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SPEECH

OF

HON. JAMES A. GARFIELD, OF OHIO,

ON

THE CONFISCATION OF PROPERTY OF REBELS.

DELIVERED IN THE HOUSE OF REPRESENTATIVES, JANUARY 23, 1864.

The House having under consideration the confiscation of the property of Rebels, Mr. GARFIELD said:

Mr. SPEAKER: I had not intended to ask the attention of the House, or to occupy its time on this question of confiscation at all; but some things have been said, touching its military aspects which make it proper for me to trespass upon the patience of the House even at this late period of the discussion. Feeling that, in some small degree, I represent on this floor the Army of the Republic, I am the more emboldened to speak on the subject before us. I have been surprised that in so lengthy and able a discussion so little reference has been made to the merits of the resolution itself. Very much of the debate has had reference to questions which I believe, with all deference to the better judgment and maturer experience of others, are not germane to the subject before the House.

In the wide range of discussion, the various theories of the legal and political status of the rebellious States have been examined—whether they exist any longer as States, and, if they do, whether they are in the Union or out of it. It is perhaps necessary that we take ground upon that question as preliminary to the discussion of the resolution itself. Two theories, differing widely from each other, have been proposed; but I cannot consider either of them as wholly correct. I cannot agree with the distinguished gentleman from Pennsylvania, [Mr. STEVENS,] who acknowledges that these States are out of the Union and now constitute a foreign people. Nor can I, on the other hand, agree with those who believe that the insurgent States are not only in the Union, but have lost none of their rights under the Constitution and laws of the Union. Our situation affords a singular parallel to that of the people of Great Britain in their great revolution of the seventeenth century. From time immemorial it was the fiction of English law that the kingship was immortal, hereditary, and inalienable; that the king was “king by the grace of God;” he could do no wrong, and his throne could never be vacant. But the logic of events brought these theories to a practical test.

James left the throne, threw the great seal of the kingdom into the Thames, and fleeing from his own people, took refuge in France. The great statesmen of the realm took council together on some of the very questions which we are discussing to-day. One said, “The king has abdicated; we will put another in his place.” Another said, “The crown is hereditary; we must put the heir in his place.” The men of books and black-letter learning answered, “*Nemo est hæres viventis*,” “the king is alive and can have no heir.” Another said, “We will appoint a regent, and consider the kingship in abeyance until the king returns.” The people said, “We will have a king, but not James.”

Through all this struggle two facts were apparent: the throne was vacant; and their king was unworthy to fill it. The British nation cut through the entanglement of words, and filled it with the man of their choice. We are taught by this that whenever a great people desire to do a thing which ought to be done, they will find the means of doing it.

In this Government we have thrown off the kingly fiction, but there is another which we are following as slavishly as ever England followed that. Here, corporations are more than kings. It is the doctrine of our common law (if we may be said to have a common law) that corporations have neither consciences nor souls; that they cannot commit crimes; that they cannot be punished; and that they are immortal. These propositions are being applied to the rebel States. They are corporations of a political character, bodies corporate and politic; they are immortal; and cannot be touched by the justice or law, or by the power of an outraged Gov

erment. They hover around our borders like malignant, bloody fiends, carrying death in their course; and yet we are told they cannot be punished nor can their ancient rights be invaded. The people of the South, under the direction of these pantom States, are moving the powers of earth and hell to destroy this Government. They plead the order of their States as their shield from punishment, and the States plead the impunity of soulless corporations.

But the American people will not be deluded by these theories, nor waste time in discussing them. They are striking through all shams with the sword, and are finding a practical solution as England did. And what is that practical solution? The Supreme Court of the United States has aided us, at this point, in one of the prize cases decided March 3, 1863. It is there decided in effect—

"That since July 13, 1861, the United States have had full belligerent rights against all persons residing in the districts declared by the President's proclamation to be in rebellion."

"That the laws of war, whether that war be civil or *inter gentes*, convert every citizen of the hostile State into a public enemy, and treat him accordingly, whatever may have been his previous conduct."

"That all the rights derived from the laws of war may now, since 1861, be lawfully and constitutionally exercised against all the citizens of the districts in rebellion."

They decided that the same laws of war which apply to hostile foreign States are to be applied to this rebellion. But in so deciding they do not decide that the rebellious States are therefore a foreign people. I do not hold it necessary to admit that they are a foreign people. I do not admit it. I claim on the contrary that the obligations of the Constitution still hang over them; but by their own act of rebellion they have cut themselves off from all rights and privileges under the Constitution.

When the Government of the United States declared the country in a state of war, the rebel States came under the laws of war. By their acts of rebellion they swept away every vestige of their civil and political rights under the Constitution of the United States. Their obligations still remained; but the reciprocal rights which usually accompany obligations, they had forfeited.

The question then lies open before us: In a state of war, under the laws of war, is this resolution constitutional and wise? I insist, Mr. Speaker, that the only constitutional question involved in the resolution is whether this Government, in the exercise of its rights as a belligerent, under the laws of war, can or cannot punish armed rebels and confiscate their estates, both personal and real, for life and forever. This is the only constitutional question before us.

Gentlemen have learnedly discussed the constitutional powers of Congress to punish the crime of treason. It matters not how that question is decided; in my judgment it has no bearing whatever on the resolution before the House. I will only say in passing that the Supreme Court has never decided that the clause of the Constitution relating to treason prohibits forfeiture beyond the lifetime of persons attainted. No man in this House has found any decision of the Supreme Court giving the meaning to the Constitution which gentlemen on the other side of the Chamber have given to it. They can claim no more than the question is *res non adjudicata*. The arguments we have heard are sufficient to evidence to me, at least, that the framers of our Constitution intended that Congress should have full power to define treason, and provide for its punishment; but the rule of the English common law which permitted attainder, corruption of blood, and forfeiture to be declared after the death of the accused, should not prevail in this country. To me, the clause carries an absurdity on its face, if it be interpreted to mean that treason, the highest crime known to law, shall be punished with less severity, so far as it regards the estate of the criminal, than any other crime or misdemeanor whatsoever. But, as I before said, the present law of confiscation is based on the rights of belligerents under the laws of war.

The gentleman from New York [Mr. FERNANDO WOOD] a few days since, in his address to the House, gave us a history of the rebellions which have occurred in this country. I wish to call his attention to one of our rebellions, a very important one, which he did not notice, and in which the question of confiscation was very fully and very practically discussed. This fact has not, I believe, been brought to the attention of the House. Do gentlemen forget that the Union had its origin in revolution, and that confiscation played a very important part in the war of that Revolution? It was a civil war; and the colonies were far more equally divided on the question of loyalty than the States of the South now are on the question of to-day. Many of the thirteen colonies had almost equal parties for and against England in that struggle. In New York the parties were of nearly equal strength. In South Carolina there were probably more Royalists than Whigs. Twenty thousand American Tories appeared in the armies against us in the revolutionary struggle. Thirty tory regiments served in the British line.

Our fathers had to deal with these men, and with their estates. How did they

solve the problem? I have looked into the history of its solution and find it full of instruction. Every one of the thirteen colonies, with a single exception, confiscated the real and personal property of Tories in arms. They did it, too, by the recommendation of Congress. Not only so, but they drove Tory sympathizers from the country; they would not permit them to remain upon American soil. Examine the statutes of every colony, except New Hampshire, where the tide of battle never reached, and you will find confiscation laws of the most thorough and sweeping character. When our commissioners were negotiating the treaty of peace, the last matter of difference and discussion was that of confiscated property.

The British commissioners urged the restoration of confiscated estates, but Jay and Franklin and their colleagues defended the right of confiscation with great ability, and refused to sign the treaty at all if that was to be a condition. While these negotiations were pending the colonies memorialized Congress to guard against any concession on the point in dispute. On the 17th of December, 1782, the Legislature of Virginia, by a unanimous vote, passed the following resolution:

"That all demands or requests of the British Courts for the restoration of property confiscated by this State, being neither supported by law, equity, or policy, are wholly inadmissible, and that our Delegates in Congress be instructed to move Congress that they may direct their deputies, who shall represent these States in the General Congress, for adjusting a peace of truce, neither to agree to any such restitution or submit that the laws made by any independent State of this Union be subjected to the adjudication of any power or powers on earth."

Similar resolutions were passed by other States, and our commissioners were instructed by Congress to admit no conditions which would compel the restoration of confiscated estates. The final settlement of the question will be found in fifth article of the treaty of peace as it now stands recorded, which provided that Congress should *recommend* to the several colonies to restore confiscated property; but it was well understood by both parties that it would not be done. Congress passed the resolution of a recommendation as a matter of form; but no State complied, nor was it expected. It was, however, provided that no further confiscations should be made, and that Tories should be permitted to remain in America twelve months after the treaty.

In the debates of the English House of Commons in 1783, on the treaty of peace, a distinguished member said:

"I certainly wish that better terms could have been procured for the American loyalists; but I do not think it was to be expected, that at the end of a successful rebellion, those who were successful and victorious should on any terms, give their estates and possessions to those with whom they had been contending. If we had not made peace until that point was given up, we must have gone to war to all eternity."

Thus revolutionary confiscation passed into history by the consent and agreement of both belligerents. Its principles were also defended by our Government after the adoption of the Constitution. In 1792 Mr. Jefferson, then Secretary of State, in answer to some complaints of the British Government, reviewed the whole question at great length and with great ability. I ask my colleague [Mr. FINCK] to notice this extract which relates to belligerent rights which he had just been discussing:

"It cannot be denied that the state of war strictly permits a nation to seize the property of its enemies found within its own limits or taken in war, and in whatever form it exists, whether in action or possession. This is so perspicuously laid down by one of the most respectable writers on subjects of this kind, that I shall use his words: 'Since it is a condition of war that enemies may be deprived of all their rights, it is reasonable that everything of an enemy's found among his enemies, should change its owner, and go to the treasury. It is, moreover, usually directed, in all declarations of war, that the goods of enemies, as well as those found among us as those taken in war, shall be confiscated. If we follow the mere right of war, even immovable property may be sold, and its price carried into the treasury, as is the custom with movable property. But in almost all Europe it is only notified that their profits during the war, shall be received by the treasury; and the war being ended, the immovable property itself is restored, by agreement, to the former owner.'"

EXILE AND CONFISCATIONS.

"After premising that these are lawful acts of war, I have shown that the fifth article was *recommendatory* only, its stipulations being, not to *restore* the confiscations and exiles, but to *recommend* to the State Legislatures to restore them:

"That this word, having but one meaning, establishes the intent of the parties; and, moreover, that it was particularly explained by the American negotiators, that the Legislatures would be free to comply with the recommendation or not, and probably would not comply;

"That the British *negotiators* so understood it;

"That the British *ministry* so understood it;

"And the members of both Houses of *Parliament*, as well those who approved as who disapproved the article."—*Jefferson's Works*, vol. 3.

Thus the revolutionary fathers, both before and after the adoption of the Constitution, defended confiscation.

The Tories that fled to England called upon the Crown for support. A commission was appointed to examine their claims and provide for their wants. It is a significant fact that of the vast number of Tories perhaps not a thousand remained in this country after the war. The people would not enjoy their presence. They

were driven out, and took refuge in all quarters of the globe. They colonized New Brunswick and Nova Scotia, and were scattered along the borders of Canada. The States would show no favor, even to the few who came back under the provisions of the treaty, and refused them the right of voting, or of holding office or property. It was well known that there could be no peace between them and our loyal people. Their history is a sad record of infamy, obscurity, and misery. Some exhibited their vengeful hate long after the war was over. Girty and his associates, who murdered Crawford in the Indian wars of 1791, were Tories of the Revolution. Bowles and Panthou, leaders among the Creek Indians, and who started the Florida troubles, which resulted in a long and bloody conflict in the swamps of that State, were Tories. As a class, they went out with the brand of Cain upon them, and were not permitted to return.

One State alone relented. South Carolina passed an act of oblivion, restored a large part of the confiscated estates, and permitted the Tories, after a short time, to vote and hold office. Her policy has borne its bitter fruit. Her government has hardly been entitled to be called republican. The spirit of monarchy and disloyalty has ruled her councils, and has at last plunged the Republic into the most gigantic and bloody of revolutions.

Let us all take counsel from the wisdom of our fathers. Is it probable that the same men who confiscated the property of armed Tories would, a few years later, establish it as a fundamental doctrine of the Constitution that no confiscation can be made beyond the lifetime of the attainted traitor? It is probable that men who had just done what they stubbornly held to be right should enact as a part of the supreme law of the land that the same thing should never be done again?

I now come more directly to consider the policy involved in the resolution before us. Landed estates, Mr. Speaker, are inseparably connected with the peculiar institutions of the South. It is well known that the power of slavery rests in large plantations; that the planters capital drives the poor whites, to the mountains, where liberty always loves to dwell, and to the swamps and by-places of the South; but the bulk of all the real estate is in the hands of the slave-owners who have plotted this great conspiracy. Let me give you an instance of this, one of a thousand that might be given. In the town of Murfreesboro', Rutherford county, Tennessee, (a place made sacred and glorious forever by the valor of our Army,) there are fourteen thousand four hundred and ninety-three acres of land under enclosure owned by sixteen men; three of the sixteen men own more than ten thousand of the acres. One of the three owns half of the whole township of Murfreesboro'. And this is only a specimen of what these men of the South are to the lands of the South. Only a few hundred men own the bulk of the land in any Southern State; these men hold the lands and own the slaves. These men plotted the rebellion and thrust it upon us. They have had the political power in their hands, and if you permit them to go back to their lands they will have it again. The laws of nature, the laws of society cannot be overcome by the resolutions of Congress. Grant a general amnesty, let these men go back to their lands, and they will again control the South. They have so long believed themselves born to rule that they will rule the poor man in the future, as in the past, with a rod of iron. The landless man of the South has learned the lesson of submission so well that when he is confronted by a landed proprietor he begins to be painfully deferential, he is facile and dependent, and less a man than if he stood on a little spot of God's earth covered with his own title-deed.

Sir, if we want a lasting peace, if we want to put down this rebellion so that it shall stay forever put down, we must put down its guilty cause; we must put down slavery; we must take away the platform on which slavery stands—the great landed estates of the armed rebels of the South. Strike that platform from beneath their feet, take that land away, and divide it into homes for the men who have saved our country. I put it to this House as a necessity which stares us in the face. What, let me ask you, will you do with the battle-fields of the South? Who owns them? Who owns the red field of Stone River? Two or three men own it all. And who are these two or three men? Rebels, every one—one of them a man who once sat in this Chamber, but who is now a leader in the rebel army. Will you let *him* come back and re-possess his land? Will you ask *his* permission when you go to visit the grave of your dead son who sleeps in the bosom of that sacred field? If the principles of the gentlemen on the other side be carried out, there is not one of the great battle-fields of the war, (save Gettysburg, which lies yonder on this side of the line,) that will not descend to the sons of rebels for all time to come—to men whose fathers gained a bad eminence by fighting against their country, and who will love those fathers for affection's sake, and love rebellion for their father's sake. God forbid that we should ever visit those spots, made sacred by the blood of so many thousand brave men, and see our enemies holding the fields and plowing the graves

of our brethen, while the sweat of slaves falls on the sod which ought to be forever sacred to every American citizen.

The history of opinion and its changes in the Army is a very interesting one. When the war broke out, men sprang to arms from all parties by a common impulse of generous patriotism, which I am glad to acknowledge here, in the presence of those in whose hearts that impulse seems now to be utterly dead.

I remember to have said to a friend when I entered the Army, "You hate slavery; so do I; but I hate disunion more. Let us drop the slavery question and fight to sustain the Union. When the supremacy of the Government has been re-established we will attend to the other question."

I said to another, "You love slavery. Do you love the Union more? If you do go with me; we will let slavery alone and fight for the Union. When that is saved we will take up our old quarrel, if there is anything left to quarrel about."

I started out with that position taken in good faith, as did thousands of others of all parties. But the Army soon found, that do what it would, the black phantom met it everywhere, in the camp, in the bivouac, on the battle-field, and at all times. It was a ghost that would not be laid. Slavery was both the strength and the weakness of the enemy. His strength, for it tilled his fields and fed his legions; his weakness, for in the hearts of slaves dwelt dim prophecies that their deliverance from bondage would be the outcome of the war.

Mr. Seward well says in an official dispatch to our minister at St. James, "Everywhere the American general receives his most useful and reliable information from the negro, who hails his coming as the harbinger of freedom." These ill used men came from the cotton fields; they swam rivers; they climbed mountains; they came through jungles; in the darkness and storms of the night, to tell us that the enemy was coming here and coming there. They were our true friends in every case. There has hardly been a battle, a march, or any important event of the war, where the friend of our cause, the black man, has not been found truthful and helpful, and always devotedly loyal. The conviction forced itself upon the mind of every soldier that behind the rebel army of soldiers the black army of laborers was feeding and sustaining the rebellion, and there could be no victory till its main support should be taken away.

"You do take my house when you do take the prop
That doth sustain my house.

The rebellion falls when you take away its chief prop slavery and landed estates.

Gentlemen on the other side, you tell me that this is an abolition war! If you please to say so I grant it. The rapid current of events has made the Army of the Republic an abolition Army. I can find in the ranks a thousand men who are in favor of sweeping away slavery to every dozen that desire to preserve it. They have been where they have seen its malevolence, its baleful effects upon the country and the Union, and they demand that it shall be swept away. I never expected to discuss the demerits of slavery again, for I deem it unnecessary. The fiat has gone forth, and it is dead unless the body-snatchers on the other side of this House shall resurrect it and give it galvanic life.

Mr. CHANLER. Will the gentleman yield to me?

Mr. GARFIELD. I must decline to yield.

Mr. CHANLER. You asked a question of this side of the House, and I merely desired to answer you.

Mr. GARFIELD. You may say to me that slavery is a divine institution; you may prove it to your own satisfaction from the word of God, perhaps, that slavery is a beneficent institution; I will say to you that all this may be entirely satisfactory to your mind, but your beloved friend, slavery, is no more. This is a world of bereavement and changes, and I announce to you that your friend has departed. Hang the drapery of mourning on the bier! Go in long and solemn procession after the hearse, if you please, and shed you tears of sorrow over the grave, but life is too short to allow me to waste an hour in listening to your tearful eulogy over the deceased.

I come now to consider another point in this question. I hold it as a settled truth that the leaders of this rebellion can never live in peace in this Republic. I do not say it in any spirit of vindictiveness, but as a matter of conviction. Ask the men who have seen them and met them in the darkness of battle and all the rigors of warfare; they will tell you it can never be. I make, of course, an exception in favor of that sad array of men who have been forced or cajoled by their leaders into the ranks and subordinate offices of the rebel army. I believe a truce could be struck to-day between the rank and file of the hostile armies. I believe they could meet and shake hands joyfully over returning peace, each respecting the courage and manhood of other. But for the wicked men who brought on this rebellion, for the wicked men who led others into the darkness, such a day can never come. Ask

the representatives of Kentucky upon this floor, who know what the rebellion has been in their State, who know the violence and devastation that has swept over it, and they will tell you that all over that State neighbor has been slaughtered by neighbor, feuds fierce as human hate can make them have sprang up, and so long as revenge has an arm to strike, its blows will never cease to be struck, if such men come back to dwell in their midst. This is true of every State over which the desolating tide of war has swept. If you would not inaugurate an exterminating warfare, to continue while you and I and our children and children's children live, set it down at once that the leaders of this rebellion must be executed or banished from the Republic. They must follow the fate of the Tories of the Revolution.

I believe, Mr. Speaker, that the Army is a unit on these great questions; and I must here be permitted to quote from one of nature's noblemen, a man from Virginia, with the pride of the Old Dominion in his blood, but who could not be seduced from his patriotism—one who, amid the storm of war that surged against him at Chickamauga stood firm as a rock in the sea—George H. Thomas. That man wrote a communication to the Secretary of war nearly a year ago, saying, in substance, for I quote from memory, "I send you the enclosed paper from a subordinate officer; I endorse its sentiments, and I will add, that we can never make solid progress against the rebellion until we take more sweeping and severe measures; we must make these people feel the rigors of War, subsist our Army upon them, and leave their country so that there will be little in it for them to desire." Thus spoke a man who is very far from being what gentlemen upon the other side of the House are pleased to call an abolitionist, or a northern fanatic; and in saying this he spoke the voice of the Army.

Mr. Speaker, I am surprised and amazed beyond measure at what I have seen in this House. Having been so long with men who had but one thought upon these great themes, it is passing strange to me to hear men talking of the old issues and discussions of four years ago. They forget that we live in actions more than in years. They forget that sometimes a nation may live a generation in a single year; that the experience of the last three years has been greater than that of centuries of quiet and peace. They do not seem to realize that we are at war. They do not seem to realize that this is a struggle for existence—a terrible fight of flint with flint, bayonet with bayonet, blood for blood. They still retain some hope that they can smile rebellion into peace. They use terms strangely. In these modern days words have lost their significance. If a man steal his thousands from the Treasury, he is not a thief: oh, no; he is a "defaulter." If a man hang shackles on the limbs of a human being and drives him through life as a slave, it is not man-stealing, it is not even slavery, it is only "another form of civilization." We are using words in that strange way. There are public journals in New York city, I am told, that never call this a rebellion—it is only a "civil commotion," a "fraternal strife." It was described more vigorously in this Chamber a few days ago as "an inhuman crusade against the South." I had thought the days of "southern brethren" and "wayward sisters" had gone by, but I find it here in the high noon of its glory. One would suppose from all we hear that war is gentle and graceful exercise, to be indulged in a quiet and pleasant manner. I have lately seen a stanza from the nursery rhymes of England, which I commend to these gentle-hearted patriots who propose to put down the rebellion with soft words and paper resolutions:

"There was an old man who said, how
Shall I flee from this horrible cow?
I will sit on the stile,
And continue to smile,
Which may soften the heart of this cow."

I tell you, gentlemen, the heart of this great rebellion cannot be softened by smiles. You cannot send commissioners to Richmond, as the gentleman from New York [Mr. FERNANDO WOOD] proposes, to smile away the horrible facts of this war. Not by smiles, but by thundering volleys, must this rebellion be met, and by such means alone. I am reminded of Macaulay's paragraph in regard to the revolution in England:

"It is because we had a preserving revolution in the seventeenth century that we have not had a destroying revolution in the nineteenth. It is because we had freedom in the midst of servitude that we have order in the midst of anarchy. For the authority of law, for the security of property, for the peace of our streets, for the happiness of our homes, our gratitude is due, under Him who raises up and pulls down nations at His pleasure, to the Long Parliament, to the Convention, and to William of Orange."

Mr. Speaker, if we want a peace that is not a hollow peace, we must follow that example, and make thorough work of this war. We must establish freedom in the midst of servitude, and the authority of law in the midst of rebellion. We must fill the thinned ranks of our armies, assure them that a grateful and loving people are behind to sanction and encourage them, and they will go down against the ene-

my bearing with them the majesty and might of a great nation. We must follow the march of the Army with a free and loyal population; we must protect that population by the strong arm of military power. The war was announced by proclamation, and it must end by proclamation. We can hold the insurgent States in military subjection half a century, if need be, until they are purged of their poison, and stand up clean before the country. They must come back with clean hands if they come at all. I hope to see in all those States the men who have fought and suffered for the truth, tilling the fields on which they pitched their tents. I hope to see them, like old Kaspar of Blenheim, on the summer evenings, with their children upon their knees, and pointing out the spot where brave men fell and marble commemorates it. Let no breath of treason be whispered there. I would have no man there, like one from my own State, who came to the Army before the great struggle in Georgia and gave us his views of peace. He came as the friend of Vallandigham, the man for whom the gentleman on the other side of the House from my State worked and voted. We were on the eve of the great battle. I said to him, "You wish to make Mr. Vallandigham Governor of Ohio. Why?" "Because, in the first place," using the language of the gentleman from New York, [Mr. FERNANDO WOOD,] "you cannot subjugate the South, and we propose to withdraw without trying it longer. In the next place, we will have nothing to do with this abolition war, nor will we give another man or another dollar for its support." (Remember, gentlemen, what occurred in regard to the conscription bill this morning.) "To-morrow," I continued, "we may be engaged in a death-struggle with the rebel army that confronts us, and is daily increasing. Where is the sympathy of your party? Do you want us beaten or Bragg beaten?" He answered that they had no interest in fighting; that they did not believe in fighting.

Mr. NOBLE. A question right here.

Mr. GARFIELD. I cannot yield; I have no time. You can hear his name if you wish. He was the agent sent by the copperhead Secretary of State to distribute election blanks to the army of the Cumberland. His name was Griffiths.

Mr. NOBLE. A single question.

Mr. GARFIELD. I have no time to spare.

Mr. NOBLE. I want to ask the gentleman if he knows that Mr. Griffiths has made a question of veracity with him by a positive denial of the alleged conversation published in the Cincinnati Enquirer.

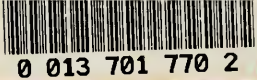
Mr. GARFIELD. No virtuous denials in the Cincinnati Enquirer can alter the facts of this conversation, which was heard by a dozen officers.

I asked him further, "How would it affect your party if we should crush the rebels in this battle and utterly destroy them? "We would probably lose votes by it?" "How would it affect your party if we should be beaten." It would probably help us in votes."

That, gentlemen, is the kind of support the Army is receiving in what should be the house of its friends. That, gentlemen, is the kind of support these men are inclined to give this country and its Army in this terrible struggle. I hasten to make honorable exceptions. I know there are honorable gentlemen on the other side who do not belong to that category, and I am proud to acknowledge them as my friends. I am sure they do not sympathize with these efforts whose tendency is to pull down the fabric of our Government by aiding their friends over the border to it. *Their friends*, I say, for when the Ohio electors got out off in the army at Chattanooga, there was more anxiety in the rebel camp than in our own. The pickets had talked face to face, and made daily inquiry how the election in Ohio was going. And at midnight on the 13th of October, when the telegraphic news was flashed down to us, and it was announced to the army that the Union had sixty thousand majority in Ohio, there arose a shout from every tent along the line on that rainy midnight which rent the skies with jubilees, and sent despair to the heart of those who were "waiting and watching across the border." It told them that their colleagues, their sympathizers, their friends, I had almost said their emissaries, at the North had failed to sustain themselves in turning the tide against the Union and its Army. And from that hour, but not till that hour, the Army felt safe from the enemy behind it.

Thanks to the 13th of October. It told thirteen of my colleagues that they had no constituencies!

I deprecate these apparently partisan remarks; it hurts me to make them; but it hurts me more to know they are true. I would not make them, but that I wish to unmask the pretext that these men are in earnest, and laboring for the vigorous prosecution of the war and the maintenance of the Government. I cannot easily forget the treatment which the conscription bill received this morning. Even the few men in the army who voted for Vallandigham wrote on the back of their tickets "Draft, draft," but their representatives here think otherwise.



I conclude by returning once more to the resolution before us. Let no weak sentiments of misplaced sympathy deter us from inaugurating a measure which will cleanse our nation and make it the fit home of freedom and a glorious manhood. Let us not despise the severe wisdom of our revolutionary fathers, when they served their generation in a similar way. Let the Republic drive from its soil the traitors that have conspired against its life, as God and His angels drove Satan and his host from Heaven. He was not too merciful to be just, and to hurl down in chains and everlasting darkness the "traitor angel" who "first broke peace in Heaven" and rebelled against Him.

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