long time. It must soon look for other investments. With anything like an improvement in business, investments will offer which will be more remunerative, and the opportunity which the present financial condition of the world and the disturbed political condition of other nations now afford may pass from us never to return.

I distinctly state here that I believe that the purpose of all is to uphold the national credit. I am only stating what the dear-bought experience of nations has shown: that when the legislation of a nation is injurious to the interests of those who, trusting in its honor, have invested loans of money to it, borrowed especially in its struggle for national preservation, their complaints and assaults, however unjust, will injure its credit, and the injury is always irreparable. I have had an illustration of this in the last few days.

A Senator, in a not unkind spirit, referred to the State of Mississippi as having repudiated her debt. Mr. President, I have no hope of ever removing that impression from the mind of the business public, no matter how strongly I may reiterate the oft-repeated explanation.

It has passed, it seems, beyond the power of correction. At the same time I must be permitted to repel that statement. The transaction which has attached to Mississippi the odium of repudiation is one in which that State disclaimed no debt which she had either in law or fact contracted. Nor did her people receive one dollar from it. I have not the time to go into this matter now, even if it were pertinent to this discussion. I will merely make one statement. By the Constitution of Mississippi at that time no Legislature could pledge her credit to anybody or in behalf of anybody, individual or corporate, except by the law of two successive Legislatures and by a vote, in the interim, of the people upon the act thus pledging its credit. What I mean is that it required that any statute which loaned the credit of the State should first have to pass one Legislature, then be submitted to the people, and, after certain formalities complied with, passed by a second Legislature. Sir, that act which has attached to Mississippi so long the odium of repudiation never did pass two successive Legislatures; it was never submitted to the people of Mississippi. It was passed by one Legislature, executed in hot haste, and the proceeds of it were put in a private institution; and never a dollar did the treasury or the people of that State receive of the money thus raised in violation of her fundamental laws. The business public, the commercial world, had notice of this fundamental law of the State of Mississippi,

and with that notice was superadded the proclamation of her Executive forbidding any negotiation in these bonds thus unconstitutionally issued and illegally executed.

MR. RANDOLPH: If I do not interrupt the Senator, I think that the Senator from Mississippi and myself are not in exact agreement as to what I intended to say yesterday. He speaks now of the Union Bank bonds. I was speaking of the Planters' Bank bonds. I do not care to interrupt the Senator, and will only say that the Planters' Bank bonds were guaranteed by the Constitution of the State of Mississippi passed in 1832, and that from 1832 to 1852 the interest was paid upon those bonds, and that after that, by the action of the people, which I regret as much as he, the interest ceased to be paid. I said that was practically repudiation.

MR. LAMAR: Mr. President, the charge of repudiation made against Mississippi, and which has caused her to be held up to public reprehension, was not based upon her action with reference to the Planters' Bank bonds, but wholly upon the transactions connected with the Union Bank bonds. The affair of the Planters' Bank bonds, which came afterwards, involves a different line of considerations, from which the Senator must excuse me now, as I wish to give this subject only a passing notice.

Something was said in this discussion with reference to the benefits which are to result to the producing classes by this measure, and also as to the motives which prompt the opposition to it. It has been said that there are two classes in this country—one, the producing class engaged in the active business of life, the laboring class; the other, the capitalists of the country, those who derive their income from fixed estates, rents, interest upon bonds and stocks—and that upon this question a conflict between these two classes has arisen. Now, sir, so far as I have studied this subject, I have seen nothing to justify such a classification. No man has a greater respect and sympathy for the working classes than I. Sir, before the man who stands with bronzed brow and hardened hand and bent frame from his struggles with the earth for the subsistence of himself and his family I stand in modest deference and respect. I know something of that class at home. I have felt the heart-warm grasp of their hands, and owe to their support all that I am. There is another class of workers, however, to whom I am under a greater obligation than I am even to those who have worked the earth and the material agencies of nature. They are those men who work with the brain, who in silence and in their closets develop the great laws which rule society, who trace the phenomena of human government to their original principles and discover the laws which control governments and societies. They are men of genius, men from whose brains flow the great thoughts of which constitutions and laws and institutions are the mere external embodiment. It is to them that I am indebted for the views which control me in this vote, the men who are the true kings of earth, and who are really the authors of the considerations which have moved the enlightened governments of Europe in the management of their finances.

As to the other class, called the bondholders, I know nothing personally. Throughout the entire range of my acquaintance there are but three persons I know who are the owners of United States bonds. Will the Senate bear with me while I state who they are? One is a distinguished lawyer, one of the most upright men I ever knew; one whose rectitude in all the relations of life, be they to God or man, seems to be unexceptionable; a model of intellect, integrity, and honor to all who know him. He has never handled a dollar that he did not earn by the toil of hand and brain, or that he did not collect and pay over to his client. After making provision for his family and benefactions to the poor and distressed, which were generous and munificent, he found himself at the end of each year with a small surplus of means. Being no speculator, never having in his life, I suppose, bought or sold for profit, and there being no property in Mississippi in which a man could at that time invest with security—for, alas! in my State property was poorer than labor, and a more grievous burden than poverty—having no other means of investment at hand, he simply bought United States bonds as a deposit of his funds. Another was an old farmer, who, by long years of industry and frugality and virtue, amassed sufficient fortune to purchase him a plantation in his declining years. The fortunes of war swept away everything from him except his real estate, which in 1865, before the desolating furies of reconstruction came down there and devoured everything, he sold, and bought just enough of bonds to bring him an income of \$1,200 a year. Upon that income the old man with his aged wife lives in a small cottage, educating their

boys in our college, near my little town. There is still another, a widow woman with three children. Her husband was a merchant. His affairs being wound up just before his death, and his small estate converted into money, and there being no other investment, government bonds were bought; and with the income of those bonds they find shelter and raiment and food and education for the three little girls.

Sir, these are the only bloated bondholders that I know of in all this world. It is true that they get a very small income. By the way, let me say that there is not an investment in this country less remunerative than the bonds of this government. There is scarcely an avocation that does not pay a larger percentage than United States bonds, when you consider the premium upon them and the small rate of interest that they bring. The men who make their fortunes by large and extortionate jobs are not the men who invest in these securities, it seems to me, although I confess I know but little about it.

It is true, as I was going to say, that the persons to whom I have just referred do draw semiannually their small income in gold; but, inasmuch as we are told that greenbacks are the best currency that we ever had, surely those who think so ought not to complain if they are paid in one that is not so good. But if they insist upon the injustice of the discrimination of paying the bondholder in gold and the laborer and soldiers and sailors in greenbacks, I trust that they will cease to find fault with those of us who wish to pay the soldier, the sailor, and the laborer in the same coin that is paid to the bondholder. I repeat, I do not believe that the classification is a correct one. I do not believe that any such distinction exists in this country as that which places all the capitalists on one side and all the producing classes on the other. It is impossible that it should be so in a country of institutions like ours. Sir, property is too shifting, fortunes are too mutable here, to organize society upon any such basis. In a few years, by industry and energy, men who are laborers become capitalists; while those who were capitalists become in the mutations of fortune and the laws of trade among the class of laborers. There is not a citizen of this great Republic who can ever vote against the laboring classes of this country without striking a cruel blow at the interests of some of his own descendants, who are destined in the course of human events to swell the ranks of the laborers of this country; nor, on the other hand, can any man cast a vote against the capital class of this country that will not throw obstructions in the way of his own posterity.

I cannot forget one thing: that we of the South at least owe much of the success of the opposition which has been made to the repressive policy of this government to the conservative influence which capital has exerted in the politics of this country. But for that, I do not know that Mississippi and Alabama and Arkansas and Florida would not this day be under the iron rule of the force bills which were defeated but a few years ago. Much has been said about the city of New York. New York City has been most generally Democratic, and she has often stood by the South when popular majorities elsewhere were hostile.

Sir, I again insist that it cannot be maintained that any such distinction exists between the two classes in this country, or that it ever did exist. Sir, where have the commercial class and the planting class of the South been in every struggle in which the interests of labor were concerned? In the Revolutionary War, to what class did John Hancock, of Massachusetts, and Charles Carroll, of Maryland, and George Washington, of Virginia, belong? What did they say in the Declaration of Independence? "We mutually pledge to each other our lives, our fortunes, and our sacred honor." Did they risk fortune or life grudgingly because the success of their cause was to raise the great body of their laboring fellow-countrymen to a freer and broader and higher life? Who in 1812 defied the power of England, in all her might, to protect the humblest citizen who by his labor contributed to our wealth and to our glory? Sir, where will you find the champions of free trade, the opponents of extravagant taxation, the steady opponents of moneyed monopolies and the speculations of those who are not capitalists but who by Congressional plunder seek to make themselves capitalists? Who but the Democratic representatives of every class in this country—the farmers of the West, the merchants of the North, and the planters of the South?

Why, sir, were not the planters of the South, at the time they were denounced as bloated slaveholders, as an *effete* aristocracy, always considered as the sure allies of the Democracy of the North? They stood always by the laboring classes of the North, and, with Jefferson and Madison and Jackson and Polk as Presi-

dents, always kept the power of capital from interlacing itself with the powers of government; and whatever else may be laid to their charge, they maintained their fidelity to the interests of the laboring classes of the North down to the very time of the extinction of their influence in this government. I say this because I speak of what I have witnessed. I was here amid the closing scenes of that influence. One of them I can never forget. I remember hearing on this floor the then distinguished Senator from New York [Mr. Seward], who has even become more conspicuous in the more eventful times which have come since, declare that the power had departed from the South; that the scepter was now taken from her hand, and that henceforth the great North, stronger in population and in the roll of sovereign States, would grasp the power of government and become responsible for its administration. I am aware that I listened to him with impatience, and perhaps with prejudice; for it seemed to me that he spoke in a spirit of exultation that scarcely realized the magnitude of the task about to devolve upon him and his associates. It struck me that he spoke in a spirit far removed from that sadness and solemnity which I think always weighs upon the mind and the heart of the truly great man in the presence of a grave crisis of national life.

I remember the answer that was made to him by a South Carolina Senator, Gov. Hammond, who sat near where my friend from Indiana [Mr. Voorhees] now sits. He was surrounded by a circle of Southern statesmen whom no future generations will see surpassed in ability or purity, be the glory of our growth, as I trust it will be, unrivaled in the history of nations. There was James M. Mason, the square and massive simplicity of whose character and purity stands monumental in our annals. There was his accomplished colleague, Robert M. T. Hunter, whose clear and broad statesmanship found fitting expression in a scholarly eloquence that drew friends and opponents into the same circle of admiring affection. There was Slidell, with his shrewd and practical wisdom; and, near him, J. P. Benjamin, whose astuteness and skill and eloquence and learning have since rebuilt his fame and his fortune in that Olympic field of mental conflict, the great courts of Westminster. There was Robert Toombs, who never spoke without striking at the heart of big thoughts and kindling the ideas of all who listened to him. There was Clement C. Clay, the cultured student whose heart was the sanctuary of lofty feeling and stern principle. There was Albert G. Brown, from my own State, who never had an aspiration not in sympathy with the wants and feelings of his own people, who yet was never overawed by their prejudices nor swerved from his convictions by their passions. There was another, Jefferson Davis—Mr. President, shall I not be permitted to mention his name in this free American Senate which has been so free to discuss and condemn what it has adjudged to be his errors?—one who has been the vicarious sufferer for his people, the solitude of whose punishment should lift him above the gibe and the jeer of popular passion, but whose words will stand forever upon the record of history; not in defiance, not in triumph, but as the sad and grand memoranda of the earnest spirit, the lofty motives of the mighty struggle, which, however mistaken in its ends and disastrous in its results, was inaugurated by those who believed it to be in the interest of representative liberty and constitutional government.

Among these, and surrounded by others like them, the Senator from South Carolina, with that noble presence which lives in the memory of all who ever saw him, addressed to his Northern associates on this floor the words which I have never seen in print from that day to this, but which I can never forget, and which, if the Senate will permit me, I will here repeat:

“Sir, what the Senator says is true. The power has passed from our hands into yours; but do not forget, it cannot be forgotten, it is written upon the brightest page of history, that we, the slaveholders of the South, took our country in her infancy; and after ruling her for sixty out of seventy years of her existence, we return her to you without a spot upon her honor, matchless in her splendor, incalculable in her power, the pride and admiration of the world. Time will show what you will do with her, but no time can dim our glory or diminish your responsibility.”

Sir, it is not for me to say what has been done with it. The arraignment of the Senator from Indiana [Mr. Voorhees] is still before the country. There is testimony, however, by a witness who may be regarded as more impartial, a judge sterner than he.\* I will read what he says:

\* Manager Hoar, in the impeachment trial of Belknap.



"My own public life has been a very brief and insignificant one, extending little beyond the duration of a single term of Senatorial office; but in that brief period I have seen five judges of a high court of the United States driven from office by threats of impeachment for corruption or maladministration. I have heard the taunt, from friendliest lips, that when the United States presented herself in the East to take part with the civilized world in generous competition in the arts of life, the only product of her institutions in which she surpassed all others beyond question was her corruption. I have seen in the State in the Union foremost in power and wealth four judges of her courts impeached for corruption and the political administration of her chief city become a disgrace and a byword throughout the world. I have seen the chairman of the Committee on Military Affairs in the House, now a distinguished member of this court, rise in his place and demand the expulsion of four of his associates for making sale of their official privilege of selecting the youths to be educated at our great military school. When the greatest railroad of the world, binding together the continent and uniting the two great seas which wash our shores, was finished, I have seen our national triumph and exultation turned to bitterness and shame by the unanimous reports of three committees of Congress—two of the House and one here—that every step of that mighty enterprise had been taken in fraud. I have heard in highest places the shameless doctrine avowed by men grown old in public office that the true way by which power should be gained in the Republic is to bribe the people with the offices created for their service, and the true end for which it should be used when gained is the promotion of selfish ambition and the gratification of personal revenge. I have heard that suspicion haunts the footsteps of the trusted companions of the President.

"These things have passed into history. The Hallam or the Tacitus or the Sismondi or the Macaulay who writes the annals of our time will record them with his inexorable pen. And now, when a high Cabinet officer, the constitutional adviser of the Executive, flees from office before charges of corruption, shall the historian add that the Senate treated the demand of the people for its judgment of condemnation as a farce and laid down its high functions before the sophistries and jeers of the criminal lawyer? Shall he speculate about the petty political calculations as to the effect on one party or the other which induced his judges to connive at the escape of the great public criminal? Or, on the other hand, shall he close the chapter by narrating how these things were detected, reformed, and punished by constitutional processes which the wisdom of our fathers devised for us, and the virtue and purity of the people found their vindication in the justice of the Senate?"

Mr. President, we, the successors of these men, are here to-day. By a policy which is a noteworthy fact in the nineteenth century, we have come to mingle with the Representatives from the States of this Union in a common council for the good of this country. We come no longer as representatives of the capital interests of the South. We come not as the mere allies of the laboring men of the North any longer, but as laborers ourselves, every one of us and every one of our constituents taught the stern lesson of the necessity of earning our bread in the sweat of our face. But, sir, we come with our convictions unchanged as to the necessity of the laboring classes of this country being protected in all their rights and in all their interests, for when that class sinks, the entire fabric of our society must sink and crumble; but we come believing that they are honest, that they are patient, that they are self-reliant and true to their obligations, and that what it is their duty to do they will feel that it is to their interest to do. We have differed among ourselves upon this great question, but of one thing the world may be assured: that no Southern Senator representing Southern people will give a vote upon either side of it which is not designed, on the one hand, to protect the laboring classes of this country alike with its capital, or, on the other, that will not preserve untarnished the sacred honor of America.

## Appendix No. 17.

## OUGHT THE NEGRO TO BE DISFRANCHISED?—OUGHT HE TO HAVE BEEN ENFRANCHISED?

*Symposium: North American Review, March, 1879.*

JAMES G. BLAINE,	JAMES A. GARFIELD,	MONTGOMERY BLAIR,
L. Q. C. LAMAR,	ALEXANDER H. STEPHENS,	THOMAS A. HENDRICKS,
WADE HAMPTON,	WENDELL PHILLIPS,	JAMES G. BLAINE (Conclusion).

Mr. LAMAR: The precision with which Mr. Blaine states his premises and the unimpassioned spirit in which he draws his conclusions renders the discussion which he proposes both possible and profitable. His statement itself deprives the issue of nearly all its difficulty and danger. He lays down with force and clearness his propositions:

1. That the disfranchisement of the negro is a political impossibility under any circumstances short of revolution.

2. That the ballot in the hands of the negro, however its exercise may have been embarrassed and diminished by what he considers, erroneously, a general Southern policy, has been to that race a means of defense and an element of progress.

I agree to both propositions. In all my experience of Southern opinion I know no Southern man of influence or consideration who believes that the disfranchisement of the negro, on account of race, color, or former condition of servitude, is a political possibility. I am not now discussing the propriety or wisdom of universal suffrage, or whether, in the interests of wise, safe, and orderly government, all suffrage ought not to be qualified. What I mean to say is that, universal suffrage being given as the condition of our political life, the negro once made a citizen cannot be placed under any other condition. And in this connection it may surprise some of the readers of this discussion to learn that in 1869 the white people of Mississippi unanimously voted at the polls in favor of ratifying the enfranchising amendment for which Mr. Blaine voted in Congress, believing, as they did, that when once the negro was made a free man, a property-holder, and a taxpayer, he could not be excluded from the remaining privilege and duty of a citizen, the right and obligation to vote. And I think I can safely say for that people what Mr. Blaine says for himself: that if the question were again submitted to their judgment they "would vote for negro suffrage in the light of experience with more confidence than they voted for it in the light of an experiment."

I concur also in the second proposition: that the ballot has been in the hands of the negro both a defense and an education; and I am glad to find this important truth recognized so fully by Mr. Blaine. We might possibly differ as to the extent to which the defense was needed, or as to the progress which has been made in the education; but enough would remain for substantial agreement. There can be no doubt that in the unaccustomed relation into which the white and colored people of the South were suddenly forced there would have been a natural tendency on the part of the former masters, still in possession of the land and of the intelligence of the country and of its legislative power, to use an almost absolute authority and to develop the new freedman according to their own idea of what was good for him. This would have resulted in a race distinction, with such incidents of the old system as would have discontented the negro and dissatisfied the general opinion and sentiment of the country. If slavery was to be abolished, it must, I think, be admitted that there could be nothing short of complete abolition, free from any of the affinities of slavery; and this would not have been effected so long as there existed any inequality before the law. The ballot was therefore a protection of the negro against any such condition, and enabled him to force his interests upon the legislative consideration of the South.

What I do not think Mr. Blaine fully realizes, or makes due allowance for, is that this sudden transformation, social and political, would necessarily produce some jar in its practical operation, and that its successful working could be effected only by experienced and conscientious men acting on both sides with good sense and good temper. Conquest on either side only complicated the problem; its only solution was a sagacious and kindly cooperation of all the social forces. The vote in the hands of the negro should have been genuinely "a defense," not a weapon of attack.

The proper use of this defensive power, and its growth into a means of wholesome and positive influence upon the character and interests of the country, could only be attained by the education of the negro; and I agree fully with Mr. Blaine that his practical use of the ballot was an important part of that education. I am willing to accept the present condition of the South as the result of that practical education. Will he? I say that the negro has been using this defense for ten years; that in this time hundreds of thousands of negroes, born free, have grown to manhood under the experience of a political life as open to them as to the old white governing race; and Mr. Blaine himself asserts that education has been more generally diffused among the youth of the colored race than among the poorer classes of the whites—whether truly or erroneously we will not here discuss—and the result is that throughout the South the races vote together; that they have learned where their mutual interest lies; and that whom God has joined all the politicians have failed to keep asunder.

I have his essay before me. He denies that this is a legitimate result. He insists that the facts prove that the negro vote has been cheated by fraud or defeated by force, and that the present condition of Southern politics is an unnatural result. I am willing to meet this issue on his own principles. I will indulge in neither invective nor denunciation. I will simply take the late government of South Carolina or of Louisiana, or of other States under similar rule, and describe it in language that Mr. Blaine may himself select. When he has told its history I will ask him whether he would willingly, as a patriotic American, desire to see his own State, or any other of the free States, reduced to such a level. I am not afraid of his answer, or that of any man who has been bred under the traditions of a virtuous civilization.

Then I will say to him: This, it is true, is a painful result; but when you put the ballot in the hands of an ignorant negro majority as a means of education and progress, you must be patient while they learn their lesson. We of the South have borne all this, because we know that the reaction must come. It has come. The results which you see to be so bad the negro has seen also. He has come back to us with the same blind impulse with which a few years ago he fled from us. He may be as ignorant a Democrat as he was an ignorant Republican, but years must pass before the ballot will have educated him fully into self-reliant, temperate citizenship; and what we of the South have borne, our friends of the North must bear with us, until the negro has become what we both want to make him. This is part of his education. By a system, not one whit less a system of force or of fraud than that alleged to exist now, he was taken away from his natural leaders of the South, and held to a compact Republican vote. Granting—which I do not grant—that the present methods are as bad as those then applied, the fault lies in the character of the vote. It is not educated to free action, and we must educate it to what it ought to be. Take the history of the race, as stated by Mr. Blaine himself, and is there not progress, astonishing progress, when the material with which we are dealing is considered? Force and fraud have been freely charged. Suppose it is granted. Could any one expect, did any one expect, that such a tremendous political and social change—the sudden clothing of four million slaves with suffrage and with overruling political power—could be made without violent disturbance and disorder? Had any such change ever been made in any free State without convulsion? Was it to be expected that, when the capital and character of a State were placed at the mercy of a numerical majority of ignorant and poverty stricken voters, it would present a model of peace and order?

But all this while the ballot has been educating the negro. He has learned that he was a power between Republican and Democrat. He is now learning rapidly that at the South he is a power between Democrat and Democrat, and in the late election he made that power felt in the result. I would have preferred a much less costly tuition; but, such as it is, it has been paid for; and if Mr. Blaine will patiently trust his own theory, he will find the ballot in the hands of the negro the best defense and the best educator. But, as the South has been patient, so must he be patient; as the South has chafed ineffectually when that vote was all against her white people, so will he chafe ineffectually when it is now largely for them.

In his perplexity over the sudden change in the vote of the negro, Mr. Blaine has forgotten that at this stage of its progress the negro vote cannot intelligently direct itself. It must and will follow some leader. Now, up to 1876 the Republican party, armed with all the authority of the Federal Government, supplied those leaders. They were strangers in the States which they governed. The

moment that the compact vote upon which their power rested was divided they abandoned their places, and in almost every case left the State in which they had ruled. The great mass of colored voters was left without guides. In many of the largest counties, where their majority was absolute, they were not only not organized, but there was not interest enough to print a Republican ticket. The weapon of defense which had been given to the negro was thrown away by his leaders in their flight, and Mr. Blaine can scarcely complain if it was picked up by the Democrats. In saying this I do not wish to provoke or renew useless and irritating controversies; but Mr. Blaine's position is that not only the negro ought not to be disfranchised, but that such a question could never have suggested itself but for an illegal control of the negro vote by Southern Democrats. My view is that, while the enfranchisement of the negro was a political necessity, it could not be effected without subjecting the country to such dangerous political aberrations as we have experienced; that a wise man would have foreseen them, and that in fact they have been less than could reasonably have been anticipated; that the ballot in the hands of the negro has been a protection and an educator; that with it he has been stronger and safer in all his rights than the Chinese have been in California without it; and that the problems it raised are steadily and without danger solving themselves through the process of local self-government.

When Mr. Blaine admits that disfranchisement is impossible and that the ballot has been, in spite of all drawbacks, a benefit to the negro, he really proves that there is no organic question affecting great national interests, but simply the subordinate question, How rapidly is the ballot fitting the negro for the full enjoyment of his citizenship, and what influence does his vote exercise upon the supremacy of one party or the other in national politics? This latter may be an interesting question, but not one which should disturb either a sound national sentiment or great national interests. I do not propose to discuss it. I am of opinion that to make the negro a free citizen it was necessary first to take him from his master. Then it became necessary to take him from the party which claims his vote as absolutely as his master had claimed his labor. The next step will be to take him as a class from either party and allow him to differ and divide just as white men do. The difficulty so far has been that the Republican party desires to retain the negro, not as a voter, but as a Republican voter. Party politics have been directed to keep him at the South in antagonism to the white race, with whom all his material interests are identified. Whenever—and the time is not far distant—whenver political issues arise which divide the white men of the South, the negro will divide too. The time will then have come when he cannot act against the white race as a body or with the white race as a body. He will have to choose for himself; and the white race, divided politically, will want him to divide. The use of his vote will then be the exercise of his individual intelligence, and he will find friends on all sides willing and anxious to enlighten and influence him and to sustain him in his decisions.

The whole country has passed through a very painful experience in the solution of this question, and no one can adequately describe the bitterness of the trial of the South; but she has borne it, and it seems to me that a statesman who loves this great country of which we are all citizens should feel that the time has come when a kindly judgment of each other's difficulties would bring us nearer to that unanimity of action which alone can aid the solution of a grave social and political problem. I was born and bred a slaveholder, born and bred among slaveholders; I have known slavery in its kindest and most beneficent aspect. My associations with the past of men and things are full of love and reverence. In all history never has a heavy duty been discharged more faithfully, more conscientiously, more successfully, than by the slaveholders of the South. But, if I know myself and those whom I represent, we have accepted the change in the same spirit. No citizen of this Republic more than the Southerner can or does desire to see the negro improved, elevated, civilized, made a useful and worthy element in our political life. None more than they deplore and condemn all violence or other means tending to hinder the enjoyment of his elective franchise. The South took him, as he was sent to her, a wild and godless barbarian, and made him such that the North has been able to give him citizenship without the destruction of our institutions. The progress which he made with us as a slave will not be arrested now that he is a freeman, unless party passion and personal ambition insist upon using him as an instrument for selfish ends. And I have joined in this discussion because I regard it an honest effort to remove this question from the heated atmosphere of political debate, and to ask the conscientious

attention of thinking men to a problem the wise and peaceful solution of which will be one of the noblest achievements of democratic civilization.

Mr. Blaine assumes that the Southern States as a whole—differing in degree, but the same in effect—have through force and fraud so suppressed the negro vote as to make negro suffrage as far as possible of none effect. The statistics of election will show that the negro vote throughout the South has not been suppressed. That there have been instances of fraud and force I admit and deplore, but they have been exceptional. Take them all in the recent election and average them among a population of twelve millions of people, and to what do they amount? The President, in reviewing the whole subject after these elections, did allege, and could only allege, that in all these States but seven Congressional districts exhibited results which were altered by either fraud or force. When we consider the fact that since the formation of the government there have been but few Congresses, if any, in which there have not been elections from all parts of the Union contested on these very grounds, and then bear in mind that at no time in our history, and in no other part of our country, has there ever been so keen and searching a scrutiny into the facts of election as that to which the South has been subjected, these exaggerated statements of force and fraud must be reduced to their real proportions.

But suppose that the allegation which Mr. Blaine puts as the argument of those who advocate disfranchisement be true, viz.: that the present political condition of the South is practically the rule, not of a numerical majority of the whole people, black and white, but of the whites as one unanimous class; and let it be conceded fully that such a political condition, if it actually exists, is an evil. What is the precise nature and extent of that evil? In the first place, it is not pretended that any of those civil rights of person and property that negro suffrage was intended to protect have been invaded or endangered. Indeed, this seems to be impliedly admitted, though not explicitly stated, in Mr. Blaine's article. The object of the fifteenth amendment is fully disclosed by contemporaneous debates. It was to protect and establish free labor in the South, in all its new relations of rights and interests, by giving to the emancipated laborer the political means of maintaining those rights and interests. Now, will any one deny that this purpose has achieved its fullest consummation under existing conditions? Is free labor anywhere on earth more firmly established, more fully developed, or more absolute in its demands (even for exaggerated remuneration), and more secure and unrestricted in the enjoyment of its gains, than in the South? In all respects, negro freedom and negro equality before the law, security of person and property, are ample and complete. To protect these, should they be invaded, he has the franchise with which a freeman can maintain his rights. He may no longer allow it to be used as a tool for the rapacity of political adventurers; but he is perfectly conscious of the fact which Mr. Blaine states, that his right to vote is to himself and to his race a shield and sword of defense.

The question then recurs (conceding, for the sake of argument, that in the South political rule represents not the will of mere numbers, but the intellectual culture, the moral strength, the material interests, the skilled labor, the useful capital of that entire section, as well as its political experience): Is not this result exactly what the intelligence, character, and property of the country are striving to effect in every Congressional district in the Union, and is it not a perfectly legitimate result of placing the ballot in the hands of a population unfamiliar with its use, and who are peculiarly susceptible to the influences which property and brains have always exerted in popular government?

I anticipate the answer; it is, that the property and intelligence of the other sections seek to control the votes of the masses by methods that are legitimate and peaceful, while the Southern whites have achieved their power by means which are unlawful and unjust. So far I have to some extent, for the sake of argument, conceded the assumption that the negro vote has been subjected to the forcible control of the white race, but that I deny. Reference has been made to the great change which the election returns show in the negro vote throughout the South. The phenomenon is easily explained. Let any intelligent Northern man review the history of the State governments of the South for the last ten years under Republican rule—their gross and shameless dishonesty, their exorbitant taxation, their reckless expenditure, their oppression of all native interests, the social agonies through which they have forced all that was good and pure to pass as through a fiery furnace, the character of the men (many of them) whom they have placed in power—and then say if such a state of things in a Northern or Western State would not have been a sure and natural precursor of a Republi-

can defeat so absolute and complete that the very name of the party would have become in that State a name of scorn and reproach. Then why should not that result have occurred in the South? Are we to assume that the black race have neither instinct nor reason—have no sense, no intelligence, no conscience, no independence; that in every Southern State the thralldom of the negro vote to party leaders, even when abandoned by them, is so unquestioning and abject that no amount of misrule can cut him loose from them or teach him the advantage of a more natural and wholesome political alliance? To reason thus is simply to say that the negro is unfit for suffrage, and to surrender the argument to those who hold that he ought to be disfranchised.

But this is not true. There are many honest, intelligent, and independent men among the negroes in every Southern State. There are thousands of them who own property, who cultivate their own lands, who have taxes to pay, and who appreciate their vital interests in good government. This change in his political relations which has been the subject of so much incredulous comment is the legitimate result of the experience through which he has gone.

So far from proving his weak subordination to a hostile influence, it demonstrates what Mr. Blaine says: that the ballot box indeed educated him to understand his own interest, and that he has learned to use it as an instrument to protect his own rights. To interfere with such a result because it does not square with the necessities or the ambitions of this or that party seems to me to be in direct contradiction to what has been suggested by Mr. Blaine himself. He says: "The one sure mode to remand the States that rebelled against the Union to their autonomy was to give suffrage to the negro"—leaving (I venture to add) to self-government the evolution of the proper remedies for whatever of evil or error may attend the working out of this grave and critical experiment.

### Appendix No. 18.

#### THE EXODUS OF NEGROES FROM THE SOUTHERN STATES.

*Speech in the Senate, June 14, 1880.*

The Senate having under consideration the report of the committee appointed to investigate the causes of the immigration of colored people from the Southern to the Northern States, Mr. Lamar said:

*Mr. President:* I ask the attention of the Senate for a very few moments to reply to some of the remarks made by the Senator from Minnesota [Mr. Windom]. I do this with reluctance, because I am departing from a purpose which I had formed not to address the Senate upon any subject at this session if I could possibly avoid doing so. Nor would I depart from that purpose upon this occasion but for two considerations.

In the first place, the Senator from Indiana, whom I am proud to call my friend, has requested me to give my views upon the subject under discussion, doing me the honor to think that they will aid in dispelling the errors and prejudices with which persistent misrepresentation has surrounded it. In the second place, if the extraordinary speech just delivered had been intended to produce any impression or influence upon this body or to affect its legislation in any manner, I should have allowed it to pass in silence; but, sir, the words which the Senator has uttered this day do not die upon his lips; they do not perish in the echoes of this chamber. They are indeed winged words; and where do they go? Far hence, amid the great cities of the West, all over the broad farms and in the prosperous villages of that center of the future power and life of the country. And for what purpose? If, sir, one tithe of what he has said shall be believed, men and women bound to us of the South by the sacred ties of race, of blood, of country, and of a common Christianity, will be led to believe that over that vast section of country there is a population and a land in which justice has no courts, religion no temple, humanity no home.

But they go further. Charged with a poison more subtle and fatal than our own native malaria, they are borne on the wings of the lightning to every broken hearthstone in the South. The planter who in poverty and amid difficulties is striving to upbuild the waste places, where labor is the only salvation of the negro as well as of the white man, turns away in despondency, feeling that this burden of hate is too heavy to bear. The untutored and impulsive negro hears them, and waxes reckless in the belief that in the law, property, and order of society there, he finds the agencies of his own oppression and degradation. The shrewd political adventurer, who once

subjected that people to all the suffering and oppression which corruption could invent and tyranny inflict, catches their sounds with joy, for they are to him a new hope for a new lease of plunder and spoliation.

I do not object, and never have objected, to the utmost scrutiny (provided it be fair and truthful) into the affairs of the Southern people, especially in their relations to the black race; and while I should not have asked such an investigation as this, I do not regret that the Senator from Indiana [Mr. Voorhees] has called it forth; and I feel indebted to him, as the whole country will, for the facts which that investigation has developed, and his fair and masterly exposition of them.

I can add nothing to his argument, and will not detract from its force and conclusiveness by any attempt to follow on the same line. In order that I may not be misunderstood, I wish to assert once for all that this movement of emigration, which has been so falsely and so ridiculously styled the "exodus" of the negroes from the South, never had any terrors for me, nor have I looked upon it with alarm or deprecation. If it be a normal movement of emigration growing out of a healthful demand for that kind of labor at the North, and a healthful sufficiency of its supply in the South to meet the demand, it should be regarded as a natural and vigorous play of the industrial forces of this country, fraught with no permanent evil either to the country which they leave, the emigrants themselves, or the land to which they go. If it be, as the Senator from Indiana has demonstrated it to be in this instance, a movement inaugurated and carried on by combinations and associations for political purposes and for party ascendancy, in a great measure, while I would regret the injury suffered by the victims of the delusion, I should nevertheless think that there are benefits of an equivalent and compensating character attached to this movement.

Sir, the exposure of these negroes to hunger and the rigors of a Northern climate, to the conflicts with the hostile forces of nature to which they are subjected for a bare subsistence, though painful and lamentable to contemplate, will develop a force of character, an energy of will, and a spirit of perseverance under difficulties and misfortunes—qualities which their easy life in the genial climate, bounteous soil, under indulgent employers, of the South, has suffered to lie dormant.

If it is good for those people to go, the voice of every patriot and of every statesman and of every man whose heart is not callous to the claims of humanity will be: "Joy go with them." Even if they are deluded, the movement will still be an indication of aspiration, of energy, of a desire to improve their condition, which is always a hopeful and favorable sign of progress in any people. And it is certain, if it is a delusion on their part, the movement will be of short duration; for the means of exposing that delusion are abundant and easily applied.

I was reading the other day a work upon the subject of new departures in political economy, in which the author traced the causes of great revolutions that had been wrought in the methods of producing and accumulating and distributing the wealth of the world. The chief of these, he said, were the electric telegraph and the application of steam to locomotive machinery; that they had brought the ports of demand and the ports of supply all over the world into such immediate and direct contact as to dispense with the old instrumentalities of commerce, and brought producers and consumers into speaking distance.

Sir, the same agencies are at work more powerfully and producing more striking results in the distribution of labor. They are producing revolutions greater than any that have hitherto been produced in the exchange of the world's commodities. The quickness with which communication can be sent to different parts of the world is bringing laborers everywhere into direct contact with employers, so that whenever the price of wages is depressed in one locality immediately a demand for labor is found in another and without the intervention or the aid of any associations, political, benevolent, railroad, or otherwise.

That agency is at work upon this very point at this very time. Even now, while the Senator was reading his diatribe before this body, the planters of Mississippi, as I know well, are in direct communication with the emigrant laborers who are in Kansas and in Indiana; and they look upon those bodies of laborers as more accessible sources of supply, from which laborers can be obtained on better terms and with more facility than either Alabama or Georgia. While these gentlemen are negotiating and plotting the laborers and the planters face to face are talking with each other over their heads, and they have only to listen to the tickings of the telegraph to hear the deathwatch of their own departing schemes and opportunities.

The Senator from Minnesota, confessing in advance the weakness of his case, endeavors to shield his failure behind the paltry complaint that his side had not a full and fair opportunity to be heard. Such a charge in the face of the facts is only puerile and petulant. Admitting that the number of witnesses called by the minority of

the committee was less than that called by the majority, an examination of the record will show that in actual amount of testimony attentively and patiently heard, far more than one-half was from witnesses who avowed their Republican sentiments and affiliations. The printed testimony amounts to 1,568 pages. Of that, the Democrats occupy only 363 pages; the Republicans, 1,152; the Greenbackers, 36; and the railroad men, 12.

Eleven of the witnesses which the minority called poured forth into this record over five hundred pages of their twaddle; and whatever of deficiency existed was amply made up by another species of statements which will strike the future examiner of this record with surprise, but will not be, I presume, embodied among the valuable results of researches. They consist of certain very dogmatic assertions made by some of the gentlemen of the committee who seemed to have supposed that they were appointed to state facts, and not to inquire into them. Under the form of an interrogatory there were assertions of a very positive character, to which the assent of the witness was invited or his denial challenged. The "facts" thus suggested are indeed the most startling and striking in the book, and nothing which any witness testified to equaled the statement that forms the pregnant suggestions of the questions which the honorable Senators put to the witnesses.

But so far as the real testimony is considered, no one can read it with close attention without coming to the conclusion that there was nothing in the condition of the States from which this emigration proceeded to produce such a result as driving its labor from the employments in which it was so actively and profitably engaged, and nothing in the condition of the States to which this current of emigration moved that invited such an influx of labor there; upon the contrary, that there was much in the pressure of labor upon employment in these States last mentioned, and the consequent depression of wages and want of employment, to discourage and repel such influx, and even to roll it back to the locality from which it started. It also, sir, discloses, beyond any question or cavil, that the emigration itself was in large measure one of those instances, becoming very frequent in modern times, of powerful combinations entered into for the aggrandizement and enrichment of their projectors, which by the magnitude of their operations can contravene for a time the natural laws and economic principles which govern the production and distribution of a country's wealth—combinations that never fail to result in mischief and disaster, as this one did, to all except those for whose benefit they were formed. The proof, sir, which the Senator from Indiana has brought together upon this subject is absolutely impregnable, and stands unshaken by the angry rhetoric of the Senator from Minnesota, which, in dashing against it, has only foamed out its own imbecility.

There is no doubt about the fact that the testimony which has been adduced is contradictory. Gentlemen can bring witnesses here who will swear whatever is wanted for the benefit of their party. It is not the first instance in which the records of investigating committees are made the channel through which falsehood and slander and calumny throughout that section empty all their kennels of pollution upon the floor of the Senate.

But, sir, no man can read this testimony without coming to the conclusion beyond a doubt that this exodus, so called, or migration, of twenty-five thousand people (to put it at the biggest figure that they state)—an exodus from a country of four million blacks—no one, I say, can come to the conclusion that it was caused by any demand for this labor either in Kansas or Indiana or by any oppression and suffering of laborers in the States from which they are coming.

I shall not here go over the testimony on one side or the other of these two theories. I did not rise for that purpose. I rise to-day, Mr. President, to call the attention of Senators, and, if necessary, of the whole people, to the testimony of men who are not brought before investigating committees, men who are neither Republicans nor Democrats, men who give their testimony not with a view to a Presidential election or to party results in this country.

I will take first the views of an intelligent Englishman, a member of the British Parliament, who has had great experience in the administration of affairs in his own country, and who, having traveled through the United States, published for the edification of his own countrymen the result of his observations upon the relations of the black and white races here as compared with the relations of the same classes in the British colonies. In his work entitled "White and Black: a Visit to the United States," Sir George Campbell says: "I was, as I have there stated, led to look particularly into the relations between the black and white races in the Southern States, for the sake of the lessons that might be learned as bearing on our management of British possessions where white and black races are intermingled. I do not here speak," said Sir George, "of our great dependency, India, where our system has been to rule both races by a government avowedly absolute and despotic.



In regard to that system, I am one of those to be judged rather than to judge others. . . . In the course of my tour I have had opportunities of conversing with many men of many classes (and quite as much on one side of politics as the other), who have had the greatest experience of the blacks in various aspects—educational, industrial, political, and other.”

He did not confine his attention to the statements of political adventurers and jail birds, and thus violated some of the precedents so faithfully followed in many investigations heretofore. “I am indebted to them for information given to me with a freedom, frankness, and liberality for which I cannot be sufficiently grateful.” He goes on to say: “I have visited not only the towns, but the rural districts, of four of the principal States formerly slaveholding—namely, Virginia, North Carolina”—the very State that is now the subject of this investigation—“South Carolina, and Georgia; and it so happened that I was in South Carolina on the day of the late general election. I have seen and conversed with the negroes in their homes and in their fields, in factories, in churches, and in political meetings.” Now let us see what he says about it.

MR. TELLER: When did he travel through the South?

MR. LAMAR: In 1879. He was prevented from going through Mississippi and Louisiana by the yellow fever. After some introductory remarks he makes this statement: “After the war the Southerners accepted the situation as few but Americans can accept a defeat, and, instead of throwing up their hands and crying to heaven, sought to make the best of the lands that remained to them. It seemed not impossible that, the property in slaves being written off as lost, the land might be as cheaply and effectively cultivated by hired labor, if the negroes could be got to work; at any rate, it was a necessity to get it cultivated somehow. The negroes, on the other hand, found that they must work or starve; and the feeling between them and their former masters being, as I have said, not unfriendly, the matter was arranged in one way or another.”

Here is what he says upon the subject of the labor relation of the two races to each other: “On small farms, where black men work in small numbers, in company with and under the immediate control of their employers, they do exceedingly well; also when they work on their own account they do very well. It is only where they are employed in large numbers, under insufficient supervision, as on very large farms, that they are apt to take it easy and idle away their time, as is the case with most such races. Not only,” says Sir George Campbell, “is the negro labor excellent, but also there is among the Southern proprietors and leading men accustomed to black labor”—I call the attention of the Senate to this paragraph; let it go forth and refute a thousand slanders—“not only is the negro labor excellent, but also there is among the Southern proprietors and leading men accustomed to black labor, and not so used to whites, a disposition greatly to rely on black labor as a conservative element; . . . and on this ground the blacks are cherished”—the blacks are cherished—and protected by Democratic statesman, who now hold power in the South.”

He then proceeds to discuss the question of wages, and no one can read this book without seeing the precise accordance with the conclusions which the facts developed in this investigation will bring any fair and impartial mind to, whether you consider the rate of wages or the opportunities of employment or the cost of living or the security of person and property in that section. Here is what he says: “Nothing so much brings home to me the poverty and lowness of living of our Indian population as to hear these wages talked of as low; being, as they are, six or eight times the wages of a coolie in India, while food is scarcely, if at all, dearer. In truth, the negroes are very well off.” Let me read you more: “More important than the rate of wages is the question whether the black laborers show any disposition to providence and saving.” I read this because it bears upon the single question that has been so much mooted—*i. e.*, the accumulations by the negroes of the South. Says he: “There is a good deal of discrepancy in the evidence on this subject. . . . It seems pretty clear that providence is as yet the exception, and that the rule is a light-hearted way of spending their money as they get it.”

Here is another important observation which he makes upon the subject of the relations of laborer and landlord:

“Not only are large farms generally unsuccessful in America, but in the South there is very great deficiency of capital to work such farms; and so it has come about that most of the land is cultivated on a sort of cooperative or Metayer tenant system. . . . First, there is a mere cooperative arrangement under which the owner supplies land, seed, mule, implements, and all, and exercises a general supervision over the culture, giving the laborer a share of the crops rather than taking a share from him. The laborer’s share is, moreover, subject to deduction for food supplied

to him during the cultivating season. Then we have regular Metayer tenants, who themselves find the mule and implements, the crop being divided with the landlord; and again, many tenants who pay a fixed rent in cotton—so many bales—and a few (comparatively rare) who pay money rents. Sometimes white men rent land and cultivate with negro laborers, but most frequently the owner deals direct with the negro.

"I have said that the cotton cultivation is suited to the blacks; it is easily carried on upon a small scale. As slaves they have learned to raise it. A single mule and a plow suffice for the operations of a small farm. The cotton gives employment almost all the year round, especially at the season unfavorable to white labor. . . . Although after the war the proprietors and the ex-slaves came to terms to carry on the cultivation, it must not be supposed that the former slaves have generally remained with their old masters. In some cases no doubt this is so, but it is the exception. Not only have war and revolution caused considerable migrations, but there seems to have been a general feeling that freedom was not practically realized till the slaves had left their masters, if it were only for a time. Both parties seem to have felt that it should be so; and it often happened that while remaining on quite friendly terms with their old masters, and even coming to them for advice and assistance, A's former slaves would prefer to cultivate under B, and B's slaves under A. Altogether, somewhat migratory habits were set up, which the existing system of agriculture has not tended to diminish."

So, sir, it seems that migrations were not only frequent in the South, but were encouraged by both classes, employers and employees. He also directed his inquiries to the subject of the acquisition of land. He says, speaking of the negroes: "They have become accustomed to independent labor and to raising valuable staples for the market. So far from neglecting these latter in order to raise a low and lazy diet, the common accusation against them now is that they cultivate the staples, which bring money, too much to the exclusion of food supply. I have heard much said of the folly of negro farmers in buying Western corn and bacon instead of raising these things. This is partly the consequence of the system of cotton rents, which makes a large cotton cultivation obligatory; but also, I dare say, these people know by experience what pays them best. At any rate, it is clear that they are not now inclined to lapse into a low style of living; their fault and difficulty is just in the opposite direction. Unfortunately they live too freely and generously, and do not save money to buy land, and make themselves independent, as they might." Yes, sir, well may he say that they might, if they would, buy land and make themselves independent farmers. "Throughout the Southern States there are already a good many negroes (though very few compared to the whole number) who cultivate land of their own; and there are very many more who own houses and small patches, especially in the vicinity of towns," etc.

He has already stated, as quoted above, why there are few in proportion to the whole number who have become landowners, showing the cause to be, not any difficulty in the acquisition, but in the habits of the negroes themselves.

I next call attention to the statement of this enlightened observer which every Southern Senator and resident knows to be true: "Many proprietors in South Carolina and elsewhere, far from thinking, as some of our colonists seem to think, that the best way to make sure of hired labor is to debar the laboring population from any independent place on the land, have followed a much wiser course, and encourage by all means in their power the settlement of the negroes on small holdings owned by themselves. They have rightly deemed that this is the best way to fix a permanent population from which they can draw labor when needed." He then goes on and states how these parcels of land are allotted.

Here is what he says again: "On the whole, I am very agreeably surprised to find the position of the emancipated blacks so good, and the industrial relations between them and the whites little strained and difficult. It seems to me that the present situation gives very good ground of hope, and I am sanguine of a favorable issue. The position of the cultivators is such that they may well, with a little kindly aid, become independent farmers; and any man inclined to work honestly and well can earn sufficiently good wages. . . . Supposing things to settle down peaceably, as I hope they may, I go so far as to say that, though nothing is perfect in this world, the American blacks are in a fair way of becoming a comfortable, well-to-do population to a degree found in very few countries."

Now, sir, how could this intelligent and observant traveler labor under such a delusion if the one-thousandth part of the falsehoods which have been poured into this Senate, in the shape of testimony before investigating committees, were not falsehoods but truths?

"I go so far as to say that, though nothing is perfect in this world, the American blacks are in fair way of becoming a comfortable, well-to-do population to a degree found in very few countries; a condition which may compare very favorably, not only with the Indian ryot, the Russian serf, or the Irish tenant farmer, but also with the Dorsetshire laborer. I doubt whether, on the whole, a better laboring population, more suited to the climate and country in which they find themselves, is anywhere to be found. The whites certainly cannot do without them; already the great drawback to the Southern States is the want of that great influx of foreign population which causes the North and West to progress in a geometrical ratio.

"My advice would certainly be to the blacks in America, 'Stay at home, and make the best of an excellent situation;' to the whites, 'Do all you can to keep these people, conciliate them, and make the most of them.' I am confident that this may and will be done if only political difficulties and unsettlements do not mar the prospects."

I may recur to this author upon another branch of this subject if I have the strength to continue my remarks. I wish now to call another witness to the stand. I know that Sir George Campbell, if he were before this committee, would undergo a very severe cross-examination and be plied will all sorts of skeptical and somewhat derisive questions, as were the intelligent and honest gentlemen who were brought here to testify upon the state of things in that region. I propose next to call to the stand, not before this investigating committee, but before this whole country, a witness who occupies, among the religious communities of this country at least, a position as commanding as that which any other living man ever occupied in America; and I do not see what the minority of this committee will be able to do about this testimony, unless they summon Bishop Simpson before them, and subject him to the tortures of a cross-examination. Bishop Simpson, after having been on a visitation to the churches in the South connected with the Northern Methodist Church, said: "The general impressions which I received upon this trip were of a pleasant and favorable character."

If that land was a scene of tumult and disorder and murder, if injustice and oppression stalked through its length and breadth, would not this grand and good man have seen it, and would he not have cried aloud and spared not? He did not have his eyes upon the votes that were to be cast in the Presidential election; he had other and higher and grander objects. He is a man the motives of whose actions are God, truth, conscience, and posterity. Now let us see what he says:

"1. I am satisfied that the South is gradually but surely improving financially; business is reviving, and every indication points to a period of financial ease and comfort. This revival of business has tended to soften and smooth some of the asperities which have heretofore existed. The people are more contented and happier; the commercial intercourse between the North and the South is constantly increasing; the people know each other better, and find less cause for unkindness and complaint.

"2. While political difficulties have existed, and do still exist, it is evident to me that a day of greater safety and of more free expression of opinion is rapidly approaching."

I shall not be able to read the whole of this letter. I find that my strength is going very rapidly; but I will publish the whole of it, with the unanimous consent of the Senate, in my remarks.

I invoke the attention of the Senator from Minnesota and the Senator from New Hampshire to these noble utterances: "I conversed freely with our intelligent colored ministers, and I did not hear from any one of them"—not one—"I did not hear from any one of them any expression of danger in his work. The only fears which I think need to be entertained are by those whose influence is supposed to be exerted in political directions."

What does he say about this? "Our white ministers are greatly disliked by some because they are supposed to exercise a strong influence over a portion of the colored population. Those who are unscrupulous toward the colored people, as some there are in every community"—well might the bishop have said "as some there are in every community," for where is the Senator that can rise and say that his community is free from such unscrupulous persons?—"either maltreating them personally or defrauding them of the wages for their labor, regard our ministers with aversion, as being the friends and protectors of the colored race."

Now here is his summary: "While I deplore all wrongdoing, and while I sympathize deeply with those who have suffered, yet I cannot but think that it is almost a miracle that even so much of quiet, good order, and kindly feeling prevails so soon after the total revolution which occurred in Southern society."

Sir, put these just and charitable sentiments side by side with the ungenerous, unjust, and partisan outpourings that we have just listened to. What else does the

bishop say? "Antislavery as I always was from early youth"—and I call attention to this—"antislavery as I always was from early youth, had my friend asked me twenty years ago to express my utmost wish for the colored people, I should not have dared to ask for so much advancement as has been made."

Why, sir, think of it one moment. Here are people just liberated from slavery, and invested with freedom and citizenship and suffrage and the right to participate in government. The world looks on with concern and misgiving at the experiment. Here an antislavery man from his youth, one who has indulged the brightest visions as to the future of this race, comes forward and puts upon record that the most sanguine wishes of his heart are transcended by the actual result in the Southern States; and yet we are heralded to the world as a land of inhumanity and murder by gentlemen who have political capital to make!

Now, sir, let Senators no longer declare that we, on this side of the Chamber, are defending wrong and perjury, and apologizing for lawlessness and murder, unless they are prepared also to hurl their denunciation upon the head of this venerable man.

"That a race, comprising four millions, should be changed at once from slaves to citizens"—mark it, sir, this learned and venerable minister of the gospel, recognizing that which these gentlemen refuse to recognize as having existence in the South, the citizenship of the negro—"should have not only the right to vote, but also to sit as representatives in the State Legislature and in Congress, and yet dwell in the midst of their former masters, I should have thought would occasion convulsions of the most terrible kind. To me it is a matter of surprise that, at this comparatively early day after such a revolution, so little friction exists. It would have been impossible but for the general Christian sentiment of the people."

What! "Christian sentiment" among a people who are whipping negroes and shooting them and actually dragging the rivers and the ponds for their dead bodies! "Nothing," says this grave and reverend preacher of the gospel, "could have produced such a miracle except the general Christian sentiment of the people and the calming and controlling power of the gospel of Jesus Christ." He continues: "To-day there is more enmity between the landholders and ruling portions of Ireland and its peasantry, though so many years have passed away since the union with the British Crown, than there is between the former slaveholders and the emancipated slaves. While I write this, however, I see that there is great room for improvement; and years will probably pass before there is that protection of individual rights and that scrupulous regard for the interests of the colored people which ought to prevail."

I am not unwilling that every word should go upon the record, nor is it necessary for me to controvert this last statement. We all have to learn and unlearn from each other on this subject, and we can do so when the subject is approached in a spirit of fair, calm, equitable, personal confidence, and not in a spirit of hatred and malignity.

Though our people are proud and sensitive, smarting under a sense of injustice on this subject, they will neither resent nor disrespect what such a man may say in a spirit of Christian admonition and reproof. Now, sir, suppose the bishop had been before that committee; how would these unprejudiced utterances have looked by the side of that foul slush which has been poured upon them? I am not speaking of the remarks of the Senator, but of the testimony which he has reproduced here in this Chamber.

I propose to bring another witness to the stand. I pledge myself that every witness that I bring here before the Senate will compare not unfavorably with Avery, Ruby, Henry Adams, Langsdale, Horne, Kennedy, and the other gentlemen whom you have brought before this body, and for the first time, and it is to be hoped for the last time, before this country. I believe, however, that Eliza Pinkston was not invoked on this occasion; but she was not needed; there were other witnesses whose testimony would have put even Eliza to the blush.

Now let us have the next. Here is a sketch which I take from the *New York Tribune*, of May 17, 1880:

"A PREACHER ON HIS TRAVELS—REV. DR. W. F. HATFIELD AT THE WASHINGTON SQUARE METHODIST EPISCOPAL CHURCH.

"At the Washington Square Methodist Episcopal Church yesterday evening Rev. Dr. W. F. Hatfield told about his recent visit to the South, giving his 'impressions of the country and the people.' His text was Numbers xiii. 17, 18; and some of the passages in the sermon were as follows"—

I believe that Dr. Hatfield is a Republican. I have heard that his sympathies were intensely Northern, and that for a long time after the war and before he visited the

South his prejudices against that people were strong and deep. I believe that Bishop Simpson also is a decided Republican. Now here is what Dr. Hatfield says:

"The agricultural and mineral resources of the South are immense. Fine farms can be bought there at prices so low that almost any man can own one, and help can be obtained at much lower wages than in the North. Young men and those having large families, who with difficulty earn a living here, should by all means go South and buy farms."

If that be so, if land can be got there upon which a living can be made so cheaply, why is it that these people are so oppressed?

"It is a mistake to suppose that Northern people are not wanted there. Some are not wanted—those who boast a great deal; who think the Southerners do not know anything, and that all the learning and wealth are in the North; who go down there to tell them that the Union soldiers whipped them in battle, and that a black man is as good as a white man. Such are not wanted; but earnest, industrious, enterprising men will be kindly received.

"In regard to the political situation in the South, so far as my observation went, there is a great deal more agitation in regard to the coming election in the North than in the South. The fact is, the better class of people in the Southern States have suffered so severely in the loss of their property and friends in the late war, which they believe to have been brought about largely through the machinations of politicians North and South, that the very name of politician is offensive to them; and the person bearing that name no longer occupies the position that he did before and during the days of the Confederacy. The fact is, that if fifty of the politicians in the South and a hundred of those of the North could be transported to Siberia or Botany Bay it would be one of the greatest blessings that could be conferred upon our country; for so long as these agitators, these restless and dissatisfied spirits, are in the nation they will keep the country in commotion."

MR. TELLER: I should like to inquire whose communication that is.

MR. LAMAR: Rev. Dr. Hatfield, of the Washington Square Methodist Episcopal Church, New York, as reported in the *New York Tribune*, of the 17th of May, 1880.

"As to the condition of the colored people, I found them industrious, happy, and contented. They have all the work that they want, and are paid liberally. I never met one among them who complained that his lot was hard, that he had to work too long, and that wages were too small. I never heard of a strike or revolt or dissatisfaction between capital and labor, and that is more than I can say of the North. I did not meet with any who talked of going to Kansas or the West; they were all satisfied with their homes in the Atlantic States, and there they preferred to live and die."

Now, sir, here is a report of the same sermon as made in the *World* of the same day. It has one point in it that I do not notice in the report in the *Tribune*, and I will read it: "It has been said that there is now as much bitterness toward the North as at the close of the war, and that the people of the South do not care to mingle with Northern men and women. This charge he contradicted, and said that, although he went there a stranger, he never was more kindly received." Mr. President, murderers, cheating, fraudulent, deceptive oppressors of a meek and lowly race, do not receive such men kindly. "In conclusion he paid a glowing tribute to the Christian courtesy, public morality, and patriotism of the people of the South."

I know, sir, that I am accumulating testimony upon this point. I could bring just as much as these gentlemen have cited this day, and I think that the quality of my witnesses is fully as good. In all that constitutes moral, intellectual, and social worth, they certainly will not suffer by comparison with them.

I will read next from Dr. Talmage, who is well known as a distinguished minister of the gospel in Brooklyn. He says:

"I had all the doors of information opened to me. I talked with high and low, governors and water-carriers, clergymen and laymen, lawyers, doctors, editors, and philanthropists, with the black and the white, old residents of the South and new settlers from the North, and I found that there have been the most persistent and outrageous misrepresentations in regard to the South by many of the correspondents of secular and religious journals, and by men who, overbearing and dishonest in their behavior at the South, have had information given to them that their company was not desirable. If a man go South and behave well, he will be treated well. There is no more need of rigorous governmental espionage in Atlanta, Augusta, or Macon, than there is in Boston or New York. The present disposition of the South has been so wrongly set forth that I propose now, so far as I am able, to correct the stereotyped slanders concerning it.

"First, it has often been represented to us that the South was longing for the old

system of negro slavery. So far from that being true, they are all glad to have got rid of it. The planters told me that they can culture their fields with less expense under the new system than the old. A gentleman who had one hundred and twenty-five slaves before the war told me that the clothing and feeding of them, the taking care of the aged who could not work, and the provision for helpless colored children, was an expense and anxiety and exhaustion. Now the planters have nothing to do but pay the wages when they are due. The families look after their own invalids and minors. So they all say, without one exception that I could find. If at the ballot boxes of the Southern States the question should now be submitted, 'Shall negro slavery be reinstated?' all the wards and all the counties and all the States would give thundering negatives. They fought to keep it eighteen years ago, but there is universal congratulation at its overthrow. Thank God! the North and South are at last one on that subject; and this effort of our Northern politicians to keep the subject of slavery rolling on is as useless and inapt as to make the Dorr rebellion of Rhode Island, or Aaron Burr's attempt at the overthrow of the United States Government, the test of our fall elections.

"The whole subject of American slavery is dead and damned. I inquired everywhere: 'How do the colored people work under the new plan?' The answer was: 'Well, very well; we have no trouble. Just after the war there was the disorganization that naturally came of a new order of things, but now they work well. They work far better than Northern laborers that come here, because our colored people can better endure our hot climate; and on a warm summer's day, at the nooning, they will lie down in the field to enjoy the sun.' My friends, all that talk about dragging the rivers and lakes of the South to haul ashore black people, murdered and flung in, though seriously believed by many people at the North, is a falsehood too ridiculous to mention in a religious assembly.

"The white people of the South feel their dependence on the dark people for the cultivation of their lands, and the dark people feel their dependence on the white people for wages. From what I have observed here at the North of the oppression of some of our female clerks in dry goods stores, and the struggle of many of our young men on insufficient salaries, which they must take or get nothing at all, I give as my opinion that to-day there is more consideration and sympathy for colored labor at the South than there is consideration and sympathy for employees in some of the stores on Fulton Avenue, Brooklyn; or Broadway, New York; Washington Street, Boston; or Chestnut Street, Philadelphia. All the world over, there are tyrannical employers, and for their maltreatment of subordinates, white or black, they are to be execrated; but the place for us to begin reformation is at home.

"Another misrepresentation in regard to the South I cure when I say that they are not antagonistic to the settlement of Northern men within their borders. We have been told that Northerners going there are kukluxed, crowded out of social life, unrecognized, and in every way made uncomfortable. But the universal sentiment as I found it was: 'Send down your Northern capitalists; send down your Northern farming machines; buy plantations, open stores, build cotton factories and rice mills; come, come right away; come by tens of thousands and by millions.'

"Again, I have to correct the impression that the South is bitterly against the Government of the United States. The South submitted to arms certain questions, and most of them are submissive to the decision. Why, sirs, I never saw more placid people, some of them with all their property gone and starting life at forty or sixty years of age, with one leg or one arm or one eye, the member missing sacrificed in battle! It is simply miraculous that those people feel so cheerful and so amiable. It is dastardly mean to keep representing them as acrid and waspish and saturnine and malevolent. I have traveled as much as most people in this and other lands, and I have yet to find a more affable, delicately sympathetic, whole-hearted people than the people of the South. They are to-day loyal and patriotic; and if a foreign foe should attempt to set foot on this soil for the purpose of intimidation and conquest, the forces of Bragg, Geary, McClellan and Beauregard, Lee and Grant, would go shoulder to shoulder, the blue and the gray, and the cannons of Forts Hamilton, Sumter, and Pickens, would join one chorus of thunder and flame.

"This side of heaven there is no more hospitable people than the people of the South; and now I bring a message from all the States of the South which I visited, inviting immigration thither. The South is to rival the West as an opening field to American enterprise. Horace Greeley's advice to go West is to have an addenda in 'Go South.'

"The South beckons you to come. Stop cursing the South and lying about the South, and go and try yourselves the cordiality of her welcome and the resources of her mines, her plantations, and her forests."

I ask unanimous consent to publish further extracts from this sermon. I could give other evidences just as strong as those which I have read, but must discontinue these quotations for want of strength and time.

The Senator from Minnesota, to show the cause of this recent movement of emigration, so called, which if I am able I will discuss directly, goes back to a message of President Grant in 1875. I admit that Gen. Grant, with the information laid before him by the reports which were submitted, sent that message to Congress. No man is more isolated than the President of the United States from actual contact with the people whom he governs, and especially was this the case with Gen. Grant when President. But why does the Senator go to Gen. Grant in 1875? Why does he not take Gen. Grant's last utterances upon that subject? Why does he rake up that old message, when here, fresh from Gen. Grant's lips, are declarations that will confound him?

MR. WINDOM: The Senator will allow me. The message which I read from was in 1876, the very last year that he was in the Presidential mansion.

MR. LAMAR: Very well. I will give you a message from Gen. Grant now, in 1880. In response to an address of welcome at Cairo, Gen. Grant, being introduced, spoke as follows (and if my speech has no other merit, it shall at least have this gem in it):

*"Gentlemen, Friends, and Fellow-citizens:* After an absence of seventeen years from Cairo, the point from which I might almost date the beginning of my late military career, it affords me great pleasure to come back, and, instead of a camp, addressing a prosperous city, built up and devoted to the interests of peace. It has been my good fortune to have just passed through a little bit of every one of the Southern States lately in rebellion."

*"Every one,"* and in Mississippi and Louisiana he went through especially those settlements that were considered the most disturbed and the most violent on account of the murderers which are said to have "stalked unwhipped of justice" over that land.

"It has been my good fortune to have just passed through a little bit of every one of the Southern States lately in rebellion; and it is gratifying to me, and I know it will be to you"—but he was not speaking then to the Senator from Minnesota, otherwise he would have said, "I know that it will be disappointing to you, Mr. Senator"—"it is gratifying to me, and I know it will be to you, that in every one of them, scenes, decorations, and speeches were much the same as we see and hear to-day. The stars and stripes were floating everywhere. A great portion of the speakers in every instance were men who in the conflict wore the gray, and the speeches which they made show their present devotion to the flag for which we fought, and which is all that we asked of them: that they should respect and honor the flag and become good citizens, and hereafter, if it should be assailed by a foreign foe, that they should unite with us as one people."

Mr. President, whatever may be said of Gen. Grant, he is not a man that uses words of duplex meaning. He is no popularity hunter who, under smooth and honeyed phrases, conceals his real sentiments of antagonism. He would, if he had witnessed any indication of the things described by the Senator from Minnesota, have exposed it and denounced it with a frankness and terseness characteristic of the man. On the contrary, he speaks in this language: "From the assurances which they give I believe that they are sincere, and I hope that they expressed the sentiments of the great majority."

The Senator from Minnesota says that he does not believe in our sincerity as long as we vote the Democratic ticket. With Gen. Grant upon one side and the Senator from Minnesota upon the other, what am I to do, and what are the people to do in deciding such a question?

"For, united as one people, united as generous rivals in building up our several States for the whole Union, and in a feeling of loyalty for that flag, we are a great people, the greatest nation in the whole world. To stand divided we are too nearly equal, man to man, to be a great and prosperous people. Let us hope that there may be a genuine union of sentiment, a generous rivalry in the building up of our several States, and national pride above State pride. I had no idea that I should say so much. It was the remarks made to me that brought this out."

The New Orleans speech of Gen. Grant is as follows:

*"General and Citizens of New Orleans:* After an absence of a great many years from your State, I am happy to return to it, and very proud of the reception which I am receiving at your hands, and very glad that it is given by your citizens, irrespective of former relations."

What! Ulysses S. Grant, the ex-President of these United States, fêted and courted all over Europe, proud to be received by a band of assassins and cutthroats and

murderers! No, sir; he was proud because he knew that there stood before him a people imbued with the sentiments of American patriotism and faithful to the parole of honor pledged to him at Appomattox.

"The scenes of the war are now passed; we are a united people."

Yes, sir; in spite of the efforts to estrange these sections and to cultivate hate between them, we *are* a united people, and of that Union we all exclaim: "*Esto perpetua.*"

"I believe that if this country should unfortunately become involved in war, we will all wear the same uniform and fight under the same flag. [Cheers.] I hope for New Orleans and this section the prosperity they deserve. What benefits this city benefits the adjoining section. This State is capable of producing millions of dollars' worth of sugar more than at present. I rejoice with you in the prosperity you have. I am glad to hear that this city has been so much benefited by the improvements at the mouth of the river. What helps you helps a large section of our country, and the entire Mississippi Valley in fact. I wish New Orleans and the entire South increased and long-continued prosperity, believing and knowing that it is the best cure for disorders and sectional animosities. Industrious people are always happy and contented. Again, let me thank you, Mr. Chairman and friends, for this kind reception; and, in conclusion, I hope that the blue and the gray may never again be arrayed against each other. The past is gone. Again I thank you." [Loud and continued applause.]

Why did not the Senator from Minnesota put these speeches in with the remarks which he made to-day? Why did he not let these words go to the broad fields and cities and villages of the mighty West, so that when those people should read what he and his witnesses said they might also read what Gen. Grant had said? I will tell you why. These words of Gen. Grant would fall in that country like the gentle snow sent to mellow the soil for the growth of peace and good will, while the Senator's words will fall like the fiery snow of the Italian poet's hell, scorching and withering the returning feelings of love between the sections. [Applause in the galleries.]

Now, sir, having shown from these witnesses the circumstances of peace, order, and growing prosperity in the South, the question is easily answered as to the cause which led to this so-called exodus. It was a movement concocted outside of the South, having no connection with the wants of labor or the demands of capital, but set on foot for the purpose in part to obtain partisan ascendancy in a Northern State; in part to diminish the basis of representation in the South in the approaching census; and, lastly, to renew the agitation of "Southern outrages" in the coming Presidential election.

In view of these facts as developed by the testimony before the committee, I concur fully with the Senator from Indiana [Mr. Voorhees] in the sentiment that, while his State is ready to give the protection of her laws to the black people who seek homes in her borders in the natural course of emigration, she will not tolerate a rush gotten up to convert her into a colony of colored voters for political ends.

Mr. President, there is one point on which I differ with Sir George Campbell. He says: "My advice to the blacks in America would certainly be: 'Stay at home, and make the best of an excellent situation.' To the whites: 'Do all that you can to keep these people, conciliate them, and make the most of them. I am confident that this may and will be done.'"

I am not prepared to say to the blacks: "Stay at home." I am prepared to say to them: "Go forth, if you have aspirations to better your condition, and think you can do so by throwing yourselves into the conflicts and active competitions incident to the civilization of the North." We know that for every one that leaves the South we shall have a white immigrant from the North better skilled in labor and more advanced in intelligence and political experience. They are already coming to us from Indiana and Kansas and Michigan, and are contributing no little to the material development of our country.

Sir, movements of population possess qualities of interest in our country apart from that which now attaches to this mere local question. The activities of the present age are scientific and mechanical. Among the nations of the world this country is one of the most scientific and mechanical, taken as a population. As a result from this, we are a vigorous, active, restless people, abridging even human life by the attrition and waste incident to our perpetual activities. This has been so characteristic of the country and so uniform that it ceases to be novel with us. We not only bring emigrants here in excess of all other people in the world, but when they come they move, and the native population moves; and the whole country, if we look at it in reference to this question, is a popular ocean, whose waves are never at rest. This motive to movement and migration is the result of the growth of intelligence and mechanical development.



Now, in this tendency of the negro to emigrate, we have a hopeful sign that he is catching the spirit of American energy and enterprise, and taking on American habits and ideas; and there is therefore nothing in the movement which is not creditable to the institutions of the country and creditable to the race that is immediately affected.

There is another cause which has contributed to the migratory tendency of the negro. There has been some disappointment among the negroes arising from their failure to realize the sanguine expectations of acquiring homesteads and accumulating property. This has originated in the very nature of things, and is not chargeable to any political consideration, nor does it reflect at all unfavorably upon the people of the South. The impression is sought to be made that their disappointment arises from inadequate wages and from dishonest and oppressive treatment by their employers. Neither is true. As a class they are the best paid laborers to-day of the same grade in the world. Statistics will conclusively show this to be the case.

The negro is disappointed because of the condition of things in the South that would exist in any other country under the same circumstances, and because of the disposition and habits which the negro himself has acquired, the purchase of his supplies on credit. Getting credit so readily as he does, he runs that credit up too high, he uses it too recklessly, as is shown by the very accounts which were produced before the committee. The traders who charge him extravagant prices for these supplies do not belong to the native communities there, whether of planters or small white farmers, native merchants, or the negroes themselves; they generally come from foreign lands or the North. From this habit of not paying cash for what they get, they do not really know how greatly their accounts are growing, and buy beyond their means without being conscious of the fact. They are not cheated, legally and technically; but they make needless and extravagant purchases in the use of the license of credit with those crossroad traders, who would take and do take the same advantage of ignorance and credulity in the white man. Ignorant and credulous people, white or black, are treated in the same way at the North and the world over.

Under such circumstances the negroes cannot but find difficulties in acquiring homesteads or accumulating property. In fact, the race is yet in its infancy, and simply going through its novitiate experience, an experience that all people have to go through. The negro is really learning in a school that will ultimately teach him more effectually than academies and colleges, and in this connection the lesson is being taught to our planters as well. Their attention is being brought to this subject, and conventions and associations are held for the purpose of protecting their laborers from the greed and avarice of the small traders.

If this or any other cause, however, shall create a desire among them to try their fortunes in other sections of the country, there is no reason to believe that our Northern brethren would find such a population, even in considerable numbers, a drawback or drag upon their civilization. They are physically an extraordinary race, and stand, either in work or play, exposure to any kind of weather; and I believe that they have already shown that they can endure the rigors of a Northern climate. They are excellent laborers in a certain sphere. It is true that they are awkward and infacile as agricultural laborers outside of cotton culture, and not adapted to food producing husbandry; but upon public works or any large undertakings which require the supervision of intelligent superintendents, there is not a more efficient class of laborers in the world.

They are getting educated also—not as well educated as the laboring population of the North; for our country is sparsely settled, and our people poor from the desolations of the late war. We have not as good school systems; but in every State we have colleges and academies and schools, and the facilities for education are as good for the black as for the white, and they are under the influence of the Christian religion, as Bishop Simpson says. They are believers in it, and cannot be considered a barbarian race or a barbarian immigration, wherever they go. For that reason I would not, as a Southern man, hinder their emigration, nor, as a Northern man, repel it.

As to the emigration of twenty-five thousand from the South, why, sir, it is a drop in the bucket. There are more white men that have gone out of Mississippi than that number, and many more than that number have come into the State since the war; and fully fifty thousand negroes have come into Mississippi during the same period. This late movement, therefore, is no indication of deep, grievous wrong perpetrated upon the one side or great suffering on the other. Taking the most unfavorable view of it, it will prove a state of things at the South precisely similar to that which exists at the North and in every part of the civilized world—to wit, a depression and want of prosperity among those who work for wages and a desire to better their condition by summary methods, by abandoning the work in which they are im-

mediately engaged and embarking into other and new fields of enterprise and industry. It is no evidence of wrong and oppression; for, if so, wrong and oppression run riot at the North, where every day's paper tells of the strikes of laborers in larger numbers and of longer duration than that which has been signalized at the South by the name of exodus.

I have an account that I have just clipped from a paper before me of a strike of five thousand laborers in one community, and the daily papers come laden with notices of strikes and lockouts in that section. But a short time ago there was a strike which ran through many great Northern Commonwealths; and it resulted not only in armed mobs, but in the burning and pillaging of \$5,000,000 of actual productive capital and the derangement of the entire transportation of the country.

There is one difference in the treatment of these industrial disturbances. All the literature of the North, all the reviews, all the philosophical discussions, all the appeals from the pulpit, all the harangues from the stump, and all the speeches from senate chambers and houses of representatives, are against the strikers there, and in favor of the interests of property and order. Sir, bring to bear upon the laborers of the North the same enginery that is brought to bear against the industrial system of the South, and yours would topple into irreparable ruin in a short time and carry with it the most precious institutions of society in that section; and the very fact that with all these appliances against Southern labor only twenty thousand men have been jostled out of three States into two shows the firm basis upon which capital and labor stand in relation to each other in the Southern States. And what they teach in this way is true in point of fact.

The fact that Sir George Campbell refers to is one which cannot be argued around nor argued under nor argued over, and that is that the production of the South in the articles to which negro labor is directed is greater now than it ever was when they were slaves, and is constantly increasing. Look at the vast amount of the product of the cotton crop which constitutes the basis of your exchanges and commerce with the nations of the earth, and tell me if such a product of labor applied to capital can be shown in any country where tumult, disorder, insecurity of person, insecurity of property, and insecurity of labor prevail. It is an impossibility. The Senator from Indiana never uttered truer words than when he said that the very existence and presence of that man Stubblefield here was itself a refutation of all the charges against Mississippi of oppression and injustice; "that he is a great fact that could not have existed in his prosperous condition and honorable station but for the protection of equal and just laws." It is one of those facts which, like a single pulsation, reveals to the skillful physician the condition of an entire organism, and enables him to say that "in this constitution there is no disease, no decay, no symptom of convulsion."

Sir, no man, no laboring population, will plow the earth and work under a Southern sun, and live upon stunted means, toiling from morning till night, and laying his wearied limbs upon the bed of rest only to resume the same round of labor with the morning light, unless he feels secure in the result of every stroke with which he smites the yielding earth. Security of property, security of person, perfect serenity of mind, and brave hopefulness of heart, are necessary conditions of a successful application of labor and capital, and as necessary to the laborer as to the capitalist.

Sir, who can contemplate for a moment this vast production of the South, giving so large a proportion of the exports of this country, really the basis of our exchanges with the world, in the midst of tumult and strife and the conflict of races, and of fraud, force, murder, and arson?

I notice, sir, that the witnesses who have been brought to prove the oppression and the fraud perpetrated upon the negro labor of the South have introduced what they called "specimen contracts," showing the lien of the employer upon the product of the laborer for his rent and advances; and long accounts have been laid before the committee as those which were brought against the negro laborer and tenant. Sir, these accounts tell their own story. Whatever may have been the relative status of the two parties at the end of the year, they show that during the entire year the laborer had command of such supplies as he and his family needed. They show, sir, that he could get flour and meat and sugar and coffee and clothing for himself and his children, and medical supplies; so that the total result proves that, whatever misfortune may sweep over the planter, whatever losses he may incur by the venture, the laborer through the whole year has shelter, food, raiment, medical supplies, and the comforts of life, free from any contingencies and any misfortune, and an assurance of the same during the next year.

But, sir, there is another fact connected with this matter which is of profound interest. You may talk, sir, of the dignity of labor; but labor can be put nowhere upon such a dignified and equitable basis as it is in Mississippi, where every laborer has an

indefeasible lien upon the products of the farm, paramount to that of the landlord or the supply man, for payment of his wages or of his reward. Happy the country and happy the people where the toiling man has in the law of the land a mortgage upon everything which bears the impress of his toiling hand! and the result is, sir, that in that country, so much abused, there is not a man, woman, or child that suffers from the pangs of hunger. There is not a man, sir, who has muscle and a willingness to use it, even though he may be out of employment and out of means, who cannot earn his breakfast or his dinner or his lunch whenever he chooses to do so, and that in advance of the work to be performed. Say what you please, sir, that must be a happy condition of society which is free from that leprosy of nations, chronic pauperism.

The Senator from Minnesota has referred to the laws of Mississippi. I assure the Senator that there is no law in Mississippi framed with any reference to the end which he has intimated. He can say that by a certain sort of construction and perversion such a result as he speaks of is possible; no such results are actually produced, and no such objects were ever had in view by the Legislators of Mississippi.

In looking over this testimony, and seeing that this point was made in regard to the statutes of Mississippi, I took occasion to examine the Code of Minnesota, to compare it with that of my own State. I must confess that in going over that code I found it admirable in all of its provisions. I could find no fault with it as a code of laws. I pronounce it "simply perfect in its own resource," and the gentleman is beyond the reach of my retort on this subject. I can say, however, that I take as much pride in whatever honors his State as he does himself. At the same time there are some things which, under the perverting criticism that the Senator has applied to the statutes of Mississippi, would render his State an unfit place for negro immigration.

Why, sir, under the Code of Minnesota, whoever cuts down or in any way injures a tree growing upon the private lot of another, or carries away any wood from such lot, is punishable with ninety days' imprisonment or \$100 fine. If he should take fruit of any kind from an orchard in another man's inclosure, he is subject to two months' imprisonment and a fine of \$50. If he cuts down a tree, if one of our negroes should go in there shivering with cold, and should do what he always does in Mississippi—take enough fuel to warm himself and little ones—he would be indictable and punishable with fine and imprisonment.

Now, sir, if I were to follow the style of the Senator's criticism of Mississippi statutes, I could show that these laws of Minnesota would produce a sad havoc among our negroes emigrating there, accustomed as they are to helping themselves to the fruits and fuel of their employers and landlords.

Mr. President, the Senator is simply mistaken. The people of Mississippi are not the people he thinks them. If he will examine the statistics of 1870, the Senator will be surprised that of all the States in this Union there are but few, perhaps not any, that show a larger proportion of people above the age of ten years actually engaged in productive industry than in Mississippi. Here are the figures:

STATES.	Population, 1870.	Population ten years old and over.	Number engaged in all classes of occupations.	Number engaged in agriculture.
Alabama.....	996,992	706,802	365,258	291,628
Arkansas.....	484,471	341,737	135,349	109,310
California.....	560,247	430,444	238,648	47,863
Colorado.....	39,864	30,340	17,588	6,462
Connecticut.....	537,454	425,896	193,421	43,653
Delaware.....	125,015	92,586	40,318	15,978
Florida.....	187,748	131,119	60,703	42,492
Georgia.....	1,184,109	835,929	444,678	336,145
Illinois.....	2,539,891	1,809,606	742,015	376,441
Indiana.....	1,680,637	1,197,936	459,369	266,777
Iowa.....	1,194,020	837,959	344,276	210,263
Kansas.....	364,399	253,051	123,352	73,228
Kentucky.....	1,321,011	930,136	414,593	261,080
Louisiana.....	726,915	526,392	256,452	141,467
Maine.....	626,915	493,847	208,225	82,011
Maryland.....	730,894	575,439	258,543	80,449
Massachusetts.....	1,457,351	1,100,666	579,544	72,810
Michigan.....	1,184,059	873,763	404,164	187,211
Minnesota.....	439,706	305,568	132,657	75,157
Mississippi.....	827,922	581,206	318,350	259,199
Missouri.....	1,721,295	1,205,568	605,556	263,918
Nebraska.....	122,998	88,265	43,837	23,115
Nevada.....	42,491	36,655	26,911	2,070
New Hampshire.....	318,300	260,426	120,168	46,573
New Jersey.....	906,096	680,687	296,036	63,128

STATES.	Population, 1870.	Population ten years old and over.	Number engaged in all classes of occupations.	Number engaged in agriculture.
New York.....	4,982,759	3,878,959	1,491,018	874,328
North Carolina.....	1,071,861	709,629	351,299	269,238
Ohio.....	2,665,260	1,953,874	840,889	397,024
Oregon.....	90,923	64,685	30,651	18,248
Pennsylvania.....	3,521,951	2,597,809	1,020,544	260,051
Rhode Island.....	217,358	173,751	88,574	11,780
South Carolina.....	705,606	508,763	263,301	206,654
Tennessee.....	1,258,520	890,872	367,987	267,020
Texas.....	818,579	571,075	237,126	160,753
Vermont.....	330,551	258,751	108,763	57,983
Virginia.....	1,225,163	890,066	412,665	244,550
West Virginia.....	442,014	308,424	115,229	78,960
Wisconsin.....	1,054,670	751,704	292,808	159,687

Let us examine some of the facts which this table demonstrates. Take the State of Illinois, for instance; a State wonderful in its growth and development. Its population above the age of ten years in 1870 was 1,809,606, of which 742,015 were employed. In Mississippi a population of 581,206 above the age of ten years was reported, of which number 318,850 were employed in bread getting. But, sir, let us compare the Senator's own State with mine. Minnesota, according to the census of 1870, had a population of 305,568 above the age of ten years, and but 132,657 of them were employed in productive industry. I do not desire to make a point in this connection against Minnesota, but only to show that, whatever else we may be, and in whatever else lacking, we are an industrious and hard-working people, which we would not be and could not be, unless we were secure in the enjoyment of the fruits of our labor.

I submit another suggestive fact for the consideration of the Senator from Minnesota. From the Report on Labor in Europe and America, by Edward Young, Chief of the United States Bureau of Statistics, pages 745, 746, and 747, the following figures are obtained in relation to the average daily wages paid mechanics in the State of Minnesota and Mississippi in 1870 and in 1874:

OCCUPATIONS.	Minnesota.		Mississippi	
	1870.	1874.	1870.	1874.
Blacksmiths.....	\$3 08	\$3 00	\$3 11	\$3 00
Masons.....	3 69	3 00	3 96	3 00
Carpenters.....	2 92	2 50	3 43	2 50
Painters.....	2 92	3 00	3 32	3 00
Plasterers.....	3 50	.....	4 11	3 00
Shoemakers.....	2 66	2 50	3 00	.....
Tailors.....	2 48	2 50	2 83	.....
Tanners.....	2 85	.....	3 17	.....
Tinsmiths.....	2 81	2 50	3 19	.....
Wheelwrights.....	3 11	.....	3 63	.....

It is almost impossible to make any estimate in regard to the wages of field hands in Mississippi, for the reason that all hands are employed by the year, and work for a certain portion of the crop. They are all, however, provided with houses, fuel, water, land for kitchen gardens, etc., free of charge; and inasmuch as the employer usually furnishes team, implements, seed, etc., and advances supplies, the laborer is certain of at least making a living for the entire year, while the chances of actual loss are all incurred by the employer.

The Senator has referred to the violence and intimidation which he alleges have been employed to deter the blacks from the exercise of their rights as citizens and voters. The sound of martial music which floats to us through that eastern door most opportunely suggests a fitting response. If he will step to that door, he will see four Southern companies full-armed, uniformed, and equipped, indeed with all the appointments of war, two of them from my native State, Georgia, and one each from North Carolina and Virginia, and presenting perhaps the most martial, gay, and gallant victims of oppression and wrong that his Senatorial eyes ever rested upon. [Laughter.]

The truth is, all these statements, so far as they represent the condition of things at the South, are unjust and deceiving. The South is no such country as is represented.

I do not deny that there has been violence there. I deplore it, I condemn it. Respecting these cases of violence, you will find when you get down to the bottom facts that they are generally precipitated by unscrupulous political demagogues and tricksters, who inflame the prejudices and passions of the races for their own political purposes; but these cases of violence no longer occur to any appreciable extent.

The great trouble has been that the investigating committees which have been sent to the South, and have brought hither their reports, went with purposes hostile to the character of that people. Accordingly their entire social and political system has been uncovered to hostile eyes; every evil, every fault has been searched out as with a microscope and dragged pitilessly into view; all that is good has been utterly ignored. Sir, no society on earth can undergo such a process of investigation as that to which the South has been subjected without becoming a spectacle of shame.

Sir, you may distort the most perfect specimen of human beauty, by searching only for its blemishes and defects and looking at these through a magnifying and refracting glass, into a hideous deformity.

Sir, the enemies of the South have pursued this course. Every act of violence, every murder; every uprising of an angry mob, which has neither the head to think nor the heart to feel; every instance, every incident which can bring reproach upon a community, has been hunted out and magnified and multiplied and grouped together and presented to the world as the portrait of the South.

The just and equitable operation of equal laws; the administration of justice; the constitution, safe in the affections of the people; the colleges, academies, and schools; the busy hum of industry; the plenty that rewards the toil of the laborer; the worship that ascends to heaven from thousands of Christian churches; the flame of domestic love, ever burning and ever pure upon the altars of happy homes, have been steadily ignored and concealed.

And, sir, I say to-day with all the emphasis of truth that, if in the history of the last ten years the coming of peace has been delayed, if in that time the good have been disheartened and the base discouraged, if the two races have not moved forward with the progress which was expected toward a common prosperity, it is because the Senators and public men who wielded the powers of this great government and had the confidence of the mighty constituencies behind them have not risen to the level of their duty and opportunity to bring, as they could have done, rest and quiet and love and universal patriotism over this troubled land.

Mr. President, I can pursue this subject no further, as my strength is entirely exhausted.

### Appendix No. 19.

*Speech delivered January 25, 1881, in the Senate.*

On the motion of Senator Logan to take up the bill placing ex-President Grant on the retired list of the army, Mr. Lamar said:

*Mr. President:* I am favor of having this bill disposed of, and when it is called up for action I shall vote to place Gen. Grant upon the retired list of the army.

Had Gen. Grant at any time when he was general desired to be retired from the command of the army, I presume that no one would have objected to the liberal provision proposed in this bill. It is the policy, in my opinion the proper policy, which the government has adopted for its generals, its admirals, and its judges. It means that such officers shall devote their lives to the discharge of their great duties, and that in return the country shall secure them honorable and adequate independence. So far from objecting to the principle, I am willing to extend it. But the people of the United States did not give Gen. Grant the opportunity of retiring; they summoned him to abandon his place of professional eminence in order to become President. Whatever may be my opinion as to the political administration of Gen. Grant, I do not think that his consent to the expressed wish of his country ought to deprive him of the provision which is secured to those who served in the army with him and after him.

I would with great pleasure vote for a law by which every President, upon closing his administration, should be placed upon the retired list with such allowances as are fitting for the rank of commander in chief of the Army and Navy given him by the constitution. I think it eminently proper that a President should retire from active politics, and equally proper that he should be able to live in quiet independence. The proposition that I see urged in some of the journals and magazines, that an ex-President should be given a seat in the Senate, seems to me anomalous. The Senate is the representative of the States. Equality of representation is guaranteed, and a Senator

not representing a State would have no life under the constitution. But I do not propose to discuss any general plan. If I would have voted to retire Gen. Grant at his own request from active service, if I would have done this after eight years' administration of the Presidency, I do not see why I should not vote for it now. I cannot consider this a question of any political consequence. It involves no breach of the constitution to pass it; it will be the violation of no constitutional duty to reject it. As it is presented, I am willing to consider it the expression of a popular wish that the general most eminent in a war which a majority of the American people do, as we all know, regard as sacred in its motives and as important in its consequences as the War of the Revolution, should be secured an honorable competence at the close of long and arduous service.

Nor do I see any sectional feature in this measure. It threatens danger to no Southern interest; it does not impair any Southern right; it ought not to be considered as wounding any Southern sentiment. I am willing to accept the popular appreciation of Gen. Grant as a great soldier, and acquiesce cheerfully in this method of its expression; but I cannot vote for this bill unless the second section is stricken out. There are many grave and insuperable objections to it which I will not here present. I will state one. It seems to me to be in violation of the principle upon which the retirement of officers rests. It interferes with the actual, proper administration of the active service, and will not by its omission in the slightest degree diminish the honor or justice of the position assigned.

Without any reference to the principles involved in Gen. Grant's administration of the national government, without any reference to the merits of the strategy of his military campaign, I am in favor, as was done with those who had completed their service under the Roman eagles, of writing opposite the name of Gen. Ulysses S. Grant, "*Emeritus.*"

#### Appendix No. 20.

##### THE ELECTION OF OFFICERS OF THE SENATE; OR, THE REPUBLICAN POLICY AND THE SOLID SOUTH.

*Extracts from the Speech in the Senate, April 1, 1881.*

On the resolutions submitted by Mr. Dawes in relation to the election of officers of the Senate, Mr. Lanar said:

*Mr. President:* An entire month, saving two or three days, has elapsed since the commencement of this session. The President of the United States called us together on the 4th day of March. We are here as a part of the treaty-making department of the government and also as a part of the executive department. We were called here for the purpose of adjusting our relations with foreign nations and confirming appointments nominated by the President. This, and this alone, is the business for which this body was convened. It is here in no legislative capacity, but simply, I repeat, as a branch of the treaty-making and executive department of the government; and yet, sir, though that long time has elapsed, this body has scarcely entered upon the discharge of the business which it was called specially to consider.

This attitude of the Senate is an extraordinary one, and has no precedent in the history of this country. It is the result of a determination of thirty-eight Senators, aided by the Vice President, not to allow the body to enter upon the business which it was called to consider until it shall first disorganize the Senate as it now stands, and to reorganize it with reference to certain party ends, which I will endeavor to disclose.

I repeat, sir, that the announcement has been made that the business for which this body has been convoked shall not be entered upon until certain officers of the Senate are deposed and certain other persons named in a resolution on the clerk's desk shall be installed in their places; and so determined is this purpose that from day to day these thirty-eight Senators go through the form of attempting to do what it is manifest they cannot do, and then persistently refuse to do what it is manifest they can do, what they were called here to do, what it is their constitutional duty to do, and what they admit the pressing interests of the country require them to do.

Not only that, sir, but if report be true—and it is nowhere denied—they intend to continue this state of things indefinitely. One Senator, the Senator from Pennsylvania [Mr. Cameron], declared that the accomplishment of this purpose had become a mere question of endurance, and he proposed to sit it out. When another Senator upon this side of the Chamber, in response to that suggestion, declared that it was his purpose and that of his associates to meet that endurance with an equal endurance on this side, even if it should take to June or December—the end of the session—

another Senator, so intense and proscriptive seems to be this purpose, arose and said that he regarded that declaration of purpose by the Senator from Georgia [Mr. Brown] as a declaration which contained the very essence of revolution and of treason to the institutions of this country.

Mr. President, this is a grave accusation—I will not say a dishonoring one, for the Senator uttering it disclaimed any such intention. It was certainly a grave reflection upon thirty-eight fellow-members of this body. If it was true, it devolves upon these thirty-eight Senators a terrible responsibility. If it be not true, how stands the matter then with the Senator making it? I propose to analyze this proposition and to determine whether it be true or untrue. What is it? That thirty-eight Senators, one-half of the body, have determined that before the business for which this Senate was called shall be proceeded with certain officers of this body shall be deposed and other persons put in their places; and when notice is given that the thirty-eight Senators upon this side will not allow that to be done so far as they can prevent it by a resort to the parliamentary rules of this body, we are told that it is revolution and treason in its purpose and character.

Where is the element of treason or revolution in this action? I can very well see that if the Senate was disorganized, or rather unorganized; if there were vacancies in the offices, instead of being fully equipped and prepared to proceed with business as it now is, opposition to the filling of those vacancies protracted to the end of the session would be factious, unpatriotic, reprehensible; but such is not the case here. The Senate is fully equipped in every respect; its clerks are at the desk, its Sergeant-at-arms is at his post, and the pages and messengers are all alert in the performance of their duties.

I can very well see that during a session if important appointments were to be made or treaties to be negotiated, or if other things were to be done, and a minority should announce its purpose that none of these things should be done until the expiration of the session, that minority would place itself before the country in a position of factious partisanship; but here nothing of that kind exists. It is simply a proposition upon the one side by thirty-eight members, one-half of this body, that the whole Senate shall proceed to the discharge of the business for which it was called together, and which every Senator upon the floor admits it to be his constitutional duty to attend to, and which every Senator must admit is at this time of pressing urgency.

Mr. President, think of it one moment. We are charged with announcing a doctrine replete with the elements of treason and revolution for making motions against which not even a parliamentary point of order will lie, treason and revolution for making motions with reference to which not even a parliamentary inquiry can be made.

I shall not pursue this subject any further, sir. I proceed at once to address myself to the question: Are we, having the power to do this thing in accordance with the rules of this body and the principles of the constitution, justified in exercising that power as we have done? Upon the *prima facie* case, as the matter stands, to those who look upon it simply as it presents itself upon the face of our proceedings, the thirty-eight members upon this side must be justified. Their course is sustained by the unbroken usages of the body and also by the very terms of the proclamation which convoked us here.

Then why should we not proceed in accordance with these usages and in conformity with the call of the Executive? Why should a resolution be put right at the threshold of our executive session, and this body stand balked and paralyzed so that it can do no business? Gentlemen tell us that a majority, a constitutional majority, thirty-eight members, aided by the Vice President, wish to remove certain officers and put others in, and that this alone is a sufficient reason. They insist that when the majority of the Senate determines to change its officers it is the duty of the minority to allow it to be done, and that to prevent it is to fly in the face of the constitution. I cannot concur in this view. In the first place, you are not the majority in this Senate, nor are we the minority. We have as many votes as you have. The fact that it is your will not to proceed to the legitimate business of the session, but to go into this election, does not furnish a sufficient reason for us to succumb to your will merely because you are aided by the casting vote of the Vice President. I respectfully submit that, if so serious a departure from the usages of the Senate is insisted upon with such inflexible purpose, some good reason should be given for it other than that it is the will of the constitutional majority, especially when that majority is obtained by the casting vote of the Vice President. That reason has not yet been stated, unless it may be considered as having been disclosed yesterday by the Senator from Pennsylvania [Mr. Cameron], which I shall presently consider.

Sir, there is something else by which thirty-eight members of the Senate must be controlled than the mere announcement that such is the will of the constitutional majority. The framers of our constitution took a great step in political science and in the practical advancement of human rights when they proclaimed to the world and wrote it in their organic law that minorities should never oppress majorities, but it was a still greater step that gave minorities the right and the means of protecting themselves against even the oppressions of majorities.

I admit that if there is any especial, overruling, dominating reason for this departure from the usages of the body these thirty-eight Senators on the other side are justified in their demand. But they must give the reason, they must address themselves to the great tribunal of public opinion; for they will not be sustained by the mere declaration that it is the will of the majority, and that it is treason and revolution to obstruct it, even though the means of that obstruction be the barriers of the constitution itself.

What are your reasons? We know what they are not. This change which is demanded, and for the carrying out of which the Senate has been kept here one whole month and its energies and its action benumbed, is not demanded by any considerations of civil service reform (which I understand to be a great object with one school of Republican politicians); for tributes of praise and commendation of the efficiency and competency of the existing incumbents come from all sides of the Chamber. Then, so far as the competent and efficient equipment of this body is concerned, there can be no reason looking in the direction of civil service reform to justify this extraordinary action and the extraordinary delay which it has produced.

What then is the reason why these gentlemen insist upon subordinating the filling of the vacancies in the judicial system of the country, of appointing ministers abroad, of perfecting our treaties with foreign nations, to the single and sole purpose of turning out a few officers admitted to be competent and efficient and putting in others whose competency and efficiency is yet to be tested?

What is the reason? It certainly cannot be in reward for distinguished political services to the party (which, I believe, is the doctrine of another school of Republican politicians); for the most prominent gentlemen proposed to be put in that position are men who have signalized their talents and their activity in opposition to that party, not only in the last campaign upon which the Republican and Democratic parties met in conflict, but also in the preceding campaign, where the nominated candidate for the Secretaryship supported other banners and other candidates than those under which the Republican organization of his State was mustered. Upon the contrary, in the beginning of this debate a Senator, who avows himself responsible for the nomination of one of these gentlemen upon this floor, announced himself not a Republican, but an Independent. He declared himself to be a better Democrat than my friend from Georgia [Mr. Hill] himself, but that he was an Independent, and would not support the Democratic nominations or be bound by a Democratic caucus, although it appears that he is perfectly willing to be bound—no, sir, not to be bound by, but to bind in shackles and manacles, the Republican caucus. So then it cannot be for the purpose of rewarding political service that this extraordinary position, this extraordinary delay has been superinduced.

The question grows in urgency. What is the pressing and all-controlling reason of public policy or of public interest that puts us in this extraordinary attitude of inactivity and inaction? It certainly cannot be any great zeal in behalf of loyalty to the Union. That is often a rallying cry and a justification for many extraordinary measures. It is not proposed to put gentlemen out who were infected with the heresy of secession in order to put in others who have been distinguished for their loyalty; for, if I mistake not, the title of one of these candidates to our confidence and suffrages, as presented by his sponsor on the floor, is that he was a captain of cavalry and did gallant service in the Confederate Army.

I know that there is a distinction drawn, and repeatedly drawn by Senators on the other side, that, while they will condone and forgive connection and implication with secession and the secession movement, they will not do it, they will not grasp hands "across the bloody chasm," or any chasm, with any man connected with that movement who will not confess his sins, profess his repentance, and admit that he was wrong and they were right; but, sir, that cannot be the motive here, inasmuch as the Senator who brings forward one of these candidates and avows his responsibility for him, also avowed upon this floor that he was true to the Confederate cause, did it service upon the plains of Virginia, and that he has no apologies to offer for it here or elsewhere.

Now, sir, while this stubborn, intense, inflexible, unyielding determination to put



these gentlemen into office before any of the great interests of this country can be attended to by this body, evinces on the part of these gentlemen a wholesome and salutary advance in liberal sentiments, it does not furnish, I think, an adequate motive for the zeal, for the determination to subordinate every other great interest of the country to this single object.

Then, sir, what is the motive? What is the object? There must be something. What is it? Why do you not tell your reason for it? I challenge you, gentlemen; I defy you to announce it; I taunt you to the avowal of it. It certainly cannot be, I do not believe it is, from any sympathy with the cause of that accursed doctrine of repudiation which all of you have so often held up to the execration and abhorrence of all the tribes of the earth. I know that no Senators upon that side have any sympathy with that doctrine. They have already, those of them who have spoken, repudiated repudiation in the most unmistakable and emphatic language.

Then, if it be neither civil service reform, nor the reward of political service, nor the condonation of service to the cause of secession, nor any newborn love of repudiation, what is your motive for holding this body here away from the discharge of its exalted duties upon a mere question of the distribution of a few offices? Well, sir, although not avowed, the true reason has been disclosed in one way or another. It appears that there was a schism in the Democratic party of Virginia. It also appears that the majority section of that party, the section that controlled the organization, did, in conjunction with the public creditors, make a settlement of the debt of that Commonwealth acceptable to both; that they stood for the discharge of public obligations and the preservation of the plighted faith of that grand and glorious old Commonwealth. It appears that another wing dissented from the regular organization, raised the banner of revolt against it and against the public creditors of the State, denouncing the bill upon which they had settled as "a broker's bill," and proposing to settle upon other terms acceptable only to themselves.

I was saying that a division had taken place in the Democratic party of Virginia; that a majority of that party, constituting its regular organization, had, standing upon the doctrine of inviolable public faith, settled the debt upon terms acceptable to the creditors of the State, and that a section of that party had bolted and raised the banner of revolt against that settlement, and had, by a combination with the negro voters of that State, taking them in large part away from their Republican leaders, defeated the Democratic party and got possession of the Legislature.

The question has been brought here in the distribution of these offices of the Senate, and we find the Republican Senators, thirty-eight members of this body, by their action proclaiming their readiness and willingness to combine with what the whole country calls the repudiating wing of the Democratic party in Virginia.

Now, sir, I do not charge those Senators with any sympathy for the repudiation doctrines ascribed to that faction; but I do say, and I challenge contradiction, that they have proclaimed to the country that whenever any part or section of a party shall bolt from the Democracy of a Southern State under the banner of repudiation, under the banner of a refusal to pay the public debt of that State, the Republican party will—I do not say countenance repudiation, but in spite of it will—embrace that repudiating faction, give it the strength and support of its recognition, and clothe its leaders with the prizes of national office and emoluments.

The Senator from Virginia had here just a year ago a brave, gallant, high-toned colleague [Mr. Withers], who stood side by side with him on that position, which it so gratified the Senator from Massachusetts to elicit a public avowal of here on this floor. That Senator, who was my friend's colleague, went with him before the people on the issue, and they appealed to that people together. His colleague was a candidate for reelection. He stood before his people, and appealed to them to hold aloft the character of the grand old Commonwealth. He told them that whatever might be their impoverishment, whatever the sacrifices they would have to make, repudiation would entail upon them still greater loss and embarrassment; that in the disregard of public obligations, the breach of plighted faith, the repaying of trust in their honor with perfidy and dishonor, they would turn their backs upon the noble qualities which are essential to the prosperity of States; while, resources undeveloped, energies unemployed, vanishing capital would be their swift and sure retribution.

But, sir, those appeals were in vain. The black allies of his opponents rallied around the other doctrine, and he was defeated; but in this day of defeat I believe that he is sustained by a conscious rectitude which he would not barter for all this government's honors and all its wealth besides.

"The contest," said the Senator from Pennsylvania [Mr. Cameron] yesterday, "in which we are engaged is not simply to secure the officers and employees to party friends, as the Senators on the other side pretend; nor is it solely a struggle of the

majority to maintain its right to control the organization of the body. There is something higher than and above all this."

Well, that depends now upon the point from which you view it. What seems height to one man may seem depth to another. Let us see what this higher thing is which the Senator from Pennsylvania could not contemplate upon a dead level, but must look up to as something above the important business before this Senate. What is it that is higher than the business for which the President has called us together, involving as it does our relations with foreign nations and the supplying of this government with its essential officers, agents, and employees?

"There is something higher and above all this." Now hold your breath to hear. Let the Senate and the people listen to what has brought about this extraordinary contest in this Chamber: "It is the coming political contest in Virginia. The election of Col. Riddleberger to a responsible office in this body will be the best proof that could be given that for all true men who uphold the laws the Republican party has confidence, respect, and cooperation. We give our votes to that gentleman"—speaking of Col. Riddleberger—"as an earnest that we are not sectional, and that we have no prejudices on account of old conflicts. Whoever is right at the present time is our friend, and we are his. This, and this only, is the 'bargain' we have to offer to all our Southern friends who will come out from the party of reaction and grow with the nation's growth. All that we ask is that they shall stand with us in favor of securing to each lawful voter the right to cast one free and unintimidated ballot and to have it honestly counted. We know, and our opponents know, that if Virginia takes her stand upon that platform the solid South is a thing of the past."

Here it is at last avowed. It is "the coming contest in Virginia" and "the election of Col. Riddleberger to a responsible office in this body." That is the true cause of all this contention, and it grins through the gossamer rhetoric with which the Senator from Massachusetts has decked it. The coming political contest in Virginia is the thing for which this Senate is here held inactive and prevented from performing the exalted functions with which it is clothed by the constitution and for which it has been convoked by the Chief Magistrate of the nation; that you, the Republican Senators, may organize this Senate of the United States with reference to the interests of a party campaign in the State of Virginia.

This avowal of the Senator from Pennsylvania furnishes the confirmation, if confirmation were needed, of the statement which I have made that this is a movement to ally the Republican party with any body of men which will leave "the party of reaction," as it is called, and come into its embrace, no matter how much begrimed with the foul doctrine of repudiation or readjustment, whichever term gentlemen may prefer. I do not mean to say that the Republican party means to adopt this doctrine itself; quite the contrary; but I do mean to say that they intend to treat it as a subordinate issue, and no hindrance to their alliance with them, and are now seeking to confer the offices of this body upon men who are accredited by the leading Republican journals of the country with allegiance to this doctrine, notwithstanding they may as unrepentant rebels avow themselves as having no apologies to make either here or elsewhere.

Mr. President, this is indeed a new departure initiated by Senators here, and I do not believe that it will result in success. I do not believe that the Northern people will sustain it. I believe that I know the public sentiment of the North better than the Senator from Massachusetts [Mr. Dawes] and better than his colleague [Mr. Hoar]; not that I arrogate immodestly to myself any superiority over them or even deny my own mental inferiority; but the costly experience of my people has constrained me to study the currents of public opinion at the North closely, intensely, and with anxious solicitude. The Senators are in it and of it, but they do not see it in the perspective, they do not contemplate it in the objective, as I have found it necessary to do; and from a long and attentive observance of its indications, I say here with entire confidence that the people of the North, with all their complications of business interests based upon the inviolability of contracts, will not tolerate this alliance with repudiating movements in the Southern States. I say, sir, that the sentiment of commercial honor at the North will not stand it. I say that the sensitiveness of the North as to the public credit of this nation will not abide it. The combination will be dashed to pieces, even though the shock of the blow should cause the Republican party to totter upon its base. Gentlemen, say what you may, national honor, national good faith, with all its vigor, cannot take into its embrace the leprous body of State repudiation without becoming infected with the poison.

Sir, with equal confidence I venture to predict that this movement will fail in the South. The moral sentiment of that people is sound. The majority of the Democratic party there is standing up for the observance of the strictest good faith in pub-

lic obligations, and those who would disregard them are sloughing off from that party and seeking other alliances. Spewed out of its mouth, Republican Senators are snapping at and astounding the country with their convulsive efforts to utilize this *offal*. It is, sir, an attempt to bring the Republican party in the South into relations with this element such as it held to the carpetbag governments there, and to substitute the one for the other, using the Federal patronage now where they used Federal bayonets then.

The first experiment brought untold suffering to the Southern people, but secured the Republican party no permanent establishment among the intelligent and responsible class of citizens in that country. The second will have no greater success. The same appliances of Federal patronage have been tried before, and have failed. Who does not know that the high offices of this government have been held out to Southern men as rewards for political tergiversation?

In the direful days of reconstruction, when every State in the South was a perfect pandemonium, I heard a brilliant man from the North and another from the South, standing by his side, appealing to the young men of ambition, and of high and noble aspirations, to join their party, for the reason that it furnished the only avenue to honorable distinction, riches, and fame. A few were enticed by the glittering allurements, and are to-day bitterly lamenting their delusion; but the great body of the young men of the South—the professional men, the lawyers, the doctors, and the young planters and farmers—all hurled contempt upon the miserable alternative.

They preferred to live a life of obscurity and poverty and to earn their bread in the sweat of their brows rather than to rise while virtue, honor, intellect, and country were sinking. For ten long years they bided their time in the trust that God, whose attributes ever side with the right, would again enthrone the right in triumph, and dispense its honors to the brave, the conscientious, and the true.

Sir, you cannot with the mere agencies of Federal power and patronage fabricate a party in the Southern States, not at least among that portion of the people which represents the highest, best, and most controlling influences of Southern society. I do not mean to say that the Republican party may not obtain a footing among the class of people of which I speak. There are many conditions in the South to which the principles of that party and its purposes and its genius have harmonious adaptation; but, sir, if you would lay the foundation of that party there, you must lay it broad and deep—broad in its sympathies and deep in the social and political and business life of the people.

It cannot be superimposed from without; it cannot come breathing reproach, denunciation, and appeals to the prejudice of one race against the other. In other words, it must dissectionalize itself.

The Senator from Pennsylvania says: "We know, and our opponents know, that if Virginia takes her stand upon that platform the solid South is a thing of the past."

Mr. President, why should the solid South be broken, especially when it is to be done by the great sacrifice of principle which we think this coalition involves? Has not the Republican party the possession of all the departments of the government and nearly all of the great States of the North? Whence, then, the danger from the solid South?

What harm has "the solid South" done to the prosperity and glory of this country? It is but a short time since it became "solid" by the cessation of the reign of force and bayonets. Take her history from that time as connected with this government, and show me where she has deducted anything from your national security or abstracted a single iota from your national prosperity. She came here through her Representatives, first as a part of the minority, and soon afterwards as a part of the majority in both branches of Congress. She came at a time when your commerce was languishing, your agriculture prostrate; when mercantile insolvencies and bankruptcies were rushing like a simoon across this nation; when your currency was depreciated; when the balance of trade was against you; and when, according to the statistics of your journals, three millions of tramps were wandering aimless and homeless through the length and breadth of your land. The solid South has been here from that time to this; and during the entire period of the presence of her representatives in this Chamber and in the other House the world has held its breath in silent astonishment at the progress that you, the country, have made in all that adorns and fortifies and ennobles a nation. Your commerce has revived; your agriculture is prosperous; your manufactures are operating to the full extent of their capacity, the demand for their products far exceeding their abilities to supply them; your currency is the best in the world; the balance of trade is in your favor; and all along this line of progress we find, according to the recent census, that the South in every element of prosperity is not far behind the foremost States of the North and West.

Now, sir, I do not pretend that the presence of "the solid South" has caused this marvelous change in your prosperity; I would not presume to say that in the presence of the honorable Senator from Ohio [Mr. Sherman], the late Secretary of the Treasury, who was present in another department of the government while "the solid South" was here, during all the progress of this marvelous national transformation; but what I do claim is that the presence of "the solid South" in full force here in the councils of the nation, with her own chosen Senators and Representatives, has not retarded the progress of our common country, has not abstracted from its prosperity. I affirm the progress of this nation in all that constitutes national glory; and prosperity and honor, and the presence of the solid South in its councils, are facts that are coexistent even if they do not sustain to each other the relation of cause and effect. I say that its presence here has been at least no hindrance to the national prosperity, and therefore does not justify the great Republican party of this Senate in stepping down from its high pedestal of national honor to take within its embrace this cast-off element of the Southern Democracy.

There is in the existence of the solid South and its presence here no such menace to any interest in this country as can justify or excuse the coalition here proposed.

There was a time in the history of this country when "the solid South"—that is, "solid" as it is now organized—was not present in the councils of this nation; when the men who are here now were proscribed, while reconstruction flourished over them; when the President, the Senate, the Supreme Court, the Federal judiciary, and the State governments were all in the hands of the party represented by the Senators on the other side of this Chamber, and "the solid South" could impress none of its character, none of its influence upon the action of this government or any of its departments; when it was represented alone by the solid North and by the unscrupulous and irresponsible dependents of the Republican party from the South.

Sir, will you have the picture of what this government was when "the solid South" was not here? I will give it to you, although it was presented to the Senate on yesterday by the Senator from South Carolina [Mr. Butler]. A distinguished Republican Senator—distinguished for his learning, his judicial ability, his eloquence, his high scholastic attainments, his devotion to the Republican party, and his intense, irreconcilable hostility to "the solid South"—has painted the picture of the period when this government was not burdened with the hated presence of this accursed South: "My own public life has been a very brief and insignificant one, extending little beyond the duration of a single term of Senatorial office; but in that brief period I have seen five judges of a high court of the United States driven from office by threats of impeachment for corruption or maladministration."

Since "the solid South" has been here, can you point me to five judges of the Federal courts that have been driven from their high places upon charges of corruption and maladministration? "I have heard the taunt from friendliest lips that when the United States presented herself in the East to take part with the civilized world in generous competition in the arts of life the only product of her institutions in which she surpassed all others beyond question"—no question about that; the one single thing in which our government "surpassed all others beyond question," at that time when "the solid South" was not here, was in "her corruption."

I will read further: "When the greatest railroad of the world, binding together the continent and uniting the two great seas which wash our shores, was finished, I have seen our national triumph and exultation turned to bitterness and shame by the unanimous reports of three committees of Congress—two of the House and one here—that every step of that mighty enterprise had been taken in fraud."

"The solid South" was not here when that shame fell upon the nation; and it seems to me, sir, that when men with this record fresh in their memories clamor about the dangers and the vices of "the solid South" their cheeks would mantle with shame.

"I have heard in the highest places the shameless doctrine avowed by men grown old in public office that the true way by which power should be gained in the Republic is to bribe the people with the offices created for their service, and that the true end for which it should be used when gained is the promotion of selfish ambition and the gratification of personal revenge." Sir, that taunt touches no man on this side of the Chamber. "I have heard that suspicion haunts the footsteps of the trusted companions of the President."

One thing is certain, sir, and that is that since the solid South has been here no such corruption has revealed in the high places of this government. I do not say that it was her influence which has eliminated it; but I do say that contemporaneously and simultaneously with her presence here it took its flight, and I claim that she has been no obstacle to the restoration of purity in the administration of your public affairs.

A noted lobbyist is reported to have remarked that "since these infernal Democrats had gotten here to Washington the lobbying business had dried up." Said he: "In the name of God, do you expect gentlemen of the lobby to live on oxygen?"

Mr. President, so much has been said about "the solid South," and so much against it as a justification of these extraordinary combinations and affiliations, that I propose to go a little further into the subject. It is charged that by "the solid South's" allying itself with the party that constitutes the minority at the North it seeks to get possession and control of the government, and to wield its power for its own selfish purposes. Sir, if the Northern people cannot see for themselves the fallacy of this view and the unreality of the danger alleged, no argument that a Southern man can advance will avail anything. It is easy to see that if the North chooses to wield this government through the instrumentality of either political party it can do so and hold "the solid South" in an impotent minority, a minority as impotent in the Democratic party as it is in the government at this time.

The idea that the South under any combination of parties will ever again obtain control of this government and direct its powers independently of the will of the North is of all ideas the most absurd and chimerical. The North is the majority and the dominant section of this country. The vast preponderance of her population and resources will for an indefinite period control the national policy, whatever party may be in the ascendant. If the majority of the thoughtful people of that section deem a change in the national administration necessary, they can make it without any relative change in Southern power or influence. Six Northern States alone have a greater electoral vote than all the solid South, and all these States save one have given Democratic majorities at different times within the last few years. Should these States for the time being choose to take up the reins of the Democracy, all the South united could not impress its distinctive policy, if it had one, upon a Democratic caucus.

But, Mr. President, it is not true that there is, as a distinct organization with a distinctive policy, any "solid South" in this chamber or in the other. There is no such element here as a factor in legislation. You cannot point to any part of the legislation of this country which represents the views or the purpose of Southern Senators as a solid body. There is a greater diversity of sentiment among them upon every subject of national interest than there is in the representation of any other section of the country. I could give illustration after illustration. My friend from Indiana [Mr. Voorhees] this day stands in closer affiliation upon the subject of the currency with the Senator from Texas than he does with any of his neighbors across the line of his own State. I could give measure after measure in which it will be shown that the affinities of political affiliation and legislative coöperation are in no sense of the term sectional in this body, and that the Southern men exhibit a variety and a diversity and a freedom and an independence in their views and sentiments and actions which are shown among Senators from no other section of the country.

There is one point, and one only, upon which they are solid, on which they will remain solid; and neither Federal bayonets nor Federal honors will dissolve that solidity. They are solid in defense of and for the protection of their own civilization, their own society, their own religion, against the rule of the incompetent, the servile, the ignorant, and the vicious.

I will now submit a proposition to the Senators on the other side on this point. I am not going into the history of the causes which led to a solid South; but I here challenge any Senator upon that side, with two exceptions that I will not name, to write fairly in his own language the condition of the Southern people in any State while under carpetbag government. I will consent that he shall write the history of that government, the character of its officials, the nature of its administration, and the operation of its laws. I say that I will consent for any Senator upon that side of the House, with but two exceptions (whom, out of respect to them, I will not name), to write the history of the Republican government in the South, its nature, its character, its influence upon the happiness and prosperity of that people. I will agree to accept his description of it in his own language; and then I will submit the question to any tribunal in the world, to any community in the world, as to whether there is anywhere on earth a people who ought not to summon every energy, every man, every woman, every child, interested in the priceless and precious heritage of humanity, to throw off that government and to keep united and solid to prevent its reëstablishment.

I said that I would allow Senators or any Northern man to write the history of one of those governments, giving the condition of it, and I would leave him to decide whether it would not justify the consolidation of all the social elements to get rid of it. I will go further, sir, and take it as they have already written it. Here is what one of them said while those governments were reveling in corruption and making

the people of the South walk with unsaddled feet over the burning marl of the hell which they had there organized: "For the last few years the infamy and disgrace of certain Southern State governments have been constantly on the increase. There have been corrupt electors and corrupt elections; there have been corrupt legislators and corrupt legislation; there have been double legislatures, double governors, double Representatives in this House, and double Senators year by year in many States; there have been bad men in these States, who have bought power by wholesale bribery, and have enriched themselves at the expense of the people by speculation or open-handed robbery. Corruption and anarchy have occupied and possessed these unfortunate States."

This opinion of the honorable Senator from Maine [Mr. Hale], who was then a member of the other House, which does honor to his head as well as to his heart, is the opinion of "the solid South;" and if he were there instead of here, he would be a part of that "solid South," arrayed under the determination that anarchy and corruption shall never again occupy and rob those "unfortunate States."

I find that some extracts from other speeches of Senators upon the opposite side that I had collected have in some way been disturbed and mislaid. I shall ask permission to incorporate them in my remarks unless I can get them here before I conclude what I have to say upon this subject.

Among these is the description of the Government of Louisiana under Republican rule by the present Governor of Ohio, Hon. Charles Foster, and also a gentleman from New Jersey, who has recently been nominated by the President for a distinguished foreign mission, and who by his high and shining qualities will adorn any position to which this government can assign him. They both describe that government in language stronger and more earnest than that which I have just quoted.

Gen. Grant also, in one of his messages depicting the prostrate condition of the Southern people, said that he sympathized with them in their prostrate condition, subject, as they had been, to burdens of taxation without any adequate return.

You sent your committees of investigation down there; and while they would hunt up everything that could assail the character and stab the sensibilities of the Southern people and pour it out here, they could not help stumbling over the corruption and the atrocity and the abhorrent infamies of the State governments which they were upholding. I recollect that there was a Senator from Indiana, now dead, who was upon one of these committees. His heart was full of prejudice against our people, but even he could not be blinded to the cruel oppression under which the Southern people were writhing in agony. Referring to the condition of the people under those governments, referring to the superincumbent weight of a crushing and devouring taxation, he says: "That is true of some of these States, I have no doubt. Had the Kuklux outrages been directed at these faithless public servants, the world would have been well rid of them and nobody complained."

MR. COCKRELL: Who was he?

MR. LAMAR: Mr. Pratt, of Indiana.

Those State governments have gone, and the influences have gone with them. The people of those States have recovered their right of self-government. I need not speak of the prosperity of that people, black and white, under their present governments. The census returns have given a result which has astonished the world, and which is wholly incompatible with the theory of a downtrodden and oppressed people, which the Senator from Massachusetts represented the colored people of the South to be. I will say one thing, and that is, that if you were to compare the condition of the State of Mississippi or Alabama or Georgia or Virginia or any other Southern State in 1880 with the statistics and history of its condition as prepared in 1870, you will be forced to admit that there is not a nation on the face of the earth which in any two periods of its history exhibits such a contrast in all that constitutes the strength of a people and their prosperity.

I have here a description of the South as it now is. Here is what a reverend bishop of the Methodist Church (Bishop Simpson), closely allied with the Republican party, who had made a trip to the South as a part of his episcopal work, said. After traversing that country he returns to the North and reports his impressions, but he says nothing of a kind that sustains the denunciations of the Senator from Massachusetts; he confirms no statement that there are men down there with their feet upon the downtrodden and oppressed; and nobody says so except prejudiced partisans and witnesses brought before committees to make false impressions. Enlightened travelers from Europe and reverend clergymen from the North all contribute their testimony to the peace, the plenty, the order, the quiet, the prosperity of both races, and the security of the personal property of both races, black and white. Here is what that reverend bishop says: "I am satisfied that the South is gradually but surely

improving financially; business is reviving, and every indication points to a period of financial ease and comfort. . . . Antislavery as I always was from early youth, had my friend asked me twenty years ago to express my utmost wish for the colored people, I should not have dared to ask for such advancement as has been made."

Here is the declaration of an antislavery preacher, a utopian, benevolent missionary, whose every fiber was imbued with zeal for the cause of negro emancipation and advancement. Upon his visit to the Southern States, so much denounced after the solid South has gotten possession of that country, he proclaims to the world that if he had been allowed to tell what he hoped in his brightest vision for that people it would have been transcended by what has been actually realized in their advancement. Now, withhold your denunciations from the statements of Southern men, and let them fall and strike the hallowed associations that cluster around that man.

Mr. President, I am too much exhausted to detain the Senate longer. I have said nothing to-day that was intended to stir up any feeling of animosity between individuals or sections. I belong to that class of public men who were secessionists. Every throb of my heart was for the disunion of these States. If that deducts from the force of the statements that I have made to-day, it is due to candor and to you to admit it. I confess that I believed in the right of secession and that I believed in the propriety of its exercise. I will say further that it was a cherished conception of my mind: that of two great free Republics on this continent, each pursuing its own destiny and the destiny of its people and their happiness according to its own will.

But, sir, that conception is gone; it is sunk forever out of sight. Another one has come in its place; and, by the way, it is my first love. The elements of it were planted in my heart by my father, they were taught by my mother, and they were nourished and developed by my own subsequent reflection. May I tell you what it is, sir? It stands before me now, simple in its majesty and sublime in its beauty. It is that of one grand, mighty, indivisible Republic upon this continent, throwing its loving arms around all sections, omnipotent for protection, powerless for oppression, cursing none, blessing all! [Applause in the galleries.]

## Appendix No. 21.

### THE TARIFF.

*Speech in the Senate, February 7, 1833.*

The Senate, as in Committee of the Whole, and having under consideration the bill (H. R. 5538) to reduce internal revenue taxation, Mr. Lamar said:

*Mr. President:* I have taken no part in the debate on this bill, but have listened to it with great attention, and have noted the votes on the various amendments which have been proposed to the measure under consideration. The progress of the discussion and the votes together show that it is impossible to effect any large reduction or any material reduction of the taxes and at the same time retain the system of "protection for protection's sake." One or the other must be given up. The demand for the reduction of taxes, which has of late years become so urgent, has imposed a hard and delicate task upon the party in power, and they confessed their inability to perform it by creating a tariff commission. This expedient would have been entirely unnecessary had we nothing else to do than to settle the relation of taxation to revenue. Indeed, it would seem that with a too abundant revenue no task would be easier to perform, and more agreeable and grateful in the performance, than that of lifting from the people the burden of taxation which they felt to be unnecessary and therefore oppressive; and I suppose that history does not furnish another instance of a people being heavily and needlessly taxed for a long series of years for no other reason except that their rulers were unable to devise a method of reduction.

But, sir, the cause of this has been manifested in the progress of this measure through the Senate. This body is concerned, not with the relation of taxation to revenue—that would be a simple matter—but with the relation of manufactures to the method of collecting the revenue. Hence it is that upon each article of taxation the rate is determined here by the question, not how low a duty can be laid with a view to reduce revenue, but how high a one is needed to maintain the manufacture of the corresponding article in this country. The Senator from Maine, in an able speech at the last session, made this very clear. After declaring himself in favor of "protection for protection's sake," he says: "If there was no public debt, no interest to pay, no pension list, no army, and no navy to support, I should still oppose free trade and its twin sister, tariff for revenue, and be in favor of protective duties."

Well, sir, we have been living for twenty-three years—eighteen of them years of peace—under a tariff for protection, whose duties are universally admitted to be too high with respect either to revenue or to taxes. It has been retained on the statute book and enforced upon the people during that long period, not because it was needed to pay the public debt or the interest upon it, not because it was needed to support the army or navy, or to defray the other expenses of government, but because it was a system of protective duties which could not be disturbed without also, as it was urged, disturbing the manufactures which it had been designed to build up and shelter from competition.

There is therefore this conflict between the public demand and the convictions of the party in power. The people demand a reduction of this burden of taxation; but the party in power has for twenty years insisted that it is no burden at all, but a blessing to the whole country. They assert, and have done so repeatedly in this debate, that the duties upon imported articles do not go into the price of the articles at all, but that their effect is simply to put upon the market the corresponding products of home manufacture at cheaper prices to the consumer, and to reduce those of the imported articles also. They have insisted that this high tariff has favored the working classes by reducing the money price of the most important productions, and at the same time by increasing the wages of labor, so essential to the maintenance of our institutions and the welfare of our people. They have pressed the argument that this protective system, as it now exists, by diverting labor from the unremunerated pursuits of agriculture to the more productive industry of manufactures, inviting capital into these more profitable investments, has increased the annual product of the nation's wealth and diffused its benefits throughout the Republic. They have pointed to the magnificent development of our varied industries, dwelling upon their benefit to all classes—farmers, capitalists, and laborers alike—and claim that it is due to the existing system of protection.

The great manufacturing industries have been bound to its support by the belief that their prosperity depends upon its maintenance. In a word, sir, as I first remarked, they have maintained and do maintain that this so-called burden of taxation which the people say must be reduced is no burden at all, but a blessing, which increases the profits of capital, raises the wages of labor, cheapens the prices of products, and puts us all in funds. Its advocates, therefore, cannot take a step toward the reduction of tariff taxation without contravening the fundamental principles upon which the protective system rests; for if it confers all these blessings, if it does increase the annual product of the nation's wealth, if it does raise the wages of labor and the profits of capital at the same time, and cheapen the products of consumption as well, to repeal it or to reduce it or to modify it is simply to diminish, if not to destroy, these great and important benefits to the country.

The Senator from Vermont [Mr. Morrill], who has in charge the measure before us, in presenting it as a scheme of reduced taxation did not seem to enter upon his novel role with the zeal and ardor that are usual to a new convert. His introductory speech, made January 10, 1883, seemed to me more calculated to invite opposition than to attract support to his proposed measure. Speaking of its revenue features, he says: "But without taking into the account any of these contingencies, which certainly indicate their coming by the shadows visible in their front, there will be a positive deficit in the estimated amount of revenue required to meet the expenditures of the government, unless much larger importations shall be received, from which the revenue from customs can be largely increased. It is true also that the coinage of the silver dollar is likely to continue, and this will absorb at least \$24,000,000, or render that amount practically unavailable. Under these circumstances the sudden reduction of so large an amount of the national revenues at a single blow, as proposed, is surely quite as far as prudence will allow us to go, and possibly further."

But when he comes to the economical and social aspects of the measure his predictions are almost gloomy, and his words of warning are almost solemn. He says: "We must not conceal from ourselves that so general a change to lower duties, carrying a downfall in values, will seriously affect those with stocks on hand, and the doors which we also open to labor abroad will to some extent shut out labor at home. Some industries, it is to be feared, cannot be maintained except by a reduction of wages. Already some large iron establishments are shut up, and in Philadelphia alone ten thousand looms are said to be idle. There has been an overproduction in other articles than whisky, and nowhere more extravagant than in the eleven thousand miles of railroad built in 1882. Storm signals of late have been frequently visible in the financial horizon. Those who believe that monetary crises are periodical now fear the decennial return of that of 1873."

After such a peculiar advocacy as this, it is perhaps not so strange that we should



witness, as we do, a party proposing a measure purporting to be a general reduction of revenue, and yet upon each separate item a majority of its members protesting against the reduction, because a higher tax is a protection and a lower one an incurable wound to some great industry essential to the welfare of the people.

Mr. President, I think that the time has come when we should deal more explicitly with the American people upon this subject. I think that our friends on the opposite side of the Chamber should say—and if they do not, that I should say—that protection and low taxation are not compatible. You cannot make the two systems blend. A protective tax is a high tax; and a low tax, to the extent that it does not check importations, becomes nonprotective. Why not let the people know the truth? They are not averse to taxation. They have always been ready to tax themselves willingly whenever satisfied that the object is a legitimate one and the mode of assessing and collecting the tax a proper one. Why not declare to them: If you want the blessings of protection, if you want our industries maintained by the aid of the government as a great symmetrical system, you must make up your minds to pay the cost and make the sacrifice necessary to maintain such a system and scorn the temptation of low taxes and cheap foreign goods?

The Senator from Vermont says that this bill is based upon the report of the Tariff Commission. I propose to call attention to that report. The testimony taken by the Commission fills two large volumes of twenty-six hundred pages. These pages certainly present a most remarkable—I may say imposing—exhibit of the condition of American manufactures and of the genius and capacity of our people for those mechanic arts and scientific appliances which have done so much for the elevation and civilization of the human race. As we read the reports made of the marvelous progress and achievements of these varied industries, the effect on the mind is as vivid as though it were produced by a scenic representation, or as if these great industries, could such a thing be possible, were passing before us in stately procession. And, sir, when we take in the full magnitude of these interests, the number of establishments, the vast amount of productive capital, the number of persons employed, the aggregate sum of wages paid out, and the value of their annual product, reaching this year, it is said, to \$5,000,000,000, making this the foremost manufacturing nation of the globe, we can but feel the sentiment of pride which the honorable Senator from Vermont so eloquently expressed.

On the other hand, there are unfavorable indications, calculated to excite grave doubts as to their healthy condition, and to cause the suspicion that the effect of this protective policy has been to enervate and emasculate these industries, and has perhaps obstructed a growth which without such stimulus would have been not as rapid perhaps, but more sure, more healthful, and more self-sustaining. According to the testimony of all the accredited agents and representatives and organs of these industries, their condition is, and has for years been, that of great depression and distress, and in many cases of impending insolvency. This is the uniform declaration of their associated agents and of every witness who appeared in their behalf, so far as I can remember, before the Commission: that they were incapable of conducting their business unless aided and sustained by the taxes imposed upon the people through the agency of the government. From the uniform current of testimony on this subject I will cite a few instances as printed in the report of the Commission.

#### THE IRON AND STEEL INTEREST.

Mr. James Park, President of the Convention of Iron and Steel Manufacturers, held at Cresson, Pennsylvania, September 12, testified before the Commission. He placed before that body a paper prepared by Mr. Swank, who is known as an able defender of the system. In this paper he says:

"In many cases treasury rulings adverse to the spirit of our protective laws have been as fatal to our iron and steel industries as adverse legislation. Under the rulings of the Treasury Department upon a provision of the present tariff the duty on tin plates has been fixed at 1.1 cents per pound, yet the tin plate industry does not have existence in our country to-day. The duty on iron cotton ties has been fixed by the courts at 35 per cent, but under this ruling their manufacture in this country during the past few years has entirely ceased." . . . (Page 2019.)

"It is a great fallacy to suppose that, because our leading industries have now been built up under a policy of protection, they no longer need the same measure of protection that they have received in the past. Every industry in this country which takes raw materials and converts them into finished products by the labor of men's hands will always need just as much protection as will cover the difference in wages between this country and Europe. The American statesman who should theoretically evolve a tariff system that would be based upon the assumed ability of domestic

manufacturers to withstand sharper competition with foreign manufacturers than they now have, would not only unwisely and unpatriotically invite that competition, with silent American workshops certain to follow, but he would also closely imitate that peculiar English philanthropy which takes no account of the rights of labor, and concerns itself only with the demands of capital. Our protective policy must be maintained in all its original scope and vigor for the benefit of American labor." . . . (Page 2022.)

[William H. Wallace, Steubenville, Ohio—pig iron interest.]

"While it is no doubt true, as Mr. Swank says in his report, 'that a number of furnaces must always be out of blast while undergoing repairs or waiting for fuel, while others are undesirably situated or are old-fashioned in construction and must eventually be abandoned,' yet it is also true that that is not the only reason, and does not apply to a large percentage of cases. Within our own knowledge many furnaces have been stopped by reason of the fact that the business was unprofitable; that the market would not absorb the product except at the unremunerative rates fixed by foreign competition. In fact, in the Ohio Valley region it has become a common saying that 'a furnace without a mill attached to consume its product is a poor investment.' We think it is safe to say that there is no business in the country to-day of any magnitude that is more uncertain and that promises less opportunity for profit than the manufacture of pig iron, and from the protection of which from foreign competition the country would derive greater benefit. Makers of pig iron are more fearful of the foreign manufacturer of the same product than the makers of any other manufactured product in the country, and watch with greater anxiety the rates of freight and the market prices of the article in the warehouses and metal yards of Great Britain." . . . (Page 2030.)

"The story is an old one. While all other branches of business are prospering, and while comparatively little of the finished product of iron is imported, we see our markets constantly filled with foreign brands of pig iron, our furnaces idle, and our pig iron producers crushed beneath the load of foreign iron made with cheap labor, and brought over with low freights, or as ballast." . . . (Page 2031.)

"In conclusion, we desire to say that we firmly believe that, with the present prices for ore in this section of the country, if the tariff on pig iron should be reduced from the present rate of \$7, it would cause a large proportion of our furnaces to be blown out; and if it is not placed nearer the old rate prevailing in 1870, we shall go on in the unsatisfactory way that we have been doing—our furnaces leading an uncertain career of running and stopping, at times a majority out of blast; at other times a majority only, not all of them, in blast." . . . (Page 2031.)

"Something is radically wrong, and it seems to us that it is the tariff. We protect other manufactures of iron in which the workmen receive much higher wages; but pig iron, which employs and pays the lowest rate of wages in the business, is the branch which has the least proportionate protection, and which is the first to suffer from any threatened change." . . . (Page 2032.)

[John M. Stockdale *et al.*, of Washington, Pennsylvania—woolgrowing interest.]

"Our people allege that, taking into consideration the circumstances by which they are surrounded—the increase of the price of the land, the increase of the labor expended upon the production of wool, the increase of the price of food which they have to give to these sheep to make their business successful—the prices that they are able to command at the present are insufficient to justify continuance in the business. The production of wool has so enormously increased in Australia and contiguous colonies, from thirteen million sheep in 1860 to seventy or seventy-five millions in 1880, that competition is so great that it threatens destruction to the wool producing industry in Washington County and other counties similarly situated. As you know, farmers, as a rule, are very slow to change their business; and to get into a new business is also a very expensive thing, such as changing from the culture of sheep to cattle, from cattle to horses, or from one kind of stock to another; and it is a thing that they do not like to undertake. I have been told that within the last year the ordinary pursuits of agriculture in Washington County, properly followed, have been more profitable than the production of wool; and many of the largest wool producers in our county are considering the propriety of changing their business to that of ordinary agriculturists. I should regard a general change of this character as a public calamity." . . . (Page 1989.)

"And we further state that the present duties levied on the importation of wool of three cents per pound on the cheaper qualities and twelve cents per pound and eleven cents per pound *ad valorem* on the highest grades are wholly inadequate and insufficient to afford the protection absolutely necessary to successful production here. . . . (Page 1991.)

"It should also be stated that the capital invested in the production of wool in this county alone is more than \$3,000,000, and in the United States approximates \$300,000,000, and that the business gives employment to hundreds of thousands of people. For these and many reasons not here named, it is the opinion of this meeting that on wool that now pays a duty of three cents per pound there should be levied a duty of nine cents per pound, and on all other wool a duty of fifteen cents per pound and twenty per cent *ad valorem*. Equitable and impartial legislation would seem to demand that if the farmer is called upon to support and pay high protective duties on the large number of articles which he is compelled to buy he is entitled to a protective duty on the single article of wool which he sells." . . . (Page 1991.)

"We regard the business of woolgrowing in this region of country, in which I have been engaged for many years, and in which a large part of our capital is involved, as now in danger of being seriously or fatally crippled, and that therefore the interests of the country and the welfare of the people that are engaged in the business should have the immediate consideration of those who influence protective legislation." (Page 1991.)

[Hon. W. S. Shallenberger, of Rochester, Pennsylvania—woolgrowing interest.]

"In regard to the subject of wool, I may say that of all industries it is the one that is purely national. We have increased the production of wool from about sixty million pounds in 1860 to two hundred and ninety million pounds at the present time; and that should be a full demonstration of the fact that we can produce in this country all the wool that is needed, as in fact we do, with the exception of about thirteen million to fifteen million pounds of fine wool—the amount imported into the country in 1881. Out of the entire importation of fifty-five million to sixty million pounds of wool, the wool which entered into competition with American wool amounted, as I am reliably informed, to not exceeding fifteen million pounds. Hence I say that we have demonstrated the fact that under the existing tariff we have reached almost that point when we produce as much as our manufacturers demand.

"In the county which I am here to represent, as the gentlemen who are associated with me will tell you, the production of fine wool is rather on the decrease. Land is too high, averaging perhaps \$75 per acre. The growing of fine sheep there is not found to be as profitable as it was a few years ago, and it will become a serious question with the farmers pretty soon as to whether they shall not give up raising fine sheep and producing fine wool, and allow other sections of the country more favorably situated as to cheap lands and climate—I mean the Southern and Western sections of the country—to take up the business of woolgrowing." . . . (Page 2107.)

"There has been a vast increase in sheep growing in Australia within the last two decades, so marvelous that to-day Australia has almost double the number of sheep in all her provinces that we have in this country. She has a climate in which sheep can live all the year round without shelter, and upon pasturage which is abundant. The relations of this country to Australia have changed during that time, and the effect upon the price of foreign wool has been very apparent; so that if the tariff were reduced now the importation, say of ninety-nine million or one hundred million pounds of wool in 1880, and fifty-five million or sixty million pounds in 1881, would be probably one hundred and fifty million or two hundred and fifty million pounds annually, which would absolutely destroy this industry of ours." . . . (Page 2108.)

"We have forty-two million sheep, while Australia has seventy-two million. We have been testing for years under the stimulus of our present tariff the most favored sections of our country, and still the production is not equal to the home demand. Reduce the tariff, and protection will be less, while importation must be greater. If the older States, where land is high, cannot afford to grow wool under the present tariff, still less could they afford it under a reduced tariff. If capital has not been tempted sufficiently thus far into more favored sections for the purpose of growing wool at present prices, still less will it be tempted to those sections should the tariff be reduced, and foreign wool brought into competition at still lower prices. I do not think that any portion of our country can or will produce wool as cheaply as other countries. Labor must be higher here, because it must be intelligent. Land is higher, and growing higher. Climate anywhere requires shelter and some feeding.

"The mere question as to the cost of woollen fabrics is comparatively insignificant. Sheep husbandry cannot be imperiled without great loss to the country. It supplies cheap, wholesome meat, which is one of the heavy items of expense in every family. All meat food is lower in price because of mutton in every market; but for sheep, fresh meat would be impossible in thousands of families. An industry so general, that feeds and clothes our people as no other nation is clothed, that reclaims waste lands and enriches all soil, is an industry that should receive full protection from tariff legislation.

"I would therefore protest against the slightest reduction in the tariff duties on wool, unless possibly on the very lowest grades of wool, which do not enter into competition with that which is profitably produced in this country." . . . (Page 2108.)

"I do insist that no reduction shall be made upon clothing wool; and in doing that I ask that which is in the interest, as I believe, of the whole country, and not alone in the interest of any particular section." . . . (Page 2109.)

"The production of wool is of infinite importance to the agricultural industry, by abstracting labor and capital from the production of cereals, which have been produced so largely that, even with the increased consumption, we are not able to consume all we raise, and have to export vast amounts." . . . (Page 2109.)

"Then, again, the price of wool to-day would not be on the average twenty cents a pound in the foreign markets but for the fact that we have three hundred million pounds of wool here to compete with it. The protective tariff has enabled us to produce this amount of wool, and hence has kept down the foreign price. So with every other industry.

"I trust the Commission will carefully consider these facts, and under no circumstances recommend a reduction of the duties upon the medium grades of wool." (Page 2109.)

[John McDowell, President Washington County (Pa.) Agricultural Association—woolgrowing.]

"Question (by Commissioner Garland). I believe that the number of sheep in Washington County is put at about six hundred thousand?

"Answer. Yes, sir.

"Question. How does that compare with the number in 1867, when the present tariff was enacted?

"Answer. I think there are fewer sheep now; that is my impression." . . . (Page 2111.)

"Question. Can you give us an idea of the number of sheep in the United States that produce that quality of wool—I speak of the Saxony wool?

"Answer. I will include the Saxony, the Silesian, and all. I do not think, putting all together, that there has been three thousand pounds of superfine wool produced in the United States for the last three years.

"Question. How many sheep of this class does Washington County supply?

"Answer. There are not five thousand head of this kind of sheep here." (Page 2113.)

[Julius Le Moyne—the wool interest.]

"I have no particular statement to make except to say that our wool interest here in this immediate vicinity is declining rapidly. I think in the last ten years it has declined twenty-five per cent. These facts, I believe, are against the figures of the census, but we do not feel responsible for them. These are facts within my own personal knowledge." . . . (Page 2114.)

"There is a dissatisfaction among part of our woolgrowers in regard to the price of wool, but my conviction is that that has arisen from the high price to be obtained from other farm products." (Page 2115.)

[Mr. Asa Manchester, of Washington County, Pennsylvania—woolgrowing.]

"We claim that Washington County, Pa., West Virginia, and Eastern Ohio produce the best wool in the world. It is a wool that we cannot well do without. All the finest class of goods are made from the wools that are produced here, and no such goods can probably be made from wools brought from any other place. I do not think we can continue, however, to produce this wool in the face of the competition we have to contend against in the importation of wool from Australia and other countries. Land there is cheap, and the expense of keeping sheep is much less than it is here." . . . (Page 1995.)

"One-fourth of the people who were in the woolgrowing business in this county have already gone out of the business because they say it will not pay them; and if they are left without sufficient encouragement in the way of a protective tariff, nearly all the rest of them will go into some other branch of business. We do not want to do this; we would rather raise wool than to raise other products, because we think our county is well adapted to the raising of wool. We ask, then, for an increase in the tariff rates; but if you do not think it is just and fair, why, do not give it to us. The reason we ask for an increase is because there are to-day large duties put upon imported goods and other things that we use, and we only want to be put upon an equality with others. We think other interests in the country are better protected than ours. We ask you to look at the matter in this light; and if you can give us any encouragement, I hope you will do so." (Page 1996.)

Mr. T. C. Search of Philadelphia, representing the worsted spinners, addressed the Commission as follows:

"Gentlemen, a tariff to be of value must be protective in its operations, and to be protective it must insure the parties protected by preserving to them a legitimate profit on the business in which they are engaged, over and above their foreign competitors. This is the kind of tariff needed by the worsted spinners of this country. The vital question before us, then, is to have a tariff so adjusted as to protect us in this profit in all the ordinary conditions of trade, and yet under extraordinary conditions, such as scarcity of raw material or some unusual demand for our products, one that will operate as a governor to save consumers from exorbitant prices and increase of values that might otherwise prevail. The worsted spinners desire a tariff for protection only, and not for speculative purposes." . . . (Page 2358.)

"We have passed through many periods of depression, caused by the enormous competition among ourselves as manufacturers, these being eventually dispelled by the natural growth of our country. Since the beginning of the year 1880 we have been passing through just such a trial, working on the most favored styles with barely a living profit, and on the great bulk of our business with practically none at all, and on a very considerable portion a positive loss; and during all this time the raw material values have been maintained almost without any fluctuation." . . . (Page 2358.)

"The protection on this class is not sufficient for us, considering the protection on the raw material. We cannot make these fine yarns in competition with the foreigner. Our facilities for doing so are too limited, and the demand, by reason of unequal protection, too limited, to warrant the creation of plants necessary for their cheap production; and yet we see twenty-five million yards of cloth, largely of this character, imported into this country.

"Here is a case in which further facts and figures seem unnecessary. Manufacturers here have, one after another, tried to make them, and failed. Within two years' time we have seen a most successful English manufacturer send his looms to this country, with skilled men to manage them, and yet absolutely fail to make the goods without loss here that he is making in England and selling in America at a profit.

"We believe this result to be largely attributable to an unforeseen action of our tariff laws. These laws say that on all goods weighing four ounces and over per square yard the duty shall be 50 cents per pound and 35 per cent *ad valorem*; this is equivalent to 12½ cents per yard and 35 per cent. This protection is probably sufficient; but the foreigner eludes it by making his goods weigh very slightly less than four ounces per yard, and lands them here, paying only 8 cents per square yard and 40 per cent duty, a loss of 50 per cent and over of the specific duty by conceding only 5 per cent on the *ad valorem*." . . . (Page 2359.)

"We believe that instead of limiting the protection on yarns above 80 cents to 50 cents and 35 per cent, the duty should go on by regular increments as the price on manufactured goods advances." . . . (Page 2359.)

"Question. If they had had a purely *ad valorem* tariff instead of this compound one, the difficulty would not have arisen?"

"Answer. No, sir; not if the tariff had been a sufficiently *ad valorem* tariff." (Page 2360.)

[Frank L. Bodine, manufacturer of window glass, Pittsburg, Pa.]

"Question. You state, then, that the glass manufacturers of the United States would be unable to stand any reduction in the present rates, if there was a general reduction made on all articles now dutied?"

"Answer. I state that any reduction would destroy the business. I am unable to indicate any point where we could stand any reduction in the duties." (Page 2007.)

[N. T. De Pauw, glass manufacturer, New Albany, Ind.]

"Question. Are you satisfied with the present rate of duty?"

"Answer. We are satisfied with the duty upon the large sizes, which is four-fifths, or 80 per cent, of our product; but not upon the small, say one-fifth. I think that my father's idea is to ask an advance of the rate of duty on small glass." . . . (Page 937.)

"Question (by Commissioner Porter). In brief, what do you consider the advantages of your location?"

"Answer. I consider that there is no better location to be found in the United States.

"Question. Explain why.

"Answer. In the first place, New Albany is a healthy and desirable place to live; farm and garden products are abundant and cheap. We get our mixed sand as cheaply as it can be procured anywhere else, and lime and grindings much more cheaply; we

can get our soda ash as cheaply as it can be procured at any point in the West." . . . (Page 939.)

"Question. You think the present rates on the smaller sizes are not adequate to protect the manufacturer, as I understand; can you suggest any simplification of the present rates of duty?

"Answer. I presume I could by a little study." . . . (Page 939.)

"Question. What would be the effect on your business of a reduction of the duty, say of 25 per cent?

"Answer. It would stop us." . . . (Page 940.)

"Question. What would be the consequence to the consumers of a reduction of duty?

"Answer. I presume for a year or two, probably, plate glass would be cheaper, and then it would probably go back to the old figures, for this reason: the foreign manufacturers would put it down to drive us all out of the business. Every one who is engaged in manufacturing recognizes the fact that nothing depreciates so rapidly as manufacturing machinery when not in use. Three years would put our factories in such shape that it would cost nearly half their value to put them in order again. Of course if they did not put up the price, we would have no assurance in the world but what they would drop prices on us again; hence no one would risk capital to put in order and start up the abandoned works, and the foreigners would again have the monopoly which they enjoyed for so long." (Page 940.)

[W. C. De Pauw, plate glass manufacturer, New Albany, Ind., page 1530.]

"In conclusion, permit me to call your attention to the following facts:

"1. That all money put into plate glass works in America prior to 1879 had been a total loss.

"2. That some of the shrewdest, most energetic, and successful business men in Boston, New York, Philadelphia, Detroit, Chicago, St. Louis, and Louisville, had in the aggregate invested millions in plate glass enterprises, and lost the whole of it.

"3. That no plate glass had been made in America without loss to the maker prior to 1879.

"4. That I, instead of having made a large fortune in a few years, as represented, have actually lost more than half a million dollars, over and above all small, very small, profit made since 1878.

"5. That after a long, earnest struggle, I have succeeded in making good glazing plate glass at a small profit.

"6. That Americans are paying about half as much for plate glass to-day as they paid prior to the time that plate glass was made in the United States at my works."

Sir, do not these facts create the suspicion that this protective system, which has so long been burdening the people, has something in it which defeats its own object and causes a blight to pervade the manufacturing industry of the country and threatens to blast it in all its branches? Can any advocate of protection say that the condition of our manufactures, as pictured in these volumes and reproduced by Senators on this floor, realizes the promises which were made of a great diversified industry, complete in all its parts and sufficient unto itself? Sir, putting out of view all the millions of taxes which it is alleged—I think upon good grounds—it has cost our people to produce this result, putting out of view the burden and obstruction to the growth and prosperity of all the other great industries of the country, I ask is this present relation of manufactures to the government, which has been brought about by the protective system, and which would not have existed but for that system, a desirable one? What is that result? A vast organization of capital and labor and product, dependent for its continued existence upon the taxes of the government.

It seems to me that the most sanguine admirer of our system of manufacturing industries, in reading the accounts which the manufacturers give of their own business, would tremble at the enormous proportions to which they have grown with the slender and uncertain foundation upon which the system rests. They will tell you, sir, themselves, that they have no self-sustaining vitality; that the principle of their existence is not, like those of agriculture and commerce, in the material resources and natural conditions of our country, but alone in the government and its taxing power.

Sir, if I am supposed to be exaggerating the effect of this, I can only answer that I am simply asserting of the whole system what honorable Senators have said of each particular branch of it. If it be true that these industries cannot exist without the aid of taxes levied by the government; and if Congress, recognizing this fact, levies duties for the purpose of maintaining them, they are not really industries, but government manufactures, political establishments, branches of the public service, as much as the army and navy and diplomatic corps or any of the departments of administration.

Sir, we have had a great deal to say of late about the corruptions growing out of the vast patronage of the government. The source of this evil was held by both Mr. Calhoun and Mr. Webster to be in the dependence of sixty thousand people, who held employment under the government, upon those in power for their subsistence. They believed that a power so unlimited and despotic over this numerous and powerful corps of officeholders would corrupt and debase those who composed it into the supple and willing instruments of power, and at the same time work a fearful change in the character of the government itself. Now this protective system produces precisely the same result that Mr. Webster and Mr. Calhoun saw in the workings of official patronage. It has obtained control of the capital and labor of this entire industry, and bound it, through its interest, to the support of the party in power.

According to the declarations of the advocates of high duties, the laborers in these manufactures built up by protection depend for their bread upon the rate of taxes levied in this bill. If what they say is true, all this vast amount of capital and the operatives, amounting according to their representations to over a million of persons, are hanging in suspense for their food and clothing and shelter and supplies for their wives and children, as well as for employment at all, upon a vote of ayes and noes. A policy which has established this relation of the government to so large a part of the capital and labor of the country—a relation of absolute control, on the one hand, and of absolute dependence and subjection, on the other—must involve many and disastrous changes in our political system. I call attention to one or two. It is an incubus upon the government, and obstructs the freedom of its action in the adoption of any policy looking to the welfare of the whole people. Suppose that we should come to the conclusion that commercial freedom was the true policy of this government; why, sir, a Congress of free traders charged with the responsibility of forming a revenue system would shrink from putting their own theory into operation in view of the ruin and distress which it is declared would follow upon these industries under a radical change of our system of taxation.

Take another view. If there is any point on which the great body of the people of this country are united, it is on the desire for a reduction of public burdens. Both parties profess to favor it. Suppose that we should begin an earnest effort to reduce expenditures to the lowest point of an economical administration of the government, so that the taxation could be correspondingly reduced and its burden appreciably lightened. It could easily be done, sir. The payment of the public debt will in a few years cease to be a charge upon the treasury; it will either be extinguished under the policy of those who wish to rid the government of its connection with banks, or it will become a permanent fund, at a very low rate of interest, as the basis of our national bank currency. In either event, it will not much longer be in the way of a reduction of taxes. There are many other points in respect to which the expenses of the government could be largely reduced, and the people be thus proportionately relieved; but, sir, the moment that we should take a step in that direction we would find ourselves hampered and hindered by the necessity fastened upon the government of supporting these manufacturing interests, whose prosperity, they tell us, depends upon high taxes, a plethoric treasury, and large expenditures.

Sir, why should this system of protection be kept up at such a cost and such a sacrifice to the people of this country when it has produced such results? This doctrine of a protective system rests upon the assumption that it is necessary to the independence of the country that it should produce all the commodities essential to the use and consumption of the whole people; that it gives us a diversified industry, and that it also builds up a consuming class for the agricultural products of the country. No argument is needed to demonstrate the importance and necessity of the development of manufactures as one of the elements of the national strength; but, sir, can we not have the manufactures without the burden of a protective tariff? Is it true that diversification of industries is a thing unattainable in this country, with its almost infinite variety of climate, soil, productions, and interests, except at the cost and sacrifice which this system of protection entails?

Sir, there have been long periods of time in the history of this country when protective tariffs were not in operation. Did our manufactures cease to exist during those periods? I have before me the Bishop's "History of American Manufactures," from the earliest time down to 1863. No one can read this history—although written by a protectionist—without becoming convinced that American manufactures are the natural growth of this country, and have demonstrated their capacity to exist and grow and thrive under any kind of tariff, high or low, protective *per se*, or for revenue only. Sir, long before the era of protective tariffs, long before we had a national tariff of any kind—indeed, from the earliest colonial period down to the Revolutionary War—manufactures existed and flourished and attained a vigorous life and an

ample development exposed to foreign competition, unaided by the legislation of the mother country, and in defiance of its hostile and prohibitory enactments. Speaking of the natural tendency of settlers to industries in the direction of manufactures, the author of this work says: "Gathered from the productive ranks of the most active and ingenious nations of Europe, with a preponderance of the Anglo-Saxon element, their colonial training was well fitted to develop habits of patient toil, self-reliance, ready invention, and fertility in the use of resources. These qualities, so necessary to success in all the practical arts, were conspicuous in the American character. A varied and dexterous mechanical industry was almost universal. Upon this basis had been long growing up a comprehensive scene of domestic household manufacture from native materials of great aggregate value, which had materially lessened the annual balance against the Colonies, and had promoted the comfort of all classes." (Bishop's "History of American Manufacture," volume I., page 13.)

Again, he says: "Even at the present day many countries which were reckoned elders in the family of nations ere the ring of the ax was heard in the forests of America, are essentially less independent in regard to some products of manufacture than were the American Colonies at the period of the Revolution." (Page 24.)

As illustrative of this tendency to arts and manufactures may be mentioned the fact that the first exports sent from the American Colonies to Europe "consisted almost exclusively of manufactures in the strictest sense of the term."

We have heard some discussion here of the per cent necessary to secure the home market for the manufacture of glass, in which my friend from North Carolina [Mr. Vance] participated with his usual ability. Perhaps it may shed some light upon this subject to state that one of the chief articles mentioned in the cargo of a vessel of the London Company employed in the early efforts to make settlements upon the coasts of North America, on her return voyage, was glass. Concerning this article, the author says: "The glass house stood in the woods about a mile from Jamestown; and, although very unpretending in its dimensions and appointments, it was doubtless the first manufactory ever erected in this country." (Volume I., page 26.)

This was in 1608. Beverly, in his "History of Virginia," observes that in 1620 "Many of the people became very industrious and began to vie with one another in planting, building, and other improvements. A salt work was set up at Cape Charles, on the Eastern Shore, and an iron work at Fallin' Creek, in Jamestown River, where they made proof of good iron ore, and brought the whole work so near a perfection that they writ word to the company in London that they did not doubt but to finish the work and have plentiful provision of iron for them by the next Easter." (Page 28.)

The candid historian is, however, compelled to state that these manufacturing enterprises were not destined to a long existence in Virginia. They had to succumb to competition, not the competition of foreign pauper labor, Mr. President, but to a competitor then, as now, more formidable than pauper labor—to wit, the superior attractions of agriculture. The cultivation of tobacco became profitable, and all the artisans quit their work and devoted themselves to its culture. In assigning the cause of this change of pursuit, Bishop says: "The Virginia colonists were essentially planters, and regarded commercial as well as manufacturing pursuits as less respectable than agriculture. The climate and the fertility of their soil and the cheapness and abundance of the land enabling many to acquire estates almost manorial in extent, all concurred with the native tastes of the inhabitants in fostering this sentiment." (Page 35.)

But when we come to the industrial history of the Northeastern and Middle Colonies we find a people and a country to whom manufacturing enterprise was more congenial. Bishop says: "With a sterile soil and a rugged climate, they early betook themselves to manufacturing and commercial enterprises, and so successfully that at the present day there is scarcely a useful art of ancient or modern times that is not 'naturalized' among them, and scarcely a region of the globe so remote or inaccessible that is not familiar with the products of their labor." (Page 36.)

He states further that "the first products of the industry of the Plymouth Colony, of Rhode Island, and probably of others, sent to a foreign market, were manufactured from the almost inexhaustible wealth of the American forests. (Ibid.) Shipbuilding commenced within three years after the landing of the Plymouth Colony—an industry in which this country reached preëminence at an early day and maintained it till a late period in our history, when its decadence began and continued rapidly from causes about which there is controversy. Just a century before the Declaration of Independence seven hundred and thirty vessels were built in Boston and its vicinity." (Page 47.)

I cannot here go over all the manufactures of which this author gives account; but there is not an industry whose products are enumerated in the schedules of this bill



but was established and in operation throughout the American Colonies. Chemicals; pottery; glass; metals, iron and steel; woods; liquors, distilled and fermented; cotton, woolen, silk, flax, paper, leather, lumber, and a long list of other fabrics. I can only call especial attention to the condition then of the industries which are now before us asking protection—I mean cotton and woolen, iron and steel. In the earliest settlement of the Colonies, the manufacture of cotton, woolen, and linen, came into existence and attained vigorous growth. In reference to cotton, the author from whom I am quoting, after a lengthened discussion as to the precise date, makes a statement which seems to me to be well supported by the facts adduced—namely, that “the use of cotton in textile fabrics has existed in this country from as early a date as in England. The system pursued in the two countries also, and the description of cloth made, were not dissimilar.” (Volume I., page 309.)

It appears from this history that Col. Heathcote, who was a member of the council, made a report to the Board of Trade, in which he says that he had “labored to divert the Americans from going on with their linen and woolen manufactures. He says they were already so far advanced that three-fourths of the linen and woolen used was made among them, especially the coarse sort; and if some speedy and effectual ways are not found to put a stop to it, they will carry it on a great deal further, and perhaps, in time, very much to the prejudice of our manufactories at home.” (Page 329.)

On page 330 Bishop says: “Cotton was regularly imported in small quantities, chiefly from Barbadoes, but occasionally also from Smyrna and other places to which trade extended, and was made into fustians and other stuffs with linen thread; but linen then subserved nearly all the purposes for which cotton is now employed, and hence the attention given to the cultivation of the flax and hemp plants. The linens made at that time were for the most part of a coarse texture. The kerseys, linesey-wooleseys, serges, and druggets, consisted of wool variously combined with flax or tow, and formed the outer clothing of a large part of the population during the colder seasons. Hempen cloth and linen of different degrees of fineness, from the coarsest tow cloth to the finest Osnaburg or Holland, constituted the principal wearing apparel, outward and inward, at other times.”

On page 331 he says: “The dress of apprentices and laborers early in the last century almost invariably comprised shirts of this home manufactured ‘Ozenbrig,’ made of hemp or flax, and varying in price from 1 shilling to 1 shilling and 6 pence per yard, and vests and breeches of the same, or of coarse tow cloth. Coats or doublets and breeches of leather or enduring buckskin, and coats also of kersey, druggel, corduroy, frieze, etc., felt hats, coarse leather shoes with brass buckles and often wooden heels, and coarse yarn or worsted stockings, were the common outer habiliments of that class, and were principally of home manufacture.”

Further, on the same page, he says: “About the year 1719 a considerable improvement was made in the linen manufacture in this country by a number of Protestant people from the North of Ireland, who introduced a better knowledge of the cultivation and manufacture of flax and the linen or foot wheel for spinning flax.”

I will not go on further with the details of cotton, woolen, and linen manufacture. The author, speaking of the progress of it up to the Revolutionary War, concludes by saying: “It may be questioned if the people of that day were not as really independent of other countries for such necessaries as their descendants at present.” (Page 416.)

I commend this statement to the consideration of Senators who are insisting upon protection to this species of manufacture to-day.

There are various accounts in this volume from which I am quoting of the establishment of glass manufactures in Massachusetts, New Jersey, Pennsylvania, and New York. They were not quite so prosperous as other industries. One of the causes that he mentions as a difficulty in their way was the temptation to artisans to abandon their trades to become agriculturists and landowners. He says, on pages 236, 237: “In January, 1767, Sir Henry Moore, Governor of New York, writing to the Lords of Trade, in obedience to their circular letter of August of the preceding year, dwells on this tendency of labor to desert the factory for the field as an antidote to all successful attempts at manufacture in the dependencies. Even servants, imported from Europe for different trades, so soon as their indentures expired, quit their occupations and obtained a small piece of land. The satisfaction of being landholders prompted them to endure every privation for a few years in preference to a comfortable subsistence easily procurable in their trades. He informs their lordships that the master of a glass house set up in the province a few years before, then a bankrupt, assured him that his ruin was attributable to no other cause than being deserted in that manner by his workmen whom he had imported at great expense. Many others had suffered equally with himself from the same cause.”

But the progress of the manufacture of glass during that period was remarkable. An extract is given from a letter written by Mr. David Rittenhouse, speaking of a glass tube made at a factory near Philadelphia, where there were several iron furnaces and glass works. It reads: "I am obliged to you for the glass tube; it will make a pretty barometer, though the bore is somewhat too small. I have compared it with an English tube, and do not think that the preference can with any reason be given to the latter."

Contemporaneous with the manufacture of cotton and woolen in the Colonies was that of iron. As early as 1645 regular works were established at various points. "On the 6th of May, 1646, Mr. Jenks was granted by the Legislature a patent for fourteen years 'for the making of engines for mills, to go by water, for the more speedy dispatch of work than formerly, and for the making of scythes and other edged tools, with a new invented sawmill, that things may be afforded cheaper than formerly, etc., yet so as power is still left to restrain the exportation of such manufactures and to moderate the prices thereof, if occasion so require.' In May, 1655, he was accorded another patent for an improvement in the manufacture of scythes, 'for the more speedy cutting of grass, for seven years.' The innovation consisted in giving greater length and thinness to the blade and in welding a bar of iron upon the back to strengthen it, as in the modern scythe. This was an essential improvement upon the old form of the English scythe, which was a very clumsy instrument, short and thick, like the bush or stub scythe. No radical change has since been made in the form of the instrument." (Pages 476, 477.)

Furnaces, foundries, rolling mills, bloomeries, forge hammers, nail works, wire mills, all had a solid basis and rapid growth. Bells, firearms, sheet iron for tinware, wire, etc., were made in large quantities. Cut and hammered nails, spades, shovels, card-teeth, swords, scythes, metal buttons, cannon balls, etc., were all at that time articles of manufacture.

The Senator from Vermont [Mr. Morrill] boasted the other day about the perfection to which the American ax had been brought, and I believe he said that Mr. Gladstone, in making a present to some association, town, or city, had selected an American ax for that purpose. Let me convince the Senator that the perfected American ax is the offspring of the unprotected genius and skill of colonial manufacture, and not that of the modern protected industry. On page 630, volume I., of the book from which I quote, I find: "A dangerous rivalry to British iron interests was apprehended in the American States, not only in the production of rough iron, from the cheapness of fuel and the quality of the iron, but also in the articles of steel cutlery and other finished products, from the dexterity of Americans in the manufacture of scythes, axes, nails, etc. In these they exceeded the French and most European nations, as well in the style and finish as in the quality of their articles, being made from the best iron," etc.

Wiredrawing is also mentioned as being an industry of the Colonies in the year 1666.

I cannot go further with these details. Though exposed to the full brunt of British competition, these iron industries, as well as the woolen, linen, and cotton industries, not only maintained themselves at home, but they became the aggressors—they literally "bearded the lion in his den," and exported their products to England. From 1728 to the Revolution, pig and bar iron became articles of regular export to the mother country. Here are the tables which I believe I will ask permission to print as a part of these remarks. They are on page 628 of Bishop's "History," volume I.

PIG AND BAR IRON EXPORTED FROM THE NORTH AMERICAN COLONIES FROM 1750 TO 1756.

Year.	Iron.	New England.			New York.			Pennsylvania.			Maryland and Virginia.			Carolina.			Totals.			
		T.	c.	q. lb.	T.	c.	q. lb.	T.	c.	q. lb.	T.	c.	q. lb.	T.	c.	q. lb.	T.	c.	q. lb.	
1750.....	Bar.....																			
	Pig.....	21	1	2 8	75	12	1 4	318	9	3 11	2,508	16	1 25				2,924	0	0 20	
1751.....	Bar.....				2	0	0 0				3	4	2 9				5	4	2 9	
	Pig.....	9	16	2 13	33	0	3 22	199	15	2 22	2,950	5	3 15	17	14	0 12	3,210	13	1 0	
1752.....	Bar.....							64	16	2 5	16	10	2 21				81	7	0 26	
	Pig.....				41	5	0 0	156	8	2 26	2,762	8	0 4	20	0	0 0	2,980	1	3 2	
1753.....	Bar.....	2	8	0 19				147	13	2 1	97	18	0 19				247	19	9 11	
	Pig.....	40	10	1 7	97	4	3 2	242	15	1 0	2,347	9	2 18	10	0	0 0	2,737	19	3 27	
1754.....	Bar.....				6	10	0 0	110	9	3 24	153	15	1 8				270	15	1 4	
	Pig.....	4	16	0 22	115	16	2 0	512	19	3 12	2,591	4	3 17	20	0	0 0	3,244	17	1 25	
1755.....	Bar.....				11	12	0 0	79	5	0 20	299	1	3 0				389	13	3 20	
	Pig.....				457	8	0 14	836	6	1 0	2,132	15	1 22	14	13	0 0	3,441	2	3 8	

"In addition to the foregoing there were exported to Scotland during the last sixteen years the following quantities—namely:

Period.	Bar Iron.	Pig Iron.
In ten years, 1739-1749.	<i>T. c. q. lb.</i> 10 19 2 11	<i>T. c. q. lb.</i> 963 18 2 0
In six years, 1750-1756.	228 13 1 10	

"From about this period to the Revolution there was a considerable increase in the exportation, especially of bar iron, as appears from the following table:

AMOUNT OF BAR AND PIG IRON EXPORTED FROM ALL THE CONTINENTAL COLONIES TO ENGLAND IN EACH YEAR FROM 1761 TO 1776.

Year.	Bar Iron.	Pig Iron.	Year.	Bar Iron.	Pig Iron.
	<i>T. c. q. lb.</i>	<i>T. c. q. lb.</i>		<i>T. c. q. lb.</i>	<i>T. c. q. lb.</i>
1761	39 1 0 0	2,796 2 3 12	1769	1,770 13 1 23	3,401 12 2 2
1762	122 12 2 14	1,766 16 0 2	1770	1,716 8 0 21	4,232 18 1 18
1763	310 19 3 2	2,566 8 0 25	1771	2,222 4 3 24	5,303 6 3 13
1764	1,059 18 0 0	2,554 8 3 21	1772	965 15 0 23	3,724 19 2 25
1765	1,078 15 0 16	3,264 8 1 22	1773	837 15 0 6	2,937 13 0 2
1766	1,257 14 3 9	2,887 5 1 15	1774	639 0 0 23	3,451 12 2 19
1767	1,325 19 0 18	3,313 2 1 19	1775	916 5 2 11	2,996 0 2 24
1768	1,989 11 0 6	2,953 0 2 14	1776	28 0 0 0	316 1 2 8

While I am on the subject of exports, perhaps it may be as well to say, for the benefit of my friend from Nebraska, that the Colonies in 1770 were exporting a large amount of lumber, embracing boards, plank, scantling; timber for masts, spars, and buildings; staves, heads, headings, hoops, poles, frames of houses, etc. (See Bishop, volume I., page 115.)

The growth of these industries was so rapid that they excited the jealousy and apprehension of English manufacturers. Remonstrances and representations from iron masters show that colonial iron manufacture was thus early regarded as a rival to that of the mother country.

"Iron masters, tanners, and owners of coppices in the neighborhood of Sheffield, were alike apprehensive that the iron works erected at great expense would be ruined; the laborers be rendered destitute or be forced to emigrate; and the tanneries be left without bark from the woods remaining uncut, or the land being converted to tillage, unless the number of forges should be increased, and of furnaces lessened by removing the duty from pig iron only. The plenty and cheapness of wood would enable American iron to undersell the British, and thus ruin the trade; while the iron manufacturers, rendered wholly dependent on so distant and precarious a source for material, would probably decay and reduce thousands of workmen to want and misery." (Page 626.)

"As a most effectual means," says Bishop, "of preventing such manufactures as would interfere with their own, the Parliament passed an act to encourage such crude manufactures as pig, sow, and bar iron, hemp," etc.

But while the production and exportation of bar and pig iron was thus encouraged by having the duties repealed, the other clause, to arrest colonial manufactures, was as follows: "From and after the 24th day of June, 1750, no mill or other engine for slitting or rolling of iron, or any plating forge to work with a tilt hammer, or any furnace for making steel shall be erected, or, after such erection, continued in any of His Majesty's Colonies of America."

The navigation act of 1650 and 1651 confined the trade of the Colonies and all colonial production to British ports. By the Act of 1661 cotton and wool grown or manufactured in the Colonies were forbidden to be shipped to any port except England, and in 1669 all woolen manufactures were forbidden to be exported to any place. (See Bishop, volume I.)

This concludes what I have to say, sir, of our manufactures during our colonial period down to the Revolution, during which time the Colonies grew and prospered, not only unaided by the legislation of the mother country, but in spite, as I said before, of her unfriendly and prohibitory enactments. The only encouragement that they received was that of a few bounties and premiums from the local authorities such as our own States and towns often give in these days.

All honor to the noble men in whose patient toil, self-reliance, and unconquerable

energy was laid the foundation of these great arts which have done so much to adorn and elevate and perfect the civilization of this continent!

During the Revolutionary War the growth of manufactures was greatly stimulated. The effect of the close of the war was injurious to the business interests of the country at first. All its industries shared in the depression. The manufacturing classes, being in cities and centers of population, could act in combination and get up petitions and memorials setting forth their sufferings, and thus make them more apparent than could the agricultural classes, who were scattered and less able to move in concert. But, in truth, all interests were prostrated by the long and impoverishing war. Of course Mr. Bishop attributes the prostration of manufactures to "the flood of European imports which were poured into the country." He says: "Many new and important establishments had been entirely ruined by enormous importations which followed the peace."

In point of fact, there were, as shown from his own pages, no greater importations immediately after the peace than there were for some years before the war.

Mr. President, at the adoption of the constitution there can be no doubt that the founders of our Republic were profoundly impressed with the necessity of preserving our manufactures. We had just emerged from a war in which our existence was at stake. The nation was then in its infancy, and weak in all the elements of national security. Their eyes were fixed on their relations with other countries, and they felt the deep necessity of the full command by the government of the entire power and resources of the country to the preservation of the nation's independence and existence. Manufactures were regarded, and very wisely, as one of these elements of the national strength. But, sir, a close scrutiny of the views of these early founders of our Republic will show that they regarded this fostering of manufactures as a temporary policy adapted to a nation in the infancy of its existence. Washington placed his recommendation on that ground. In his first message he said: "The safety and interest of the people require that they should promote such manufactures as will render them independent of others for essential, particularly military, supplies."

The first Congress in its action looked to the same result, and adopted a resolution ordering the Secretary of the Treasury to report some plan "for the promotion of such manufactures as will tend to render the United States independent of other nations for essential, particularly military, supplies."

Now, sir, I wish here to call special attention to the response which Alexander Hamilton, who was then Secretary of the Treasury, makes to this resolution. Observe, sir, that this was in 1791. His report shows the condition in which manufactures were after undergoing and passing through all the prostration and distress consequent upon the return of peace, "against which the old confederation could provide no remedy, while the inharmonious and conflicting laws of the several States could give but partial relief within their own jurisdiction."

Sir, that report exhibited the fact that our manufactures had passed through that most trying of all ordeals: transition from disorganization to reconstruction, strong and vigorous. In January, 1791, Mr. Hamilton made his report. Of course it advocated protection to manufactures by bounties and tariff duties; but the point to which I desire to call special attention is his report at that time as to the condition of manufactures.

#### IRON.

Under the head of "Iron" he says: "Proofs have been received that manufactories of iron, though generally understood to be extensive, were much more so than was commonly supposed. Iron works were carried on more numerous and advantageously than formerly, and the price of iron had risen chiefly on that account from \$64, the average before the Revolution, to about \$80. In the manufacture of steel considerable progress had been made, and some new enterprises on a more extensive scale had been lately set on foot. The United States already, in a great measure, supplied themselves with nails and spikes. . . . Implements of husbandry were made in several States, and could be made to supply the whole country. Edge tools of different kinds were also made, and much hollow ware.

#### "COPPER.

"Manufactures of copper were also of great extent and utility.

#### "WOOD.

"Several manufactories of this article flourished in the United States. Ships were nowhere built in greater perfection, and cabinet wares generally were made little if at all inferior to those of Europe. Their extent was such as to have admitted of considerable exportation, and exemption from duty of all woods used in manufacture seemed to be all that was required.

## "SKINS.

"In the principal branches the progress was such as nearly to defy foreign competition. Tanneries were carried on both as a regular business and as incidental family manufacture.

## "SAIL CLOTH

already employed a flourishing factory at Boston. Manufactures of paper were among those which arrived at the greatest maturity, and were almost adequate to the national supply."

The first tariff that was imposed certainly recognized the principle of protection. So far as it can be invoked on the constitutional question it furnishes a precedent, though certainly the duties were for revenue purposes, and at the lowest rates which have ever existed in this country.

## 1789-1801.

The Senator from Maine [Mr. Frye], in the speech to which I have already referred, uses the following language: "History repeats itself. Our periods of prosperity have been the years of protection; of adversity, those of free trade. By free trade I mean a tariff for revenue only. In 1789-1801 we had protection; in 1801-1812, free trade; in 1812-1816, protection; in 1816-1824, free trade; in 1824-1833, protection; in 1833-1842, free trade; in 1842-1847, protection; in 1847-1861, free trade; in 1861-1881, protection again."

Mr. President, was the first tariff, the tariff of 1789, a tariff for protection? I respectfully deny it. I will show that that tariff was a tariff for revenue, with incidental protection, and that protection very slight. It is here before me in "Young's Statistics on Customs-Tariff Legislation:" "On cloth manufactures and textile fabrics, seven per cent; on iron manufacture, seven and one-half per cent *ad valorem*."

I can cite abundance of authority to my aid on these points. Horace Greeley, in his work on "Political Economy," page 34, speaking of our manufactures, characterizes the first tariffs as "scarcely a skirmish line of legislative defense against a powerful, determined, and often crushing foreign rivalry." On page 247 he says: "Though protection to manufactures had been declared in its preamble as one of the purposes of the first tariff formed and passed under the Federal Constitution, . . . it was not until 1824 that a measure of exclusive protection . . . became a law of the land."

I could quote an abundance of other authorities. Albert Gallatin speaks of the growth of our manufactures as due to many causes, with no other aid except the incidental protection derived from the tariff. I admit, sir, that it was a period of great prosperity, and that manufactures prospered under that low revenue tariff with incidental protection.

## 1801-1812.

But, sir, why does he put down the period from 1801 to 1812 as a period of free trade? I cannot tell; for all the tariffs imposed after 1798 until 1816 continued to assess higher and higher duties, but all of them were low revenue tariffs with incidental protection. Nor do I see why this period from 1801 to 1812 should be characterized by him as one not only of free trade, but of adversity. It was during this period that our nation, thanks to a low tariff, was enabled to avail itself of its neutrality and to obtain the large carrying trade of that period and to assume such a high and honorable position among the commercial nations of the earth.

The export trade of the United States in the year 1807 reached a higher value than in any other year previous to 1838. It had increased in sixteen years to \$89,331,109. The domestic exports amounted to \$48,000,000, and the foreign to \$59,000,000. Assuming the population to have been six million three hundred thousand, the total exports of the country averaged \$17.19 for each individual, while the total value *per capita* of exports in 1790 was \$4.84. (See Bishop, volume II., pages 120, 121.) These exports embraced manufactures to the value of \$2,309,000. The American tonnage employed in the foreign trade, as compared with that of all other powers so employed, was in the proportion of more than twelve to one. There was a large surplus in the treasury after paying a large amount of public debt. It was a period of steady growth and prosperity.

MR. SAULSBURY: Louisiana was purchased in that period.

MR. LAMAR: Yes, sir; we were enabled not only to extend our commerce, but, as the Senator from Delaware suggests, also to extend the area of our national territory by the purchase of Louisiana.

Speaking of the year 1807, Bishop says that "labor and capital began from this time to be more than ever directed to manufactures, and small cotton factories were rapidly multiplied."

The number of cotton factories, woolen factories, glass factories of blown and cut glass, nail factories, breweries, copper and tin factories, wire weaving and riddle factories, brass foundries, potteries, and tanneries is so great that I shall not take the time of the Senate or incur the *Record* with the account of them as chronicled by the author that I am quoting. Perhaps it will suffice to call attention to Mr. Gallatin's report on manufactures, submitted to Congress on the 7th of June, 1808. I commend it to your study and consideration. I cannot quote from it at any length, but will give one or two extracts from it. He says:

"The following manufactures were ascertained to be carried on to an extent which might be considered adequate to the consumption of the United States, as the value of their products annually exported exceeded that of the foreign articles annually imported"—manufactures of wood, or of which wood is the principal material; leather and manufactures of leather; coarse earthenware; and many other articles.

"The following branches are firmly established, supplying in several instances the greater, and in all a considerable, part of the consumption of the United States—namely, iron and manufactures of iron; manufactures of cotton, wool, and flax; hats, paper, printing types, printed books, playing cards, spirituous and malt liquors; several manufactures of hemp, gunpowder, window glass, jewelry, and clocks; several manufactures of lead, straw bonnets, hats, and wax candles. Progress had also been made in the following branches"—I cannot go on, Mr. President, with these details; but the whole report shows that the manufacturing condition of the country during this period, which the Senator calls the period of free trade, was one of abundant prosperity in all the departments of American industry. And I desire to impress upon Senators that at this early day an American Secretary of the Treasury had declared as "firmly established" the very industries which to-day are declared to be incapable of being carried on without the protection of high duties.

On May 1, 1813, a digest of the census of 1810 was submitted to Congress by Mr. Tench Coxe, Assistant Secretary of the Treasury. That report declared that the several branches of manufacture had advanced since the autumn of 1810 at the full rate of twenty per cent. I will give but one more extract from this report:

"The whole population, taken at eight millions of persons, will produce in the current year an aggregate value of manufactures, exclusive of doubtful articles, of \$200,000,000. . . . The general result furnished a gratifying comparison with the product of English manufactures, which, in 1787, when the population of England alone was about the same as that of the United States at this time, or 8,500,000, was computed at \$266,000,000. This state of manufactures has been in a great measure attained by the United States . . . with only an incidental support from government, while England has been for hundreds of years progressing under many forms of government aid."

This concludes the period of 1801 to 1812. Would any one call it a period of adversity? The Senator calls it a period of free trade. Mr. Gallatin and Mr. Greeley and Mr. Coxe called it a period of revenue duties with a slight incidental protection.

#### 1812-1816.

But the Senator says that from 1812 to 1816 was a period of protection and prosperity. Sir, it was a period of war and of war duties, and manufacturers enjoyed that kind of development and prosperity which war engenders. This prosperity was the result of the concurrence of many causes. The exemption of manufactures from all competition by the entire suspension of commerce by the war and the embargo preceding it was one cause; but another was the great inflation of the currency growing out of the enormous issues of paper money, both by the government and the numerous banks which were chartered at that time, each pouring out its worthless issues that were never to be redeemed. Prices rose high; profits of all kinds of industry increased; and manufacturers, sharing in the profits, multiplied in number and increased in production.

The Senator says that it was a period of prosperity. I admit it, and cite it to show the continued and increasing prosperity of American manufacturers through periods of low duties and high duties, through peace and war, up to the year 1816.

#### 1816-1824.

I can account for the Senator's declaration that the period from 1816 to 1824 was a period of adversity. It was so in many respects, as I will show directly. But why should he call it a "period of free trade?" Why, Mr. President, the tariff of 1816 was the inauguration of the protective system in the United States. Can it be possible that I have to prove this? Hear what Mr. Webster says about it in his speech in 1824: "We hear of the fatal policy of the tariff of 1816; and yet the law of 1816 was passed avowedly for the benefit of manufacturers, and, with very few exceptions,

imposed on imported articles very great additions of tax, in some important instances, indeed, amounting to a prohibition."

I cite Mr. Greeley next: "Hence," said he, "John C. Calhoun, though a protectionist while in the House, as he showed in framing and advocating the tariff in 1816, became an intense free trader," etc.

Again, Mr. Greeley, on page 247 of his "Political Economy," says that "the tariff of 1816 was made undeniably and stringently protective in its duties on cotton fabrics and on some manufactures of iron."

I make one other citation, from Lossing's "History of American Arts and Manufactures:"

"The Congress now possessing ample powers to levy taxes and to regulate the commerce of the country, domestic and foreign, proceeded, under the wise leadership of Alexander Hamilton, the first Secretary of the Treasury of the new nation, to the delicate and important task of laying the foundations of the financial and commercial policy of the United States. That policy was defined in his report of December, 1791, on the manufactures of the country, in which he proposed a tariff for revenue so high that it would operate practically as a tariff for protection. It was not, however, until 1816 that a tariff was established avowedly for protection.

"Up to that time there had been twenty-five acts in which tariffs had been established, all for revenue; in the spring of that year the first of a series of tariffs for the protection of American manufactures was established, under the sanction of President Madison. It was the progenitor of all the subsequent protective tariffs."

Sir, if the Senator could satisfy the intelligence of this country that the tariff of 1816 was not a protective tariff, he would perform a service for John C. Calhoun in vindicating his name and fame from a charge of having once supported a protective tariff which Mr. Calhoun when living confessed upon the floor of the American Senate that he could not perform for himself. In one notable debate between himself and Mr. Webster, upon the subject of protection, Mr. Webster, after summarizing rapidly his own reasons for supporting protection, many of which were the repetitions of those which Mr. Calhoun had given in 1816, he turned to that Senator and said: "Mr. President, in all this I may be wrong and in error; but if so, there sits my seducer." After Mr. Clay and Mr. Clayton twitted him with being the author of the protective system in this country he arose and, with that candor which marked all his utterances, declared that the state of the country immediately after the war of 1812, and his desire to make our nation secure and independent and complete in every resource of power, misled him into a policy whose practical effects had convinced him of its unjust, oppressive, and pernicious character.

There is no question, sir, about the distress and disaster and universal depression which occurred during this period last referred to. Here sir, is what Mr. Henry C. Cary says of that period:

"Protection afforded by the war caused a considerable increase in iron manufactures, but there exist no reliable statistics in regard thereto. Peace in 1815 was followed by the so-called revenue tariff of 1817, and that in turn, as is so well known, by the closing of factories and furnaces; by the ruin of manufacturers and merchants; by the discharge of workmen everywhere; by the stoppage of banks; by the bankruptcy of States; by the transfer of the real estate of the Union, and by an impoverishment of our people generally beyond all former precedent."

Mr. Matthew Carey, speaking in his "New Olive Branch," thus describes the condition of Pittsburg in 1819:

"This city in 1815 contained about six thousand inhabitants. It exhibited as exhilarating a scene of industry and prosperity as any place in the world. Its immense local advantages—seated at the confluence of two noble rivers forming the majestic Ohio, its boundless supplies of coal, and the very laudable enterprise of its inhabitants—had for a long time rendered it the emporium of the Western world; but, alas! the immoderate influx of foreign manufactures poured in there shortly after the peace produced a most calamitous reverse."

I pause in this quotation a moment, sir, to remark that the influx of foreign manufactures at that time was less than it was in 1807 (a period of great manufacturing prosperity, as I have already shown), and could not therefore have produced the calamitous reverse. But to proceed with the quotation:

"The operations of the hammer, the hatchet, the shuttle, the spindle, the loom, ceased in a great degree. Noble establishments which reflected honor on the nation were closed, the proprietors ruined, the workmen discharged, a blight and a blast overspread the face of the city; and the circumjacent country which had shared in its prosperity now equally partook of its decline."

Now, sir, if these terrible scenes so vividly described by the two Careys were due

to the tariff of 1816, then, sir, it must be conceded that they were the results of a tariff which Mr. Webster declared "was passed for the benefit of manufacturers," and Mr. Greeley declared was undeniably and strictly protective in its duties. They certainly cannot be ascribed to the influence of "a tariff for revenue only."

I do not say (for I do not think) that this state of things was caused by that tariff. In the recent discussions on the financial questions both sides agreed that the great revulsion of that period was caused by a disordered currency.

Upon the return of peace and the renewal of trade our manufacturers, habituated to the absolute command of the home market and inflated prices, had to meet foreign competition with prices down to their natural level. The currency was suddenly contracted from \$145,000,000 to \$45,000,000. A revulsion followed, fearful in its extent and terrible in its ravages; but it embraced in its desolating sweep all the industries, agriculture, manufactures, and trade alike. Its effect upon agriculture was more enduring than upon manufactures.

The farming people at such times, Mr. President, live very closely, and try to bear the hard times with greater self-denial and patient toil; but the manufacturers clamor for legislative relief and high tariffs; and, sir, not without effect. The tariff of 1818 was passed; but the duties, though much higher than those of 1816, were not high enough to satisfy the manufacturers. Another still higher tariff was passed in 1819; but protection begets protection, and this was followed by the tariff of 1824, which Mr. Greeley styled "the tariff of unqualified protection."

But, sir, injurious as was that financial crisis upon agriculture and commerce and manufactures, upon investments of capital and profits of business and rewards of labor, the facts chronicled in the history from which I have so often quoted prove that manufacturing as an industry was not overthrown nor its power of growth vitally impaired.

A brief account of the increase of manufacturing establishments during this period shows that, while protection could not avert the disasters which caused a general overturn of all industries, there was in American manufacture the same recuperative power, the same native genius, skill, and capacity to adapt means to ends and develop greater resources under adversity, that mark the American character in all other departments of human endeavor; that, while the war had increased the number of mills and drawn larger capital and extended the industry, it had lagged behind in the improvements that had taken place elsewhere; that the competition which drove weak and unskillful establishments from the field could not shake those establishments which resorted to modern improvements in machinery; it shows that, no matter how depressing the times might be, capital and skill, which in eras of cheap prices are hunting for safe and profitable investments, found them in the new manufactures which were being established all over the country.

#### 1824-1833.

The Senator from Maine says that from 1824 to 1833 was a period of protection and prosperity. True, so far as the protection is concerned; for the tariff of 1824 was a tariff of "unqualified protection," and that of 1828 was the well-known "bill of abominations."

I must say, however, that the picture drawn by Mr. Clay, and quoted by the Senator, of the unexampled prosperity of that period, was a little too bright with the tints of oratory and rhetoric. In the sober colors of historical statement the effect is somewhat subdued. Bishop says: "An unusual degree of distress prevailed at this time among the manufacturers of New England, particularly in the cotton branch, producing numerous failures and great depreciation of the value of stocks. The cause was by some ascribed to the disappearance of specie, and by others to overspeculation, which had tempted great numbers into manufacturing with insufficient capital, and consequently overproduction."

Again, Bishop tells us that, in consequence of the tariff of 1824, a large amount of capital had, during a number of years past, been attracted to the woolen manufacture.

But what was the result of this policy of diverting enterprise from agriculture into this and other branches of manufacture by the higher duties of the tariff of 1824? It was this. When the author comes to the year 1827 (remember, sir, that it was "the period of protection") he has to state that "the woolen interests at this time, as well as the agricultural branches connected with them, found themselves suffering under the severest depression and unable to struggle with the various adverse influences by which they were surrounded." (Volume II., page 313.)

Well, sir, in 1829, another year of this halcyon period of "protection and prosperity," the same historian has to record that "the continued distress of the woolen manufacturers, who had been fast sinking under foreign competition, or, with very



few exceptions, had barely sustained themselves in the hope of some permanent measures for their relief, and the equally depressed condition of the iron interest, produced a resolution of the House empowering the Committee on Manufactures to send for and examine persons on oath concerning the present condition of manufactures," etc. (Volume II., page 321.)

So, sir, it appears that during this period of high tariff protection distress to an unusual degree prevailed among the cotton manufactures in 1829; that the woolen interests were suffering then, as in 1827, under "the severest depression;" and that in 1828 the iron interests were "in an equally depressed condition."

Another fact worthy of consideration is that in that period of high protection our foreign tonnage steadily decreased, and at the end of the period had fallen off thousands of tons. Our coasting tonnage fell off still more. Its effects upon the capacity of our manufacturers to meet the competition of foreign countries were still more marked. During that same period our exports of American manufactures declined steadily to the close. It is also true, sir, that if in this period prosperity bloomed around the manufacturing sections adversity brooded over others. Here is a picture not so attractive as Mr. Clay's, but quite as graphic and more true to fact.

Mr. Calhoun says: "Desolation spread itself over the entire staple region; its commercial cities were desolated. Charleston parted with her last ship, and grass grew in her once busy streets. The political condition of the country presented a prospect not less dreary; a deep and growing conflict between the two great sections agitated the whole country, and a vast revenue beyond its most extravagant wants gave the government boundless patronage and power which were rapidly changing the character of the government and spreading corruption far and wide through every condition of society."

Sir, if manufactures could not prosper during that period, their case would indeed be a hopeless one. With seven years of embargo and war, free from all foreign competition, nine more of protection, ten more of extreme protection, certainly, sir, they had an opportunity to lay the foundations of their prosperity broad and deep.

#### 1833-1847.

The Senator from Maine says that the period from 1833 to 1847 was one of free trade and adversity. It was a period of compromise, of progressive reduction from protective to revenue duties. What I mean is that the Compromise Act which passed in 1833 provided that all duties on imports exceeding 20 per cent on the value thereof should be reduced after the 31st of December following one-tenth of the excess above 20 per cent, and that a like reduction should be made every second year until 1841, when one-half of the excess remaining should be taken off, and the remaining half after the 30th of June, 1842. But the effect of the lower or revenue standard of duties was never tested, for the compromise act was repealed in 1842.

This has been designated also as a period of adversity. Mr. President, there are many who have insisted that, even in spite of the financial troubles which grew out of a disordered currency during that period, agriculture, manufacture, and commerce all made greater progress under the Compromise Act than they did under the high protective tariffs of 1824 and 1828. I do not make this assertion myself, for my purpose is not to show that manufactures were more or less prosperous at any one period than at another, but that they were able to maintain themselves equally with other industries. At the same time I must say that there are some striking facts in support of their assertion. I have mentioned that the tonnage fell off very largely under the tariff acts of 1824 and 1828, and the exports of manufactured products also decreased. Under the compromise tariff the tonnage at once began to increase until at the close of the period it had nearly doubled itself.

The exports of domestic products also increased under the compromise tariff; and, though checked by the financial embarrassments of 1836 and 1837, yet in nine years the exports of American manufactures greatly increased, such was the effect of low duties in enlarging the market for our manufactured products, and infusing into our manufacturing industries the vigor to compete in foreign markets; and the same was true of our agricultural interests.

Under this system of progressive reduction new factories were springing up over the country, and old ones undergoing large extensions. I cannot take up the time of the Senate in reading the account of them as given by this history. I may avail myself of the privilege accorded me to append a short synopsis of the most important.

#### 1833-1843.

"Fall River, Mass., where the first cotton mill was erected in 1812, had in this period, from 1833 to 1843, thirteen cotton factories; one satinet factory, employing one hundred and fifty hands; and the Anawam Iron Works and nail factories.

"The Work Manufacturing Company, of Saco, Me., completed a new four-story cotton mill in the place of one destroyed by fire, and within the next four years added two other large mills. They had also at this time a rolling mill and a nail factory.

"The cotton manufactures exported in 1833 amounted to \$2,532,567.

"In New Jersey there were sixteen extensive factories of saddlery and harness; ten carriage factories, having seven hundred and seventy-nine workmen; and shoe factories, eighteen in number; thirteen tanneries; considerable manufactures of iron and brass cannon castings, and malleable iron coach springs, tin, sheet iron ware, and stoves; hardware manufactures, and two patent leather manufactures. About \$200,000 manufactures, principally shoes, were sent to New York in two days during 1833.

"The Novelty Works, for the manufacture of platform scales and domestic hardware, established at Pittsburg, Pa.

"A gimlet factory at Wakely, Brickley, and Keene and Franklin Counties, New Hampshire; and one in Connecticut. The new twist gimlet was considered as much superior to the old English gimlet as the American screw auger was to the old auger.

"In 1834 the American market was in a great measure supplied with domestic carpetings of all kinds. In that same year the foreign articles consumed in the country, after deducting teas, wines, coffee, and spices, did not exceed \$500,000,000 per annum, while the value of the manufactures of the United States was estimated at \$350,000,000 per annum.

"New machinery for spinning flax and hemp for cordage introduced into New York.

"Great perfection at this time exhibited in the art of casting iron. Iron castings at Albany, N. Y., were particularly noted for excellence, and were equal to any in the world. The hollow ware of Bartley, Bentz & Co. was preferred to the best Scotch castings, and American stoves received the preference wherever known. The recent progress in the manufacture of American hardware was indicated by the increasing number of articles of domestic production which composed the stock of the hardware merchants. Several dealers in the principal cities devoted themselves chiefly to the sale of American hardware. Hammered brass kettles, or battery, began at this time to be first made in the United States.

"Wood screws first made this year by machinery at Providence, R. I.

"The Ames Manufacturing Company commenced operations this year in an establishment erected at Cabbotsville.

"American axes and locks acknowledged to be the best in the world.

"Oliver Ames, of Eastern Massachusetts, had at this time three extensive shovel factories—one at Easton one at Baintree, and one at East Bridgewater; and his estimated profits were \$15,000 per annum.

"In 1835 haircloth manufactures were established at Deerfield, Mass.

"Six companies incorporated by Massachusetts for the manufacture of India rubber goods.

"Boston and Lowell Railroad opened for travel.

"Several cotton factories erected.

"The Newport Manufacturing Company, opposite the city, established. Employed two hundred hands. Made woollen goods, cotton bagging, cotton yarn, and bale rope, to the value of \$281,000.

"Manufactures of Covington amounted to \$508,500, of which \$200,000 was the product of an iron rolling mill and nail works.

"The arrivals of steamboats at New Orleans this year estimated at two thousand three hundred, an increase of seven hundred since 1832.

"The Howe Manufacturing Company was established this year at New York, and another at Derby, for spun-head pins.

"The manufacture of locomotives was begun in New York by Thomas Rodger, the eminent manufacturer of cotton machinery and railroad work.

"Fourteen locomotives were built this year at Philadelphia, and forty in 1836. The Norris Locomotive Works also in operation. One of his engines, the 'George Washington,' established his reputation as a builder, and he added other improvements the same year.

"Nearly one hundred thousand wood and brass clocks made this year in Connecticut.

"An immense number of patents taken out for all kinds of improvements in machinery.

"In 1836 charters were granted in Massachusetts to seventy-three manufacturing companies and to thirteen railroad companies.

"First manufacture of wrought iron tubes and fittings for gas and steam works in the United States began this year at the Paschal Iron Works, in Philadelphia.

"One of the most extensive copper mines in this country was opened about this time in Bristol, Conn.

"The productive value of all branches of manufacture, including raw material, in the city of Pittsburg, Pa., was estimated at \$15,575,440. Sixty-one steamboats were built there this year.

"The celebrated Eagle Brewery of Vassar & Co. erected at Poughkeepsie, N. Y.

"India rubber factory put up at Troy, N. Y.

"A large ingrain carpet manufactory put up at Poughkeepsie, N. Y.

"Thirty-seven experiments in smelting iron with anthracite coal begun this year and successfully accomplished. Seventy-six furnaces in operation, thirty-seven for casting iron.

"The manufacture of machinists' tools commenced at Nashua, N. H.

"One of the most complete wire manufactories in the country was that at Falls-town, Beaver County, Pa.

"Pressed glass tumblers and other drinking vessels were first made at this time.

"Covered coat buttons were extensively manufactured at Haydenville, Mass.

"A large number of charters granted this year.

"Rich veins of lead ore were opened at this time.

"The Howe Manufacturing Company commenced this year the manufacture of solid-headed pins.

"The manufacture of gold spectacles and of gold and silver thimbles was commenced this year at Long Meadow, Mass."

The above is a mere abstract, but is taken exactly from the text of Bishop's work, though not in the order in which they appear.

It was during this period, 1837, that "experiments in smelting iron ore with anthracite coal were begun and successfully accomplished," opening up a new era in the manufacture of iron.

Referring to the decade from 1830 to 1840, Bishop says: "We are now approaching a period when the manufacturing industry of the country, established on a solid and permanent foundation, had attained such wonderful expansion that it is no longer possible to trace its progress in detailed statements or isolated facts. In spite of temporary checks and adverse legislation, the Anglo-Saxon steadily widened the circle of his enterprises until the sound of his hammer rang throughout the whole extent of the populated portion of the Republic."

What, Mr. President, do you suppose was the "adverse legislation" referred to? Nothing, sir, but the gradual reduction of taxes under the Compromise Act. It is further stated that the production of cotton goods had increased in the ratio of one hundred and thirty per cent.

It is also stated that "the iron manufacture constituted one of the industries of the country, which, though temporarily depressed at this time in common with most branches of trade and commerce, showed a gratifying result in the past ten years."

I leave this period with the single remark that, notwithstanding the depressions consequent upon the financial panic of 1837, manufacturing industry under the operation of this compromise tariff (whether you style it free trade or protection) had become vigorous, expanded, and capable of entering on equal terms the field of universal competition.

#### 1843-1847.

From 1842 to 1847 the Senator says was the period of protection and prosperity. The tariff of 1842 was enacted under these circumstances: In 1840 there was a great political revolution which swept the Democracy out of power and brought the Whigs in. Contrary to the expectation of the people, and in violation of their pledges and in violation of the compromise of 1832, that law was repealed, and the tariff of 1842 was enacted, for which the Whig party was hurled out of power in the subsequent elections; and the tariff of 1842 was repealed as soon as the Democracy could get the opportunity. The consequence was that it was not in operation over three years and eleven months; and to attribute to it the impulse and revival of industries in this country, which began before that tariff was enacted and continued after it was repealed, through a long period of unexampled prosperity, is simply to make an assertion which needs no reply.

#### 1847-1861.

"The next period of free trade and adversity," says the Senator, "was from 1847 to 1861." Sir, it was a period of revenue tariffs with the incidental protection that such tariffs afford. I remember well, sir, the circumstances under which that tariff

was enacted. I was one of a class of students who read the Congressional debates of that day. I recollect the predictions of evil and the promises of good made by the opponents and advocates, respectively, of that measure. I remember well the prophecies of what would be its ruinous effects: they predicted that American manufactures would expire under its baleful operations, and that our country would become little more than a commercial dependency of England.

I remember also the promises of good which its friends made in its behalf. I am almost tempted to read to the Senate a portion of the great report of Robert J. Walker, in which he depicts the future grandeur and glory of the country in all its interests as the effect of the revenue tariff proposed by him. Sir, time has passed; which was right? Whose predictions have been verified, the prophets of evil or the promisers of good? Did that tariff entail ruin and destruction upon manufacturing industries? On the other hand, did it not accomplish that which its friends and advocates promised it would achieve? Sir, we might well allow the history of the effects of that tariff to be written by its strongest and most uncompromising opponents.

I will, therefore, for the last time, invoke the testimony of the historian, and I will say here that there is not in this Senate a more intense and unqualified advocate of protection than the author of the work which I have been quoting. There is not a chapter, and I might say hardly a page of it, in which he does not dwell upon the benign influence of legislative fostering upon the growth of manufactures and upon the depression and checks which they suffered from legislative neglect. It has been difficult to even quote his statement of facts disengaged from the political opinions with which he connects them. Speaking of the immense extension of domestic manufactures in the decade from 1840 to 1850, he says: "The astounding fact was revealed that the capital invested in manufactures, not counting any establishment that produced under \$500 a year, exceeded \$550,000,000, and that the annual product had reached \$1,019,000,000.

He proceeds: "Vast as this production is, we find ten years later an increase of more than 86 per cent; and if to this amount was added the very large amount of productions below the value of \$500 (of which no official cognizance is taken), the result would indeed be one of startling magnitude."

1850-1860.

Sir, from 1850 to 1860 the wealth of this country increased, as estimated, 126 per cent. During that same period the capital in manufactures increased 90 per cent; the product, 86 per cent; and the profits on capital, 47 per cent. It is stated by Mr. Bishop that in this period the capital in pig iron increased nearly 50 per cent, and the product over 50 per cent. In bar, sheet, and railroad iron, capital increased over 45 per cent; products, over 100 per cent; and profits rose from 18 per cent on capital to 30 per cent. Steel products rose during the same period tenfold. In the same decade the capital of cotton manufactures increased 29.6 per cent; products, nearly 80 per cent; and profits, from 13½ to 45 per cent. In the same decade the capital of woolen and worsted manufactures increased 18 per cent; products, 41 per cent; and profits rose from 43 to nearly 50 per cent. Agriculture prospered in corresponding ratios. I am indebted for these figures to the able and exhaustive speech made by a distinguished gentleman from Virginia, Mr. J. Randolph Tucker.

1861-1881.

This is a period, sir, which the Senator says is a period of protection and prosperity. It is the period which we are now in. I have no desire to compare this period with that under the revenue tariff. The distinguished gentleman to whom I have already referred [Mr. Tucker] has done that in a manner far beyond the happiest efforts of my humble powers. My object is a different one. I simply wish to show the fact that through revenue duties, through the periods of so-called free trade, through periods of depression, through periods of every kind, manufactures have continued to grow at a pace corresponding with the wants of the country, and have taken no step backward under any circumstances, and have been overwhelmed by no adverse fortunes. My purpose has been to convince Senators that if they wish to respond to the demands of the people for reduced taxation, apprehension as to its effect upon manufactures need not stand in the way to obstruct this popular aspiration.

I might devote some of my time to the discussion of the present condition of manufactures under the protective system now in operation. I do not deny that our country has progressed. There never has been a period in which we have not increased in prosperity, and that, too, in advance of our increase of population. If I desired to go into the causes of this grand and rapid development of our material civilization, one among the chief, I would say, was not our restriction on foreign trade, but the fact that we have on this continent the grandest exhibition of the blessings and benefits

of that absolute freedom of commerce between the States which our constitution has established. Nowhere on earth has commerce been so unrestricted, upon such a scale, and through such vast sections, divided by great mountains and rivers, and abounding in all varieties of soil, climate, productions, and conditions. Suppose that we had reversed our constitutional policy, and that, instead of having the free trade which has prevailed throughout all the States, there had been customhouses erected along the boundaries of each particular State; would not the picture of our civilization be reversed?

But, sir, to return to the point from which I started in the beginning of these remarks: what is the condition of your manufactures under this protective system? Why are they depressed? Why are they tottering on the verge of universal bankruptcy, according to their own representations? It cannot, as in 1837 and in 1817 and in 1857, be attributed to financial crises; for never was our currency in a better condition than it is at this time. It is perfectly sound, and it is plentiful. There is but one embarrassment possible—and that is one which has not yet developed itself—growing out of the overvaluation of our silver. I repeat, sir, that there never was a time when the currency of the country was in a condition more favorable to the prosperity of industries than it is now, in its uniformity and in the steadiness of exchanges.

In 1873 there was the same sort of distress that exists at this time. I do not say that it grew out of the protective tariff. It was the result of the sudden contraction of the currency following an enormous inflation. It was one of those terrible currency disasters, not like the ones to which I have just referred—violent in their outburst and brief in their duration—but, like some fatal epidemic, it spread deep and wide, desolating one community after another, until gloom and ruin settled upon all. I repeat, sir, that, while the protective system is not to be reproached as the cause of this widespread distress, it is certainly true that it could not shelter its protected industries from the devastation. But, sir, this distressed condition of manufactures is not confined either to the present time or to the financial crisis of 1873.

In 1868, long before the catastrophe of 1873, when the protective system was in its full play, what was the condition of your manufacturing industries? Sir, I will not trust myself to depict that condition, but will quote from a Senator who is the leading champion here of the protective system, and in that character sings annually its *trionphe* to the Senate. Mr. Morrill, of Vermont, in 1868, in the Senate, made the following remarks: "Look at the industries that are at the present moment unusually depressed. Take, for instance, the entire woolen interest. There is not an establishment that is not losing money to-day. Take the woolgrower. Not a pound of wool raised last year will bring ten cents per pound of its cost. Take the cotton interest. The whole circle of manufacturers are in no better circumstances. Look at the value of their stocks. For instance, take the Bates manufacturing stock, of Maine. . . . And so I might go on almost through the whole list. They all suffer. Take the West—Ohio, Illinois, or Iowa. Look at their hog crop. Why, if they had given away all their hogs, or if they had slaughtered them a year ago and thrown them away, they would have been better off to-day. They have absolutely lost their hog crop by feeding out grain to them which, unfed, would have brought more than all their pork."

Mr. Kelley, in the House of Representatives, in a speech delivered January 18, 1868, said: "The loom and the spindle, no longer able to yield a profit to their proprietors, stand idle; the fires are extinguished in forge and furnace; and the rolling mill does not send forth its hum of cheerful and profitable industry. On one day of last month eighteen hundred operatives in the glass factories of Pittsburg were deprived of the privilege of earning wages by honest toil at the trade in which they were skilled; the establishments in which they worked are closed. In the absence of productive employment for men or machinery, the smaller holders of bonds are selling them to save themselves from bankruptcy if they are proprietors of establishments, or to feed themselves and families in involuntary idleness if they are laborers whose hard-earned savings have been loaned to the government in its exigency. Look where we may, to any section of the country, we hear of shrinkage in the value of manufactured goods, of reduction of wages or of the hours of labor, of factories running on part time or closed or to be closed. I present no jaundiced or partisan view of the case."

Sir, these are not the accusations of an enemy to the protective system; they are the reluctant admissions and confessions which inexorable fact extorts. Behold, sir, the fruits of the protective system! Depression, poverty, impoverishment, and ruin in 1868; in 1873, impotent to stem the tide of financial ruin that swept far and wide the wrecks of capital and labor; and in 1883, the entire fabric of manufacturing capital and labor resting upon the narrow and uncertain basis of government taxation!

Mr. President, I intended to discuss somewhat in full the economical principles of this system, but it has taken me so much longer than I supposed it would to present the historical argument that I shall not do so. There is one point, however, to which I will call the attention of the Senate, for I think that it is one upon which the advocates of this system now mainly put their support. It is this: that the difference between the wages of labor in this country and in England and the rest of Europe is so great that unless a tax is put upon the imported article equivalent to that disparity of wages the American manufacturer of the corresponding article is unable to compete with it; that unless a system of duties is arranged so as to cover by taxation this disparity the American industry must perish in the unequal conflict.

I think that the argument is a fallacy. The general rule is that the nation whose capitalists employ labor at the highest wages has the advantage in competition with those countries whose capitalists employ labor at lower wages. Who, sir, is our most formidable competitor, not only in the markets of the world, but here in our own market? Is it the nation that pays the lowest wages for labor? It is England, sir, that pays the highest wages for labor of any in the civilized world, our own, perhaps, excepted. I repeat that it is England that pays wages far above those of France or Germany or Belgium or Russia, and yet occupies their own markets with her products until they are driven, even with their low wages and cheap labor, to throw up a wall of protective and prohibitory duties against this formidable commercial rival.

The products of the higher waged labor of English manufactures vie with us on our own soil. We, with our bulky and perishable products of the field transported to the seaboard and thence across the ocean, occupy and possess the markets of the world against the product of laborers whose wages *per diem* would not pay for the dinner of an American laborer. In the markets of England, France, and Germany our cotton and cereals and meats meet in successful competition the low waged labor of Russia, of India, of Egypt, and even the slave labor of Brazil. Sir, in the face of the fact that the two highest wage-paying nations of the world—England with her manufactures and America with her staples—are the ones whose products undersell all others, this fallacy of high wages must do disservice to the cause that relies upon it.

There is no principle better understood among political economists than the distinction between the wages of labor and the cost of labor in relation to profits; and, in spite of the sarcasms which are so often launched at this science by those whose contempt for it will not allow them to study and understand its principles, I will invoke its authority. I quote Fawcett's "Political Economy," page 169: "In any given case, the more that is taken in the form of profits, the less will be given in wages. If wages take a larger share of the produce, profits must take a smaller share. Suppose, however, that industry, by the introduction of new machinery, is rendered more productive; there will then be a greater quantity of produce to be distributed, and more may be apportioned to profits, without the slightest reduction in wages."

On page 170 he says: "Mr. Mill has shown that the correct way of stating the principle is, that the rate of profit depends on the cost of labor. The cost of labor is determined by comparing the wages the laborer receives with the amount of wealth which is produced by his labor. If, therefore, labor is rendered more efficient, the cost of labor is manifestly diminished, because either more produce is raised by the payment of the same amount of wages, or an equal amount of produce results from the expenditure of a smaller sum in wages. When labor is rendered more efficient, it has been shown that the rate of profit will rise, although the same amount is paid in wages. The rate of profit therefore varies inversely with the cost of labor."

Fawcett gives an illustration of this in the following language: "The worst land that is cultivated in Australia is far more fertile than the worst land cultivated in England. Hence, agricultural labor, being applied to a more productive soil, is far more efficient in Australia than in England. The same amount of labor that is employed upon the poorest farms in England would, if applied to any land that is cultivated in Australia, cause a great deal more produce to be raised. Hence, in consequence of the increased efficiency which is thus given to agricultural labor in Australia, the wages of agricultural laborers may be higher in Australia than in England, and yet the cost of this labor in Australia may be less than it is in England."

Again: "The difficulty arises from confusing wages with the cost of labor. Wages may be very low, and yet the labor be so inefficient that the cost of labor may be extremely high."

In an excellent work recently published, "Political Economy," by Francis A. Walker, I find the following on "Nominal and Real Cost of Labor:" "Another distinction which requires to be observed is that between wages and the cost of labor. It is possible that an employer may pay high wages, and yet the cost of the labor to him may prove to be low by reason of the laborer's superior efficiency. On the other hand, the

employer may pay wages on which the laborer can only live most miserably, and yet the employer be greatly straitened to get back these wages in the value of his product, so poor and wasteful may be the services rendered."

And again: "It is probably true that, as a rule, the highest paid labor is that which costs the employer least. This is evidenced by the two facts: that, generally speaking, employers, when they reduce their force, discharge their lowest paid laborers first; and that, generally speaking, it is the countries where the lowest real wages are paid which feel the necessity of imposing commercial restrictions to keep out the products of others. Thus, India, where the cotton spinner gets only twenty pence a week, is flooded by the cottons of England, where the spinner receives twenty shillings. Among all fully settled countries, the rule without exception, so far as I am aware, is that that country in which the higher wages are paid offers its products at lower prices than the competing products of countries where the lower wages are paid.

It is not high wages in the United States which hinders the successful competition of American manufactures with the products of England. The protective system itself interposes a much greater hindrance in the increased cost of production which it has always brought about. This has often been shown by the history of all protective tariffs. But if further proof were required, these two large volumes given us by the Tariff Commission are full of irresistible evidence that the whole effect of all past protection, from 1861 to 1883, has been to make the manufacturers more clamorous for protection than ever and more afraid of foreign competition than ever.

I do not therefore propose to repeat the argument so often made that a high protective tariff raises prices, and thereby so increases the expenses of manufacturing as, sooner or later, to make the cost of producing equal to that of the imported articles with the duty added, thus creating a necessity for still higher duties. It has never been answered.

The Senator from Texas [Mr. Coke] so forcibly presented this point in his speech last year that it answers my purpose to quote his remarks here literally: "So it was in 1789 when the first tariff law was passed, with an average *ad valorem* duty of eight and one-half per cent, its operation limited to 1796, avowedly 'to give our infant industries a start,' and only temporary. The very next year tariff duties were raised to an average of eleven per cent. In 1792 they were raised to thirteen and one-half per cent. In 1816 the average rate of duties was thirty per cent under additional legislation which had been passed in the meantime. Under the tariff of 1824 they were raised to an average of thirty-seven per cent; and under the act of 1828, just forty years after the first tariff law had administered an aliment of eight and one-half per cent as a purely temporary expedient to our 'infant industries,' the ratings of that 'infant' were increased to an average of forty-one per cent. It is always thus with industries taken out of the pure, bracing atmosphere of free competition and healthy, hardy self-reliance into the hothouse of government protection, to be fed on the stimulus of government bounty. The cry forever is: 'More! more!' On the 14th of July, 1832, the tariff was again remodeled in the interest of high protection, and out of this act grew the South Carolina nullification troubles."

But there is another mode by which this same result (*i. e.*, increased cost of production) occurs under the protective system. It is thus most clearly and forcibly put by Mr. J. S. Moore in his most interesting and admirable essay read before the Tariff Commission. After showing how insignificant would be the duty needed simply to cover the difference between the wages here and in England for the manufacture of woolen goods, that gentleman says: "Unfortunately protection begets protection. The cloth is protected because the wool is protected; again, it is protected because the dyestuffs are protected; once more, it is protected because oil and chemicals are protected; then, there is a cry that machinery is protected; in short, all and everything used to manufacture woolen goods is protected."

And he expresses the opinion that if put upon an equal footing with English manufactures as to free raw materials and free machinery the higher wages in the United States would not be a formidable drawback.

Mr. President, there is one competition which our manufacturing industry has to encounter that is more powerful in limiting its growth than perhaps any other cause. It is found in the inviting and bounteous fields of American agriculture. This was the case in our colonial times; it is so now; and it will continue as long as we have fresh, virgin soil and large areas of territory for our people.

It requires high wages, the very highest; and even they are often insufficient to keep a man in workshop, mill, coalpit, or glass foundry, when within his reach is a home of his own on his own land, where in his double capacity of proprietor and laborer he and his family can enjoy the entire fruits of his own labor. It is not that the profits of farming are greater than other avocations; they are proverbially small-

er at this time; but there is an instinctive tendency in the Anglo-Saxon blood to landowning. This instinct gives to agriculture a social dignity and personal independence which compensate for its meager profits, and very often the cares and disappointments to which it is subject. The magic of the freehold is more potent than that of wages of hire. The thrilling associations of the homestead, where wife and children live in security and peace and love, cannot be measured by a scale of dollars and cents.

It is therefore the cheapness of lands and the superior attractions of agriculture which have made it the more powerful industrial competitor of manufactures.

Now, sir, the avowed object of the protective system is to counteract this superior attractiveness of agricultural industry and to divert capital and labor from it into manufactures. It is not for protection against the competition of foreign pauper labor that the duties are levied, but against the competition of our own home agricultural industry. It is the competition of the industry which produces our exports, and which brings back imports in exchange, against which this tariff system is designed to operate; and hence its effects have never failed to arrest the increase of the production of wealth by means of agriculture, and to cause the profits earned in the field to be paid out to the forge and the mill. This point has been elaborated by other Senators.

Mr. President, if in the course of my remarks I have said anything which has left the impression that I am in the slightest degree indifferent to the progress of manufactures in this country, I have expressed myself unfortunately. If I have not impressed those who have heard me with my deep sense of the importance of them as diversifying our industries, as a source of national wealth, as a means of elevating and advancing the human race and ennobling our civilization through those great appliances of science and art by which the mighty powers of nature are made subservient to the wants of man, and if I have not expressed sympathy for them whenever I have been compelled to cast a vote that seemed not tending to foster by taxation their industries, it was because professions are so cheap that but little faith is attached to them.

If they would listen to me, I would say to them that wisdom would dictate concessions material and large upon this question. I believe that the movement for revenue reform and lower taxation can be largely guided by them so as to cause no shock to existing interests if they will deal with it in a wise and sober spirit of concession and compromise. If we could, on the one hand, have a bill which would bring the duties down to a revenue standard, arrangements in the details looking to protection as an incident would find, I apprehend, but few opponents; but I would warn them (in the kindest spirit) that it is impossible for any combination of capital or labor to resist a popular movement animated by a strong sentiment of moral right and justice.

Macaulay in one of his speeches—I think that it was on this very subject of the tariff—once warned the monopolists of Great Britain, citing two signal events in history as containing for them lessons of wisdom and admonition. One was the wisdom, sagacity, and forecast with which the English aristocracy adapted themselves to the great popular movement of parliamentary reform. By taking part in it they were enabled to direct its movement safely and wisely for themselves, thereby retaining to this day their moral and intellectual ascendancy. He showed the reverse in the case of the French nobility, who, with dogged obstinacy, made a vain resistance to the great popular movement there, which resulted in their overthrow and banishment, eking out the remnants of their miserable existence as dancing masters and music teachers in countries where they were strangers and aliens.

I, sir, have seen something of this in my own experience. I saw a great institution, which was more firmly entrenched in statutes and organic law than the manufacturers are in this tariff law, become an object of popular uprising. I was among those, sir, who shared in the attempt to resist it; and I saw that institution go down—with all its vast capital, with all the political privileges which it conferred, with all the constitutional rights by which it was guaranteed—go down beneath the irreversible fiat of the American people. Sir, I warn the manufacturers of this country. The handwriting is upon the wall of this protective system, and I trust that they will have the intelligence to comprehend its import.



## Appendix No. 22.

## ON NATIONAL AID TO EDUCATION.

*Speech in the Senate, Friday, March 28, 1884.*

No State stands sure but on the ground of right,  
Of virtue, knowledge, judgment to preserve,  
And all the powers of learning requisite.

The Senate, as in Committee of the Whole, having under consideration the bill (S. 398) to aid in the establishment and temporary support of common schools, Mr. Lamar said:

*Mr. President:* I shall detain the Senate only a few moments, not with the expectation of adding anything new to the arguments that have been advanced on this subject, but simply to state my own reasons for the vote which I shall give. I have bestowed upon the constitutional question involved in this measure the study which its importance deserves. I shall not go over the ground already occupied by the Senator from Florida [Mr. Jones], the Senator from Arkansas [Mr. Garland], and the Senator from Alabama [Mr. Pugh]; nor will I recite the imposing authorities arrayed by the Senator from Georgia [Mr. Brown]. I have no doubt about the constitutional authority of Congress to pass this measure. Indeed, if we should reject it on the ground that it is unconstitutional for Congress to give aid to the States in the exercise of their exclusive jurisdiction over the education of their people, we would be reversing the settled policy of this government.

The refinements and subtleties about the distinction between the granting of land and an appropriation of money for educational purposes do not satisfy my mind. Even if such a distinction would hold, it does not apply to the constitutional question that is made. It is not the kind of aid granted, whether it be in land or in money, but the purpose for which it is granted, that is to be considered. It is the threatened intervention of the Federal Government in the educational affairs of a State to which the constitutional objection applies, and intervention is as menacing when it comes in the form of a land grant as when it comes in the shape of an appropriation. I do not regard it as a menace in either case.

Nor do the objections so forcibly presented by the Senator from Missouri [Mr. Vest] strike my mind as sufficiently strong to justify a vote against this measure. The specification of the studies, the mere prescription that geography, reading, writing, and arithmetic shall be taught in those schools, I do not think can be called a condition or dictation; they are words of description. It is simply saying that common school education shall be taught, and it is another mode of expressing the very object of the bill as it has been reported. If, instead of the words "reading, writing, arithmetic, and geography," the words "the usual common school education" had been substituted, it seems to me that the same object would have been accomplished.

I, however, do not intend, I say, to repeat the argument which has been forcibly presented in support of the constitutionality of this measure. I do not see any entering wedge, as it is called, in this bill toward Federal intervention in the jurisdiction of the State over the education of its children; and if there exists any such tendency in the public mind, in my opinion the passage of this bill will arrest it.

Nor do I see any dangerous precedent in it. I do not think that it is wise or just reasoning to say that a thing which is right in itself, beneficent in its objects, may be in the future perverted into a wrong; nor do I anticipate it. I have watched the progress of this scheme from the time that it was first introduced into the other House, many years ago, down to the present time, when it has taken its present shape as presented by the Senator from New Hampshire. I have watched it with deep interest and intense solicitude. In my opinion, it is the first step, and the most important step, that this government has ever taken, in the direction of the solution of what is called the race problem; and I believe that it will tell more powerfully and decisively upon the future destinies of the colored race in America than any measure or ordinance that has yet been adopted in reference to it—more decisively than either the thirteenth, fourteenth, or fifteenth amendments, unless it is to be considered, as I do consider it, the logical sequence and the practical continuance of those amendments.

I think that this measure is fraught with almost unspeakable benefits to the entire population of the South, white and black. Apart altogether from the material aid—and that cannot be overvalued—apart from the contribution of this bounteous donation of money, it will give an impulse to the cause of common school education in that section which will tell on the interests of the people through the long coming future.

It will excite a new interest among our people; it will stimulate both State and local communities to more energetic exertions and to greater sacrifices, because it will encourage them in their hopes in grappling and struggling with a task before whose vast proportions they have stood appalled in the consciousness of the inadequacy of their own resources to meet it.

It is true, as some gentlemen have stated, that before the war the common school system did not flourish in the South. We had an education there, and an educated people whose culture was as high as that of any people on earth. They were a people—one-fourth of them at least, perhaps—who had all the function and discipline and intellectual development that the finest education could give, not only from their own colleges at home, but from the best universities in America and Europe. It is true that, owing to the sparseness of our population and to other causes, the common school did not thrive; and there were prejudices against the common school as an efficient means of diffusing education—prejudices they may be called, but such as are now entertained and expressed by some of the ablest writers in the North. Be that as it may, though the common school education did not prevail in that section to as great an extent as in other parts of the country, they were a better educated people than one would imagine from the statistics of illiteracy. They were educated in the school of American citizenship, and they reached a discipline and a maturity of thought and an acquaintance with public and social duties that showed itself in a war in which grand armies stretching nearly across the continent found themselves baffled with alternate victory and defeat, and the fate of this Union held in the balance for four years. No ignorant and debased population could have stood before such a power with such heroic resistance for such a time.

But the result of the war overthrew the conditions of society; and colleges, schools, and academies shared in the general crash and desolation. In that section the educated classes suffered more than all others. They were more impoverished than any other class, and their children more imperiled by falling back into ignorance than any other class; and now the common school system has become the indispensable factor in diffusing education generally throughout the South.

The people of the South have attempted to meet the emergency. They have rebuilt in a large degree their colleges, academies, and schools in the towns, villages, and cities, and they have made great sacrifices. Although the remark has been made more than once that it is impossible for any except one who lives in their midst to know the extent of the efforts and sacrifices that they have made, I must yet call attention to it here.

Guizot, in one of his great speeches, once said that the overthrow, prostration, and demolition of the political institutions of a country were equal in the political world to the swallowing up of a city by an earthquake, and that it would be as difficult to reconstruct the one as it would be to resurrect and rebuild the other. Extravagant as the illustration is, we have learned by a costly experience that there is much truth in it. Yet we have made the effort; and our people have taxed themselves, and are still taxing themselves, at a rate that is equal in some of our States to that of any other section of the Union.

But the progress has been slow; the difficulties have been great; the burden has been grievous; and we stand, I say, almost appalled by the immense obstacles in the way. The generous, wise, and beneficent action of the government proposed by this measure, as I said before, will reanimate and infuse new hopes in our people; it will be a manifestation of respect and confidence and affection which will draw them into closer relations, if possible, to the government, and dispel whatever impressions past events have produced that it stands in an attitude of sternness and hostility toward them.

The objection which has been made in the course of the debate—that this donation is too large, that the fund is too big, and comes too abruptly to be availed of in that section—is based upon a misapprehension of facts, and the conclusion is erroneous. There is machinery there fully adequate to the disbursement and application of this fund to the wisest purposes for which it is intended. We have schoolhouse accommodations for far more scholars than have attended or will attend. I speak from positive knowledge when I state to the Senate that there is in the shape of teachers—competent, well educated, full of aspiration for honorable usefulness and distinction in that field—material, I believe, superior to that in any other section of the Union; for we have not the diversified avenues to careers which you have in other sections.

I have some tables here which I shall not trespass upon the time of the Senate in reading, but I will ask the privilege of incorporating them in my remarks, to show the extent to which we have laid the foundation upon which any superstructure, no matter how large, might be raised for common school education.

We have, as I said before, schoolhouses; we have teachers and the material for making teachers. All that we need is the money to apply to these ends. We can carry on in the rural districts this instruction for four months in some of the States, as in my own, and in the cities and towns for eight months; but we have not the means for prolonging the tuition. If we had, the blessings of education would be multiplied beyond the mere proportion of the extension of the time; for such is the character of the occupations of our people that they are not able to send their children to school in large numbers at any one time and for any very protracted period. The culture of the cotton crop, especially in the lower portions of the Gulf States, requires nearly all the months in the year. They begin in the early part of the year, sometimes in December of the preceding year, to bed up the land; the field work goes on until in July, when we have a short vacation through August into September; and then the children go in larger numbers to the schools until about the middle of September, when cotton picking commences, and continues until Christmas, and often later. But if our terms were prolonged, as they would be if we had the means of employing the teachers, there would be all through the year children sent to those schools for short periods, where they are now excluded by the shortness of our present period.

The Senator from Indiana [Mr. Harrison], in the remarks which he submitted to the Senate yesterday, stated that there was not a child within the limits of that State within the ages prescribed for education who did not have the means to acquire, or at least who could not acquire, the elements of a common school education. Sir, that remark is as applicable in its fullest, most literal meaning to Mississippi as it is to Indiana. There is not a child in that State from five years old to twenty-one (and, if he chooses to go, after he is twenty-one) who would not be admitted into school should he apply. No matter what his color, he can then find the means of education.

I would regret very much if the amendment offered by one Senator should, by its adoption here, mar and impair the effect of this bill—I mean the amendment which proposes that the fund shall go into the hands of Federal agencies, and be distributed by them to the exclusion of the State officers. The effect of such an amendment would be a discrimination. It would give to the measure, instead of its present generous and beneficent aspect, a harsh and ungracious look and effect.

Senators have expressed the opinion that this fund will not be fairly administered; that such is the prejudice of race, that such is the darkening influence of slavery, that, with the best intention, our people and officials are incapable of administering this fund equally and equitably to all.

I say that I should regret the adoption of such an amendment, for the reason that it would change the entire aspect and character of this bill, and show that this government intended to keep up discriminations; that, while it is animated with a desire to benefit and improve and elevate and edify one race, it looks upon the other as an object of distrust and suspicion. It would be the enactment of the color line.

MR. HARRISON: Is the Senator from Mississippi speaking of my amendment?

MR. LAMAR: No, sir. I have looked over the Senator's amendment; and while it will not receive my support, I will state with perfect frankness that I do not think that it is amenable to that criticism.

Mr. President, the surest way to make a people worthy of trust is to trust them; and the surest mode of producing alienation and making them stand aloof in sullen opposition, or perhaps active obstruction and antagonism, upon such a subject as this, is to treat them as objects of distrust and disapprobation, and to manifest toward them a want of confidence which they feel that they do not deserve. I say with entire confidence that this distrust is not deserved; that Senators are mistaken as to the state of feeling in the South with reference to the education of the negro. The people of the South find that the most precious interests of their society and civilization are bound up in the question of his education, of his elevation out of his present state of barbarism. I shall enter into no argument upon that subject. I intended to read some authorities upon it, but my friend from South Carolina [Mr. Hampton] has anticipated me. I will call attention, however, to the fact that distinguished educators, who are supposed to be familiar by observation with the temper and character of our people and the history of their course upon this subject, entertain quite an opposite view.

A Northern man, Hon. J. H. Smart, for many years Superintendent of Public Instruction in the State of Indiana, speaks upon this question after an extended observation through the Southern States. I invoke attention to the testimony of this distinguished educator. He says: "I want to say that throughout the length and breadth of the Southern States, without one exception"—mark it, sir; his language is exhaustive, "without one exception"—"the colored people are given the same advantages that the white people are given." This is with the taxes imposed upon the

white people themselves by themselves. "And I believe from what I saw that we are able to trust the existing State organizations represented by these gentlemen; we are able to trust them with whatever means we can appropriate, and I speak after some investigation and after deliberation."

Dr. Mayo, of Massachusetts, uses the following language. I shall not read it all to the Senate, but simply wish to concentrate his testimony upon this point:

"I have no hesitation in announcing to you, gentlemen, my conviction that never within ten years in the history of the world has an effort so great, so persistent, and so absolutely heroic been made by any people for the education of the children as by the leading class of the people in our Southern States.

"Practically within ten years every one of these Southern States has put on its statute book a system of public schools; practically within this time every district of country in the South has received something that can be called a school. This school—'public,' as we may call it, consisting of State officials, of school officers, of superior teachers, of thoughtful people all over the South—is to my mind the most forcible, the most persistent, the most devoted public school now in any part of the world. There is no body of superior teachers doing so much work for so little pay and under such great disadvantages as in the South to-day; there is no minority of people working so hard to overcome this terrible calamity of illiteracy anywhere in the world to-day as in the South."

Sir, should such a people be smitten in the face? Let me read you some other remarks of this gentleman in a more elaborate address upon this subject. After giving the difficulties under which the South labored after the war, and speaking of the imperiled condition of the educational interests of those States and the necessity for going to work at once to reestablish their colleges, academies, and schools, he uses the following language: "To this work they bent themselves with a singleness of purpose and a pertinacity thoroughly American and deserving of all praise. . . . So, for the past fifteen years these people have toiled as nobody can know but themselves, through sacrifices almost incomprehensible to our wealthy Northern communities, to rehabilitate their little colleges and academies and to furnish the small amount necessary to give their children such education as they might in these schools. I undertake to say that this effort alone entitles the South to the profound interest, even admiration, of all thoughtful schoolmen everywhere."

I am sure that if honorable Senators had known these facts they would not have uttered upon this floor the language of depreciation, distrust, and suspicion.

"But to do this," he says, "it has been necessary that the most eminent teachers should be overwhelmed with work and live on starvation wages; that great numbers of women of the highest social position, and the daughters of the leading families, should give their lives to the work of instruction; that families, strangely impoverished, should contrive to pinch themselves for the schooling of their young people; and that great numbers should still be dependent on the benevolence of neighbors and school corporations for what they obtained."

It is impossible, of course, to say how much this great rehabilitation has cost the Southern people. He goes on to say: "But the Southern people have not paused with this attempt at the reconstruction of the secondary and higher education for the white race. Beyond this, of their own notion"—mark it, sir, "of their own notion"—"in every State, within the past ten years, the people's elementary common school for white and colored children has been placed on the ground, defended through the dangers of its infancy, made better every year, until it has become a vital institution of Southern civilization."

Black and white. Here is the language in which he speaks of the teachers engaged in this work: "A better class of people, more earnest, more determined to improve, more self-denying, working on wages painfully and sometimes pitifully inadequate, cannot be found in any Christian land than the majority of the public school teachers of the South. The State superintendents of education and many of the city and county supervisors are the same sort of people as our leading educators of the North. . . . And now the traveler through the Southland finds himself everywhere in the presence of an educational revival as marked as in New England in the days of Horace Mann."

The Senator from Massachusetts [Mr. Hoar] spoke of that great movement of education as characteristic of that State which, he said, leads the column of educated States.

MR. HOAR: If the Senator will pardon me, I should like very much to say that the name of Mr. Mayo, whose testimony he has just read, deserves to be ranked with that of Mr. Mann as an authority, and that he is entitled to the gratitude of the American people for his work in this cause.

MR. LAMAR: I am very much obliged to the Senator from Massachusetts for this tribute to the character of Dr. Mayo, and upon this indorsement by the Senator from Massachusetts I reiterate his assertion here in the presence of the Senate: "And now the traveler through the Southland finds himself everywhere in the presence of an educational revival as marked as in New England in the days of Horace Mann; and the blessedness of this revival is that it is bringing together the children and youth, their teachers, the younger parents, and the more thoughtful people of North and South, as no movement in the political, the ecclesiastical, or even the industrial sphere of national life, can possibly succeed in doing."

I have no further extracts to read upon this subject. My object has been not to recriminate or even to repel, but simply to adduce testimony of an incontrovertible character to convince honorable Senators upon this floor that their apprehensions upon this subject are needless, and that the precautions which they would take are useless.

I would regret the proposed amendment for more reasons than those which I have given. It would impair the working of the common school system of the South, or of any other section of the country, to introduce two sets of agencies in its administration. Instead of being a harmonious coöperation of State organization and national aid, there would be perhaps an antagonism, certainly disconnected effort and discordant forces. There would be both time and money spent, which, if you used a single agency under the present system already occupying the ground, would be concentrated in one harmonious effort. Besides, as it is now, the agencies which this bill selects are the agencies which are amenable to the public opinion and the restraining moral sentiment of the people among whom they will operate; whereas the other would be in the hands of comparative strangers, who would have no relation to the constituency in which they are working, and would be uninfluenced by the supervision of the people at home. They would be responsible to no one there, to no restraining public sentiment, but simply to the appointing power at a great distance, too often governed by political considerations instead of the interests intrusted to them.

I said at the beginning of these remarks (and I have protracted them much further than I intended) that, in my opinion, this bill is a decided step toward the solution of the problem of race. The problem of race in a large part is the problem of illiteracy. Most of the evils, most of the difficulties which have grown up out of that problem, have arisen from a condition of ignorance, prejudice, and superstition. Remove these, and the simpler elements of the question will come into play with a more enlightened understanding and a more tolerant disposition. I will go with those who will go farthest in this matter.

Liberty cannot be manufactured by statutes or constitutions or laws. It is a moral and intellectual growth. It is the outgrowth of men's natures and feelings and passions and instincts and habits of thought. A people who remain ignorant and superstitious and debased cannot be made free by all the constitutional guarantees and statutes with which you surround them. You may force power upon them and subject others to their rule, but the great attribute of self-government and that real liberty which comes from it you cannot confer on them while they remain ignorant and in bondage to their own passions and to their own prejudices and superstitions.

Sir, in my opinion, institutions and laws and governments and all the fixed facts of society are but the material embodiment of the thought of a people and the substantial expression of their inner life; and liberty, which is the culmination of them all, is a boon that cannot be conferred upon men, but to be permanently possessed and enjoyed must be earned, as the reward of the development of our moral and intellectual faculties.

No State stands sure but on the ground of right,  
Of virtue, knowledge, judgment to preserve,  
And all the powers of learning requisite.

Mr. President, no one has the right to predict that this or any class of people will not rise to that plane of intelligence and moral elevation necessary to the enjoyment of this great blessing and therefore refuse to vote for a measure like this which proposes to aid them in their effort to emerge from that condition which centuries of barbarism have entailed upon them. For my part, I say that I would leave no legitimate effort unused and no constitutional means unemployed which would give to every human being in this country that highest title to American citizenship: virtue, knowledge, and judgment.

I am not an optimist as to the rapid progress of the black people in education. However earnest they may be, there will be great difficulty even with the aid of the Federal Government in establishing effective schools for all. We are yet but in the incipience of this great work, hardly gone further than establishing the educational machinery on the ground. A task of colossal magnitude is before us, and a dense mass of ignorance has to be penetrated; but, sir, whatever of disappointment may attend it, whatever of failure, whatever of error and mistake and even abuses of trust may cripple and embarrass this movement, the great idea of popular education which has animated the North, and is animating the South, and in which this bill has originated, will inspire both to guard and guide the vast host in its slow, hesitating, but onward, advance to knowledge and true freedom.

MR. HARRISON: Mr. President, I understood the Senator from Mississippi, who has just concluded his remarks, to say that the criticism on the objection which had been made by some of us to what we thought to be the too liberal appropriation in this bill—namely, that there was not in the South the adequate preparation to receive and use wisely this money—was not well taken, in his opinion; and I understood the Senator to say that his own State was as well supplied with competent, well-equipped teachers to take charge of the common schools as any State in the Union, perhaps better supplied, by reason of the fact that there were not there so many avenues into which the enterprising and talented and educated could go.

Now, Mr. President, I desire simply, in response, to read from the report of the Superintendent of Schools for the State of Mississippi for the year 1880-81 his statement as to the condition of the supply of teachers in that State. He says: "The State is sadly in demand of educated and trained teachers in her public schools. How this demand is to be supplied is a question of great importance. That we have some as good teachers as are to be found elsewhere is true no doubt; but they are, comparatively speaking, few."

So that the Superintendent of Education for that State, speaking with reference to the limited revenues which he was superintending, declares that there is an inadequate supply for the schools now established; and he discusses the question as to how suitable teachers are to be secured, urging the establishment of a normal school for white teachers in order that this want may be met.

So, then, it seems, upon the testimony of that officer of Mississippi who is charged with the duty of superintending the schools, that there is now an inadequate supply of competent teachers to teach the schools that are at present established in that State. That is all that I desire to say.

MR. LAMAR: Just one word in reply to the Senator from Indiana. I admit that the quotation is perfectly appropriate to my remarks; but I speak from a knowledge equal to that of the Superintendent of Public Education in Mississippi in reiterating my statement, and it is not inconsistent with the one which has just been read. There is an inadequate supply of competent teachers in view of the limited revenues for the purpose of employing them in that State. You cannot command such teachers with the small salary that we are compelled to give them, for the short period of time that we employ them, from the State revenue that we raise by our taxation; and it is true of other States. I know something about this difficulty, for I have been connected with the education of the youth of the South, and I say that there is no State and no society composed of more cultivated, upright, and ambitious young men, with trained faculties and with ambition to excel in this department of teaching, than the State of Mississippi; but at the very inadequate remuneration which is given to teachers, on account of the limited resources of the State and local communities, they are forced to seek other vocations as a livelihood.

### Appendix No. 23.

#### JOHN C. CALHOUN—HIS LIFE, CHARACTER, AND PUBLIC SERVICES.

*An Oration delivered before the Ladies' Calhoun Monument Association and the Public, at Charleston, S. C., April 26, 1887.*

We are assembled to unveil the statue which has been erected to commemorate the life and services of John Caldwell Calhoun. It is an interesting fact that this statue is reared, not in the center of political power (the capital of the nation) or in the emporium of American material civilization, but in his own native

State, where he lived all his life and where he was buried. This circumstance is in harmony with the life and character of the man. One of the most impressive traits of that life and character was the attachment between himself and the people of South Carolina. His devotion to their welfare was sleepless; and they always felt a deep, unflinching, proud, and affectionate reliance upon his wisdom and leadership. This faith in him grew out of the fact that he was, notwithstanding his imposing position as a national statesman, a home man—a man identified in sentiment and sympathy with his own people, who, as neighbors and friends, standing face to face with him, had that insight into his private life and character which is seldom, if ever, disclosed in the public arena: the real life of motive and purpose and feeling. In this intimacy of personal intercourse, wherein the qualities of mind and heart are unconsciously drawn out, there were revealed to them a noble, lovely character, full of tenderness and self-sacrifice, gentleness and candor, and a simplicity and beautiful truth of soul which made him the light of their eyes and the pride of their heart.

Mr. Calhoun had a profound faith in the worth and dignity and destiny of man as the noblest of all God's creatures on earth, endowed with those great faculties and capacities which fit him, through society and free institutions, under divine superintendence, for progress, development, and perfection. Conscious of his own great powers he must have been; but exalted as he was in position, thought, and purpose, so far was he from feeling that these advantages lifted him above and apart from the mass of men, that he regarded them as so many ties of union and brotherhood with his fellow-men, to be devoted to their welfare and happiness. Whenever, therefore, he returned from the brilliant scenes of the national capital to his home, instead of coming as a great Senator, to be admired at a distance, he met the people as friends and brothers, all of whom, of every degree and class and character, felt in the warm grasp of his hand a fraternal regard that entered with deep and unaffected sympathy into their feelings, their interests, their wants, their sorrows, and their joys.

Their instinctive perception of the genuine greatness of the man, of his open-hearted largeness of nature, the simple, unostentatious, disinterested consecration of mind and heart to the promotion of the virtue and happiness and liberty of his people, naturally drew them into a closer attachment, a deeper and an almost personal coöperation in his high aspirations and aims.

When not in the actual discharge of his official duties he spent his time in retirement at his private home at Fort Hill. He was occupied in agriculture, in which he took the deepest interest. Would that I had the power to portray a Southern planter's home! The sweet and noble associations; the pure, refining, and elevating atmosphere of a household presided over by a Southern matron; the tranquil yet active occupations of a large landowner, full of interest and high moral responsibilities; the alliance between man's intellect and nature's laws of production; the hospitality, heartfelt, simple, and generous! The Southern planter was far from being the self-indulgent, indolent, coarse, and overbearing person that he has sometimes been pictured. He was, in general, careful, patient, provident, industrious, forbearing, and yet firm and determined. These were the qualities which enabled him to take a race of untamed savages, with habits that could only inspire disgust, with no arts, no single tradition of civilization, and out of such a people to make the finest body of agricultural and domestic laborers that the world has ever seen, and, indeed, to elevate them in the scale of rational existence to such a height as to cause them to be deemed fit for admission into the charmed circle of American freedom, and to be clothed with the rights and duties of American citizenship.

The Southern planter penetrated the dense forests, the tangled brake, the gloomy wilderness of our river swamps, where pestilence had its abode; and there, day by day and year by year, amid exposure, hardship, and sickness, his foresight, his prudence, his self-reliance, his adaptation of means to ends, were called into requisition. In the communion with himself, in the opportunities for continued study, and in the daily and yearly provision for a numerous body of dependents—for all of whom he felt himself responsible, about whom his anxieties were ever alive, whose tasks he apportioned, and whose labors he directed—he was educated in those faculties and personal qualities which enabled him to emerge from his solitude and preside in the county court or become a member of his State Legislature, to discharge the duties of local magistracy or to take his place in the national councils.

The solution of the enigma of the so-called slave power may be sought here. Its basis lay in that cool, vigorous judgment and unerring sense applicable to the

ordinary affairs and intercourse of men which the Southern mode of life engendered and fostered. The habits of industry, firmness of purpose, fidelity to dependents, self-reliance, and the sentiment of justice in all the various relations of life, which were necessary to the management of a well-ordered plantation, fitted men to guide legislatures and command armies.

In confirmation of what I say, I have only to point to the fact that it was in such communities as these that a Washington, a Jackson, a Taylor, a Lee, and a host of others, acquired those qualities which enabled them, in the position in which their country placed them, to add such undying luster to the American name. It was in such communities that men like Jefferson, Madison, Monroe, Polk, Lowndes, Calhoun, Clay, Macon, Marshall, Taney, and many others whom I could mention, acquired those characteristics which their countrymen, both North and South, instinctively discerned whenever they were "called upon to face some awful moment to which Heaven has joined great issues, good or bad, for human kind."

Another reason why this statue should be erected to his memory is that it is due to him for his intellectual contributions to the age in which he lived. Apart from his career as a statesman in the House of Representatives, where he was conspicuous for his nationality in maintaining the independence of his country among the powers of the world; apart from his seven years' service in a Cabinet office, where his powerful mind impressed itself on the organization and practical operations of the executive department of the government; apart from his long years of service as Vice President of the United States; apart from that unparalleled parliamentary career in the United States Senate, where, opposed by those giants of debate, the mighty Webster of the North, and Clay of the West, backed by other Senators gifted with talents of the highest order, he, single-handed, maintained his position in those grand orations, one of which the best of judges has pronounced "unsurpassed by any recorded in modern or ancient times, not even excepting that of the great Athenian, on the Crown"—putting, I say, out of view all his achievements and measures as a public man, constituting as they do some of the brightest chapters in the history of this country, he has left in his writings, considered as the productions of an author, a legacy which will perpetuate the sway of his immortal thought over the minds of men. In these writings he has given to the world profound studies and original views upon the principles of government and free institutions; the deepest analysis and the most systematic classification of those universal laws which, hidden from ordinary observation, operate silently on human society and influence the fate of nations in all ages of the world.

His published speeches, although made upon the political measures and the national policies of the particular time, are philosophical expositions of the genius and structure and principles of the American Constitution, replete with the deepest wisdom and the most unerring sagacity. Each speech is a consistent chapter of a continuous discourse, a harmonious part of a connected system of political science, which will place their author among those great spirits who bless and instruct mankind long after the celebrity of politicians and statesmen has faded from remembrance.

But there is a third reason why South Carolina should have on her soil a statue to Calhoun, and that is his stainless purity of life, his sterling virtue and integrity of character. This, more than any other, was the cause of his unparalleled hold upon the love, reverence, and trust of his people. With ample opportunity to promote his private interests in the high trusts which he held, he was as fastidious as Washington, and never accepted gifts. So simple was his life, so unostentatious and frugal in his habits, that he was never incumbered in his public duties by the thought of a benefaction even from his friends. His was the greatness of a soul which, fired with love of virtue, consecrated itself to truth and duty, and, with unflinching confidence in God, was ever ready to be immolated in the cause of right and country. This moral excellence, this uprightness of motive and action, was the granite foundation of his character, underlying and supporting the splendid superstructure of his noble and exalted qualities of genius, eloquence, wisdom, and patriotism. The people of South Carolina, whatever may be their admiration of brilliant intellect and the achievements of statesmanship, have never yet put their country's interest and honor under the leadership of any one unless they had confidence in his moral superiority. In erecting this statue to Calhoun they feel that they render and perpetuate their homage to the majesty of moral rectitude.

And now, fellow-citizens, I must take him away from your hearts, where he is



enshrined in choicest affection and reverence, and bear him before those stern, ultimate judges: history, posterity, country, and God. These are to take the exact measure of his life, his services, his character, and his motives, without any favor or affection, and with the inflexible tests and scrutiny of justice.

In the early history of our Republic two differing powers were in the presence of each other: the principle of local State sovereignty and that of National Union. Although both of these powers were to be found in the embryo of our political system, they existed in confusion and without precise legal definition, both having claims to urge and facts to allege in support of their respective pretension to supremacy. The principle of State sovereignty was the first brought into operation, and therefore preceded the other in legal recognition and actual predominance. Previous to the Declaration of Independence, the colonies were each a distinct political community; each had its own separate political organization, the legislation of which extended no farther than its own territorial limits. The only political bond which held them in union was the sovereignty of the British nation. When they threw that off the States had no common government. The general sovereignty over them as a whole disappeared and ceased to exist, at least in visible and legal embodiment of organized power, and passed into the several States, which had become each independent and sovereign in its own right. The constitution was framed by delegates elected by the Legislatures. It was the work of the sovereign States, as independent, separate communities. It was ratified by conventions of these separate States, each acting for itself. By this constitution certain well-defined and specified powers were delegated to the Federal Government; but it expressly declared that "the powers not herein delegated to the United States by the constitution, nor prohibited to the States, are reserved to the States respectively, or to the people."

If the constitutional history of the United States had stopped with the adoption of the Federal Constitution by the original thirteen States, it would hardly be questioned that this government was a government of sovereign States with every attribute of State sovereignty retained in its system. But the law of development applies to human society as much as to any other created being. In all nations in which there are any stirrings of constitutional life there is more than one fundamental principle or power. These several principles or elements are not all developed at the same time or in equal degree. Events and influences will develop one element into ascendancy; subsequent conditions and events may cause a different element to shoot forward and overcome the others. Now, although the Declaration of Independence and the Articles of Confederation and the Constitution of the United States were all based upon the assumption of the independence and sovereignty of the several States, yet in point of historical fact the inhabitants of the American Colonies, both before and after independence, were, in many important respects, one people. These colonies, as one body politic, were one people in being subject to the authority of the British sovereign; they were one people as being subject in their civil and social relations to the common law of England; they were one people respecting their rights as Englishmen, which, to the honor of England, were planted by their cradles in the infancy of their colonial existence; they were one people in language, in blood, in manners, and especially in being subjected to a common oppression and thrilled by the intrinsic glory of a noble cause into a unity of American patriotism. Although these facts may not be found in State papers and records of legislation, they shot their roots deep into the thought, the belief, the instinct, of the great mass of the people, and sometimes found expression in public documents. For instance: "When, in the course of human events, it becomes necessary for *one* people to dissolve," etc.

And while it is true that when this national sovereignty of the British Government was overthrown there was no organization of national power for the time over the whole people, yet it is also true that even in the absence of such power those States were never for one instant disunited; that, with respect to foreign relations and all matters touching their relations to each other, the sovereign power was ever exercised by the States united, and never, not in a single instance, by a several State.

After the adoption of the constitution, the moral, social, and material forces which have always been more powerful in molding the institutions, in determining the destinies of nations, than external legal forms, combined to increase the power and magnify the importance of the general government of the Union at the expense of that of the particular government of the States. When independence was first achieved the original States lay stretched along the Atlantic coast,

sparsely peopled, separated by vast wildernesses, with no means of internal communication and trade, except by stages, pack horses, and sumpter mules on land, and flatboats, rafts, and bateaus on the water. Since then the locomotive and the steamboat not only annihilate distance, but, "like enormous shuttlecocks, shoot across the thousand various threads" of disconnected sections, localities, interests, and influences, and bind them into a web; while the electric telegraph transmits to every part of the country, at the same moment, the same intelligence, thus uniting the minds of a vast population in the same thought and emotion.

But a cause more potent than any yet mentioned has operated to determine the character and tendency of our political system. I refer to the acquisition by the Federal Government of the vast territory embraced in the Louisiana purchase and that ceded by Spain and Mexico to the United States. These territories, far exceeding in area that of the original thirteen States, belonged exclusively to the Federal Government.\* No separate State Government had the slightest jurisdiction upon one foot of the soil of that vast domain. The public lands were surveyed by officers of the Federal Government, and titles to them were conveyed by the Federal Government in its character of private proprietor as well as of public sovereign. The population who settled these territories had no political rights save those imparted to them by the Federal Government. Their very limited powers of self-government were enjoyed under territorial constitutions framed and prescribed for them by the Federal Congress; and when they became States it was by the permission of Congress, which admitted them under such conditions and terms as it deemed proper under the constitution. It is true that as soon as these new States were admitted they shared equally with the original States in the general sovereign powers of the whole and the sovereignty reserved to each; but while this was true in constitutional theory, the actual historical fact was that when the forces which had been so long agitating the country culminated in war, the relation of the States to the Federal Government had become almost the reverse of what it was at the birth of the Republic. In 1789 the States were the creators of the Federal Government; in 1861 the Federal Government was the creator of a large majority of the States. In 1789 the Federal Government had derived all the powers delegated to it by the constitution from the States; in 1861 a majority of the States derived all their powers and attributes as States from Congress under the constitution.

In 1789 the people of the United States were citizens of States originally sovereign and independent; in 1861 a vast majority of the people of the United States were citizens of States that were originally mere dependencies of the Federal Government, which was the author and giver of their political being. With all these forces on the side of the Union, backed by a majority of State governments, with their reserved powers, with a very great preponderance of population, resources, and wealth, it was a natural consequence that the unity and integrity of the United States as a sovereign nation should be established on the battlefield; that its government should come out of the conflict with a prestige and power greater perhaps than any on earth, and that the eleven minority States, after a resistance as heroic as any recorded in the annals of Greece and Rome, should succumb to overwhelming forces.

It is not necessary here to go over the policy of reconstruction. It was the offspring of misconception and distrust of the Southern people. Its theory was that the Federal success in arms over the South was only a partial one; that the sentiments, passions, and aims of the Southern people were still, and would continue to be, rebellious to the authority and hostile to the policy of the nation; that, the termination of the war having put an end to the absolute military control, it became necessary to substitute another organization which, though not purely military, would be no less effectual in its function of repression and force. Its unmistakable purpose was the reversal of every natural, social, and political relation on which I will not say that the civilization of the South, but of the world and of the whole Union, rested. But in process of time a large portion of the dominant section saw, not only the odious injustice of the system fastened upon the South, but the danger to the whole country which its maintenance threatened. Then followed a course of magnanimity on the part of the Northern people unexampled in the annals of civil war and accepted by the South in a spirit not less magnanimous and great-hearted. The result was the full and equal restoration of the Southern States, with all their rights under the constitution,

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\*The great Northwest Territory, then a wilderness, out of which powerful States have been subsequently formed, was ceded by Virginia to the United States before the constitution was adopted.

upon the one condition that they would recognize, as elements of their new political life, the validity of the thirteenth, fourteenth, and fifteenth amendments to the constitution, guaranteeing and establishing the indissolubility of the American Union and the universality of American freedom. The disfranchisements and disqualifications imposed in an hour of passion and excitement upon a mistaken theory of public necessity, and unwisely retained from a lingering prejudice and distrust, have been in the main removed, or have ceased to apply to the majority of the Southern population. Those which yet remain on the statute book are hardly defended by the public sentiment of the Northern States, and must ere long be offered upon the altar of the free and equal citizenship of the Republic.

From that time we have seen those States, by their faithful adherence to this pledge, steadily advancing year by year, in their right of self-government, taking their place with larger numbers and wider influence in the councils of the nation, and doing all this with a temper, moderation, and patriotism that are fast commanding a general belief among the mass of the Northern people that the full and equal presence of the South, according to the measure of her population and resources in every department of the government, so far from being a danger to the national security, is a contribution to its highest and best interests.

I have prefaced what I have to say of Mr. Calhoun with this brief sketch of the controversy in which he bore a part, because I believe if he were here to-day and could see his own South Carolina, the land of Rutledge, Moultrie, Laurens, Hayne, Lowndes, Sumter, and Marion, restored, largely through the efforts of her lion-hearted Hampton, to her proud position of dignity and equality in the Union, he would say to her that, the great controversy being closed at the ballot box, closed by the arbitrament of war, and, above all, closed by the constitution, always deemed sacred and inviolable by her, she sacrifices no principle and falsifies no sentiment in accepting the verdict, determined, henceforth, to seek the happiness of her people, their greatness and glory, in the greatness and glory of the American Republic.

He would have told her, if such counsel were necessary, that a people who in form surrender and profess to submit, yet continue to secretly nurse old resentments and past animosities and cherish delusive schemes of reaction and revenge, will sooner or later degenerate into baseness and treachery and treason. He would say that a heroic and liberty-loving State, like South Carolina, should cherish for the great Republic of which she is part that ardent, genuine patriotism which is the life and soul and light of all heroism and liberty. Ah, fellow-citizens, had he lived, his great talents would have been, as they had ever been before, directed to save this people from the horrors of disunion and war. In this I am confirmed by one whom the South placed at the head of her great movement, Mr. Jefferson Davis. He says: "It was during the progress of these memorable controversies that the South lost its most trusted leader and the Senate its greatest and purest statesman. He was taken from us, like a summer-dried fountain, when our need was greatest, when his intellectual power, his administrative talent, his love of peace, his devotion to the constitution, might have averted collision."

In the brief compass of this address I cannot undertake to review the incidents of Mr. Calhoun's early youth. He had arrived nearly at the age of manhood ere his school life began; but his constant contact with men, his access to books, and the social life to which I have already alluded, gave him opportunities which were well calculated to develop those qualities in a gifted and aspiring youth which would fit him for a life of usefulness and honorable distinction. He had thought profoundly upon the nature of man and human society; he had studied the science of government, its origin, its forms, and its administration; he read the best treatises on politics, ancient and modern, within his reach, and made himself conversant with the constitutions of Greece and Rome, the British system, and the polity of modern States. When he entered Congress, therefore, at the age of twenty-eight years, his mind was stored and fortified with principles which were the guide of his political conduct.

He rejected alike the dogma of the sovereignty of monarchies and aristocracies, on the one hand, and, on the other, the shallow fiction of the social contract as the foundation of government. He asserted boldly that society and government both were of divine ordination; that the Supreme Creator and Ruler of all had in his infinite wisdom assigned to man the social and political state as the best adapted to the development of the moral and intellectual faculties and capacities with which he had endowed him. The fundamental principles of government—

please remember, fellow-citizens, that I am giving you his views, and not my own—he found in the wants and feelings and tendencies of man, wrought there by the hand of God, which, in their development, assumed the attributes and functions of formal governments. The external forms and organizations designed to prevent the tendency of government to disorder and injustice, called constitutions, are the contrivances of men, who are left to perfect by their reason and free will the government that the Infinite has ordained, just as he created the material laws of the earth, and left man to impress it with his own personality. The right to prescribe these constitutions and to coerce society into submission to them is sovereignty. That power in a nation which holds this supreme authority in the last resort, from which there is no appeal to a higher power, is the sovereign power of that nation. Where that supreme, absolute, and ultimate power resides is a question which has not only challenged the speculations of philosophers in the closet and statesmen in the national councils, but has also been debated on bloody fields in arms. On this question Mr. Calhoun was, from profound conviction, always a Republican and an American Democrat. He maintained that the people were the legitimate source of all political power; that governments ought to be created “by them and for them;” that powers conferred upon government are not surrendered, but delegated, and as such are held in trust, and not absolutely, and can be rightfully exercised only in furtherance of the objects for which they are delegated; and in order to guarantee the responsibility of the rulers to the ruled and to secure the control of those electing over those elected, universal suffrage is the primary and indispensable foundation of Republican governments.

Fellow-citizens, are these mere commonplace truisms? They were not so in his day. At that time disparagement and distrust of Republican governments were prevalent. Alexander Hamilton, the founder of that school of politics to which Mr. Calhoun was opposed, and whose disciples have always opposed his doctrines, was not in favor of a Republican government.

It is due to this eminent American statesman and ardent patriot to say that at the close of the convention he expressed his anxiety that every member should sign the constitution, “although no man’s ideas were more remote from the plan than his own were known to be. The question was between anarchy and confusion, on one side, and the chance of good to be expected from the plan, on the other.” He afterwards advocated its ratification in the *Federalist*, and the action of New York was no doubt brought about by his powerful influence; and yet he to the very last expressed his doubts of what he called “the experiment.”

He did not think that it could be established successfully in America. In the debates of the convention which framed the Federal Constitution he openly avowed his opinion that the monarchy of England was the best government in the world; that the aristocracy of that nation was a most noble institution, and that her hereditary king was the only model of good executive government; and he expressed his doubts that anything short of it would do for America. As he was a classical scholar, he no doubt derived these doubts from the history of ancient and modern republics. Aristotle declared that the worst of all tyrannies was the tyranny of democracy; Thucydides often dwelt upon the fact that the evils and vices of society always rose to the ascendant among the Athenian *demos*; while Tacitus and Livy made frequent references to the disorganizing and demoralizing influences of the Roman populace. Even Montesquieu and Guizot and Gibbon and Hume, and those eloquent Liberals, Burke, Mackintosh, and Macaulay, have all expressed apprehensions as to the permanence and the blessings of pure democratic governments. But Mr. Calhoun’s faith in man and his capacity for self-government under proper conditions never for an instant in his life deserted him. Nothing in the works of theological writers can be found stronger than his repeated assertion of the superintendence of Divine Providence over the government of man. He also firmly believed that the voice of a great people uttered for the benefit of the whole community through organs so constituted as to suppress the voice of selfish factions and interests, and to express the sentiment of the entire community, was, without impiety, the voice of God.

I know of nothing in Mr. Calhoun’s career more striking than what occurred on the very threshold of his public service.

Mr. Clay more than once has declared that in no Congress of which he had knowledge has there been assembled such a galaxy of eminent and able men as were in the House of Representatives of that Congress which declared war against England in 1812. Mr. Calhoun was elected to that Congress at the age of twenty-seven years. He had been admitted to the bar only two years before;

yet this unknown young man, and obscure attorney, from an obscure country village, a stranger to the elegant accomplishments and the graces of scholarship, before he had made a speech, took his place at the head of these distinguished and brilliant men as their equal, and even their superior, and maintained it with increasing power and ever-widening fame to the end. In the light of after events the cause of this extraordinary circumstance could be easily discerned. In the presence of a great impending crisis, full of solemn import to men of sense and virtue, whose extent the most farsighted cannot fully measure, and before whose dangers the most resolute naturally quail; when the voice of faction is hushed, and rivalries and animosities cease—in such a crisis, demanding immediate action, mastery and leadership go of their own accord to the master spirit, to the man of transcendent intellect, bravery of soul, promptness of decision, energy of action, all strengthened, sustained, and vivified by an ardent and disinterested patriotism. Just such a momentous crisis was upon that Congress of 1811-12, when Mr. Calhoun took his seat, and the qualities just mentioned found their embodiment in his character.

From the day that our government was established our relations with foreign nations were troubled and uncertain. Soon after the constitution was put into force a mighty war broke out between France and England, during which both belligerents disregarded the rights of the United States and their interests as an independent nation. Washington and his successors, who were statesmen in the Revolution, anxious to secure our as yet untried political institutions from the hazards of war until they could be settled and established, patiently bore these wrongs, although they would have justified a resort to war. Under the influence of this policy, when these wrongs reached to the spoliation of our ships and the seizure of our citizens, the United States Government withdrew our commerce and our citizens from the ocean, and appealed to the justice of these nations to cease their outrages. Unheeding these appeals, the Government of England pursued a course which amounted to a desolating war upon American commerce. American vessels, laden with the product of American industry and skill, were seized in our own ports and confiscated; while three thousand American seamen were seized and imprisoned, and made to serve on English men-of-war. It was in the midst of the agitation caused by these wrongs that the Congress of 1811 met. Mr. Calhoun was placed second on the most important committee, that of Foreign Relations. He was at once its animating spirit and the mainspring of its action; and under his influence it soon submitted a report, said to have been written by him, which recommended immediate preparations for war with Great Britain. In the debate that followed, Mr. Calhoun made a speech in its support, which stamped him as an orator and a statesman of the first rank, and made him the foremost champion of the war and the author and supporter of the measures for its vigorous prosecution. The effect of his speech, in arousing the country to a sense of wrong and danger and to the vindication of our national honor and threatened independence, was like magic. He showed that the object of England was really to remand the United States to the condition of commercial dependency which existed in her colonial state. He made the people of the country see that the simple issue was war or submission to the loss of independence and nationality. The commanding power of the speech lay in the intrinsic force and the grandeur of truth, and its eloquence in the noble utterances which appeal to the moral sentiments of the people and address themselves to the highest faculties of the intellect and the noblest aspirations of the heart.

"The question," said he, "is reduced to this single point: Which shall we do, abandon or defend our maritime rights and the personal liberties of our citizens in exercising them? . . . The gentleman from Virginia is at a loss to account for what he calls our hatred for England. He asks us how we can hate the country of Locke, of Newton, Hampden, and Chatham—a country having the same language and customs with ourselves and descending from a common ancestry. If we have so much to attach us to that country, potent indeed must be the cause which has overpowered it. . . . But the gentleman in his eager admiration of that country has not been sufficiently guarded in his argument. Has he reflected on the cause of that admiration? Has he examined the reason of our high regard for her Chatham? It is his ardent patriotism, the heroic courage of his mind, that could not brook the least insult or injury offered to his country, but thought that her interest and honor ought to be vindicated at every hazard and expense. I hope that when called upon to admire we shall also be asked to imitate. I hope that the gentleman does not wish a monopoly of those great virtues for England. . . . Our rights are vitally attacked. . . . The only alterna-

tive is war or degradation. . . . I hope that the decision is already made by a higher authority than the voice of any man. It is not for the human tongue to instill the sense of independence and honor; this is the work of nature, a generous nature that disdains tame submission to wrongs."

What he said was true, but it is the prerogative of genius to put into the materialism of words the thoughts which lie inarticulate in the consciousness of a brave people, whose heart leaps in spontaneous sympathy to her voice.

It is not necessary to repeat to this audience the glorious incidents of that war, and, after many vicissitudes of reverses and success, its victorious termination and its effect in giving to the United States a proud and established position of dignity, equality, and power among the nationalities of the world.

Nor have I the time to dwell upon the measures which Mr. Calhoun introduced or supported during his service in the House of Representatives, which terminated in 1817, or of his services as Secretary of War under President Monroe, or as Vice President of the United States.

Perhaps a better idea can be given of his position before the country during that period by restating the opinions of him expressed by the great statesmen of that day. Mr. Dallas, who was in the Cabinet of Mr. Madison, as Secretary of the Treasury, said that Mr. Calhoun was "the young Hercules who carried the war on his shoulders." After one of his speeches during this service in the House, Mr. Grosvenor, of New York, one of the ablest and most distinguished members of the opposition, between whom and Mr. Calhoun an unpleasant difference had arisen during the discussion of a war measure, said: "I have heard the able, manly, and constitutional speech of the gentleman from South Carolina." Here Mr. Grosvenor paused, remembering this personal difference, and then resumed: "Mr. Speaker, I will not be restrained; no barrier shall exist which I shall not leap over for the purpose of offering to that gentleman my thanks for the judicious, independent, and national course which he has pursued in the House for the last year, and particularly upon the subject now before us. Let the honorable gentleman continue with the same manly independence, aloof from party views and local prejudices, to pursue the great interests of his country and fulfill the high destiny for which it is manifest he was born. The buzz of popular applause may not cheer him on his way, but he will inevitably arrive at a happy elevation in the view of his country and the world."

The great William Pinckney, of Maryland, who was also a member of the House, upon one occasion, following Mr. Calhoun in debate on the same side, said of him: "The strong power of genius, from a higher region than that of argument, has thrown on the subject all the light with which it is the prerogative of genius to invest and illuminate everything."

How he performed the duties of his position as Secretary of War can be also better determined in the same way. Henry Clay said of him: "Such was the high estimate I formed of his transcendent talents that, if at the end of his service in the executive department under Mr. Monroe's administration he had been called to the highest office of the government, I should have felt perfectly assured that under his auspices the honor and prosperity and the glory of our country would have been safely placed."

John Quincy Adams, who was his colleague in Monroe's Cabinet, thus spoke of him before his judgment was clouded by personal resentment: "Calhoun thinks for himself, independent of all the rest, with sound judgment, quick discrimination, and keen observation. He supports his opinion, too, with powerful eloquence. . . . Mr. Calhoun is a man of fair and candid mind, of honorable principles, of clear and quick understanding, of cool self-possession, of enlarged philosophical views, and of ardent patriotism. He is above all sectional and factious prejudices more than any other statesman of the Union with whom I have ever acted." (J. Q. Adams' Diary.)

Judge Story said of him in a letter to a friend: "I have great admiration for Mr. Calhoun, and think that few men have more enlarged and liberal views of the nation." Mr. Webster at the same time wrote to his brother: "I hope that all New England will support Mr. Calhoun for the Vice Presidency. He is a true man, and will do good to the country in that situation." He was elected to the Vice Presidency, and New England, with the single exception of Connecticut and one vote from New Hampshire, united in the overwhelming majority that carried him to the Vice Presidential chair.

A brilliant and able Carolina statesman, on whose shoulders Mr. Calhoun's mantle had worthily fallen, and would have been worthily borne but for the cutting short of his career by death, said that the war of 1812 was the turning point

in the history of the world, giving, as it did to the United States, independence abroad, as the Revolution gave them independence at home, and that Calhoun's course in that war would never fail of the admiration and applause of future times.

But Mr. Calhoun's career in the House of Representatives did more than give him renown as a statesman preëminent for his nationality. The experience of its harsh trials, its obstacles, reverses, disappointments, followed by despondency subsiding into apathy, and from that into dissensions; the ruined trade and depreciated currency and paralyzed industries which it caused; the numerous dangers of utter discomfiture, from which the escapes seemed, and perhaps really were, hairbreadth—made deep and lasting impressions on his mind, the influence of which may be seen in his sentiments and feeling and action through the whole course of his subsequent career as a statesman. For special reasons hereafter to be disclosed, I ask your attention to one of the principles which that war fixed in his mind and interfused with the very elements of his soul. I will state it in his own words: "The chief object for which the constitution was formed was to give the general government power, security, and respectability abroad. In our relations with foreign countries, where strength of government and national security are most required, the powers of our government are undivided. In those exterior relations, abroad, this government is the sole and exclusive representative of the united majesty, sovereignty, and power of the States constituting this great and glorious Union. To the rest of the world we are one. Neither State nor State Government is known beyond our borders."

In that great work upon the Constitution of the United States, some of the pages of which were wet with ink but a short time before he expired, he repeats this principle. Speaking of the two great divisions of Federal power, he says: "One of them embraces all the powers pertaining to the relations of the United States with the rest of the world. . . . From the Declaration of Independence to the present time, in all the changes through which we have passed, the Union has had exclusive charge of this division of powers." Again, speaking of the United States being unknown to the rest of the world, except in their united character, he says: "Abroad, to the rest of the world, they are but one. It is only at home, in their interior relations, that they are many."

There was another principle which formed one of the foundation stones of his political creed. It is that when a nation is in a state of war or preparing for war, whenever it undertakes to protect the rights of its people or to preserve their independence and honor from violations, injustice, and oppression, or invasion of another nation, that government has a legitimate right to the full command of all the resources of the community. He lays down this principle in his "Disquisition on Government" in the following terse words: "When this"—*i. e.*, national security—"is at stake, every other consideration must yield to it. Self-preservation is the supreme law, as well with communities as with individuals; and hence the danger of withholding from government the full command of the resources of the entire State." This principle he insists upon: that government, in order to fulfill the end of protecting its citizens from dangers from without and the devastations of war, must have and must exercise powers sufficient to call forth the entire resources of the community, and be prepared at all times to command them promptly in every emergency that may arise."

I have called attention to these principles, not only on account of their vital importance, but for another reason. Mr. Calhoun has been charged with gross inconsistency of conduct at this time with the course pursued by him at a later epoch in his life upon the subject of a protective tariff, internal improvements, and a national bank. These measures may be said to have virtually originated in the war, for the conditions and disorders of war continue long in a body politic after terms of peace are entered into and proclaimed. The questions which then agitated men's minds, and upon which political parties arranged themselves in support and opposition, were not questions of internal policy; they related exclusively to the national security, growing out of the state of our external relations. Mr. Calhoun advocated in 1816 the protection of manufactures "as a means of national defense and protection against dangers from abroad," with which we were at that time imminently threatened. For the same reason he advocated a bank and the adoption of an improved system of internal communication; and the constitutional authority to adopt such measures he did not look for in the enumerated powers specifically delegated to Congress, which operated directly upon the individual citizens of the United States; but he felt that it lay in that complete plenary power which pertained to the government as the sole

and exclusive representative of the undivided sovereignty of the Republic in its relations with other nations. That this was his view will be clearly seen by reading the speeches delivered in 1816 in support of these measures.

It is some as it must be to listen to the reading of documents, I must ask you to give me your attention while I read the following extracts from his speech of January 31, 1816, to show that he advocated protection to manufactures as a means of national defense and purely as a temporary measure. In that speech he says: "We are now called on to determine what amount of revenue is necessary for this country in time of peace. . . . The principal expense of the government grows out of measures necessary for its defense; and in order to decide what these measures ought to be, it will be proper to inquire: What ought to be our policy toward other nations, and what will probably be theirs toward us?" After discussing the first question, he proceeds to the next: "What will probably be the policy of other nations?" He then says: "With both these nations (Great Britain and Spain) we have many and important points of collision. . . . With both there is a possibility sooner or later of our being engaged in war." Then, adverting to our relations with England, he says: "But what will be the probable course of events respecting future relations between the two countries England is the most formidable power in the world; she has the most numerous army and navy at her command. Will Great Britain permit us to go on in an uninterrupted march to the height of national greatness and prosperity? . . . I will speak what I believe to be true: you will have to encounter British jealousy; and hostility in every shape, not immediately manifested by open force or violence, perhaps, but by indirect attempts to check your growth and prosperity. . . . Let us now consider the measures of preparation which sound policy dictates." After speaking of England's power to do us injury both upon the coast and from Canada as a point of attack, and our means of defense, he says: "Thus circumstanced on both sides, we ought to omit no preparation fairly within the compass of our means. Next, as the species of preparation, a question which opens subjects of great extent and importance, the navy most certainly, in any point of view, occupies the first place." After the most admirable argument in favor of the navy as the most powerful agency for our foreign defenses, the army, etc., he says: "Now let us consider the proper encouragement to be afforded to the industries of the country. In regard to the question how far manufactures ought to be fostered, it is the duty of this country, as a means of defense, to encourage its domestic industry, more especially that part of it which provides the necessary materials for clothing and defense. Let us look at the nature of the war most likely to occur. England is in possession of the ocean. No man, however sanguine, can believe that we can soon deprive her of her maritime predominance. That control deprives us of the means of maintaining cheaply clad, our army and navy. . . . Laying the claims of manufacturer entirely out of view, on general principles, without regard to their interests, certain encouragement should be tendered at least to our woolen and cotton manufactures. The failure of the wealth and resources of the nation necessarily involves the ruin of its finances and its currency. It is admitted by the most strenuous advocates on the other side that no country ought to be dependent on another for its means of defense; that at least our musket and bayonet, our cannon and ball, ought to be of domestic manufacture. But what is more necessary to the defense of a country than its currency and finance? Circumstanced as our country is, can these stand the shock of war? Behold the effect of the late war on them! When our manufactures are grown to a certain perfection, as the soon will under the fostering care of the government, we will no longer experience these evils."

To this distressing state of things there were two remedies, and only two: one in our power immediately; the other, requiring much time and exertion; but both constituting, in his opinion, the essential policy of this country. He meant the navy and domestic manufactures. By the former we could open the way to our markets; by the latter we bring them from beyond the ocean and naturalize them. Had we the means of attaining an immediate naval ascendancy, he acknowledges that the policy recommended by this bill would be very questionable; but as that is not the fact, as it is a period remote with any exertion, and will be probably more so from that relaxation of exertion so natural in peace, when necessity is not felt, it becomes the duty of this House to resort to a considerable extent, at least as far as is proposed, to the only remaining remedy.

Pardon the digression, but I desire here to state that through all these speeches there breathed the strongest sentiments of devotion to the Union. In the speech



from which I have already quoted he said that, in his opinion, the liberty and the union of this country were inseparably united; that, as the destruction of the latter would certainly involve the former, so its maintenance will with equal certainty preserve it. He did not speak lightly. He had often and long revolved it in his mind, and he had critically examined into the causes that destroyed the liberty of other States. There are none that apply to us, or apply with a force to alarm. The basis of our Republic is too broad and its structure too strong to be shaken by them. Its extension and organization will be found to afford effectual security against their operation; but let it be deeply impressed on the heart of this House and country that, while they guarded against the old, they exposed us to a new and terrible danger: disunion. This single word comprehended almost the sum of our political dangers, and against it we ought to be perpetually guarded.

The very last speech that he delivered in the House of Representatives was like that which at the end of his life he delivered in the United States Senate. It was a plea for the Union.

Sixteen years elapsed between the delivery of this speech and his reappearance in the national councils as a Senator of the United States. Those years were crowded with important events and changes. At the expiration of them the United States had grown to be a great and powerful Republic, whose people laughed to scorn the thought of danger from any power on earth. The moderate protective tariff and other measures which he had advocated as a means of defense against foreign aggressions had grown to colossal systems, drawing wealth and power from Federal taxation, dominating and destroying the agricultural interests of the country. It was during this period that Mr. John Quincy Adams was elected President of the United States. The manner of his election by the House of Representatives over Gen. Jackson, who had received the largest number of electoral votes, the bold centralizing doctrines enunciated in his inaugural and the measures which he urged, excited opposition among Republicans throughout the country, in which Mr. Calhoun united. The venerable Thomas Jefferson, then eighty-three years of age, and living in strict retirement, whose mind, however, looked from the brink of the grave keenly into the future, gave forth the following prophetic warnings: "I see, as you do, and with the deepest affliction, the rapid strides with which the Federal branch of our government is advancing toward 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, if legitimate, leave no limits to their power. Take together the decisions of the Federal Court, the doctrines of the President, and the misconstructions of the constitutional compact acted on by the Legislature of the Federal branch, and it is but too evident that the three ruling branches of that department are in combination to strip their colleagues, the State authorities, of the powers reserved by them, and to exercise themselves all functions foreign and domestic. Under the power to regulate commerce, they assume indefinitely that over agriculture and manufactures, and call it regulation to take the earnings of one of these branches of industry—and that, too, the most depressed—and put them into the pockets of the other, the most flourishing of all. . . . And what is our resource for the preservation of the constitution? Reason and argument? You might as well reason with the marble columns encircling them."

It is not my purpose to discuss here the question of a protective tariff. I desire to efface myself on this occasion. My only aspiration is to present to you the moral and intellectual image of him whose outer form and lineaments are presented in the admirable statue which we this day unveil.

In one of his great speeches he stated that the station of Vice President, from its leisure, had given him the opportunity to study the genius of the protective system as a measure of permanent domestic policy; that he saw its blasting effects on one section, its corrupting effects on the other, and these effects increasing until the burden became intolerable under the tariff of 1828, which was the crowning act of the administration of Mr. Adams. He saw that under its operation "desolation was spreading over the entire staple region; its commercial cities were deserted: Charleston parted with her last ship, and grass grew in her once busy streets."

He believed that the constitution was violated in using a power granted to raise revenue as the instrument of rearing up the industry of one section of the country on the ruins of another; that it was, in a word, "a violation of the constitution by perversion, the most dangerous of all, because the most insidious and difficult to counteract."

When convinced that there was no hope for relief from Congress through the administration of Gen. Jackson, he advised a remedy which he believed to be within the limits of the constitution, conducive to the preservation of the Union, and yet fully adequate to protect the States and the people from the abuse and encroachments of Federal power. That remedy was State intervention or nullification. The State of South Carolina, in a convention duly and legally convoked in November, 1832, passed an ordinance declaring the tariff of 1832 and 1828 to be unconstitutional, null, and void within her limits, and of no binding effect upon her officers and citizens. This was followed by a proclamation from President Jackson declaring the ordinance unconstitutional, intended to dissolve the Union, and forbidding any obedience to it upon the pains and penalties of treason. In defense of the action of his State, and in opposition to the doctrines of the proclamation and the legislation in support of it, Mr. Calhoun put forth those profound expositions of political principles which, as Mr. Webster afterwards said, "will descend to posterity under the sanction of a great name."

It is simply impossible to give an abstract in the most condensed form of these principles.

The leading idea of those expositions is that the American Union is a Democratic Federal Republic—a political system compounded of the separate governments of the several States and of one common government of all the States, called the Government of the United States. Each was created by written constitution; those of the particular States, by the people of each acting separately; and that of the United States, by the people of each in its sovereign capacity, but acting jointly. The entire powers of government are divided between the two; those lodged in the general government being delegated by specific and enumerated grants in the constitution, and all others not delegated being reserved to the States respectively, or to the people. The powers of each are sovereign, and neither derives its powers from the other. In their respective spheres neither is subordinate to the other, but coördinate; and, being coördinate, each has the right of protecting its own powers from the encroachments of the other, the two combined forming one entire and perfect government. The line of demarcation between the delegated powers to the Federal Government and the powers reserved to the States is plain, inasmuch as all the powers delegated to the general government are expressly laid down, and those not delegated are reserved to the States unless specially prohibited.

The greater part of the powers delegated to the general government relate directly or indirectly to two great divisions of authority; the one pertaining to the foreign relations of the country; the other of an internal character, and pertaining to the exterior relations of the States, the purposes for which the constitution was formed being power, security, and respectability without, and peace, tranquillity, and harmony within.

After a full exposition of these propositions, he employs the following strong and vigorous language: "Taking all the parts together, the people of twenty-four independent and sovereign States, confederated by a solemn constitutional compact into one great Federal community with a system of government, in all of which powers are separated into the great primary divisions of the constitution-making and the lawmaking powers, those of the latter class being divided between the common and joint government of all the States and the separate and local governments of each State, respectively; and finally the powers of both, distributed among three separate and independent departments—legislative, executive, and judicial—presents in the whole a political system as remarkable for its grandeur as it is for its novelty and refinement of organization. For the structure of such a system, so wise, just, and beneficent, we are far more indebted to a superintending Providence that so disposed events as to lead as if by invisible hand to its formation than to those who erected it. Intelligent, experienced, and patriotic as they were, they were but builders under His superintending direction. To preserve this sacred distribution as originally settled, by coercing each to move in its prescribed orbit, 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."

He next addressed himself to the great question: "What provision does the Constitution of the United States or the system itself furnish to preserve this and the other division of powers?" He then proceeds to show that from the relations which subsist between coördinate governments, and from a law universally applicable to a division of power, whether between governments or departments of governments, a mutual negative on the part of each is necessary to

protect each from the other, and that in a case of conflict as to the limits of their respective authority neither has the right to impose by force its decision against the other, but must appeal to a power paramount to either, whose decision is final and binding on both. That paramount power in our system is the convention of States, the most august and imposing embodiment of political authority known to the American system of government. And this is the doctrine of nullification.

As a result of the events which in an earlier part of these remarks I have discussed, the right of nullification, even in the minds of those who once asserted that right, no longer has a place in the apparatus of our political system. No one now has the slightest dream of any resort to State interposition as a remedy for political grievances; nor would it be fair to state the arguments adduced by him in support of nullification without presenting those advanced in opposition to the doctrine.

But the sincerity of his patriotism in this matter should, in justice to his name and fame, be cleared of the aspersions of those who have reported him as a conspirator, impelled by ambition to arouse sectional animosities and passions with a view to tearing the Union asunder. And it is with a view to this alone that I shall further refer to his course on this question.

In reply to this charge I cannot resist quoting his own words: "I am not ignorant that those opposed to the doctrine have always, now and formerly, regarded it 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 the States. I never expressed 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 this, I have ever held them most dear. Nearly half of my life has been 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, 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 being 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 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, if the constitution itself be considered as the basis of the Federal Union."

To the objection that the right of a State to interpose and arrest an Act of Congress because of its alleged unconstitutionality is inconsistent with the necessary authority of the government, and must lead to feebleness, anarchy, and final disunion, he says that this power of nullification would, if unchecked, like all unchecked power, tend to abuse and disaster. "But it is not unchecked," said he. "As high as this right of interposition on the part of a State may be regarded in relation to the general government, the constitutional compact provides a remedy against this abuse. There is a higher power placed above all, by the consent of all—the creating and preserving power of the system, to be exercised by three-fourths of the States, and which, under the character of the amending power, can modify the whole system at pleasure, and to the acts of which none can object. Admit, then, the power in question to belong to the States, and admit its liability to abuse, and what are the utmost consequences but to create a presumption against the constitutionality of the power exercised by the general government, which, if it be well-founded, must compel them to abandon it? . . . If, on an appeal for this purpose, the decision be favorable to the general government, a disputed power will be converted into an expressly granted power; but, on the other hand, if it be adverse, the refusal to grant will be tantamount to an inhibition of its exercise; and thus, in either case, the controversy will be determined. 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. This amending power by a convention of the States is, when properly understood, the *vis medicatrix* of the system—its great repairing, healing, and conservative power—intended to remedy its disorders, in whatever cause or causes originating, whether in the original defects or errors of the constitution itself or the operation and change of circumstances; . . . or, in

case of a disputed power, whether it be between the Federal Government and one of its coördinates, or between the former and an interposing State, by declaring, authoritatively, what is the constitution. . . . 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.

"That such a remedy is provided is proof of the profound wisdom of the great men who formed our constitution, and entitles them to the lasting gratitude of the country; but it will be in vain that their wisdom devised a remedy so admirable, a substitute so infinitely superior to the old and irrational mode of terminating such controversies as are of too high a nature to be adjusted by the force of reason, or through the ordinary tribunals, if their descendants be so blind as not to perceive its efficacy, or so intently bent upon schemes of ambition and avarice as to prefer, to this constitutional, peaceful, and safe remedy, the wanton, hazardous, and immoral arbitrament of force.

"There is indeed one view, and only one—that nullification is secession—of the contest, in which force could be employed; but that view, as between the parties, would supersede the constitution itself, and would consequently place the State, as to the others, in the relation of a foreign State. . . . Standing thus toward one another, force might indeed be employed against a State; but it must be a belligerent force, preceded by a declaration of war and carried on with all its formalities. Such would be the certain effect of secession; and, if nullification be secession, such too must be its effect, which presents the highly important question—are they, in fact, the same?—on the decision of which depends the question whether nullification be a peaceable and constitutional remedy that may be exercised without terminating the Federal relations of the State or not.

"I am aware that there is a considerable and respectable portion of our State, with a very large portion of the Union, constituting, in fact, a great majority, who are of the opinion that they are the same thing, differing only in name, and who, under that impression, denounce it as the most dangerous of all doctrines; and yet, so far from being the same, they are, unless indeed I am greatly deceived, not only perfectly distinguishable, but totally dissimilar in their nature, their object, and effect; and that, so far from deserving the denunciation so properly belonging to the act with which it is confounded, it is, in truth, the highest and most precious of all the rights of the States, and essential to preserve that very Union for the supposed effect of destroying which it is so bitterly anathematized. They are wholly dissimilar in their nature. Secession is the withdrawal from the Union, . . . a throwing off of the authority of the Union itself, a separation from partners, and, as far as it depends on the member withdrawing, a dissolution of the partnership. It presupposes an association or union of several States or individuals for a common object. . . . Nullification, on the contrary, presupposes the relation of principal and agent—the one granting a power to be executed; the other, appointed by him with authority to execute it—and is simply a declaration on the part of the principal, made in due form, that an act of the agent transcending his power is null and void. . . . The difference in their object is no less striking than in their nature. The object of secession is to free the withdrawing member from the obligation of the association or union, etc. Its direct and immediate object, as it concerns the withdrawing member, is the dissolution of the association or union, as far as it is concerned. On the contrary, the object of nullification is to confine the agent within the limits of his powers by arresting his acts transcending them, not with a view of destroying the delegated or trust power, but to preserve it by compelling the agent to fulfill the object for which the agency or trust was created, and is applicable only to cases where the trust or delegated powers are transcended on the part of the agent.

"It remains now to show that their effect is as dissimilar as their nature or object.

"Nullification leaves the members of the association or union in the condition in which it found them—subject to all its burdens, and entitled to all its advantages, comprehending the member nullifying as well as the others—its object being not to destroy, but to preserve, as has been stated. . . . Secession, on the contrary, destroys, as far as the withdrawing member is concerned, the association or union. . . . Such are clearly the differences between them—differences so marked that, instead of being identical, as supposed, they form a contrast in all the aspects in which they can be regarded."

Whatever may be the objections to this doctrine, it must be admitted that it had not in it an element of disunion. It might have proved cumbrous and obstructive in its operations of the government; it might have impaired its promptness and vigor and energy of action, and probably would; but had it been recognized and acted upon by the Federal Government, it would have ever prevented a resort to secession, on the one hand, or a resort to force, on the other. But the right was not recognized; it was denied and inflexibly opposed by the general government, which assumed to impose its own construction of the constitution, against that of the States, by force.

Just at this time Mr. Calhoun resigned the office of Vice President, and took his seat in the Senate in place of Gen. Robert Y. Hayne, who had been chosen Governor of the State. A few days after he took his seat, President Jackson sent a message to Congress, transmitting the ordinance of nullification with his own proclamation, and recommending the passage of measures which would enable him to compel, by the use of military force, the obedience and submission of the States.

It was upon the occasion of this message and the force bill, which became a law during that session, that the great debate took place between Mr. Webster and Mr. Calhoun, memorable for the ability and eloquence displayed, the eminent character of the two great champions of the hostile theories, and the magnitude of the questions involved. Up to the time that Mr. Calhoun took his stand for what he deemed was the cause of the constitution and the Union, as well as the liberty and the interest of the people of his own State, national honors and distinctions and popular applause seemed to have sought him out and crowded his path through public life. He had up to that moment been regarded as the most renowned and shining character among living American statesmen, and, next to Jackson, the most popular. He was but one step from the Presidency, and was regarded as the heir apparent of President Jackson, who, it was understood, would serve but one term.

To my mind there is nothing connected with Mr. Calhoun's life so fraught with touching pathos, so characteristic of the grand soul of the man, as the isolation of his position when he took his place in the United States Senate. He saw all the popularity which marked the early part of his career receding from him; he saw a majority of all his old political associates and friends in the Senate now in hostile array against him, and his old political enemies in perfect unanimity allied with them. Not one sister State from any part of the Union stood by South Carolina in this final conflict. Both Houses of Congress, with the President of the United States, and that President Andrew Jackson, combined all together in the adoption of measures to force his State into submission to the law which she had nullified. Never a contest, to all seeming, was so unequal, so hopeless. But he quailed not. Strong in his own conviction of the justice of his cause; self-poised in the counsels of his own mind, doing nothing rashly, and yet nothing timidly or doubtfully; ready to immolate himself for the right which his State had intrusted to his defense, this noble, brave man, on whose brow God had set the seal of truth, whose eye beamed bright with the devotion that fired his soul—courage, manliness, sincerity, truth in every tone and look, greatness in every lineament of his countenance—stood alone and prevailed. Yes, prevailed! For the controversy, when closed, was closed by the compromise act which repealed the law that his State had nullified. The very Congress which passed the force bill to coerce South Carolina into submission to the tariff of 1828 and 1832, at the same session repealed those two laws; and Andrew Jackson, the man of iron will and pitiless purpose, in the face of his proclamation, signed the act that swept from the statute book the enactment which South Carolina in her asserted sovereignty had declared unconstitutional, null, and void, and inoperative in her limits.

Any account of those stormy times would be incomplete which left out the majestic figure of Henry Clay, the matchless orator, the noble patriot, whose heart was the sanctuary of all noble impulses and generous aspirations, the genius of conciliation and harmony, who introduced his celebrated compromise bill which averted the storm and substituted peace for intestine strife. Immortal honor to the name of Henry Clay!

And here is presented a spectacle which cannot fail to excite the pride and admiration of all true Americans. Henry Clay, the author of the American system, of which the protective policy was the most cherished principle; John C. Calhoun, the representative and champion of the reserved rights of the States and their sovereignty; Andrew Jackson, the stern, inflexible enforcer of the supreme power

and paramount authority of the nation; each bursting the trammels of party, casting aside sectional animosity, disregarding pride of opinion and personal hostilities; each making concessions, and all giving their united tribute of intellect and patriotism to the good of their common country.

By this compromise, South Carolina, although she gained the repeal of the law which she had nullified, and the prostration of the protective system, made important concessions. By his statesmanship Mr. Clay (though he sacrificed the protective system) secured the wise provision that the protective imposts should be gradually reduced, covering a term of ten years, to a revenue standard. To this feature Mr. Calhoun assented fully, as it had always been his policy to adopt a gradual and tentative reduction of protective duties, and thus to secure safety to all interests and permanent establishment of a just and fair revenue system. The force bill remained on the statute book unrepealed, which asserts the supreme authority of the Union over a nullifying State.

This settlement must give rise to the most noble reflections. The reader of our history is apt to be saddened by the thought that the eloquence and wisdom and services of our greatest statesmen are exhibited, not in united efforts and harmonious coöperation, but in conflict among themselves and victories of one party over another; but when a supreme moment comes, the fact is revealed that what seems to be fierce combat among themselves is but the ardent strivings of each for the honor, perpetuity, and glory of a common country.

I find that I have already transcended the limits that I have prescribed to myself, and have not the time to even sketch his measures and speeches during the remainder of his public life, all of which, except one year, was given to the public service.

After the adjustment of the tariff question, or what was agreed to be its final settlement, he at once devoted himself to those great issues and those great political reforms in which every section of the country was alike interested. Among these was, first, the removal of the deposits of the United States from the national bank and their transfer to the State banks, by order of the President, and also his course on the protest of the Senate against that act. On these occasions the speeches of Mr. Calhoun were able and fearless exposures of what he deemed the arbitrary abuse involved in that act and the subsequent outrageous invasion on the part of the Executive upon the constitutional rights and prerogatives of the two Houses of Congress. While he occupied upon these subjects common ground with Mr. Clay and Mr. Webster in opposition to Gen. Jackson's administration, he made it very clear that upon the question of the national bank, the subject of currency, and other measures of national policy, his differences with those gentlemen and the party that they represented were marked and radical. From 1833 to 1843 he delivered a series of speeches upon the financial and economical problems of that period, which, in their thorough elucidation of the causes which had produced the evils of a disordered currency, prostitution of credit, and general financial embarrassment, and in their wise forecast in indicating the true remedy, were as able as any that he ever delivered, and indeed were pronounced by Senators eminent for talents and long experience to be the ablest that they had ever heard in the United States Senate.

On the 5th of February, 1835, he made a report on the extent of government patronage which startled the country by its revelations of the enormous extent to which the abuses of the system had grown, and the degenerating influences that it was exercising alike upon the government and the character of the people. Animated and acrimonious debates arose in the Senate upon the facts stated in the report. In maintenance of the positions assumed therein, Mr. Calhoun made a speech which is perhaps as applicable to the present time as it was to those in which it was delivered. After showing how alarmingly the system had grown, he proceeded to demonstrate the causes which produced it, and which gave to it its growth and its dangerous influences. At the head of these causes he placed "the practice so greatly extended, if not for the first time introduced, of removing from office persons well qualified and who had faithfully performed their duty, in order to fill the places with those who were recommended on the ground that they belonged to the party in power." In speaking of the extent of its growth he stated that Washington in his eight years of service had made but nine removals; Madison, but five; Monroe, but ten; and that he, while Secretary of War for more than seven years, removed but two, and that for cause.

He says: "So long as offices were considered as public trusts, to be conferred on the honest, the faithful, and capable, for the common good, and not for the benefit or gain of the incumbent or his party, and so long as it was the practice

of the government to continue in office those who faithfully performed their duties, its patronage, in point of fact, was limited to the mere power of nominating to accidental vacancies or to newly created offices, and could of course exercise but a moderate influence either over the body of the community or of the office-holders themselves; and when the practice was reversed—when offices, instead of being considered as public trusts, to be conferred on the deserving, were regarded as the spoils of victory, to be bestowed as rewards for partisan services without respect to merit; when it came to be understood that all who held office, held by the tenure of partisan zeal and party service—it is easy to see that the certain, direct, and inevitable tendency of such a state of things is to convert the entire body of those in office into corrupt and supple instruments of power, and to raise up a host of hungry, greedy, and subservient partisans, ready for any service, however base and corrupt. Were a premium offered for the best means of extending to the utmost the power of patronage, to destroy love of country, to encourage vice and discourage virtue, and, in a word, to prepare for the subversion of liberty and the establishment of despotism, no scheme more perfect could be devised; and such must be the tendency of the practice, with whatever intention adopted, or to whatever extent pursued.”

He then called attention to the pledges of the party supporting the present administration to put a stop to this enormous abuse, and he asked: “What justification has been offered for so gross a violation of their pledges?” To the speech of Mr. Benton, in defense of the administration, he made the following indignant reply: “No justification is even attempted; the delinquency is acknowledged, and the only effort which the Senator from Missouri has made to defend his own conduct and that of the administration in adopting the practice which he then denounced is on the principle of retaliation. He says that he has been fourteen years a member of the Senate, and that during the first seven no friend of his had received the favor of the government, and contends that it became necessary to dismiss those in office to make room for others who had been for so long a time beyond the circle of Executive favor. What,” Mr. Calhoun asked, “is the principle, when correctly understood, on which this defense rests? It assumes that retaliation is a principle in its nature so sacred that it justifies the breach of plighted faith and the subversion of principles the observance of which had been declared to be essential to the liberty of the country. The avowal of such a principle may be justified at this time by interested partisans; but a more impartial tribunal will regard it in a far different light, and pronounce that sentence which violated faith and broken pledges deserve. . . . I consider it,” said Mr. Calhoun, “as an evidence of that deep degeneracy which precedes the downfall of a republic, when those elevated to power forget the promises on which they were elevated; the certain effect of which is to make an impression on the public mind that all is juggling and trickery in politics, and to create an indifference to political struggles highly favorable to the growth of despotic power.”

I am proud to say, fellow-citizens, that it has been my good fortune to be associated with one against whose administration the only criticism which has been pronounced is his sacred regard for similar promises and the unconquerable intrepidity with which he stands by them. . . . Speaking of the effect of this practice upon the character of a party, he adds: “Their object is to get and to hold office; and their leading political maxim, openly avowed on this floor by one of their former Senators from New York, now Governor of that State, Mr. Marcy, is that ‘to the victors belong the spoils of victory!’—a sentiment reiterated during the present session, as I understand, by an influential member of the House, and who had the assurance to declare every man a hypocrite who does not avow it. Can any one who will duly reflect on these things venture to say that all is sound and that our government is not undergoing a great and fatal change? Let us not deceive ourselves. The very essence of a free government consists in considering offices as public trusts bestowed for the good of the country, and not for the benefit of an individual or a party; and that system of political morals which regards offices in a different light, as public prizes to be won by combatants most skilled in the arts of political tactics and intrigue, and to be used and enjoyed as their proper spoils, strikes a fatal blow at the very vitals of free institutions.” Mr. Calhoun said: “Experience has shown that there is a great tendency in our system to degenerate into this diseased state, and I may venture to repeat—it cannot be done too often—what is stated in the report: that whenever the executive patronage shall become sufficiently strong to form a party based on its influence exclusively, the liberty of the country, should that state of things continue for any considerable period, must be lost.”

It gives me pride and pleasure to say that South Carolina has never departed from these great principles. I cannot refrain from paying my tribute of applause to the ability and eloquence and firmness with which Senator Butler, of your State, sustained these doctrines on the floor of the United States Senate. In reply to a vivid and truthful portrayal, by a political friend, of the terrible misgovernment through which the people of the South had passed, and to the inquiry if he would have retained in the departments at Washington those who were engaged in that misgovernment, he replied: "Why, Mr. President, the people of the South rejoice too much in a restoration of their liberty to care about the paltry offices in Washington. . . . When it comes to a great question of this kind I am not a Southern man. I hope that I represent the people of this country in desiring the improvement of its civil service; it is an object which rises high above the considerations of party or of section, in my humble judgment. . . . As compared with the improvement of the civil service of this government, I say to the Senator as a representative in part of the State of South Carolina, I will give up every office in the departments at Washington, and I will go before my people and sustain myself upon that position." Gen. Wade Hampton has given the sanction of his name to the maintenance of these principles in his own practical and effectual way by advocating legislation to suppress the abuses of government patronage. As an individual I desire to express my high appreciation of the fidelity of South Carolina to her old landmarks, as evinced in the recent resolutions of her Legislature on the subject of civil service reform, and her just and manly support of the President's conduct on this subject.

In 1842 Mr. Calhoun addressed the Senate upon an amendment to the constitution offered by Mr. Clay to abolish the veto power of the President, in a speech in which he discussed with irresistible force, indeed, with overwhelming power, the principles which underlie the reciprocal relations of the different departments of the Federal Government, the symmetrical proportions of the whole system, and the marvelous, yet admirable, combination of checks and balances designed for the perpetuation of constitutional liberty. The young men of this country who aspire to statesmanship or public usefulness might study this speech with lasting benefit and edification.

In 1843 he retired from the United States Senate, with a view to permanent retirement from public life. In a short time, however, he was called to the office of Secretary of State by President Tyler, near the close of his administration, to conclude the negotiations for the annexation of Texas, which he accomplished with his usual ability and success—a measure which added immensely to the territory, resources, and power of the United States.

In 1845 the status of the Oregon question was such that war with England seemed to be inevitable. The administration of Mr. Polk had committed itself to a withdrawal of the notice to England of the termination of the treaty for the joint use and occupation of that Territory, with a view to claim and take possession of the entire Territory up to 54° 40', and a majority of both Houses of Congress were supposed to favor the policy. It was warmly supported by Gen. Cass in the Senate, and the venerable ex-President John Quincy Adams in the House. The former repeatedly declared that "war is inevitable," indeed, "almost upon us." A general uneasiness pervaded the country. In Mr. Calhoun's own words, "stocks of every description fell, marine insurance rose, commercial pursuits were suspended, and our vessels remained inactive at the wharves." All over the country there was a demand that Mr. Calhoun, as the most powerful and influential member of the Democratic party, should at once be returned to the Senate to prevent the carrying out of the war policy of the new administration. Mr. Huger resigned his seat in the Senate, and Mr. Calhoun was unanimously elected to take his place. His speech on the Oregon question, soon after he took his seat, was a masterpiece of political wisdom, sagacity, and rare eloquence, and reveals his characteristic courage. It shows the deep impression which the war of 1812 had made upon his mind with regard to the dangers of war to Republican institutions, and the importance of avoiding it whenever it can be done with safety to national honor or the rights of the people; but no one can read his utterances upon the grand and noble mission of the American Republic and harbor for one instant any doubt as to his devotion to the Union and his horror of every cause that would imperil its perpetuity.

On the 11th day of May, 1846, President Polk sent a message to Congress in recognition of the fact that war existed between the United States and Mexico, and recommending the raising of means for its prosecution. The scene was a solemn one, and what occurred was often spoken of by the members of that body.



A motion was made to print twenty thousand copies of the message and documents. Mr. Calhoun rose and objected, and said that we were on the eve of great events, and expressed the hope that we would proceed calmly and deliberately.

It is evident that he foresaw the consequences of the war thus precipitated. He foresaw that it would result in the acquisition of Mexican territory. He knew that the aversion of the North to the institution of slavery would cause the majority of Congress to exclude that part of the country interested in this institution from any share in the advantages to be derived from the admission of that institution into the territory thus acquired. He knew that if the North, with no interest in the matter except a moral sentiment, was so determined, it would be met with an equal determination of resistance by the Southern States. He spoke of this as the "terrible difficulty;" and it was so to him, for he saw in it the elements of disunion and of blood. It has been said that it is easy for a good man to resist wrong when it is clearly opposed to the right; but when virtue is opposed to virtue, is the real rending of the soul in twain. Mr. Calhoun loved the Union with religious devotion, but he loved the South also. A conflict between his love for the Union and his love for the Southern people—that was a terrible thing for him, which burdened his heart with sadness and grief. He earnestly sought to prevent the occasion for renewing the strife between the sections. In his reply to Mr. Benton he spoke as follows: "Every Senator knows that I was opposed to the war, but no one knows but myself the depth of that opposition. With my conceptions of its character and consequences, it was impossible for me to vote for it. When, accordingly, I was deserted by every friend on this side of the House, including my then honorable colleague among the rest (Mr. McDuffie), I was not shaken in the least degree in reference to my course. On the passage of the act recognizing the war, I said to many of my friends that 'a deed has been done from which the country will not be able to recover for a long time, if ever,' and added that 'it has dropped a curtain between the present and the future, which, to me, is impenetrable; and for the first time since I have been in public life I am unable to see the future.' I also added that 'it has closed the first volume of our political history under the constitution, and opened the second, and that no mortal could tell what would be written in it.'"

That second volume has been written, and the world knows its contents. We are now in the third volume of our constitutional history. May its recorded story correspond with Calhoun's divination of the possibilities of our future destiny as delivered in 1846 in the Oregon debate! He said in substance that "Providence had given us an inheritance stretching across the entire continent from ocean to ocean, from north to south, covering by far the greater and better part of its temperate zone, and comprising a region not only of vast extent, but abounding in all resources, excellent in climate, fertile and exuberant in soil, capable of sustaining, in the plentiful enjoyment of all the necessaries of life, a population of ten times our present number; that our great mission as a people is to occupy this vast domain; to replenish it with an intelligent, virtuous, and industrious population; to convert the forests into cultivated fields; to drain the swamps and morasses and cover them with rich harvests; to build up cities, towns, and villages in every direction; and to unite the whole by the most rapid intercourse between all the parts." He then rose to higher grounds and a broader view, and stated that we were charged by Providence not only with the happiness of this great and rising people, but in a considerable degree with that of the human race. After passing through a rapid review of the great discoveries and inventions, multiplied beyond all former examples, by which the vast powers of nature were rendered subservient to the purposes of art, to the spread of civilization, to the general progress of the nation in knowledge and its diffusion through all ranks of society; he turned more especially to the two great agents of the physical world, steam and electricity—"the latter of which," he said, "had been made an instrument for the transmission of thought by lightning itself. Magic wires are stretching themselves in all directions over the earth; and when their mystic meshes shall have been united and perfected, our globe itself will become endowed with sensitiveness, so that whatever touches on any one point will be instantly felt on every other."

He declared that all this improvement and progress are but the dawn of a new civilization, more refined, more elevated, more intellectual, more moral, than the present and all others preceding it. "We have been raised up," said he, "by Providence to advance these great and noble purposes. . . . We have a government of a new order, perfectly distinct from all others which have preceded it, a government founded on the rights of man; resting not on authority, not on

prejudice, not on superstition, but on reason and consent. All civilized government, if it succeeds, must in the course of time conform to its principles. I trust that we shall not fail to fulfill our highest destiny."

Fellow-citizens, the institution of slavery! That question has been settled. Slavery is dead; buried in a grave that never gives up its dead. Why reopen it to-day? Let it rest. Yet if I remain silent upon the subject, it will be taken as an admission that there is one part of Mr. Calhoun's life of which it is prudent for his friends to say nothing to the present generation. Dissimulation and evasion were so foreign to his character that in his own case no one would disapprove and even disdain such silence more than he. I have this to say: That with reference to the constitutional status of slavery in the States, Mr. Calhoun never entertained or expressed a sentiment that was not entertained and expressed by Henry Clay, John Quincy Adams, Daniel Webster, and all the eminent statesmen of his time; that slavery was an institution of society in the States, sanctioned and upheld by the Constitution of the United States; that it was an institution of property, recognized, protected, and enforced even upon the States where slavery did not exist, by the fundamental law of the Union; that it was an institution of political power which, under the provisions of the constitution, increased the representation of the Southern States on the floor of Congress and in the electoral college, was admitted by every public man in the country who had the slightest title to position as a statesman.

The only difference between Mr. Calhoun, on the one hand, Webster and Clay and such statesmen, on the other, was that the measures hostile to slavery which they sometimes countenanced, and at other times advocated, he saw and predicted were in conflict with these guarantees in the constitution, and that their direct tendency and inevitable effect, and, in many cases, avowed motive, was the destruction of slavery in the States. And while Mr. Webster and Mr. Clay disclaimed any such motive and denied any such probable effects, he declared to Mr. Webster in debate that the sentiment would grow and increase until, trampling down in its strides all the forms of the constitution, he (Mr. Webster) would himself be compelled to succumb or be swept down beneath it.

Vain the forms of law! vain the barriers of the constitution! vain the considerations of State policy! vain the eloquence and the compromises of statesmen! His predictions were verified to the letter. They were all swept away before the irresistible force of the civilization of the nineteenth century, whose moral sentiment demanded the extinction of slavery.

Every benefit which slavery conferred upon those subject to it, all the ameliorating and humanizing tendencies which it introduced into the life of the African, all the elevating agencies which lifted him higher in the scale of rational and moral being, were the elements of the future and inevitable destruction of the system. The mistake that was made by the Southern defenders of slavery was in regarding it as a permanent form of society instead of a process of emergence and transition from barbarism to freedom. If at this very day the North or the American Union were to propose to reestablish the institution, it would be impracticable; the South could not and would not accept it as a boon. Slavery as it existed then could not exist under the present commercial and industrial systems of Europe and America. The existing industrial relations of capital and labor, had there been no secession, no war, would of themselves have brought about the death of slavery.

Fellow-citizens, at the commencement of my remarks I stated my estimate of Mr. Calhoun's private and personal character, also his character as a statesman and a thinker. As an orator and debater he has often been described. His friend, personal and political, Mr. Rhett, speaks of "his earnestness and elevation of language, which bear the mind on as if on a swift, deep current;" of "his close, compact logic, which moved with the precision and measured tread of a Spartan phalanx." Senator Hammond said of him: "The intellect of Mr. Calhoun was cast in the Grecian mold, intuitive, profound, original, descending to the minutest details of practical affairs, and soaring aloft with a balanced wing into the highest region of invention. The force of his imagination, his command of language, his enthusiastic temperament, eminently qualified him for declamation of the highest order; but his themes were as well adapted to it as those of Demosthenes himself." Mr. Webster's idea of him was thus expressed: "The eloquence of Mr. Calhoun, or the manner of his exhibition of his sentiments in public, was part of his intellectual character. It grew out of the qualities of his mind. It was plain, strong, terse, condensed, concise, sometimes impassioned, yet always severe."

I have given these descriptions by others of Mr. Calhoun's style, because I feel

unable to characterize it in a manner satisfactory to my own mind. I do not think that elevation of language, terse, condensed expression, force of logic, soaring imagination, earnest feeling, and impassioned declamation, adequately express all its qualities. I have thought that his eloquence was due more to the simple majesty of his thoughts than to the diction in which they were clothed or the logical processes by which they were presented. The chief quality of his style seems to be that of giving the true impression of a profound and elevated mind, communicating its thoughts and feelings to the minds of others in words plain and clear and sentences simple and natural. There is between the human mind and truth a perfect correspondence. It was created for truth as its object; and when brought into contact with it, the mind, by the very law of its being, instinctively and intuitively embraces truth with credence and faith, unless prejudice or passion or some other agency interposes between the two and leads it away. Now, Mr. Calhoun's style, I think, had this great merit among those already mentioned: it brought before the minds of men the pure, unsophisticated truth of his thought as it existed in his own mind. When, therefore, he spoke, those who listened to him were brought into communion direct with his own great thoughts, splendid conceptions, prophetic foresight, moral grandeur, and soul-kindling passion; and they would feel their own minds strengthened, enriched, enlarged, and ennobled by the contact with his intellectual and moral nature.

Mr. Calhoun's conception of the duties belonging to the station that he occupied indisposed him to personal controversies or to sarcastic retorts upon his opponents; but when remarks of this character by them left him no other alternative than to notice them, his replies never failed to impress all who heard him with the consciousness that he moved in a sphere of thought and feeling far above the reach of his assailant. Upon one occasion a Senator from Delaware, commenting upon the distinction which Mr. Calhoun had drawn between sovereignty itself and the delegation of sovereignty to the different departments of the government (a distinction now familiar, and never denied), said that this was metaphysical reasoning which he could not comprehend. To this Mr. Calhoun replied as follows: "The Senator from Delaware calls this metaphysical reasoning, which he says he cannot comprehend. If by metaphysics he means that scholastic refinement which makes distinctions without difference, no one can hold it in more utter contempt than I do; but if, on the contrary, he means the power of analysis and combination, that power which reduces the most complex idea into its elements, which traces causes to their first principles, and by the power of generalization and combination unites the whole in one harmonious system, then, so far from deserving contempt, it is the highest attribute of the mind. It is the power which raises the man above the brute, which distinguishes his faculties from mere sagacity, which he holds in common with inferior animals. It is this power which has raised the astronomer from being a mere gazer at the stars to the high intellectual eminence of a Newton or a LaPlace, and astronomy itself from a mere observation of isolated facts into that noble science which displays to our admiration the system of the universe. And shall this high power of the mind, which has effected such wonders when directed to the laws that control the material world, be forever prohibited, under the senseless cry of metaphysics, from being applied to the high purposes of political science and legislation? I hold them to be subject to laws as fixed as matter itself, and to be as fit a subject for the application of the highest analytical power. Denunciation may indeed fall upon the philosophical inquirer into these first principles, as it did upon Galileo and Bacon when they first unfolded the great discoveries which have immortalized their names; but the time will come when truth will prevail in spite of prejudice and denunciation, and when politics and legislation will be considered as much a scheme as astronomy and chemistry."

Suggestions of a touching nature present themselves to me at this moment, but I have not the time nor the strength to speak of them here. You will pardon me, however, for pausing to express my personal gratification at recognizing the presence of one who is here in the place of her honored and illustrious father, whose name is inseparably associated with these ceremonies on account of the eloquent address which he delivered at the laying of the corner stone of this monument—the martyr, patriot, and orator, Lawrence M. Keitt, of whom I can say truly, as was said by Charles James Fox: "It is difficult to determine whether we most admire the statesman or love the man."

I cannot forbear, either, to allude to the venerable and beloved Carolina martyr who, amid all the perils of war and the storms of battle, carried, concealed

on her person, the sacred fund which was dedicated to the erection of this monument.

Ladies of the South Carolina Association, I have attempted to respond to the call with which your kindness has honored me. I regret deeply that absorbing duties of an official character, leaving me not even the intermission of a day of freedom, have allowed no opportunity to prepare for the performance of the task in a manner worthy of the theme and of the occasion. It is well that this monumental statue on South Carolina's soil has been reared through the instrumentality of her own fair daughters. His life was one uninterrupted homage to woman.

Mr. Calhoun was the true son of South Carolina. His just fame and great name were the fruits of her social system, and will be her glory when succeeding generations shall learn and appreciate the lessons of political truth taught by him, and shall inhale his pure spirit of patriotism, his exalted conception of duty, and become inspired by the honor, fidelity, courage, and purity of life, which rooted themselves in the soul of the man whose statue South Carolina women have erected in commemoration of the affectionate reverence with which they commend him to the honor, love, imitation, and confidence of mankind.

## Appendix No. 24.

### ALUMNI ADDRESS.

*Delivered before the Society of the Alumni, at Emory College, June 24, 1890.*

*Ladies and Gentlemen:* In response to an invitation which could not well be declined without a greater capacity to say "no" than I possess, I find myself once more in the classic groves of Emory College, and before a body of my countrymen of Georgia to whom I am attached by ties of the sincerest interest and of hereditary friendship.

Gentlemen of the Alumni, in the lifetime of every man occasions befall which excite feelings that the ordinary assurances of reciprocal courtesy do not fully express. Indeed, just in proportion as such feelings are deep, and partake of the more delicate and refined sentiments of the heart, in that exact proportion are they unfit for public exhibition. Such an occasion is to us the present moment of reunion, after years of separation, of the sons of our *alma mater*, within whose sheltering care we were trained for the conflicts of life. The thrilling associations, the sacred sympathies which silently come to us at this moment, when we note with bated breath the mysterious movement of our inner life, are all the more vivid and intense because they cannot be embodied in speech.

Here linger the shades of the departed great, and in every tremulous echo are heard the voices, now silent forever, of many whom Georgia honored and Georgia loved.

At every period of her annals the history of Georgia is rich in groups of great, choice, and shining men—learned jurists, able lawyers, wise politicians, orators of magical eloquence, illustrious statesmen, inspired preachers—whose memories constitute their priceless legacy to a people grateful for the distinguished services rendered by them, and still more grateful for the ennobling influence which their intellectual power and moral force have left behind.

The great men of a country are the precious, the inestimably precious, gift of a gracious Providence to its people; and the homage which we pay to the great—the love and the cherishing of their memories, as expressed in the rearing of stately monuments; in bestowing their names on our cities, our counties, and our children; in weaving their best thoughts into our daily discourse; the preservation from generation to generation of traditions and anecdotes concerning them—is not a mark of inferior or subservient spirit, nor does it proceed from any unworthy motive of popular adulation. It is, on the contrary, the result of a pure sentiment, high, heroic, in harmony with a constitution of mental and spiritual life ordained of Heaven. What says the great poet?

Lives of great men all remind us  
We can make our lives sublime.

It is a law woven into the nature of man, attested by history, by science, by literature and art, and by daily experience, that strength of mind and force of character are the supreme rulers of human affairs. In every age, in every society in which there are any stirrings of progressive life, there has been and there is a

class of men, known by differing names, but who for convenience may be designated as the intellectual leaders—authors, poets, statesmen, jurists, publicists, soldiers, clergymen—whose ideas and principles, operating in the realms of thought and passion, find their embodiment in the institutions of society and the constitutions of government, and guide the peoples in their slow, uncertain, sometimes reluctant, progress toward morality, civilization, knowledge, and freedom.

I do not wish to be understood as adopting the theory emitted by Carlyle, in his work on "Heroes and Hero Worship," that the great man of a generation is a being superior to his race, giving it what it had not and what could not be drawn from its joint estate. The idea that I seek to convey is that the truly great man is great because he collects, concentrates in himself, and impersonates the ideas, sentiments, and faculties of the mass of society; whose members, feeling the attraction of the same gifts within themselves, also feel the heroic incitement to higher standards, make braver endeavors to reach those standards, and thus are lifted up to a higher plane. The intellectual preëminence of our leaders is, therefore, at best, only a higher and more refined development of natural powers that are common to all; their utterances and labors are only the expression of truths of which all are profoundly, although mutely, conscious. Like the precious metals when refined and fashioned into forms of beauty or of utility in the arts, they are still neither richer nor nobler than when imbedded as ore in the mountain sides or scattered through the placer mines.

In these days we hear much of the materialism of the present age, of what is called plutocracy—the power of the wealthy class—the evils of what are called trusts, meaning combinations of capital to control the prices of the necessities of life; of the fact that the United States Senate is filled with millionaires; and of the alleged decay of the influence of virtue, intellect, and integrity in the direction of our public affairs. I do not share in the opinion that plutocracy has this country in its grasp. It is true that, owing to the operation of certain great political forces, a policy has for many years been fastened upon the national government and upon some populous manufacturing and mining States, which systematically favors the rich and powerful classes of society, with a view to bind them to the support of their measures and to secure that support to the Federal Government in its encroachments of power. It cannot be denied that the direct tendency of such an unholy alliance between political power and organized capital, each working for its own aggrandizement, is to corrupt even a virtuous and patriotic people and to undermine the institutions of constitutional liberty. But I believe that agencies are now at work which, in the end, will break up this combination. That alliance is even now regarding with terror the labor movements and the signs of a general uprising against their rapacity, injustice, and debauchery of public virtue. You have heard of the millionaires in the Senate and of the great railroad magnates and the manufacturing capitalists; yet here, too, as much as in any country of the world, stand intellect and virtue above wealth, and nobility of character is more and more making for itself a new sign: the realization of the masses that in high places of honor and trust a man's first duties are to his own final judges—the voices of right, of justice, of liberty, of posterity, of conscience, of God.

Bethink you! Of all those who are known to wield the power of money, where is one who, because of that power, holds moral strength with our people? Among them all, where is one to whom the great heart of the American people turns with that affectionate reverence and deep confidence felt for many moneyless men whose honored names you could not hear me utter without bursts of applause or without perceiving in the atmosphere the divine thrill of patriotism and of glory? Who is the one the sight of whose name upon the pages of your country's history shall cause your pulses to beat in quicker measure or make your eyes to kindle with a new light of wonder and of love? Never, I think, has there been a time when there was a more widespread, genuine, and heartfelt reverence for noble character and great intellect than now. There is, however, no distinguished consideration, no homage, no worship for the mere millionaire. Mark the contrast between your feeling toward him and that toward the truly great man of the day. Where is it that the wealth of Gould and Huntington, and even of the national treasury, all combined, could wield such power and win such triumph as that of a great statesman and orator, like I have heard in Georgia, when, addressing his fellow-citizens from great heights, he assumes in them intelligence and virtue akin to his own? Listen to the tumultuous shouts as they catch sight of his form and the tones of his voice! Mark how they crowd

around him—packed together to look, to hear, to learn, to love—eyes glistening, hearts palpitating, until conviction seizes them all as one social organism, transfigured by the mighty enthusiasms inspired by the magic of the orator's eloquence! All the power of office and of wealth must fall before this; and it is because the people, in their innermost consciousness, are ever open to the power of truth and goodness and the beautiful sovereignty of right. Beneath all the ruggedness of their manners and the prosaic forms of their speech lie always the broad foundations of native insight, of manly instinct, of potential nobilities, which enable them on occasion to rise to a comprehension of, and sympathy with, the finest mental and moral achievements of statesmen and philosophers.

Nowhere have these truths received a more striking illustration than in Georgia. Her great men were regarded by her people as their friends and daily companions. Her Governors, Jackson, Troup, Clarke, Crawford, Lumpkin, McDonald, Howell Cobb, and Brown; her Senators, Forsyth, Berrien, Dawson, Colquitt, Toombs, and Stephens—were all men of natural but very high character, of simple tastes, plain and true in speech, with clear perception of justice; with strong and unaffected interest in farms and crops and weathers and the common incidents of home and country life; with a uniform self-respect, combined with a natural reverence for every other man. So that it was perfectly easy for them to associate with the plain and uneducated poor. Whenever they returned from their official services (either at the national capitol or in the gubernatorial chair or in the chambers of justice), not as exalted personages, but as unchanged citizens, to sit upon the plain wooden bench in the country church or on the split bottom chair before the village store, then not only old friends, but also honor, came and sat beside them.

It is no part of my purpose to pursue this train of thought any further. If what I have said has caused any one of these youthful, manly spirits to feel stimulated in his aspirations to join that order of superior beings who so live as to live again in other lives made better by their presence, in other lives made purer and nobler through a striving to follow after, I shall feel myself happy indeed and more than repaid for my efforts.

[Mr. Lamar then touched upon the benefits of higher education, and showed how through the stimulus and example of her distinguished sons a literary sentiment developed over the entire Commonwealth of Georgia, and the principles of her educated men became her public opinion. He then continued:]

Some fifty years ago, perhaps a few years previous to that time—within the memory of many a living man—a general and vigorous movement began in the Methodist Church of Georgia to provide for the collegiate training of its own youth. This movement arose in part from a conviction that so large a denomination of Christians should be duly represented, according to the numbers of its membership and adherents, in high stations of special influence and usefulness, and that its sons should have the intellectual training necessary to fit them to take their places in the front rank in social life, in business enterprises, in the halls of justice and legislative chambers, in the arena of politics, and the field of literature. A still stronger motive originating the movement was an abiding faith that the truths of Christianity are in no way inconsistent with the most fearless investigation of scientific truth or the highest culture in letters, and that the practical principles of the Christian religion are broad enough and solid enough to strengthen the foundations of our Republic, as well as to clothe its stately superstructure with ever growing grace and beauty.

The mightiest impulse, however, which aroused the Methodists of Georgia to the sacred duty of providing for the literary training of their youths under the direction and hallowing influence of their own Church, sprang from a dissatisfaction with the tendency and character of the modern intellectual culture—its lack of the element of religious belief and its separation from Christian faith. Along with the rapid advance of literature and scientific discoveries, scientific materialism, irreverent speculations of philosophy, and the flippant skepticism of letters, were gaining ground. Unbelief was growing more imposing to men of culture, and their minds were becoming less imbued with homage to the solemn majesty of the eternal life which hoods over the scenes of their present brief existence. Along with this dissatisfaction was a profound conviction of the worthlessness and moral inadequacy of all science, literature, art, historic knowledge, and intellectual culture, unaccompanied by faith in duty and immortality in God and Christ, as springs of motive and the inspiration of life. To meet this felt want of a place for education, where piety should inspire science, and culture should confirm and strengthen piety, the Methodist Conference and membership founded

Emory College, and dedicated it as a temple to science and religion, with devout aspiration that the two thus united should lift each the other upward, and aid each other onward in blessing the people of Georgia.

[Mr. Lamar then entered upon the purposes, principles, and influences of Emory College. Illustrating these points, he said, among other things:]

I heard the first commencement sermon preached to the students of Emory College. I distinctly recollect the personality of the preacher who delivered that sermon, Rev. Alexander Speer. He was a man of unusually large physique, with a face marked by heavy features that would have been coarse but for the lines of thought which indicated a high intelligence, and but for a fervent spirit which gave refinement to his expression. His text was: "Let us lay aside every weight, and the sin which doth so easily beset us, and let us run with patience the race that is set before us, looking unto Jesus." Of course I cannot reproduce the words of the sermon, but I wish that I could place before this assembly the succession of vivid and ineffaceable impressions which it produced upon the plastic mind of an unsophisticated youth.

[The speaker then presented to the audience an eloquent outline of the sermon, leading up to a picture of the character of St. Paul, as derived from the sermon, the leading events in his life, his picturesque aspect on Mars Hill, and the illustrations of the preacher in the discussion of his text drawn from the history of Paul. Among other things, he said:]

His next point (I hardly dare to refer to it) was the conversion of St. Paul, described by him as the greatest miracle ever encountered in human history, differing from all other miracles—the spiritual miracle of the seizure and transformation of a soul by the inbreaking of spiritual light, giving it a sight of Jesus Christ, risen and glorified, the pledge of resurrection and eternal life to the dead who died in Christ.

He then addressed himself to his text, his evident purpose being to show how brilliant endowments of mind and high attainments can be made more glorious and exalted by infusing into the exercise of them a holy and spiritual motive. He told us that the hope of immortal life and the absorbing love of Christ could not blind the great apostle to the beauty and grandeur of the classics, and how he drew from his classic stores illustrations of Christian truth. He drew a graphic picture of the Olympic games: how the different competitors, for the purpose of strengthening their bodies and hardening their muscles, placed weights upon their limbs, which, when the occasion came for the final struggle, they threw aside. He then spoke of the race itself: how every nerve and muscle was strained to the utmost; how, with eager eye upon the goal, the contestants turned neither to the right nor to the left, never pausing to pluck a flower that grew by the pathway or to drink of the sparkling waters that gushed from the earth—pressing forward until the goal was reached and the victory was won; and then the shouts of victory, the rapture of triumph, the ecstasy of exultation, when the laurel wreath was placed upon the victor's brow. He analogized to this the Christian race, emphasizing the salient points—the sacrifices and self-abnegations incident to the consecration of a Christian's life; and finally the joy of the Christian's victory, in which with the rapture of triumph there need be mingled no agony of defeat to the others joined in the race; for that race (and the heavy muscles of his face quivered, and his voice vibrated with repressed emotion as he exclaimed), if run with patience, was one in which all could be victors and none be left behind, while the exulting strains would swell in height and depth and tenderness of tones, as if raised in union by an angelic choir. With the still greater difference that, while the wreath of the Olympic victor was one of perishable leaves which would fade upon the brow, those which encircled the crown of the Christian would stamp upon his brow even in death the signet of immortality.

At the same commencement, three days thereafter, the literary address was delivered by one who stood upon the rostrum the most perfect model of manly beauty my eyes ever beheld.

[It has been said of Phidias that, at the cost of years of labor, he embodied into one statue the loftiest conception which had ever entered the Greek imagination—a statue of such majesty, such beauty, such benignity, that the Greeks felt, in its presence, a moral effect greater than that produced by any other work of art. The orator of that occasion, however, could without a conscious effort supply to the mental vision of his audience a living face and form of supreme beauty and nobleness which no sculptor's chisel had ever wrought into marble and no artist's brush had ever placed on canvas.]

I see that your thought has outrun my utterance, and that I need not call that

name which is a household word in Georgia wherever genuine greatness has an admirer or the Christian religion a follower.

[The orator then in glowing terms referred to Bishop George F. Pierce as one who, in his opinion, towered above the greatest of all great Georgians. He then gave from memory several passages of that great speech, which he said he had not read since his graduation in 1845. After other references of the same character, among them a description and partial rehearsal of a debate in his college days in the Phi Gamma Society between two of the students, since become distinguished—all full of interest; holding his audience as if by magic, showing a memory phenomenal in its accuracy, and a descriptive power wonderful in vividness, he continued:]

One of the impressive incidents in the student life of the classes of 1844 and 1845 was a sermon delivered by Bishop Joshua Soule. Bishop Soule was a venerable man, who, in appearance and bearing, was a photographic likeness of the Duke of Wellington, as I saw the portrait of the latter when in London—the same aquiline features, the same militant look and glance of the eye. He was a noted man of that day—noted for the sanctity of his life, for his great intellectual power, and for a strongly marked individuality. As he rose in the pulpit his very aspect produced a marked impression, an unspeakable ascendancy, upon his audience. All seemed to feel that they were in the presence of one who held communion with the skies and had come to shed upon those before him the influences that he had gathered in that communion. His sermon was intensely metaphysical, and yet was delivered with such felicity of diction and earnestness of purpose that it was made intelligible and impressive to all.

The text was: "If any man will do his will, he shall know of the doctrine, whether it be of God." He addressed himself mainly to that part of the congregation who were going forth into life as men of education and culture, saying that there existed among that class doubts and uncertainty whether the doctrine and person of Christ are from God. He said that day that his purpose was, under the prompting of the Holy Spirit, whose aid he invoked, to convince them that the system of salvation, as revealed by Christ and his inspired apostles, was neither unphilosophical nor unscientific nor irrational, and to refute the notion sometimes entertained in colleges and academic halls that unbelief is a mark of high intelligence or a condition which must obtain in a cultivated mind. He stated with some emphasis that it was no part of his purpose to depreciate the province of reason and human knowledge in the examination of the claims of Christianity. "It has from the very first," he declared, "submitted itself to the critical judgment of men, and challenges the investigations of history and science into its revelations and the evidences by which it is supported; into its principles, the authenticity of its records, the verity of its asserted miracles, and the divine commission of its founder." But he warned them that "it is not a mere system of philosophical truth, or theory of scientific mysteries and phenomena, inviting the investigation of the learned, but also a rule of conduct in this life and a guide to eternal life for mankind."

He then laid rapidly before them a comprehensive conspectus of studies which they would have to master fully, in order to arrive at a definite conclusion; such as the authenticity of the Scriptures, the credibility and inspiration of the writers, their harmony, the consistency of their narratives with the researches of history, a critical knowledge of ancient documents, their age and purity, ancient history—Egyptian, Arabian, Persian, Chaldean, Hebrew, Grecian, Roman—geography, natural history, geology, philology, criticism, the principles of interpretation, and politics. While he did not doubt the wisdom and duty of such investigations by those who had the opportunity and the capacity to conduct them—as the results, whenever they were faithfully conducted, had been to confirm the proofs and cause wonder at their strength—yet not less than a lifetime could be long enough to exhaust them all. But the vast mass of mankind—the poor, the ignorant, the unlearned, immersed in labor, business, and the ordinary occupations of life—could know nothing of them.

[The speaker then showed, quoting passage after passage from the sermon, how Bishop Soule proceeded to argue that after all the strongest and final evidence of the truth and divinity of revealed religion consisted, not in the researches of history or the explorations of science or the reasonings of philosophy, but in the personal experiences of the saints. The witness of the Spirit is the supreme and unanswerable testimony—a testimony reaffirmed, in the prayers and in the hymns of throngs of pure and strong-minded men, by the unutterable joy which has lighted the dying eyes of multitudes as they have passed through pain



into the valley of the shadow. This is a testimony which it is vain to deny. The incredulity which questions it will question every fact in history, in science, in philosophy; for it is certified to us by evidences similar in nature to, but far more overwhelming in number than, those which are generally received, and which alone can be relied upon, to prove any accepted physical or mental or moral fact: the experience and knowledge of credible men.]

Conscious of the imperfect manner in which I have reported this remarkable exhibition of intellectual power, I shall refrain, and shall pursue these reminiscences no further. I shall not attempt to give an idea that I have of a dramatic description by Bishop Andrew of the scene between Abraham and Isaac as they ascended the mountain of Moriah. I cannot undertake it now, exhausted as you must be by the heat of the day and the length of my speech.

[The speaker felt that he had disappointed an expectation of his audience that he would deliver to them an address embracing the results of observation, reflection, and study, gathered in the course of a protracted and not altogether uneventful life; but he assured them that he had never, in all the vicissitudes of alternate failure and success in that life or in his contact with the leaders of men and of nations, found any richer treasures of thought or nobler incentives or profounder wisdom than he received at Emory from the founders, professors, and great preachers, some of which he had attempted to recall and lay before the audience on this commemorative occasion. Indeed, he owed this service to the wise of former years as a debt of filial gratitude; for those men were, from the day when he met them in the acme of their powers, in a sense friends and companions up to the present hour. In the darkest moments, when depressed by the dangers that threatened our defenseless people, he had been cheered and encouraged by them; and their unfading countenances had looked down upon him from the portrait galleries of memory. They had animated him with renewed faith in the immutability of truth and the invincibility of right. The speaker then turned to reminiscences of a lighter and more amusing nature, and concluded with a peroration, beautiful, thrilling, and melting.]

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