

stability, especially in our financial legislation. The condition of the country is at last surely getting better, although it may be slowly; and what commerce and the finances want just now more than anything else is to be let alone.

Believing as I do, that the deplorable condition in which our commerce and our industries were until lately was a result of the rebellion and of the inflation which naturally followed, and that the reaction which commenced in 1873 was the inevitable consequence of the preceding period of reckless expenditures, I still cannot but recognize the fact that the time during which this prostration has lasted was greatly prolonged by the unnecessary agitation in Congress of questions tending to disturb public confidence, to threaten the stability of our financial system, and to paralyze our commercial and manufacturing interests. The republican party, under the splendid leadership of our present Secretary of the Treasury and others, and fighting and defeating step by step the democratic-greenback combination, has at last brought us back to the resumption of specie payments. There we stand once more on firm ground. Let us stay there and not plunge back into the whirlpool of inflation and wild speculation.

I repeat, I do not mean to say that I am not heartily in favor of the adoption of such measures as will give the greatest facilities in developing the immense resources of our country in agriculture as well as in regard to mining and manufacturing, and which will render reasonable and legitimate aid to useful and necessary public improvements. In fact, it was the narrow-minded and niggardly policy pursued by the democratic party in Congress that was to a large extent responsible for the depression of labor and for the hard times. Had they gone ahead with public improvements, as it was their duty to do, it would in a great measure have furnished relief for the laboring classes. This was done under similar circumstances and with the most beneficial results by Colbert, the great secretary of Louis XIV, of France; by Frederick the Great, of Prussia; and by Napoleon III, the late emperor of the French, under whom, whatever else there may be said against him, France, in regard to material prosperity, stood higher than at any other time.

It is possible that we might do some good by some new legislation in this direction, but I believe that we will do more good by waiting for this until next winter. It is certain, at least, that we shall keep business in a feverish excitement by staying here longer than necessary to pass the appropriation bills.

I desire to say a few words more in regard to inflation. Whatever may be advisable to do after due and deliberate consideration in order to give remunerative employment to a number of people and to assist the commercial and manufacturing interests, and thereby all interests of the country, it will cost money. This money-spending may be made to lead to good results, but it must be done without taking away again our specie foundation. We had inflation enough during and immediately after the war. We were then heavily discounting the future, giving out notes and bonds and certificates and contracts by the armful. The year 1873 came, as it had to come, like a bank-collector, demanding of us to pay up. Then we found that we did not feel as well as appearances and our feverish excitement had led us to believe, and got sick after our spree. [Laughter.] We are getting better now, and will soon be well again if only the inflation doctors will let us alone.

Paper money, a good thing in the pocket of an individual, is not a part of the wealth of a nation. If it were, the easy road to fortune would be plain enough. Wealth is the result of labor, and is shown by acres blooming with crops, cities busy with work and thrift, commerce and manufacturing, rivers, lakes, and seas studded with ships. Money is only the tool with which we measure and exchange wealth, but is not wealth itself. For a certain number of people and a certain amount of trade a sufficient supply of these tools, that is of the different kind of things which represent money, must be given. But the storekeeper may as well expect to double the value of the stock in his store by doubling the number of his yardsticks as the green-backers have a chance to make us richer by one thousand million pills.

Especially the workingman, the poor man will suffer by inflation. One dollar will now buy at least as much as \$2 ten years ago. But if you double our currency the consequence will be that prices will rise much higher and faster than wages.

In regard to the expediency of making a silver dollar equal in all respects to a gold dollar, it seems to me that there is no good reason why it should not be done, provided we put silver enough in the dollar. The best, I repeat, however, that we can do for the material interests of the country now is to pass the appropriation bills and go home.

Mr. Speaker, I presume my speech will be interpreted as that of a "bloated bondholder and capitalist." Far from it. I own no bonds. I am simply a manufacturer, and speak in the interest of labor. I came to this country when nineteen years old without a dollar. I worked hard and saved myself \$500. With that amount I commenced an iron foundry and machine-shop. My "power" consisted in a blind horse. [Laughter.] It is labor rightly applied, as my friend from New York [Mr. CHITTENDEN] said, that is capital in this country. I have only one word further to say, and that is, honesty is the best policy, and no man or nation will prosper by being dishonest. This bill is a cheat, and nothing else. [Laughter and applause.]

Mr. KELLEY obtained the floor.

Mr. SPRINGER. I suggest that the gentleman give way for a motion to adjourn. I think we would prefer to hear the honorable gentleman to-morrow after the morning hour.

Mr. KELLEY. I yield for that purpose.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—

To Mr. CHITTENDEN, for one week, on account of important business;

To Mr. HARRIS, of Massachusetts, for ten days;

To Mr. GODSHALK, from to-morrow until next Friday;

To Mr. HAMMOND, of Georgia, for ten days from to-morrow, on account of important business; and

To Mr. O'REILLY, until the 20th instant, on account of important business.

ENROLLED BILLS SIGNED.

Mr. KENNA, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

An act (H. R. No. 236) to amend sections 1417, 1418, 1419, 1420, and 1624 of the Revised Statutes of the United States, relating to the Navy; and

An act (H. R. No. 1376) making appropriations for constructing jetties and other works at South Pass, Mississippi River.

Mr. SPRINGER. I now move that the House adjourn.

The motion was agreed to; and accordingly (at four o'clock and fifteen minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions, &c., were presented at the Clerk's desk, under the rule, and referred as stated:

By Mr. ANDERSON: The petition of citizens of Kansas, for a post-route from Grinnell, via Faust's Mill, to Lane Centre, Kansas—to the Committee on the Post-Office and Post-Roads.

By Mr. BEALE: The petition of citizens of Virginia, for the establishment of a post-route from Pungoteague to Sturgis, Virginia—to the same committee.

By Mr. DEERING: The petition of 225 citizens of Howard County, Iowa, for a revision of the patent laws so as to protect purchasers of patented articles—to the Committee on Patents.

By Mr. LAPHAM: Papers relating to the claim of Alonzo Snyder for reimbursement of moneys expended by him as an officer in the provost-marshal-general's department for the twenty-fifth district of New York in 1863—to the Committee of Claims.

By Mr. MCGOWAN: Resolution of the Legislature of Michigan, opposing the passage of any law limiting the jurisdiction of the courts of the United States in proceedings against municipal corporations of any State by the citizens of another State—to the Committee on the Judiciary.

By Mr. REAGAN: The petition of members of Elysian Grange of Le Sueur County, Minnesota, for the passage of the Reagan interstate-commerce bill—to the Committee on Commerce.

By Mr. TOWNSHEND, of Illinois: The petition of Franklin Rives, presenting a proposal to print the congressional debates—to the Committee on Printing.

By Mr. UPDEGRAFF, of Ohio: The petition of J. A. Graham and 24 other citizens, members of Green Hill Grange, Columbiana County, Ohio, for the passage of the Reagan interstate-commerce bill—to the Committee on Commerce.

Also, the petitions of Mary R. Berry and 310 citizens of Jefferson County, Ohio, and of Martha A. McDonald and 1,027 citizens of Columbiana County, Ohio, against any change in the revenue laws that will benefit dealers in spirituous liquors—to the Committee of Ways and Means.

By Mr. WILLIS: Papers relating to the claim of Henry Thierman and White Frost for compensation for property sold for taxes alleged to have been illegally assessed against them—to the Committee on the Judiciary.

By Mr. YOUNG, of Ohio: The petition of Frank Rickey, for a pension—to the Committee on Invalid Pensions.

IN SENATE.

SATURDAY, May 10, 1879.

Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. MAXEY presented the petition of Dr. A. J. Redding and others, citizens of Paris, Lamar County, Texas, praying for the establishment of a post-route from that place to Sulphur Springs, Hopkins County, in that State; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. FARLEY presented a petition of citizens of Los Angeles County, California, and officers of the Southern California Horticultural So-

ciety, the Southern District Agricultural Society, and the Chamber of Commerce of the city of Los Angeles, praying for the establishment on the Pacific coast of a branch of the Department of Agriculture, including experimental farms and gardens to demonstrate the manner of cultivating the various products which the region west of the Rocky Mountains is capable of producing, and giving reasons why this branch of the service should be located at Los Angeles; which was referred to the Committee on Agriculture.

Mr. WILLIAMS presented additional papers to accompany the bill (S. No. 74) for the relief of Lieutenant Frank P. Gross; which was referred to the Committee on Military Affairs.

BILL INTRODUCED.

Mr. EATON (by request) asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 580) relating to telegraphic communication between the United States and foreign countries; which was read twice by its title, and referred to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. GEORGE M. ADAMS, its Clerk, announced that the House had passed the bill (S. No. 565) to authorize the employment of three additional assistants in the Library of Congress.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. No. 1382) to prohibit military interference at elections; and it was thereupon signed by the President *pro tempore*.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The PRESIDENT *pro tempore*. If there is no further morning business what is the pleasure of the Senate?

Mr. BECK. I propose that the Senate proceed to the consideration of the legislative, executive, and judicial appropriation bill.

The PRESIDENT *pro tempore*. The Chair will consider the morning hour at an end, if no objection be made, and the unfinished business is before the Senate as in Committee of the Whole, being the bill (H. R. No. 2) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1880, and for other purposes. If there is no objection the amendments reported by the Committee on Appropriations will be considered as they are reached in the reading of the bill, and the Secretary will commence the reading of the bill.

Mr. EDMUNDS. I do not make any objection to that course, only I should like to have it understood at the same time that if there be any amendment as we go along, in some part of the bill, that any Senator would like to have go over until the bill is gone through with, it may be done.

The PRESIDENT *pro tempore*. Certainly; and it will also be understood that Senators can go back to a portion of the bill which has been passed over in the reading.

Mr. EDMUNDS. Yes, of course.

Mr. BECK. What is the suggestion?

Mr. EDMUNDS. What I said was that I should like to have it understood, in considering the amendments as we go along, that if there should be an amendment any Senator would like to have wait until the bill is gone through, it may be deferred.

Mr. BECK. That meets the views of the committee.

Mr. EDMUNDS. I do not know that there are any such amendments.

Mr. WITHERS. We first act on the amendments reported by the committee, and then any Senator can offer amendments.

Mr. EDMUNDS. Certainly; but I am speaking of the committee's amendments. Possibly one might come up that needed a little further time to think about, and therefore I did not wish to have the consent to consider them as we go along as absolutely final; that is all.

Mr. MAXEY. I should like to have one point understood. I understand the Chair to state that as the amendments of the Committee on Appropriations are reached they will be acted on.

The PRESIDENT *pro tempore*. Unless some Senator should desire an amendment to be passed over for further consideration.

Mr. MAXEY. Suppose an amendment at some particular point is proposed by direction of another committee, will it be appropriate to have such an amendment taken up and acted upon after the amendments of the Appropriations Committee have been acted upon?

The PRESIDENT *pro tempore*. It has been usual first to act on the amendments of the Committee on Appropriations. When they are through the whole bill is open to further amendment.

Mr. MAXEY. That is not the point I am trying to get at. When one subject is taken up and the amendments of the Committee on Appropriations on that subject are disposed of, is that the proper time for an amendment offered by another committee to come in?

The PRESIDENT *pro tempore*. If it were an amendment to the amendment of the committee, that would be the proper time for it.

Mr. MAXEY. An amendment to the amendment of the committee?

The PRESIDENT *pro tempore*. If the amendment modified the amendment of the committee, it would be in order at that time.

Mr. BECK. I desire to say one word, and perhaps it will save time. The Committee on Appropriations of the Senate ascertained by an

examination of the House bill that it was substantially the bill of last session as agreed to in committee of conference as far as it was agreed to. There was no formal agreement in the conference, but this bill conforms substantially to what was done then, with one or two exceptions. The House returned to the provisions of the original bill as to the Senate employes and restored those provisions to what it had formerly insisted upon. There are one or two exceptions, however, to which I will call attention; but the bill is substantially what both Houses agreed to last session, with the exception, as I said, of the Senate retaining its employes as they stood before.

The PRESIDENT *pro tempore*. The Secretary will read the bill.

Mr. EDMUNDS. Before the reading proceeds, may I ask the Senator from Kentucky, for I have not looked at it myself, whether what is called the political legislation in this bill is substantially the same as in that of the last session, or does it differ in some material respect of enlargement or diminution?

Mr. BECK. I did not compare the two bills in regard to that point.

Mr. EDMUNDS. Very well.

Mr. BECK. I thought that would create a great deal of discussion, and I examined the mere business parts of the bill.

Mr. EDMUNDS. It is of no particular consequence just now. I did not know but the Senator might be able to inform me in a moment, as I have not looked at it.

Mr. BECK. I am not really prepared to answer the question.

The PRESIDENT *pro tempore*. The bill will be read.

The Secretary proceeded to read the bill.

The first amendment reported by the Committee on Appropriations was, in line 16, of section 1, to increase the appropriation "for compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate from \$144,400 to \$187,422."

Mr. HOUSTON. That is the question, I understand, which has been a matter of controversy between the two Houses, in relation to the pay of the employes?

The PRESIDENT *pro tempore*. The Chair is unable to answer the Senator.

Mr. BECK. While there was no formal agreement about this matter at the last session, I think but for the political part of the bill it would have been agreed on. The Senate claimed the right to retain its present force at its present rates of pay, allowing the House the same privilege as to its employes. The House has added largely to its own force, in one case increasing its force from twenty-one clerks to twenty-five clerks, and in one or two other instances. We believed that we could not now go into a revision of the whole matter on this bill; and as a committee has been instructed to rearrange and readjust the question of the payment of the employes of the Senate, and as the House, I understand, is trying to do the same thing, we thought for the time being that it would be better to let the matter remain just as it was, without attempting to do anything until that committee had made its report as to what ought to be done. We were unable to obtain the information necessary to act upon the matter satisfactorily at this time.

The PRESIDENT *pro tempore*. In order to facilitate the business the Chair will state that he will make inquiry in regard to the amendments relating to Senate employes, which are very numerous, as they are reached, to know if there is any objection to the particular amendment. If there is no objection, each will be considered as concurred in. If there is any objection, then the question will be put. Is there any objection to this amendment?

Mr. HOUSTON. Mr. President, I suppose the compensation of employes is a matter of controversy between the two Houses that ought in some way or other to be adjusted so as to relieve the Houses of that difficulty and of that trouble. The Senator from Kentucky speaks of the House of Representatives regulating the pay of its own employes and the number of its employes, and of the Senate doing the same as to its. Now, that really in legal parlance cannot be done. If we can convince the House that we need a certain number of employes at a certain compensation, then the House will accede to it. If the House can so convince the Senate, then the Senate ought to agree with the House. But the idea that each House can regulate the number and pay of its own employes without the concurrence of the other House, I think is utterly untenable. If we have a judgment upon that subject and the House agree with us, then our judgment ought to be carried out. The compensation allowed to the employes of the two Houses is according to law. A law to be passed must have the assent of both Houses of Congress; and when we have such a law it is exceedingly unfortunate that trouble should exist between the two Houses and that one should compensate its employes higher than the other.

I think it is the duty of the Senate, and I regret that the Committee on Appropriations did not see proper to take such a course upon the subject and so act with the members of the committee of the House as to harmonize the difficulties and compensate alike the employes of the two Houses.

As far as this amendment is concerned I shall vote against it, because I propose to do exactly by the employes of each House the same even-handed justice. Believing that the employes here do no more labor than the employes of the House perform, and believing that the employes here are entitled to no greater compensation for the same

labor than the employes of the House are entitled to receive, as a member of this body I feel it my duty to so vote to regulate the subject as to do for them all the same even-handed justice.

Mr. BECK. All I desire to say is that the committee had not time to go into the matter of regulating the compensation of employes now. When the regular session meets it is to be hoped that the difficulty that exists between the Houses will be adjusted and arranged. For the time being we thought the course we pursued the only safe thing to do, with new officers at the head of the employes of the Senate, with no absolute information as to whether the rule we followed is right or whether it is wrong, and the subject being now carefully considered by a committee of this body, and for the present we did not deem that this was the proper time to go into the matter.

Mr. HOUSTON. Is the proposition of which the Senator from Kentucky speaks one looking to the raising of a joint committee between the two bodies or has this Senate organized a committee for its own purpose without reference to any action of the other House? If the latter branch is the correct statement of it, then, as a matter of course, that same want of harmony will exist in the compensation of the officers between the two branches of Congress. If this subject was really before a joint committee of the two Houses with a view to meet these troubles and to obviate them for the future, then I would acquiesce; but I do not understand it that way. My understanding is that the Senate is prepared to refer it to a committee of its own without reference to any joint action with a committee of the House and without having in view the great point I have in my mind, namely, harmony between the two branches of Congress in relation to this matter.

Now, sir, in my judgment the Senate has no more right to establish the pay of its own officers than it has to establish the compensation of the officers of the House. The same claim of power that would enable the Senate to say what its employes should receive, would result in giving to the Senate the power to say what the employes of the House should receive. We must act on such a subject by a law, and it being a law the two Houses ought to act together and ought to agree upon something just to the employes of both, and thereby these difficulties in the future will be obviated. There being simply one committee now looking into the matter I do not think that meets the difficulty, and I therefore shall vote against the amendment.

Mr. WITHERS. I wish to call the attention of the Senator from Alabama to the fact that the harmony which he so much desires to see established in the amount of compensation of the employes at the two wings of the Capitol will not be attained by passing the bill as it came from the House and voting down the amendments of the Senate Committee on Appropriations, because the rates of compensation fixed by the House bill are not identical in every case according to the services rendered, the bill in some cases paying more and in other cases less to the employes of the Senate than the corresponding officer of the House receives.

Mr. HOUSTON. In how many cases?

Mr. WITHERS. In several cases. In other cases the bill makes annual clerks of certain committee clerks of the House, and the Senate clerks of the same committees, who by the law are annual clerks, are degraded to session clerks. Therefore that harmony and unity which the Senator desires to see established cannot be attained by voting down the amendments of the Committee on Appropriations.

Mr. ANTHONY. Mr. President, we have had this controversy every year upon this bill, and it has always been decided, as I think it will be decided now, to allow each House to judge of the number and compensation of its own employes without the practical supervision of the other. That is the way that will best conduce to courtesy, and to decorum, and to the orderly transaction of business. I understand, the Senator from Kentucky will inform me if I am wrong, that the bill as it comes from the House puts the compensation of certain Senate employes below the compensation of the corresponding officers of the House.

Mr. BECK. I cannot name each instance, but take for example, in the bill as passed by the House the following items: Chief engineer of the Senate, \$1,400; chief engineer of the House, \$1,700. As passed by the House, the bill gives \$300 more to their engineer than to ours; and there may be other cases of the kind.

Mr. WITHERS. There are several other instances.

Mr. BECK. There are several other instances of the same sort. All we desire to do is to retain the salaries for the time being, just as they are now provided by law or by previous appropriation acts. We have a committee of our own who are now looking into the whole subject, the Committee to Audit and Control the Contingent Expenses of the Senate, and when the regular session comes we expect to look into the matter with more care, and see whether we are right or wrong.

Mr. ANTHONY. I hope the amendments of the committee will be adopted.

Mr. HOAR. I desire to call the recollection of Senators to one fact. I think in the Congress before the last—I am not quite sure of the date of the transaction, but I am absolutely sure of the transaction—the Senate undertook to make some amendment in its appropriation act which the House claimed was the assertion of an authority by the Senate to deal with the number and compensation of the House employes. The two branches differed, and the House very earnestly insisted that it was a matter which must be referred to its

own control, and insisted on a conference between the two branches, and the Senate yielded to that view.

Mr. HOUSTON. The fact that the House may have insisted upon a wrong principle would not influence me in my judgment. If these discrepancies are now in the bill as presented by the House it would have been much more easy for the Committee on Appropriations here to have taken up the whole subject and reconciled the differences and reported the bill so amended as to have made them all, as I think they should be, compensated properly but compensated alike. There is one instance that I just happen to think of. It must be very evident to every Senator who will think upon the subject at all that the clerks of certain committees have different labor. The clerk of the Committee on Appropriations of the House has perhaps ten times as much work to do as the clerk of the Committee on Appropriations of the Senate, because he makes up and frames and prepares the bills for the action of the two Houses. Perhaps I state the disproportion too largely, but certainly there is a great difference. While I do not care to interfere with the compensation allowed to the employes of either House, yet I do not agree to the doctrine as presented by the Senator from Rhode Island. I do not acknowledge that the House has the right to increase the number of its employes beyond what is my judgment, without my vote against it, any more than I think we should have the right to increase our own number of employes without the concurrence of the House. My duty, my power, and my obligation under my oath are the same in regard to the House employes as they are in regard to the Senate employes.

The PRESIDENT *pro tempore*. This amendment being objected to the Chair will put the question. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, in line 19, after the word "thousand," to strike out "five hundred" and insert "eight hundred and ninety-six;" so as to read:

For Secretary of the Senate, including compensation as disbursing officer, \$4,896.

The PRESIDENT *pro tempore*. Is there objection to this amendment?

Mr. HOUSTON. I do not care to say anything more, but to all these amendments that relate to this subject I have the same objection.

The PRESIDENT *pro tempore*. Does the Chair understand the Senator from Alabama to object and require the vote to be put?

Mr. HOUSTON. I do not care whether the vote is put or not; but if it is put I shall vote against the amendment.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, in line 22, to strike out "six" before "hundred" and insert "twelve;" so as to read:

And for hire of horses and wagons for the Secretary's office, \$1,200.

The PRESIDENT *pro tempore*. Is there objection to this amendment?

Mr. HOUSTON. I do not care about consuming time by taking the vote on every amendment. I remarked to the Chair that I did not care about the vote being put, but I wanted it understood that I applied my objection to all these amendments alike.

The PRESIDENT *pro tempore*. The Chair hears no objection, and the amendment is agreed to.

The next amendment was, in line 22, after "Chief Clerk," to strike out "two thousand five hundred" and insert "three thousand;" in line 24, to strike out "and" before "minute;" in the same line, after "journal clerk," to insert "financial clerk, and enrolling clerk, at;" in line 25, after "hundred," to insert "and ninety-two;" in line 26, after "each," to strike out "financial clerk and three clerks, at \$2,250 each;" in line 28, before "clerks," to strike out "five" and insert "six;" in line 29, after "thousand," to insert "two hundred and twenty;" and in line 30, after "each," to strike out "one clerk at \$1,800" and insert "five clerks in the office of the Secretary of the Senate, at \$2,100 each;" so as to read:

Chief Clerk, \$3,000; principal clerk, principal executive clerk, minute and journal clerk, financial clerk, and enrolling clerk, at \$2,592 each; librarian and six clerks in the office of the Secretary of the Senate, at \$2,320 each; five clerks in the office of the Secretary of the Senate, at \$2,100 each.

The amendment was agreed to.

The next amendment was, in line 33, after "stationery," to strike out "\$1,800" and insert "\$2,102.40;" in line 36, after "thousand," to strike out "four" and insert "eight;" in line 37, after "hundred," to insert "and ninety-six;" in line 38, after "Senate," to strike out "six hundred" and insert "seven hundred and twenty;" and in line 40, after "hundred," to insert "and ninety-six;" so as to make the clause read:

For keeper of the stationery, \$2,102.40; assistant keeper of stationery, \$1,800; one messenger, \$1,296; four laborers in the office of the Secretary of the Senate, \$720 each; for one special policeman, \$1,296.

The amendment was agreed to.

The next amendment was, in line 42, to increase the appropriation "for the salary of the secretary to the Vice-President" from \$1,800 to \$2,102.40.

The amendment was agreed to.

The next amendment was, in line 52, to increase the appropriation "for salary of clerk of printing records" from \$2,000 to \$2,220.

The amendment was agreed to.

The next amendment was, after the word "Commerce," in line 55, to strike out "and;" in line 56, after "Judiciary," to insert "clerk to the Committee on Private Land Claims, clerk to the Committee on Pensions, and clerk to the Committee on Military Affairs;" and in line 59, after the word "thousand," to insert "two hundred and twenty;" so as to make the clause read:

For clerk to the Committee on Finance, clerk to the Committee on Claims, clerk to the Committee on Commerce, clerk to the Committee on the Judiciary, clerk to the Committee on Private Land Claims, clerk to the Committee on Pensions, and clerk to the Committee on Military Affairs, at \$2,220 each.

Mr. BECK. I said I would call attention to anything that was new in the bill. We have added an annual clerk for the Committee on Military Affairs, not there before. Upon the statement of the Senator from Texas [Mr. MAXEY] at the last Congress, and of the chairman of the committee now, we thought it was necessary.

Mr. SAULSBURY. I doubt the propriety of adding to the number of annual committee clerkships of the Senate. This makes the clerk to the Committee on Military Affairs an annual clerk. We have now as many annual clerks as they have in the House, which is a much larger body, and I doubt whether we ought to increase the expenses of the Senate by making annual clerkships to committees unless there is an absolute necessity.

I think the clerk of the Committee on Private Land Claims has not been an annual clerk heretofore. This includes him and the clerk of the Committee on Pensions. In my opinion the number of annual clerkships is more than we ought to have. We ought to cut them down rather than increase them. I have no doubt that a saving of \$50,000 might be made in the expenses of the Senate, and I do not believe it is good policy or good economy to multiply the number of annual clerkships in this body, but on the contrary I believe we ought to address ourselves to a curtailment of the expenses of the Senate rather than be adding to them.

Mr. BECK. At the last session the Senate made this provision so far as it was concerned, on the motion of the Senator from Texas, on a statement which convinced the Senate. The Committee on Appropriations, therefore, have conceded that there ought to be a permanent clerk to the Committee on Military Affairs. The other day the present chairman of the committee, the Senator from New Jersey, addressed the chairman of the Committee on Appropriations, who is now necessarily absent, the following short note:

UNITED STATES SENATE CHAMBER,
Washington, April 30, 1879.

MY DEAR SIR: For reasons I have assigned, I request that the clerk of the Military Committee be made a permanent one.

It is impossible for me to get and keep a competent clerk except he obtain the salary of the year.

I have to keep an extra man at my own cost, as matters now stand. The committee has, as the files will show, over four hundred bills and promotions now before it, and the correspondence and examination coming from these military cases keep one man employed.

The business coming to the Military Committee of the Senate is much larger than that to the House Military Committee, and the business of the two cannot be well compared therefore.

Very truly yours,

THEO. F. RANDOLPH, *Chairman.*

In addition to that, the present chairman of the committee told us that the number of appointments, the number of promotions, the number of recommendations to be examined personally outside of the regular committee-room was so great that the amount of money he was paying out of his own pocket in order to get help was something that no Senator ought to be required to do. The business of the committee made it to our minds absolutely necessary that an annual clerk should be allowed.

Mr. MAXEY. On two occasions before, as a member of the Committee on Military Affairs, I have made the proposition to the Senate that that committee ought to have a permanent clerk, and for the reason that my experience in that committee has taught me that a clerk to that committee should be an expert. An ordinary clerk, however good he may be, is not the kind of clerk necessary for that committee. It needs one that is conversant with the machinery of military affairs; one who, when a case comes before that committee, knows at once what bureau or what branch of the military service to apply to in order to get the necessary information. To secure the necessary talent and the necessary information in a clerk for that committee, I have believed and do believe that that clerk should be a permanent clerk. The Senate took that view of the case, and by an overwhelming majority at the last session voted that committee a permanent clerk.

Mr. SAULSBURY. There are other committees here whose labors are equally as onerous as those of the Committee on Military Affairs. The Committee on Post-Offices and Post-Roads, of which my friend, the Senator from Texas, is chairman, is one. I am a member of that committee, and I know there is a great deal of business coming before that committee. Fully as many communications are sent to that committee as are sent to the Committee on Military Affairs, and I have no doubt that the business of the Committee on Post-Offices and Post-Roads is fully as heavy to-day as that of the Committee on Military Affairs or any other committee. Perhaps the Judiciary Committee may be different; that may be an exception. But if we are to add

to the annual clerkships of this body we shall soon have an increase of expense. I think we ought to have some regard to economy in running the Senate.

For these reasons, not that I have anything against these clerks, because I do not know now who is clerk to the Committee on Military Affairs, the Committee on Pensions, or the Committee on Private Land Claims, they may all be efficient men—my purpose is simply to see that the expenses of the Senate are not unduly increased. I should vote for an annual clerkship to the Committee on Post-Offices and Post-Roads, because in my judgment the duties of the committee are fully as onerous as those imposed upon any of the committees that has an annual clerkship.

The amendment was agreed to.

Mr. MAXEY. By direction of the Committee on Post-Offices and Post-Roads I move to amend the clause just adopted as follows—

The PRESIDING OFFICER, (Mr. HERFORD in the chair.) The Chair would suggest that the Senator allow the amendments of the Committee on Appropriations to be gone through with first.

Mr. BECK. I hope the amendments of the committee will be passed on first.

Mr. MAXEY. Very well; but I give notice now that when we go through the reading of the bill, I shall call attention to this clause and ask that it be amended further.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, after the word "thousand," in line 61, to insert "three hundred and twenty;" in line 62, after the word "dollars," to insert "clerk to the Sergeant-at-Arms, \$2,000;" in line 64, after "thousand," to insert "five hundred and ninety-two;" in line 65, after "Doorkeeper," strike out "one thousand eight hundred," and insert "two thousand five hundred and ninety-two;" and in line 67, after the word "thousand," to strike out "two" and insert "eight;" so as to make the clause read:

For Sergeant-at-Arms and Doorkeeper, \$4,320; clerk to the Sergeant-at-Arms, \$2,000; assistant doorkeeper, \$2,592; acting assistant doorkeeper, \$2,592; three messengers, acting as assistant doorkeepers, \$1,800 each.

The amendment was agreed to.

The next amendment was, in line 71, to increase the appropriation "for salary of assistant postmaster and mail-carrier" to the Senate from \$2,000 to \$2,088.

The amendment was agreed to.

The next amendment was, in line 74, to increase the appropriation "for salary of superintendent of document-room" from \$2,000 to \$2,160.

The amendment was agreed to.

The next amendment was, in line 77, to increase the appropriation "for salary of superintendent of the folding-room" from \$2,000 to \$2,160.

The amendment was agreed to.

The next amendment was, in line 79, to increase the appropriation "for salary of twenty messengers" from \$1,000 each to \$1,440 each.

The amendment was agreed to.

The next amendment was, after line 82, to insert:

For messenger to the Vice-President's room, to be appointed by the Vice-President, \$1,440.

The amendment was agreed to.

The next amendment was, in line 86, after the word "engineer," to strike out "one thousand four hundred" and insert "two thousand one hundred and sixty;" in line 87, before "assistant engineers," to strike out "two" and insert "three;" in line 88, after the word "thousand," to strike out "two hundred" and insert "four hundred and forty;" in line 90, after the word "thousand," to strike out "two hundred" and insert "four hundred and forty;" in line 91, after the word "thousand," to insert "two hundred;" in line 92, before the word "firemen," to strike out "three" and insert "two;" in the same line, after the word "at," to strike out "nine hundred" and insert "one thousand and ninety-five;" and in line 94, after the word "at," to strike out "six hundred and sixty" and insert "seven hundred and twenty;" so as to make the clause read:

For chief engineer, \$2,160; three assistant engineers, at \$1,440 each; assistant engineer in charge of the elevator, \$1,440; conductor of elevator, \$1,200; two firemen, at \$1,095 each; three laborers in the engineer's department, at \$720 each.

The amendment was agreed to.

The next amendment was, in line 96, after the word "at," to strike out "eight hundred and forty" and insert "one thousand;" in line 97, after the word "at," to strike out "six hundred and sixty" and insert "seven hundred and twenty;" in line 99, before the word "laborers," to strike out "ten" and insert "twelve;" in line 101, after the word "passage," to strike out "six hundred and sixty" and insert "eight hundred and forty;" in line 102, after the word "dollars," to strike out "Kate Dodson" and insert "female attendant;" in line 103, after the word "retiring-room," to strike out "six hundred" and insert "seven hundred and twenty;" and after the words "telegraph operator," in line 104, to strike out "during the session, \$800," and insert "\$1,200 per annum;" so as to make the clause read:

For eight skilled laborers, at \$1,000 each; ten laborers, at \$720 each; twelve laborers, during the session, at the rate of \$720 each per annum; one laborer in charge of private passage, \$840; female attendant in charge of the ladies' retiring-room, \$720; telegraph operator, \$1,200 per annum.

The amendment was agreed to.

The next amendment was, in the appropriations "for contingent

expenses of the Senate," in line 110, after the word "and," to strike out "two" and insert "one;" in the same line, after the word "dollars," to insert "each;" and in line 111, after the word "Secretary," to insert "and Postmaster;" so as to make the clause read:

For stationery and newspapers, (including \$5,000 for stationery for committees and officers of the Senate and \$100 each for postage-stamps for the Secretary and Postmaster of the Senate,) \$14,700.

The amendment was agreed to.

The next amendment was, in line 113, before the word "clerks," to strike out "twenty-seven" and insert "twenty-six;" and in line 114, after the word "session," to strike out "thirty-four thousand three hundred and forty-four" and insert "thirty-three thousand and seventy-two;" so as to make the clause read:

For twenty-six clerks to committees, at \$6 per day during the session, \$33,072.

The amendment was agreed to.

The next amendment was, in line 118, after the word "riding-pages," to strike out "one page for the Vice-President's room;" and in line 121, after the word "thousand," to strike out "eight hundred and thirty-five" and insert "two hundred and sixty-five;" so as to make the clause read:

For fourteen pages for the Senate Chamber, three riding-pages, and one page for the office of the Secretary of the Senate, at the rate of \$2.50 per day each while actually employed, \$10,365.

The amendment was agreed to.

The next amendment was, in line 126, after the word "exceeding," to strike out "two dollars and fifty cents" and insert "\$3;" and after the word "employed," in line 127, to strike out "three thousand five hundred and four" and insert "four thousand;" so as to read:

For four folders, at not exceeding \$3 per day while actually employed, \$4,000; *Provided, however*, That any portion of said sum may be used, at the discretion of the superintendent, for piece-work.

The amendment was agreed to.

The next amendment was, in line 129, after the word "apparatus," to strike out "seven" and insert "eight;" in line 141, after the word "packing-boxes," to strike out "six hundred" and insert "seven hundred and sixty;" and in line 144, after the word "all," to strike out "forty-five thousand one hundred" and insert "forty-six thousand two hundred and sixty;" so as to read:

For fuel and oil for the heating apparatus, \$3,000; for furniture and repairs of furniture, \$7,000; for packing-boxes, \$760; for miscellaneous items, exclusive of labor, \$30,000; for cartage, \$500; in all, \$46,260.

The amendment was agreed to.

The next amendment was, in line 171, to increase the appropriation for compensation of the officers, clerks, messengers, and others receiving an annual salary, in the service of the House of Representatives, from \$197,015.20 to \$197,915.20.

The amendment was agreed to.

The Secretary continued the reading of the bill to line 379.

Mr. BECK. The committee will desire to go back to page 15, line 254, to make an appropriation for the three assistants to the Librarian authorized by the bill passed yesterday without an appropriation. It will be necessary to make an amendment there so as to provide for the pay of the officers provided for under the bill which passed both Houses yesterday. I now desire to give that notice.

The PRESIDING OFFICER. The reading of the bill will proceed.

The Secretary continued the reading of the bill to line 396.

Mr. PLUMB. I desire to call attention to an amendment I have submitted to be proposed to line 396. I move to strike out the word "executive" in that line and insert after the word "clerks" the words "of the General Land Office;" so as to read:

And the duties prescribed by section 450 of the Revised Statutes shall devolve upon and be discharged by one of the clerks of the General Land Office, to be designated by the President for that purpose.

I am not certain whether the Committee on Appropriations have a letter from the Commissioner of the General Land Office recommending it or not, but I know such a letter has been prepared and is *in transitu*. This work of signing land patents—that is the duty referred to by section 450 of the Revised Statutes—is wholly a formal duty. The name of the President is attached by a clerk. Under the rule established by this bill the patents will be required to go from the General Land Office to the President and back again, necessitating a letter of transmissal. Inasmuch as the President exercises no discretionary power at all, and since he merely causes his name to be signed, or in fact the clerk signs, without consulting the President, every patent sent him from the General Land Office, it is deemed desirable and advisable as a matter of economy not only of money but of time that some clerk in the General Land Office be designated by the President to perform this act for him, and shall be the person to do this service, and not an executive clerk in the mansion of the President.

Mr. BECK. I hope the Senator from Kansas will allow that matter to be passed by for the present. We copied the existing law in this bill.

Mr. PLUMB. I understand the desire is to change that in order that all these matters may be transacted in the office of the Commissioner of the General Land Office under one roof and save the necessary letters of transmissal and the time now occupied in sending them.

Mr. BECK. We had some communication on that subject last year.

We have had none at this session, so the clerk of the committee informs me, but we shall look at it carefully.

Mr. PLUMB. With the understanding that we can go back to this matter before the bill is finally passed, I do not urge the amendment now.

Mr. BECK. Certainly; that can be understood.

The PRESIDING OFFICER. The reading will proceed.

The reading of the bill was continued. The next amendment of the Committee on Appropriations was, in the clause making appropriations for the Bureau of Statistics, in line 677, to increase the sum for the "compensation of the officer in charge of the Bureau of Statistics" from \$2,400 to \$3,600; and in line 684 to increase the total of the appropriations for the bureau from \$40,760 to \$41,960.

Mr. BECK. I desire to say that that is an increase of the present salary, but we make this officer correspond to the Auditors who get \$3,600; and this was agreed to in conference at the last session.

The amendment was agreed to.

The reading of the bill was continued to line 829.

Mr. BECK. We have now proceeded through the provisions in relation to the Senate and House of Representatives, the Executive Department proper, the State Department, and the Treasury Department in all its branches. The Senator from Georgia [Mr. HILL] is obliged to be absent and has remained for several days at personal inconvenience to himself. He desires now as I am advised to be heard upon a portion of the bill that has not yet been reached, and as he wishes to go away the committee in charge of the bill will give way to him now.

Mr. SAULSBURY. I desire to offer an amendment to the pending bill to be printed and referred to the Committee on Appropriations.

The PRESIDING OFFICER. The amendment will be printed and referred to the committee.

Mr. HILL, of Georgia. Mr. President, I am very much obliged to my friend, the Senator from Kentucky, and the Committee on Appropriations for yielding to me at this time. I would not speak to-day at all but for the fact that I am compelled to leave the city and perhaps, possibly at least, not to return until this bill is disposed of. There are some observations which I desire to submit; and as this is the only opportunity to do so, I will avail myself of the kindness of the committee in suspending the reading of this bill to proceed now with what I have to say.

Mr. President, it is known to the Senate and the country that the discussion of the questions involved in this and the kindred bill began in the last days of the Forty-fifth Congress. The result of the discussion then necessitated the calling of an extra session of Congress, and since the assembling of this session the discussion has been almost continuous in the two Houses of Congress. I have taken no part in it hitherto, because in my judgment there was nothing in the legislation pending that justified discussion, nothing in the substance or form of the legislation which in my judgment could even excuse the elaborate discussion which has been had; and I suppose if we were to apply the test, nine-tenths of the arguments which have been made and placed upon the record have no application whatever to the immediate subjects involved in either of the bills.

I have watched the discussion with very intense, I might say with anxious, interest for the purpose of discovering if I could the true reason, the active inspiring motive of this discussion. Why has it been thrust upon the country? The legislation proposed is simply nothing more nor less than the repeal of a very small portion of legislation which was enacted during and since the war, legislation which had no place upon our statute-book for the first seventy-five years of our history; and why has such an earnest, such a heated, I had almost said such an ill-tempered, discussion been thrust upon the country on the occasion of repealing a few statutes of the kind alluded to?

I have no desire to do any one injustice. I have watched this discussion solely for the purpose of arriving, if I could, at the real motive which lies at the bottom of it. I am thoroughly satisfied that the motive is very plain and unmistakable. A great party in this country have entered upon a well-considered, or I ought to say ill-considered, but determined purpose of reopening the sectional agitations which have so long divided this country for the purpose of consolidating one section of the country against the other, solely for the benefit of that particular party, and without reference to the good, as I think, of the country.

Now, sir, what is the result? The country now beholds the extraordinary spectacle of an extra session of Congress, of weeks and months of agitated discussion, the whole purpose of which discussion, at least on one side of this House, seems to be to convince one section of the country that the people of the other are not to be trusted in their fidelity and patriotism to the country. Suppose they succeed in establishing that proposition; if it be true they have established a proposition which demonstrates that the Government is on the eve of failure; if it be false, why should they seek to impress upon the country a condition of things affecting the integrity of the Union itself which is not true?

I am not going to go through the many arguments and speeches that have been made on this floor which seem to be inspired by nothing on earth but hatred to one section of this country and the people thereof. I cannot afford to do that. Speech after speech has been made which could have no other purpose, which has no other

meaning. Do Senators expect to benefit the country by such a course of proceeding? Do they think they promote the good of this country, of any section of it, when they labor so industriously to prove to one portion of the people that another portion is not to be trusted? Are they not citizens of the same Government?

Now, as an illustration of what I say, pardon me if I select the two most distinguished gentlemen of the republican party, gentlemen who above all others have distinguished themselves for their ability in the discussion of this question, who I suppose from their position and character in every respect command perhaps more than any others the confidence of the party to which they belong. The distinguished Senator from New York [Mr. CONKLING] in the very effective speech which he made on the 24th of April reminded us that "one of Rome's famous legends stands in these words: 'Let what each man thinks of the Republic be written on his brow'" and the Senator wrote on the forefront of his speech delivered on that important occasion a most remarkable declaration which he must excuse me for saying illustrates the animus of the speech. He commences in this way:

During the last fiscal year the amount of national taxes paid into the Treasury was \$234,831,461.77. Of this sum one hundred and thirty million and a fraction was collected under tariff laws as duties on imported merchandise, and one hundred and four million and a fraction as tax on American productions. Of this total of \$235,000,000 in round numbers, twenty-seven States which adhered to the Union during the recent war paid \$221,204,268.88. The residue came from eleven States. I will read their names: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia. These eleven States paid \$13,627,192.89. Of this sum more than six million and a half came from the tobacco of Virginia. Deducting the amount of the tobacco tax in Virginia, the eleven States enumerated paid \$7,125,462.60 of the revenues and supplies of the Republic.

What does the Senator here say, what does he write upon the forefront of his magnificent oration? It is that all the customs revenues of the country are paid by the State at whose port the revenue is collected. If his argument be true, New York pays over \$90,000,000 of the customs revenue, because the port of New York is a great port for the whole country, and he credits the twenty-seven States with the payment of all the customs revenues collected in that port and Boston and other northern ports. He should credit it to the city of New York. It is all paid at the city of New York. The Senator might have enlarged his argument; he might have selected from the Western States a group of eleven States that pay perhaps less customs revenue than the eleven Southern States. I doubt whether the great State of my friend from Ohio pays much on the Senator's method of computation. Certainly those great interior States that have no ports, according to him, pay none of the customs revenue. How much would Ohio pay under that rule? How much would Indiana pay; how much would Minnesota pay? The Senator might have gone further. If New York is to be credited with all the revenues that are collected upon importations at New York, New York ought also to be credited with all the products that are exported from the port of New York, and the distinguished Senator by figures could have proven that New York was the largest cotton-growing State in the world.

Why should so distinguished a Senator, so able a Senator, find it necessary to commence his speech with an argument of that kind? What had it to do with the question? The question pending in the bill which he discussed was whether it was wise and proper to use the Army to keep the peace at the polls, and the Senator commences his argument upon that question by giving a statement of the revenues collected for the support of the Government, and puts the statement in such form as to show that all the revenues are paid by twenty-seven States, of which New York pays half. What had it to do with the question? Nothing. Then, if the Senator found it necessary to make such a statement, why did he hazard his reputation in such a manner as to make a statement the incorrectness of which could not fail to be seen by any one who understood the facts of the case? And then he put it in the strong form of figures, and he had the benefit of the old aphorism that figures will not lie. The Senator's phraseology is very curious too. I say nothing of his refusal to permit a correction to be incorporated in his speech, which I attempted. He goes on; he says:

The laws exacting these few millions from eleven States, and these hundreds of millions from twenty-seven States, originated, as the Constitution requires all bills for raising revenue to originate, in the House of Representatives.

Where is the law that exacts these few millions from eleven States, these hundreds of millions from twenty-seven States? Is there such a law known? Is there any revenue law of this country which is not uniform? Is there any law of this country which could justify that distinguished Senator in saying that eleven States pay so few millions of revenue and twenty-seven States pay so many hundred millions of revenue, and, to use his emphatic words, that this revenue in this disproportion is exacted by the laws of the country? I do the Senator no injustice when I say that the purpose of the statement is indicated by the application which is made of it:

This vast revenue is raised and to be raised for three uses. It is supplied in time of severe depression and distress, to pay debt inflicted by rebellion—

Why was it necessary to say that?—

to pay pensions to widows, orphans, and cripples made by rebellion; and to maintain the Government and enforce the laws preserved at inestimable cost of life and treasure.

Why should the Senator make a statement in figures that is not correct, and speak of the exactions of a law that does not exist in rela-

tion to revenue, and then seek to arouse, as doubtless his method of stating facts does arouse in so many minds at the North, a prejudice against these eleven States that have been so wicked as to make it necessary for such enormous taxes to be collected and who under the laws are required to pay so few of the taxes. Everybody knows that each section of the country pays according to its consumption of the importations into the United States. It is hardly necessary to say that the money collected by the Government at the port of New York is not paid by the city or people of New York, or by the State of New York, but is paid by the people of the country all over the country who buy and consume the goods imported. All the point I make on this is to ask the country what could have been the motive of so distinguished a Senator for making such a statement which had no relevancy to the subject under discussion, what could be the purpose except to use his great powers, aided by a singular computation of figures, to impress his section of the country with feelings of antipathy and dislike to the southern people?

But, sir, we had a more remarkable exhibition than that yesterday. I pass for the moment from the honorable Senator from New York to the distinguished Senator from Vermont, [Mr. EDMUNDS,] for if these great men say these things what shall we not expect of the smaller men, the legions of them? The Senator from Vermont yesterday, who may, perhaps, be called with fitness the legal adviser of the republican party, who seems to feel under special obligations on all occasions to interpret the law for that party, with all his distinguished ability absolutely came into the Senate and had read from the Secretary's desk a large number of clauses of the Constitution on the subject of the powers of the Federal Government, and then had all the acts of Congress, almost, I believe, without an exception, from the administration of President Washington down, read, had the act of 1789 read, the act of 1792, the act of 1795, the act of 1807, the act of 1833, being careful to notify the country in whose administration these various acts were passed, beginning with the sacred administration of Washington, and then qualified all that with extensive quotations from that great work written by Hamilton and Madison and Jay, known as the Federalist. For what purpose? Why all that? Would any man believe it? For the purpose of taking the position and seeking to enforce upon the country the idea that the little bill prohibiting the use of troops at the polls had the effect to change and modify, if not to repeal, all this legislation to which I have alluded, that that bill was in conflict with the clauses of the Constitution which he read, that it changed the legislation of the country from the days of Washington to the days of Grant, when that Senator must know, when every legal mind of this country must know that the bill which was pending before the Senate yesterday did not affect in the slightest degree or repeal a single provision of a single statute to which he referred previous to 1865; not one; I affirm it with confidence, not one. When the bill shall become a law, if it shall become a law, the acts of 1789 and of 1792 and of 1795 and of 1807 and all those other acts will remain perfect and complete just as they always were before the passage of the act of 1865. They will not be repealed, they will not be changed, they will not be modified in one single particular.

That is not the worst. I have the Senator's speech before me, and it is a labored effort to impress upon the country what the Senator would not say in precise language himself, but to impress upon the country the idea that Washington and Jefferson and Jackson, and all the distinguished Presidents of this country and the Congresses of their day in passing these laws had the purpose in view of enabling the President to employ the Army to preserve the peace at the polls, and that by passing this bill and declaring now that the Army and Navy shall not be brought to the polls during the elections we are coming in conflict with those statutes that come down to us from the days of Washington, and yet every Senator knows that there is not a word of that correct, as I have stated.

Why, sir, the act of 1795 and the other acts alluded to by the distinguished Senator from Vermont were not intended to give the President power to use the Army to keep the peace at the polls or to interfere with the elections, and that Senator knew that it was impossible that that legislation could have had such a purpose. Why do I say he knew it? Because during all those years of our Republic there was no law enacted by the Congress of the United States giving to the Federal Government control of elections in the States. The President could not send the Army and Navy to enforce a State law; and every law during the administration of Washington and Jefferson and Madison, and so on down, regulating the time, place, and manner of holding elections even for members of Congress was a State law; and even if the power had been conferred by the Constitution upon Congress to enact laws to regulate these elections, that power had not been exercised. Now, why should a distinguished Senator like the Senator from Vermont get up in the face of this country and make an elaborate argument to prove that the purpose of this legislation is in conflict with the legislation of 1789 and 1792 and 1795 and 1807, when he knew that at the time of the enactment of those laws the Federal Government made no pretension to regulate elections, had no law to enforce on the subject of elections, and left the regulation and conduct of elections exclusively to the States? And if we do by legislation what this bill proposes, that is, direct that from this time forward the Army and Navy shall not be used to

interfere with elections, do we not re-enact what was the practice, what was the custom, and what was the law before the war?

But there is another proposition, and it is all over the argument of the distinguished Senator from Vermont, the argument on the assumption that when we take away from the President the power to use the military at elections we take away all power from the President, and he makes an argument to prove that we not only take it away practically for elections, but we take it away for all purposes. He gave several instances to prove that a criminal of any character against the laws of the United States has only to make election day a house of refuge, and for that day at least he cannot be disturbed by the Army. He assumes, and his whole argument goes upon the assumption, that if the Army can not be used the Federal Government is powerless. And the country is to be impressed with the idea that we who favor this bill, we who desire to prevent the use of the Army at elections, really intend to destroy the power of the Federal Government even to enforce any law that may exist on the statute-book in any matter.

Mr. President, the speech of the Senator from Vermont ought to be studied by every statesman in this Union, for it shadows, as that distinguished Senator only knows how to shadow, the great distinction that lies at the bottom of all the differences between the two parties that now contend for the mastery in this Government. This whole argument goes upon the idea that there is no protection for the citizens of this country save by the military arm. This whole argument of the honorable Senator from Vermont is replete with the idea that when you withdraw the Army or fail to furnish the military arm for the protection of the citizen, he is without protection; when you fail to give the President the Army and the Navy to enforce the laws, the President is without power to enforce the laws!

Well, sir, if we have arrived at that condition of things, our condition is indeed lamentable. We have been taught from our youth to believe that this was a country of self-government, that the people are able to protect themselves, that freemen did not need a standing army and a navy to protect themselves—protect themselves from themselves. It has not been customary to teach our people that they must look to the arms of military power through a Federal centralism for the protection and preservation of their rights; and yet I challenge any gentleman to give this speech a critical reading, and it goes altogether on the assumption that if military protection is withdrawn there is no protection worth having remaining, and the practical result of the Senator's argument is to show that by passing this bill, which simply declares that the Army and the Navy shall not be used at the polls, we repeal all the acts which authorize the enforcement of the laws previously passed and leave the President powerless to enforce the laws and the citizens without protection.

I heard a similar argument from that distinguished Senator on another memorable occasion. I noticed it then, and I call the attention of the country to it now. I heard it on one of those bills during the last Congress before us making appropriations for the Army, in which there was a clause prohibiting the Army from being used as a *posse comitatus* to execute the law. If Senators will turn to the short speech made by the distinguished Senator on that occasion they will find that he said broadly that if that clause of the appropriation bill became a law, and a mob should be organized in the city of Washington to rob the Treasury, there would be no power to protect the Treasury from that mob, impressing the country with the idea that its defense, that its safety, that its protection rests in the arm of the military power. Can it be true? If a mob should organize in the city of Washington for the purpose of capturing the Treasury and robbing it, is it true that because there is no army here, because the Army cannot be used as a *posse comitatus*, therefore the mob has only to go and take possession of the Treasury? In a city of one hundred and fifty thousand inhabitants is there no power to protect the Treasury from a mob save through an army? Sir, that idea is at war with every feature of our Government, and certainly at war with all its fundamental principles. Our Government rests upon the idea that we are capable of self-government, that the people are patriotic, and the defense and protection of the property and liberties of the country rest in that belief—the people and the authority of the courts, which is the same thing, because they come from the body of the people. It rests upon the idea that we do not need a standing army to protect the American people from outrage by the American people as a body. Of course there are exceptions, as in all countries. The people must be protected from mobs, but the people can be protected from mobs without the use of the Army.

What would be the result of this style of argument? Gentlemen strangely have come out here now and, in opposition to the bill passed yesterday, they have taken the distinct position that it is necessary to keep upon your statute-book the right to use the Army and Navy for the purpose of keeping the peace at the polls. Well, sir, it is idle, it is worse than idle, to give the President of the United States authority to use your Army for any purpose and not furnish him an army for use. You say the President must have the right to use the Army to control the elections. That is what you say by your opposition to this bill, for that is the only idea that the bill negatives. If it is necessary to have the right to use the Army, the right is worthless unless you furnish an army to use. Make the calculation. Let the citizens of this country make the calculation and see what destiny is in wait for them when the proposition is once established that

an army must be supplied for the purpose of keeping the peace at the polls. How many troops will it take? What sized army must you have? You must have an army in every State, in every county, in every town; for if one portion of the country is entitled to protection, and that protection can only be extended by the Army, every other portion of the country is entitled to protection; every other portion of the country must have an army; and America, free America, will present to the world the singular spectacle of standing more in need of an army than any other country on the globe; and we must have a larger standing army than Germany or Russia.

Sir, does not every man see in the very idea that the people of this country on that day when they are sovereigns come to exercise the power of a sovereign, that they must have an army to control them, an army to protect them, an army to regulate them, an army to keep the peace among themselves in the exercise of this great power, that even by that very idea they must admit that free self-government is a failure? It is the last idea that an American ought to admit. Of all ideas possible in this day and age of degeneracy, I should have supposed the very last idea an American statesman would have admitted as at all applicable to the condition of things in this country would be that we needed military interference on the days of elections for the purpose of protecting the people at the polls.

Whenever the American Congress shall in solemn form tell the world that an army is needed to protect American freemen when American freemen go to the polls they have admitted that the American popular system of government is at an end.

I must say that I am loth to believe and I do not believe that the distinguished gentleman who made the argument of this kind on yesterday, and which necessarily leads to this result, any more believes the statement he was making than did the Senator from the State of New York believe the statement of figures he made was correct. Neither of them had any purpose to make an incorrect statement, but both of them were after the great purpose of this whole movement—to excite one section of this country against the other and to avail themselves of any occasion for that purpose. I have been watching during the progress of this discussion not only the character of the speeches that have been made, which have convinced my mind thoroughly of the whole purpose of it, but simultaneously the extraordinary movements that are going on through the country. Take the republican newspapers of the day, and it seems to me that they are fuller of abuse, misrepresentation, and vituperation of the section of the country from which I have come than they ever were before. I know, from direct communication to myself, that various gentlemen who have been living for a few years in the South are going through the North, some of them as lecturers, some of them in the garb of ministers of the Gospel, and their whole lectures are simply replete with the most extravagant and false statements of wrongs and injuries in the South.

Designing persons are circulating letters and documents among the poor colored people, telling them that in Kansas they can have forty acres and a mule and money free of cost, and the Government, the great good Government that freed them, will take care of them. For what purpose is this second signal movement among the poor negroes of the South, the effect of which is to dissatisfy them with their condition? That they may, as many of them have been, be deceived and undertake to emigrate to this heavenly region, the new Canaan of the negro—the colored man. Why is that done? Not for the purpose of benefiting the poor colored man, oh, no; but for the double purpose of making it an occasion to vituperate the southern people before the northern people, charging their own duplicity to be the effect of cruelty and wrong by the very men whose advantage it is to be kind to their laborers and to keep them among them in contentment. There is the political purpose. Thus they get thousands of poor creatures away from home, naked and hungry, and then the appeal comes to the philanthropy of northern people and the plethora of the Treasury to come and take care of them; and the agents who circulate the falsehoods and create the dissatisfaction and produce the mischief come in of course as dispensers of the alms. It is a sad fact that these sectional passions are yet used by statesmen, by politicians, by bad men and by thousands of small men in a hundred shapes and forms, these sectional passions that keep the people of the North and the people of the South distrustful of each other and which are made commerce of by these people for their own selfish ends without any regard to consequences.

We are to be told that the military arm is essential to the protection of the country, but that under no circumstances can the North trust one-third of the people of this Union. No man can read these remarkable declarations of the leading men of that great party and not feel that the American Rubicon is in sight and that Caesar is ready to cross over.

But, sir, I should not have perhaps said one word, notwithstanding my convictions, of the purposes of the discussion here, the style of discussion, the manner of the discussion, its perfect consonance with what is going on outside, notwithstanding the conviction on my part that there is this day a concerted movement in this country permeating the whole republican party, high and low, for the purpose of consolidating one section in this country against the other for no purpose but that of dominion, right or wrong—I perhaps should have said nothing in view of all this but for the fact that in the present case the immediate legislation and the purpose manifested in oppos-

ing that legislation would amount to nothing unless they could control the President of the United States. If the President should oppose the bill passed by the majority of Congress of course that was an end to the contest here, and distinguished gentlemen who had made such tremendous clamor against the bill would be like Othello, their occupation would be gone. I do not wish to do any one injustice, but it cannot be disguised before the country that a persistent, earnest, arbitrary, I almost said dictatorial, purpose has been manifested by that party to get control of the President and influence him to veto the bill.

I have never believed it would be done. I do not believe the President will lend himself to the scheme, and I have not believed it. The present Chief Magistrate of this country distinguished his administration in a manner worthy of his best predecessor when he first took charge of it by signaling the beginning of that administration by the removal of the troops from the polls of the States and from interference with the States. I cannot believe that a President who thus signaled his administration in the beginning would be guilty of the enormous inconsistency of now insisting, against the will of a majority of Congress, that he should have the power to use troops, not only to control the States, but to control all the elections in the country. It would be too manifestly inconsistent. The President has sent in one veto. I confess that it surprised me in one respect, and it did not in another. It showed the power of the gentlemen on the other side, that they had accomplished their end that far; but the bill which we sent him before, though constitutional, though usual, contained what is called general legislation attached to an appropriation bill, and in its peculiar phraseology gave the President some pretext for vetoing it, and he did veto it. We desire to remove every reasonable objection. So far from desiring to coerce the President, there has been a general purpose to accommodate this legislation to the President, so as to accomplish the main end in perfect harmony between the Executive and the legislative branch of the Government. Therefore, much to the consternation of the gentlemen on the other side it seems, we have brought forward the single, naked proposition that all laws authorizing the use of the Army and Navy at the polls shall be repealed. That makes the issue direct and simple. The country I think had a right to expect from the character of the discussion when it opened, especially during the Forty-fifth Congress and the early days of the Forty-sixth Congress, that when this proposition was stripped of its connection with the appropriation bills and presented to our friends on the other side in a simple, naked issue as to whether we should use the Army and the Navy at the polls they would rise above all their prejudices and purposes and vote for the bill. But to a man in the other House they have opposed it, and to a man in this body they have opposed it, and the country waits with anxiety to know how it will be treated by him who now to such a great extent holds the peace of this country in his hands.

Sir, I would not say one word of disparagement to that high Chief Magistrate in this critical hour. I feel and feel keenly the heavy responsibilities that rest upon him. Will he remember now those grand words which he uttered in his inaugural, "He best serves his party who best serves his country?" Will he rise above the clamor, the dictation, and the demands of a struggling party seeking to regain life by reviving sectional agitation and serve his country like a patriot? Will he do that? If he shall do so he will for the second time at least in his administration show himself worthy of the high position which he holds. If, on the contrary, the President will do what is so contrary to the records of his own administration, what is so contrary to all the fundamental principles of our free popular Government, what is contrary to the correct understanding of his own message, and if he shall insist upon the bald, naked, fearless, terrible proposition that we shall have upon the statute-books that it shall be right and lawful to use the Army on the great day of days for an American—election day—that he will keep a law upon the statute-book against the will of a majority of both Houses of Congress, and that he will use his veto power for such party ends, then the time will come when the voters of this country will be face to face with a very grave issue, which I doubt not the democracy will be able to meet with moderation and wisdom.

Mr. President, upon this subject of the veto power I wish to submit a few observations to the Senate, and I take for the basis of my observation a portion of the speech made by the distinguished Senator from New York, [Mr. CONKLING.] That Senator said:

It—

The revenue—

can be devoted to its uses in only one mode. Once in the Treasury, it must remain there useless until appropriated by act of Congress. The Constitution so ordains. To collect it and then defeat or prevent its object or use would be recreant and abominable oppression.

The Constitution leaves no discretion to Congress whether needful appropriations shall be made. Discretion to ascertain and determine amounts needful is committed to Congress, but the appropriation of whatever is needful after the amount has been ascertained is commanded positively and absolutely. When, for example, the Constitution declares that the President and the judges at stated periods shall receive compensation fixed by law the duty to make the appropriations is plain and peremptory; to refuse to make them is disobedience of the Constitution and treasonable. So, when it is declared that Congress shall have power to provide money to pay debts and for the common defense and the general welfare, the plain meaning is that Congress shall do these things, and a refusal to do them is revolutionary and subversive of the Constitution. A refusal less flagrant would be impeachable in the case of every officer and department of the Government within the reach of impeachment. Were the President to refuse to do any act

enjoined on him by the Constitution he would be impeachable, and ought to be convicted and removed from office as a convict.

Mr. President, I have read that clause so strongly and forcibly put by the Senator from New York, to say to him, to the Senate and the country that I indorse every word of it. I believe the Senator has not stated the truth too strongly. There is no clause in the Constitution which says in so many words that Congress shall vote appropriations; but the preservation of the Government itself requires that appropriations shall be voted. The taxes are paid into the Treasury for the purposes of supporting the Government, and the Congress which willfully refuses to appropriate money to support the Government, in my judgment, is guilty of revolutionary conduct which cannot be excused.

I suppose I have stated that with sufficient strength for the Senator from New York. Now, what are the facts? Mark what I state; that the refusal to vote the appropriations to support the Government is unconstitutional, that we are bound by the very terms of our oath to take care of this Government, to support it, to maintain it, and to that end to make the necessary appropriations. What are the facts? Take the Forty-fifth Congress. Every democrat in the House voted for appropriations; every democrat in the Senate voted for appropriations, and every republican in the House and Senate voted against appropriations. Who violated the Constitution? Did the democrats who voted to make the appropriations violate the Constitution? Did the republicans who voted not to make the appropriations support the Constitution? The Senator says it is a constitutional duty to make appropriations. I admit it. Why was it that appropriations were not voted by the Forty-fifth Congress to support the Army and to carry on the Government? It was because every republican in this body rallied and defeated the bill making appropriations for that purpose. There is the record. Let us get the facts right, and I will attend to the excuses afterward. The unconstitutional act of voting against appropriations was done by the republican party. The constitutional duty of voting for appropriations was performed by every democrat in both Houses. How, then, can it be charged over the country that the democratic party is responsible for the failure of the appropriations?

Not only was that true in the Forty-fifth Congress, but it is true of the Forty-sixth. This Congress was called together, and every democrat in both Houses voted for a bill appropriating money to support the Army, all that the Departments demand and need. Every republican in both Houses voted against it. If it is unconstitutional to refuse appropriations, who has refused appropriations? But the Senator is right again. If it is a constitutional duty on the part of Representatives and Senators to vote for appropriations it is equally a constitutional duty on the part of the Executive to approve the appropriation bill, because under the forms of the Constitution every bill has to go to him for approval or disapproval. The appropriations cannot be made by a majority of Congress without the concurrence of the President, and, therefore, it is just as unconstitutional for the President to defeat an appropriation as for Congress to do so.

The President has done it in this case, but they say there are excuses for it. The first question I wish to put to the Senator is this: What excuse can justify a man in doing an unconstitutional act? The Senator says it is unconstitutional to vote against appropriations. What excuse can justify a man in voting against an appropriation? What excuse can justify the President, therefore, in vetoing an appropriation bill? I think it must be conceded on all hands that no man can be justified in doing an unconstitutional thing for any reason less than the preservation of the Constitution itself.

Now, what are the excuses offered in this case? The excuse is the general legislation that was attached to the appropriation bill. What was the form of that legislation? First, it is admitted to be usual and constitutional. The Senator from New York himself admits that. The Senator from New York goes further and says that so far as the mere form is concerned any bill which Congress has the power to pass can be attached to an appropriation bill, and unless the President can find cause on its merits it is difficult to see how the veto of such a bill could be sustained; and the Senator is right. The form was usual and constitutional. So the President cannot be justified in vetoing the bill, nor can the gentlemen on the other side be justified in voting against the bill because of the form, if the form of the bill is usual and constitutional. Mark you, they say to vote against the bill is unconstitutional. To refuse an appropriation (and every man by his vote against an appropriation does refuse it) is unconstitutional. Then you cannot plead that you do not like the form for the purpose of justifying the unconstitutional act.

Then take the substance of the bill. What is it? It is nothing in the world but to repeal certain legislation. That is constitutional. The Senator from New York would admit that Congress has a right to repeal those acts; that it is constitutional to repeal the acts we seek to repeal. None of these acts had existence on the statute-book previous to 1862. One was passed in 1862, one in 1865, and one in 1870-71. These are the acts we propose to repeal, and all admit that it is constitutional for Congress to repeal those laws. So you cannot justify the unconstitutional act of voting against appropriations by pleading that you did not like the form or that you did not like the substance when you are compelled to admit that both the form and the substance are constitutional.

But another reason was urged. It is said that the democratic party have been threatening the President? Threatening him with what?

Threatening him with coercion. Coercion how? Why, you say if the President vetoed the bill we said we would not vote supplies. In the first place, I deny the fact that there was any such threat; but admit it to be true, what is the character of the threat? It is a threat that the President can defeat by doing his constitutional duty of approving the act, because the threat which they allege could only take effect after the President had vetoed the bill. Every democrat voted for the bill; the bill went to the President, and the President had the power, therefore, of avoiding any threat of withholding appropriations by simply doing his constitutional duty.

Mr. President, view this thing in any manner you please, the question comes down to a single point. Admitting the position taken by the Senator from New York that it is a constitutional obligation resting upon Congress to make the appropriations to support the Government, and that it is the constitutional duty of the President therefore to approve appropriation bills, that only the republican party prevented their passage in the Forty-fifth Congress and that only the President has prevented the appropriation bill from becoming a law in the Forty-sixth Congress, and that they have done it upon an excuse as to the form of legislation which they admit to be constitutional, as to the substance of legislation which they admit to be constitutional, the threats of the democratic party, which are not true in fact, are futile in view of the power of the President himself to prevent them from taking effect.

In view of all these facts we are brought nakedly to the simple proposition that the republican party have refused to do their constitutional duty of voting for appropriations, and have pleaded in excuse that which is a constitutional right in Congress to do. Congress has a right to put on riders, as they are called. Congress has a right to put on this general legislation. You admit that it is constitutional, and the President is put in the awkward dilemma of vetoing a bill which the Constitution requires should become a law, without which the support of the Government cannot go on, and pleading as an excuse for it that he did not think that certain portions of the bill were expedient.

I admit that if Congress should so far forget its duty as to attach unconstitutional legislation to an appropriation bill, then we put the President in the awkward predicament of having to violate the Constitution in any event. If he approves the bill he approves an unconstitutional provision. If he refuses to approve the bill he refuses to perform the constitutional duty of granting appropriations. Congress cannot be justified in putting the President in that dilemma. I will say that although I might believe legislation attached to an appropriation bill to be perfectly constitutional, yet if the President would say that he believed it to be unconstitutional I for one would scorn to put him in the dilemma of either failing to do a constitutional duty or doing an unconstitutional act. I would not require it of him; but when the legislation of which complaint is made is constitutional in form, constitutional in substance, constitutional in every respect, then clearly Congress has a right to enact it. I deny to any man the right to do an unconstitutional thing and plead a difference of opinion or a question of expediency as an excuse for doing an unconstitutional thing. The President has no right, the gentlemen on the other side have no right, to refuse appropriations to support the Government and say they will refuse the appropriations because they do not want Congress to do what Congress has a constitutional right to do. If the veto power shall be used in this way, there is an end of this Government. If the President can use the veto power for the purpose of defeating an appropriation necessary to support the Government and be justified in doing it because he dislikes a portion of the bill on the score of expediency, then the President can use the power vested in him by the Constitution for the purpose of preserving the Government to destroy the Government.

If this is to be the rule you see where it leads. No law, however odious, which the minority in Congress shall desire to retain on the statute-book can be repealed in any form or manner if they and the President concur in that desire. If that were so the people cannot change the law by changing their Representatives in Congress. They must also either change the President or they must make a two-thirds majority in both branches of Congress. It cannot escape the attention of any intelligent man that the whole purpose is to use the veto power to keep upon the statute-book laws which are intended to be used by the republican party as elements of force to control the future elections of this country to keep themselves in power.

I will not believe that the President of the United States has given himself to such an extreme extent that he is willing to stop supplies to the Government rather than repeal laws which he or his party may deem essential to enable them to keep in power. If so the veto is used for a purpose at war with the very sentiment and principle which induced the framers to put it in the Constitution. Everybody knows (and I will not take time to read to the Senate to show it) that this qualified veto power was given to the Executive in a general form, it is true, but for the express purpose of preventing unconstitutional and inconsiderate legislation. You cannot call this legislation, as I have shown, unconstitutional. You cannot show it to be hasty, because the favorite defender of the President, the Senator from New York, [Mr. CONKLING,] himself spoke on it three hours. It cannot therefore be said to be inconsiderate; it cannot be said to be hasty. It was debated for a month in the two Houses.

So we have arrived at a new point in our history. If the veto

power can be used for such a purpose, the country must know it. If this negative upon the will of the majority of the people can be used not to protect the Constitution, not to protect the prerogatives of the other Departments of the Government, not to protect the country from the consequences of ill-advised legislation, but if this great negative upon the will of the people can be used for the purpose of retaining a party in power, if it can be used for the purpose of keeping control of the Army and Navy, if it can be used for the purpose of employing an indefinite number of Federal deputy marshals and supervisors of election—if it can be used for those great purposes, we have arrived at a new era in our history, when the veto power, which was expressly conferred to preserve the Government, will be used for its destruction. As my friend [Mr. EATON] reminds me, you cannot say this legislation was hasty, because it was passed last session. It has been passed twice. Perhaps no measure before Congress ever received fuller consideration. If it was not unconstitutional and was fully considered, will any sensible man come down to the real truth of the argument and tell me what excuse can be rendered for the veto of legislation which the Constitution requires the President to approve?

Mr. President, I have detained the Senate longer upon this branch of the question than I had any thought of doing. I advance to a more significant proposition, one which I consider still more important than any that has been discussed. You cannot believe that this great party, led by such intelligent gentlemen, is simply influenced, and influenced alone, by a desire to control an election. There is a greater significance. I will not say the manifest purpose, but I will say the logical tendency of the doctrines which have been advanced and which are in perfect consonance with the history of the republican party is the destruction of the States as an element in the character of this Union. Take the argument of the Senator from New York. Let me read what he said. The Senator from New York said:

In the city of New York all the thugs and shoulder-hitters and repeaters, all the carriers of slung-shots, dirks, and bludgeons, all the fraternity of the bucket-shops, the rat-pits, the hells, and the slums, all the graduates of the numerous of modern so-called democracy, [laughter,] all those who employ and incite them, from King's Bridge to the Battery, are to be told in advance that on the day when the million people around them choose their members of the National Legislature, no matter what God-daring or man-hurting enormities they may commit, no matter what they do, nothing they can do will meet with the slightest resistance from any national soldier or armed man clothed with national authority.

Now, does the Senator from New York mean to say (and his argument is utterly worthless unless he does mean to say so) that protection from thugs and shoulder-hitters and the various unnamable bad men that he enumerates is impossible in New York except through the national soldiery, except through the arm of the National Government? Is that what the honorable Senator means? Yet that is what he says. He says that every one of these terrible characters is to be told that he may commit any enormity he pleases; he cannot be interfered with by any national soldiery. That is all true; but does it therefore follow that they can do these great crimes with impunity? Has New York no power to protect her citizens in the exercise of the right of suffrage? Is New York so given up to thugs and shoulder-hitters—I cannot remember those other hard names; but is New York such a hell that New York cannot protect her own people; and does the ambassador from New York, in his high place, say that to the country? If New York can protect her people, why does she clamor for the national arm? Is New York unable to protect her citizens? Then let New York petition this Congress and say so, and we will help the poor, feeble, emasculated State of New York! Is New York able to protect her citizens and yet unwilling to protect them? Then New York does not deserve help; then New York does not deserve to be a State. One or the other must be true. If she demands the Federal arm; if she demands the Army and the Navy; if she demands that the soldiery shall protect her people, it must be because she is either unable to protect them or unwilling to protect them.

Mr. KERNAN. She is neither.

Mr. HILL, of Georgia. Ah, my friend, you are right; she is neither. She is able and she is willing to protect her citizens in this right. But let the argument progress. If the Senator is right, and if in New York the national soldier must protect her citizens in the exercise of the right of suffrage, must we not do the same thing in every other right? If New York cannot protect her people in one right, can she protect them in any other right? If New York must have the national arm to help her protect her people in the exercise of one right, I repeat, must not New York demand the national arm to help her protect her people in all other personal rights, and what is the result? The argument comes just to this, that the State of New York is unable to protect her people in any of their rights, and therefore it is necessary for New York to have the protection and the help of the National Government in the protection of all. If New York cannot protect her people, what State can? If New York with her five million people, the largest State in this Union, the wealthiest State in this Union, having the commercial metropolis of this great country, is unable to protect her people from thugs and shoulder-hitters and rat-pitters, what other State is able to protect her people? Does not every man see the necessary logical result of the honorable Senator's argument, that States must be destroyed, that the Government must absorb to itself all the power of protecting the citizens of this country, all their rights, and reduce the States to incompetent provinces? That is the goal of the republican party. Every hour

of their history has been a direct march to the destruction of the States.

Mr. President, if the Senate will bear with me I wish to give my views upon a question growing out of the subject I am now considering. I want to call the attention of the people of this country to the real danger that threatens them, for I do not disguise the fact that they are in danger. The Senator from New York says they are alarmed because the National Government is threatening not to help them to protect their citizens in the right of suffrage. They have no just cause of alarm in that respect because they can protect their own people, but there is cause of alarm. There have been two parties in this country from the beginning which have been inimical to the true character of the Government under which we live. When the convention met that framed the Constitution there were two antagonistic ideas in that convention. One class of delegates wanted simply to amend the Articles of Confederation and continue purely a Federal system of government. Another party wanted to destroy the Federal features altogether and institute a purely national government. Neither succeeded. I was somewhat impressed, and I confess a little amused, by an argument of the Senator from Illinois, [Mr. LOGAN,] or rather a statement he made. In the speech which that Senator made he says:

I assume, sir, that this Government is either a nation *per se*, or it is a simple voluntary aggregation of States with a sovereign autonomy, each entirely competent to exercise its sovereignty by a withdrawal from the federation whenever it desires.

There is doubtless an idea in those words, but I am not able to catch it. He says further:

It cannot have the aspect of both a sovereign nation and a collection of sovereign States. A paradox of insurmountable character is involved in the very idea of such a thing. But, however we may argue upon this matter, the strong arm of the American people, with gun and sword in hand, have settled the principle that the American Union is a nation sovereign and supreme.

The Senator says "It cannot have the aspect of both a sovereign nation and a collection of sovereign States. A paradox of insurmountable character is involved in the very idea of such a thing." It is a remarkable fact that just what the honorable Senator from Illinois calls an insurmountable paradox is exactly the Constitution of the United States. After listening to the honorable Senator's speech for two hours, without meaning anything offensive to him, I must say that I think the Constitution is to him an insurmountable paradox.

Now, the Constitution has formed just that character of government. It is partly national and it is partly Federal. It is both in part and neither altogether. In my opinion the best description of the Constitution ever written by anybody was that written by Mr. Madison in the thirty-ninth number of the *Federalist*, and I watched with a good deal of curiosity the Senator from Vermont yesterday when he was collating quotations to prove that Mr. Madison was in favor of a strong central government, to see if he would not read what Mr. Madison had definitely explained to be his idea of this Government. Here is what he said, and I call the attention of the Senate to it; it ought to be read from every house-top in this country:

First. In order to ascertain the real character of the Government, it may be considered in relation to the foundation on which it is to be established; to the sources from which its ordinary powers are to be drawn; to the operation of those powers; to the extent of them, and to the authority by which future changes in the Government are to be introduced.

On examining the first relation it appears, on one hand, that the Constitution is to be founded on the assent and ratification of the people of America, given by deputies elected for the special purpose; but on the other that this assent and ratification is to be given by the people, not as individuals composing one entire nation, but as composing the distinct and independent States to which they respectively belong. It is to be the assent and ratification of the several States, derived from the supreme authority in each State—the authority of the people themselves. The act, therefore, establishing the Constitution will not be a national but a Federal act.

Mark that. The act establishing the Constitution is not a national but a federal act. He goes on:

That it will be a federal, and not a national act, as these terms are understood by the objectors, the act of the people, as forming so many independent States, not as forming one aggregate nation, is obvious from this single consideration that it is to result neither from the decision of a majority of the people of the Union nor from that of a majority of the States. It must result from the unanimous assent of the several States that are parties to it, differing no otherwise from their ordinary assent than in its being expressed, not by the legislative authority, but by that of the people themselves. Were the people regarded in this transaction as forming one nation, the will of the majority of the whole people of the United States would bind the minority in the same manner as the majority in each State must bind the minority; and the will of the majority must be determined either by a comparison of the individual votes, or by considering the will of the majority of the States as evidence of the will of a majority of the people of the United States. Neither of these rules has been adopted.

I call the attention of gentlemen to that. Neither of these rules have been adopted:

Each State, in ratifying the Constitution, is considered as a sovereign body, independent of all others, and only to be bound by its own voluntary act. In this relation, then, the new Constitution will, if established, be a federal and not a national constitution. The next relation is to the sources from which the ordinary powers of government are to be derived. The House of Representatives will derive its powers from the people of America; and the people will be represented in the same proportion and on the same principle as they are in the Legislature of a particular State. So far the Government is national, not federal. The Senate, on the other hand, will derive its powers from the States, as political and coequal societies, and these will be represented on the principle of equality in the Senate as they now are in the existing Congress. So far the Government is federal, not national. The executive power will be derived from a very compound source. The immediate election of the President is to be made by the States in their political characters. The votes allotted to them are in a compound ratio, which con-

siders them partly as distinct and coequal societies, partly as unequal members of the same society. The eventual election, again, is to be made by that branch of the Legislature which consists of the national Representatives; but in this particular act they are to be thrown into the form of individual delegations from so many distinct and coequal bodies-politic. From this aspect of the Government it appears to be of a mixed character, presenting at least as many federal as national features.

The difference between a federal and national government, as it relates to the operation of the Government, is by the adversaries of the plan of the convention supposed to consist in this, that in the former the powers operate on the political bodies composing the confederacy, in their political capacities; in the latter, on the individual citizens composing the nation, in their individual capacities. On trying the Constitution by this criterion, it falls under the national, not the federal character; though perhaps not so completely as has been understood. In several cases, and particularly in the trial of controversies to which States may be parties, they must be viewed and proceeded against in their collective and political capacities only. But the operation of the Government on the people, in their individual capacities, in its ordinary and most essential proceedings, may, on the whole, designate it in this relation a national government.

But if the Government be national with regard to the operation of its powers, it changes its aspect again when we contemplate it in relation to the extent of its powers. The idea of a national government involves in it not only an authority over the individual citizens, but an indefinite supremacy over all persons and things, so far as they are objects of lawful government. Among a people consolidated into one nation this supremacy is completely vested in the National Legislature. Among communities united for particular purposes it is vested partly in the general and partly in the municipal legislatures. In the former case, all local authorities are subordinate to the supreme, and may be controlled, directed, or abolished by it at pleasure. In the latter, the local or municipal authorities form distinct and independent portions of the supremacy, no more subject, within their respective spheres, to the general authority than the general authority is subject to them within its own sphere. In this relation, then, the proposed government cannot be deemed a national one, since its jurisdiction extends to certain enumerated objects only and leaves to the several States a residuary and inviolable sovereignty over all other objects. It is true that in controversies relating to the boundary between the two jurisdictions, the tribunal which is ultimately to decide is to be established under the General Government. But this does not change the principle of the case. The decision is to be impartially made, according to the rules of the Constitution, and all the usual and most effectual precautions are taken to secure this impartiality. Some such tribunal is clearly essential to prevent an appeal to the sword and a dissolution of the compact; and that it ought to be established under the general rather than under the local governments, or, to speak more properly, that it could be safely established under the first alone, is a position not likely to be combated.

If we try the Constitution by its last relation to the authority by which amendments are to be made, we find it neither wholly national nor wholly federal. Were it wholly national, the supreme and ultimate authority would reside in the majority of the people of the Union; and this authority would be competent at all times like that of a majority of every national society, to alter or abolish its established government. Were it wholly federal on the other hand, the concurrence of each State in the Union would be essential to every alteration that would be binding on all. The mode provided by the plan of the convention is not founded on either of these principles. In requiring more than a majority, and particularly in computing the proportion by States, not by citizens, it departs from the national and advances toward the federal character. In rendering the concurrence of less than the whole number of States sufficient, it loses again the federal and partakes of the national character.

The proposed constitution, therefore, even when tested by the rules laid down by its antagonists, is, in strictness, neither a national nor a federal constitution, but a composition of both. In its foundation it is federal, not national; in the sources from which the ordinary powers of the Government are drawn it is partly federal and partly national; in the operation of these powers it is national, not federal; in the extent of them again it is federal, not national; and finally in the authoritative mode of introducing amendments it is neither wholly federal nor wholly national.

This establishes the proposition that the Government as formed under the Constitution is both national and federal. For instance, in its structure it is federal because made by the States, each State acting through its own people as a separate community. In the powers by which it enacts laws it is both national and federal. The House of Representatives is a national body because the House of Representatives is composed of members chosen according to population. The Senate is a federal body. Here our Government is confederate. In the House, New York is equal to thirty-three Delawares, and there we have a national government. Here New York is equal to one Delaware, because New York and Delaware confederate here as equals.

I could not help but be amused the other day when I said this was a confederate Senate men whose hairs had grown gray thought it was a slip of the tongue, they knew that much of the Constitution of the country, and the papers all through the country took it up and said it must have been a *lapsus*. Sir, I was not thinking of the Confederate States of America. According to Mr. Madison and as I say the best description of the Government that ever was written, he says this Senate is a confederate Senate, because the States confederate here as equals; he says the House is national, and I admit it; and he says, and correctly says, that the executive department of the Government combines in itself both the national and the federal features. The executive government is peculiarly what the Senator from Illinois [Mr. LOGAN] would call "an insurmountable paradox," because in itself it is both federal and national. The electoral college which elects the President is composed of two ambassadors from each State and a number of other members equal to the House of Representatives. The ambassadors who represent the State are the confederate ambassadors like the Senators upon this floor; the members who go into the electoral college representing the districts are national. So you see here in the House of Representatives, which is national, New York is thirty-three times as great as Delaware; in the Senate, which is exclusively confederate, New York is equal only to Delaware. In the electoral college New York is about twelve times greater, not thirty-three times, because there, as Mr. Madison says emphatically, the Government becomes compound. So that in the structure of the Government it is federal, that is in the process by which it was made it.

is federal; in the different departments of the Government as made we find the national and the federal features commingled, one branch of the legislature national, the other branch of the legislature confederate, the executive both national and confederate.

Mr. BLAINE. Does Mr. Madison use the word "confederate?"

Mr. HILL, of Georgia. He does a great many times; he calls it a confederacy in many places, and he says especially that the Senate is federal.

Mr. BLAINE. "Federal?"

Mr. HILL, of Georgia. What is the difference? I should like to know the difference. The Senator from Maine is a distinguished gentleman and if he can show the difference between a federal Senate and a confederate Senate he will have done much more than any man has ever done.

Mr. BLAINE. There is a great deal of difference, if the Senator will permit me to say so—

Mr. HILL, of Georgia. I do not wish to be interrupted.

Mr. BLAINE. I do not want to interrupt the Senator.

Mr. HILL, of Georgia. A friend reminds me, what I intended to mention, that when the election of a President fails before the people and goes to the House of Representatives that House of Representatives which in its organization as a legislative body is national, at once becomes confederate because each State has one vote and New York is no greater than Delaware in the election of President by the House of Representatives.

Mr. Madison repeats the same doctrine precisely in a great letter which he wrote in 1830, in which he was proving that the Virginia resolutions of 1798 and 1799 did not authorize the doctrine of nullification, and proved it correctly. In a letter dated Montpelier, August, 1830, he says:

In order to understand the true character of the Constitution of the United States the error, not uncommon, must be avoided of viewing it through the medium, either of a consolidated government or of a confederated government, while it is neither the one nor the other, but a mixture of both. And having in no model the similitudes and analogies applicable to other systems of government it must, more than any other, be its own interpreter according to its text and the facts of the case.

From these it will be seen that the characteristic peculiarities of the Constitution are: 1, the mode of its formation; 2, the division of the supreme powers of government between the States in their united capacity and the States in their individual capacities.

1. It was formed, not by the governments of the component States, as the Federal Government for which it was substituted was formed. Nor was it formed by a majority of the people of the United States as a single community in the manner of a consolidated government. It was formed by the States, that is, by the people in each of the States, acting in their highest sovereign capacity, and formed consequently by the same authority which formed the State constitutions.

While the Government is federal in its structure, partly federal and partly national in the enactment of its laws, when it comes to the operation of its laws it is national. In the extent of its powers it is federal, because, as Mr. Madison justly remarks, you cannot say that a nation is an absolute nation whose powers are limited. Then, because the powers of the Federal Government are limited, not inherent, are delegated, it is federal in that respect; but in the operation of its laws, operating as they do upon the citizen, it becomes national. This Government, then, in the powers granted to it is absolute—it is national. Its laws operate upon the citizen just as the laws of England and France do, and they can be enforced. It must enforce its own laws.

Two things have struck me as a wonderful marvel. The claim by some, one extreme class of thinkers or theorists in this country, is that the Government is altogether federal. How any man can say that the Government under the Constitution is altogether federal, in the face of the fact that the very object of forming it was to get rid of a government altogether federal, is to me a mystery and a marvel. On the other hand, how any man can say that the Government is absolutely national, adopted by the people of the United States as a unit, as one people, is to me a marvel, since the people of the United States in that character never passed upon a single question. There never was a question submitted to the people of the United States as one aggregate people. They never voted on any question as one aggregate people. The Constitution was adopted by the people, but it was adopted by the people of each State acting for itself just as the people of a State adopted their own State constitution. Therefore it is federal in its structure; therefore it is national in its operation; therefore it is national and federal in its Constitution; therefore, as the Senator from Illinois and a great many like him say, it is an insurmountable paradox. A friend suggests that in adopting amendments we act by States.

Mr. Madison advances the same doctrine again. Mr. Madison wrote an admirable letter directed to that great man, Daniel Webster, in March, 1833, complimenting Mr. Webster for his great reply to Mr. Calhoun when Mr. Calhoun contended that the Federal Government was a league, as Mr. Webster understood him, a mere compact, a mere league, an exclusively federal government. This is Mr. Madison's letter:

MONTPELIER, March 15, 1833.

MY DEAR SIR: I return my thanks for the copy of your late very powerful speech in the Senate of the United States. It crushes "nullification," and must hasten an abandonment of "secession." But this dodges the blow, by confounding the claim to secede at will with the right of seceding from intolerable oppression. The former answers itself, being a violation without cause of a faith solemnly pledged. The latter is another name only for revolution, about which there is no theoretic controversy. Its double aspect, nevertheless, with the countenance received from certain quarters, is giving it a popular currency here, which may

influence the approaching elections both for Congress and for the State Legislature. It has gained some advantage also by mixing itself with the question, whether the Constitution of the United States was formed by the people or by the States, now under a theoretic discussion by animated partisans.

It is fortunate when disputed theories can be decided by undisputed facts, and here the undisputed fact is, that the Constitution was made by the people, but as embodied into the several States who were parties to it, and therefore made by the States in their highest authoritative capacity. They might, by the same authority and by the same process, have converted the confederacy into a mere league or treaty, or continued it with enlarged or abridged powers; or have embodied the people of their respective States into one people, nation, or sovereignty; or, as they did, by a mixed form, make them one people, nation, or sovereignty for certain purposes, and not so for others.

The Constitution of the United States, being established by a competent authority, by that of the sovereign people of the several States who were parties to it, it remains only to inquire what the Constitution is; and here it speaks for itself. It organizes a government into the usual legislative, executive, and judiciary departments; invests it with specified powers, leaving others to the parties to the Constitution. It makes the government like other governments to operate directly on the people; places at its command the needful physical means of executing its powers; and finally proclaims its supremacy, and that of the laws made in pursuance of it, over the constitutions and laws of the States, the powers of the government being exercised, as in other elective and responsible governments, under the control of its constituents, the people and the Legislatures of the States, and subject to the revolutionary rights of the people, in extreme cases.

Such is the Constitution of the United States *de jure* and *de facto*, and the name, whatever it be, that may be given to it can make it nothing more nor less than what it is.

Pardon this hasty effusion, which, whether precisely according or not with your ideas, presents, I am aware, none that will be new to you.

With great esteem and cordial salutations,

JAMES MADISON.

Mr. WEBSTER.

Sir, I want to say here now—and I feel it a privilege that I can say it—I believe all the angry discussions, all the troubles that have come upon this country have sprung from the failure of the people to comprehend the one great fact, that the Government under which we live has no model; it is partly national and partly federal; an idea which was to the Greeks a stumbling-block and to the Romans foolishness, and to the republican party an insurmountable paradox, but to the patriots of this country it is the power of liberty unto the salvation of the people. And if the people of this country would realize that fact, all these crazy wranglings as to whether we live under a federal or a national government would cease; they would understand that we live under both, that it is a composite government, that it was intended by its framers that the Union shall be faithful in defense of the States, that the States shall be harmonious in support of the Union, and that the Union and the States shall be faithful and harmonious in the support and the maintenance of the rights and the liberty of the people.

Sir, Mr. Webster concurred fully with Mr. Madison in these views. Mr. Webster said in his speech at the whig convention in Richmond:

I will now say, however, that which I admit to be very presumptuous, because it is said notwithstanding the illustrious authority of one of the greatest of your great men—a man better acquainted with the Constitution of the United States than any other man—

That I believe. I believe Mr. Madison understood the Constitution of this country better than any man who ever lived in it.

A man who saw it in its cradle, who held it in his arms, as one may say, in its infancy, who presented and recommended it to the American people, and who saw it adopted very much under the force of his own reasoning and the weight of his own reputation, who lived long enough to see it prosperous, to enjoy its highest honors, and who at last went down to the grave beneath ten thousand blessings, for which, morning and evening, he had thanked God; I mean James Madison. Yet even from this great and good man, whom I hold to be chief among the just interpreters of the Constitution, I am constrained, however presumptuous it may be considered, to differ in relation to one of his interpretations of that instrument. I refer to the opinion expressed by him, that the power of removal from office does exist in the Constitution as an independent power in the hands of the President, without the consent of the Senate. I wish he had taken a different view of it.

I say here if there are any two men in this country I have ever studied and loved and honored, they are Madison and Webster. This is the only instance I have found where Mr. Webster ever differed with Mr. Madison upon any interpretation of the Constitution. Mr. Webster denied that the power of removal was an independent power and absolute in the hands of the President. Mr. Madison conceded that power. That is the only difference I have ever been able to find between the two.

Mr. Webster again said, speaking of Mr. Madison at a public dinner in New York:

Having been afterward for eight years Secretary of State, and as long President, Mr. Madison has had an experience in the affairs of the Constitution certainly second to no man. More than any other man living, and perhaps more than any other who has lived, his whole public life has been incorporated, as it were, into the Constitution; in the original conception and project of attempting to form it, in its actual framing, in explaining and recommending it, by speaking and writing, in assisting at the first organization of the Government under it, and in a long administration of its executive powers, in these various ways he has lived near the Constitution, and with the power of imbuing its true spirit and inhaling its very breath from its first pulsation of life. Again, therefore, I ask if he cannot tell us what the Constitution is and what it means, who can? He had retired with the respect and regard of the community, and might naturally be supposed not willing to interfere again in matters of political concern. He has, nevertheless, not withdrawn his opinions on the vital question discussed on that occasion which has caused this meeting. He has stated with an accuracy almost peculiar to himself, and so stated as, in my opinion, to place almost beyond further controversy, the true doctrines of the Constitution. He has stated not notions too loose and irregular to be called even a theory, not ideas struck out by the feeling of present inconvenience or supposed maladministration, not suggestions of expediency or evasions of fair and straightforward construction, but elementary principles, clear and sound distinctions, and indisputable truths. I am sure, gentlemen, that I speak your sentiments as well as my own, when I say that for making public so clearly and distinctly as he has done his own opinions on these vital questions of constitutional law, Mr.

Madison has founded a new and strong claim on the gratitude of a grateful country. You will think with me that at his advanced age and in the enjoyment of general respect and approbation for a long career of public services it was an act of distinguished patriotism, when he saw notions promulgated and maintained which he deemed unsound and dangerous not to hesitate to come forward and to place the weight of his own opinion in what he deemed the right scale, come what come might. I am sure, gentlemen, it cannot be doubted, the manifestation is clear, that the country feels deeply the force of this new obligation.

In his letter to Mr. Cooper, Mr. Webster, referring to this question, again used strange but strong language which looks like "a paradox" in itself. He says "the States are united, confederated;" that is, they are both united and confederated. Again Mr. Webster, in his great speech in the case of *The United States Bank vs. Primrose*, uses as strong language on this subject as a man could ask. He says:

Suppose that this Constitution had said, in terms, after the language of the court below, "all national sovereignty shall belong to the United States, all municipal sovereignty to the several States." I will say that, however clear, however distinct such a definition may appear to those who use it, the employment of it in the Constitution could only have led to utter confusion and uncertainty. I am not prepared to say that the States have no national sovereignty. The laws of some of the States, Maryland and Virginia, for instance, provide punishment for treason. The power thus exercised is certainly not municipal. Virginia has a law of allegiance; that is, a power exercised against a foreign nation. Does not the question necessarily arise, when a power is exercised concerning an alien enemy—"enemy to whom?" The law of escheat, which exists in many States, is also the exercise of a great sovereign power.

The term "sovereignty" does not occur in the Constitution at all. The Constitution treats States as States and the United States as the United States; and by a careful enumeration declares all the powers that are granted to the United States, and all the rest are reserved to the States. If we pursue to the extreme point the powers granted and the powers reserved the powers of the General and State governments will be found, it is to be feared, impinging and in conflict. Our hope is that the prudence and patriotism of the States and the wisdom of this Government will prevent that catastrophe. For myself, I will pursue the advice of the court in *Deveaux's case*—I will avoid nice metaphysical subtleties and all useless theories.

And that advice I give to the republican party generally.

Mr. EDMUNDS. Would my friend be willing to take the advice, as well as give it?

Mr. HILL, of Georgia. I have always taken it, my friend, in all my political career. This is the first speech I ever made of this character on the subject of secession and consolidation.

Mr. EDMUNDS. This, then, is the first case of sophistry.

Mr. HILL, of Georgia. Ah! I do hope, Mr. President, whatever other misfortune may befall me, I shall not imbibe the habit of sophistry by associating with the Senator from Vermont in this Chamber. [Laughter.] I continue the quotation from Mr. Webster:

I will keep my feet out of the traps of general definition. I will keep my feet out of all traps, I will keep to things as they are, and go no further to inquire what they might be, if they were not what they are. The States of this Union, as States, are subject to all the voluntary and customary law of nations.

No stronger State-rights doctrine than that was ever uttered. And Mr. Webster, in that very great, almost unprecedented, speech which he made in reply to Mr. Hayne, the second speech on Foote's resolution, said that "the States are unquestionably sovereign" and that the General Government has no power "beyond the actual grant;" but in the exercise of the powers actually granted it is national, and that is right. That has always been my belief. Therefore I have never discussed these abstract theories, as I said to the Senator from Vermont.

Mr. Webster in his argument with Mr. Calhoun was combating the theory that under the Constitution the Government was a league; and when he said it was not a confederacy he of course was combating the theory of a confederacy in the sense of a league. Mr. Webster evidently, in combating that particular theory, may have used language which he would not have used if he had not been combating that theory. Therefore in his speech on that occasion, especially the great speech in reply to Mr. Calhoun, which was an able argument than his speech in reply to Hayne, he said "this Government is not a confederacy, a league, or a compact," and yet often afterward in other places he did speak of it as a confederacy and a constitutional compact. What does he mean? He means just what Mr. Madison says: in some respects the Constitution under which we live has ordained a Government which is national, in other respects federal. It is both federal and national, and therein is its glory. One great trouble with book theorists is that they go upon examples. They cannot find any precedent in history of this kind. They find governments either national or federal, and they say as the Senator from Illinois, "I assume that it is either altogether national or altogether federal." That is the substance of what he says. That is directly in the teeth of the truth. It is partly national and it is partly federal; it is both; and it is neither.

This Government was not the result of mere human wisdom. No human minds could have conceived this Government, as a mere intellectual effort. What produced this Government? In the first place the framers of the Constitution had the benefit of three hundred years of the struggles of our forefathers for the great principles of liberty, which it is the duty of all governments to preserve and protect. Then they had the experience of a purely federal system under the articles of confederation which had proved to be an utter failure. Then they had the benefit of a new country, different from any other country, whose needs were different; and though at that time there were but thirteen States skirting the Atlantic, even they had the prescience to see that this country would extend back from sea to sea and have fifty States. Therefore, as Mr. Madison says, you

cannot determine this Constitution by any model; you must determine it by itself and by the facts of the case. Sir, this Constitution of government framed in 1787 is the result of wisdom, the result of experience, the result of condition, the result of necessity, and the result of all the feelings and elements that can stimulate the intellect and prompt the desires of men; and the result is that the framers, trusting to their own good sense applied to the facts of their condition, and aided by the experience of three hundred years of history, gave to the world a Constitution which was as new in the science of government as the American continent was new to the geography of the world when Columbus discovered it. When you hear a man talking about going to Rome or to Greece or to Switzerland or anywhere to find models by which to understand the Constitution of the United States, he is going in dark places to gather light.

The Constitution is its own interpreter in the light of the circumstances under which it was made. It is the noblest government, the greatest government that human wisdom ever devised, and it could not have been framed by human wisdom alone. The human intellect never existed in this world that could from its own evolutions have wrought out such a thing as this Constitution of the United States; and the trouble has been that though such men as Madison explained it, though such men as Webster expounded it, yet the old theory that divided the convention has continued to divide the country. We had one class of men who insisted that the Constitution and the Government was nothing but a league, nothing but a compact, nothing but a confederacy. It was made by compact, but it resulted in a government, a government capable of preserving itself, a government capable of sustaining itself, a government capable of making, capable of expounding, and capable of enforcing its own laws against all the earth. It is a government such as Roman never dreamed of, such as Grecian never conceived, and such as European intellect never had the power to evolve. When the American people, either for the purpose of dismembering the States or of destroying them, shall destroy this unparalleled Government, this Government without a model, this government without a prototype, they will have destroyed a Government which seems to have been wisely adapted to the peculiar condition of the time and to all their future wants, and they will launch out on a sea of uncertainty the result of which no man can forecast.

Sir, I will not trace the history of these two extremes. One was the secessionist, the other was the consolidationist. Both are disunionists. The man who would destroy the States is as much a disunionist as the man who would divide the States. Ay, I put the query to the American mind to-day, which I trust they will ponder, if he is a traitor who would divide the States, how can he be less a traitor who would destroy the States?

The doctrine of secession—I do not say it for the purpose of exciting sectional acrimony, but for the simple purpose of getting the facts of history—this doctrine of secession originated in New England and it first developed itself in 1790. Those twin curses of the South, secession and slavery, were both transplanted from New England.

Mr. HOAR. To a more congenial home.

Mr. HILL, of Georgia. Mr. Jefferson, in his works, gives a very interesting account of the first threat of secession. It arose on the occasion of a defeat in Congress of a bill to assume the debts of the States incurred during the Revolution.

This measure (the assumption of State debts)—

Says Mr. Jefferson—

produced the most bitter and angry contest ever known in Congress before or since the union of the States. I arrived in the midst of it; but a stranger to the ground, a stranger to the actors in it, so long absent as to have lost all familiarity with the subject, and as yet unaware of its object, I took no concern in it. The great and trying question, however, was lost in the House of Representatives. So high were the feuds excited on this subject that, on its rejection, business was suspended, Congress met and adjourned from day to day without doing anything, the parties being too much out of temper to do business together. The eastern members threatened secession and dissolution. Hamilton was in despair. As I was going to the President's one day I met him in the street. He walked with me backward and forward before the President's door for half an hour. He painted pathetically the temper into which the Legislature had been wrought, the disgust of those who were called the creditor States, (the Northern,) the danger of the secession of their members, and of the separation of the States. He observed that the members of the administration ought to act in concert; that though this question was not of my department, yet a common duty should make it a common concern; that the President was the center in which all administrative questions ultimately rested, and that all of us should rally round him and support, with joint efforts, measures approved by him, and that the question having been lost by a small majority only, that an appeal from me to the judgment and discretion of some of my friends might effect a change in the vote and the machine of Government, now suspended, might be again set in motion.

The result was that Mr. Jefferson gave a dinner to which Mr. Hamilton invited some friends and Mr. Jefferson invited some. On the same day that this controversy arose about the assumption of State debts there was a controversy also as to the locality of the capital. The northern members wanted it fixed on the Susquehanna or the Delaware; the southern members wanted it fixed on the Potomac at Georgetown. Each proposition was defeated by a small majority. Mr. Jefferson and Mr. Hamilton got together and persuaded the good Union men of the East that they would not secede provided some few southern men would vote to assume the State debts and they would vote to locate the capital on the Potomac. In that way the Union was saved by a bargain of two men on each side, a bargain at a dinner. I state that simply as a fact.

Several times again secession was threatened. It was threatened according to my reading about four times in New England before it was threatened anywhere else, and it took a very dangerous form in New England. New England opposed the war of 1812, as everybody knows, and the greatest men of New England assembled in convention at Hartford and adopted the very doctrines which were taken by the secessionists in the South and incorporated in their ordinance of secession, the very same doctrine. This doctrine of secession never acquired a great stronghold in the South until the opposite doctrine took strong hold in the North. The opposite doctrine to secession, that of consolidation, never had as many advocates known and avowed as had the doctrine of secession; yet there were some. The most absolute expressions of consolidation that I have been enabled to find were by Patrick Henry, of Virginia, and Mr. Lincoln. Patrick Henry was opposed to the adoption of the Federal Constitution because he insisted that it established an absolute consolidated government which would destroy the States; and as a State-rights man, he opposed the adoption of the Constitution. But when it was adopted, he insisted that the fear he had expressed was true, that it was the true theory of the Constitution; and, therefore, in the great fight over the alien and sedition laws, Patrick Henry approved those laws, and stated in an argument he made that the States bore the same relation to the General Government that the counties in the States bore to the States. And Mr. Lincoln, I noticed, on his way to the capital after his election suggested that same idea.

Those two expressions I have not seen repeated by anybody else; but they embodied in a few words the most absolute expression of consolidation and entire nationalism I have ever met anywhere. But this doctrine of consolidation did not do much mischief previously to 1860, though it had its advocates; yet when the collision came the doctrines then held by those who went to war with secession were as absolutely national in their character and just as inconsistent with the character of our Government as was secession itself.

Here is the truth, Mr. President: the whole war was the result of crimination between two extreme ideas. I deny that the Union, as interpreted by Madison and expounded by Webster, was any party to the late war except as a victim, a threatened victim, and a very dangerously threatened one. It is true that the war was the result of a collision of ideas and interests between the extreme nationalists and the extreme federalists. They brought about the war; but the slavery question entering into it sectionalized it, and therefore the North became consolidated on one side, and the South, or a portion of the States of the South, consolidated on the other. After the war arose the Union became involved, and therefore it is that those who fought on the side of the Federal Government fought for the Union and are entitled to all the benefits that result from that relation, and no man will always give them to them more cheerfully than myself. The war being the result of this collision of extremes, the consolidationists, the centralizationists, the monarchists, (for that is what they mean,) had the advantage in that they had possession of the Union, possession of its power, possession of its Army, and possession of its Navy—an advantage which they acquired by secession folly. The collision coming on in this form, secession was crushed out in the conflict, utterly crushed out. I want the country to understand that. It was utterly crushed out. There is no longer any danger to this country by reason of secession. It has no advocate in the South. It is a heresy which has had its day, wrought its wrongs, and gone to its grave, for which there is no resurrection, unless it gets that resurrection in the home of its birth, New England.

But, sir, that other extreme enemy of the Constitution and Government and Union, as expounded by Madison and Webster, was not crushed out by the war. It was the cardinal principle of the republican party. All good Union men at the North, by reason of the condition of things, being compelled to go into the Federal Army as others in the South of a like character who had no sympathy with secession were compelled to go into secession, it was by the aid of the democracy of the North, of the conservative men of the North who did not agree to absolute nationalism, who did not agree to the doctrine of consolidation, who did not agree to the absolute theory of a national government in the Federal head—it was by the aid of these democrats and conservative men that the Federal armies were enabled to triumph and crush out secession. A united North overpowered a divided South.

But the men who happened to be the party in power, and who are the representatives of this extreme idea of consolidation, took all the credit to themselves; and one of the dangers now arising to this country is from the fact that the party which represents this central, absolutely national idea—this consolidation idea, this monarchizing idea—that party claims the credit of having saved the Union. It gives no credit to its allies whatever. What would you have done without the democrats in the war? And yet it was amusing to hear the distinguished Senator from New York the other day in his own way describing the democratic party as consisting of a northern tail and a southern head. What would you have done without that tail in the war? If the conservative Union men North and South could have left the war to be fought out by the advocates of secession on the one hand and the advocates of consolidation on the other there would have been some other party in control of this country for the last eighteen years.

But, as I say, the respective sections became involved without re-

gard to the individual opinions of their people. This national party, this party of absolutism is not only the party in power by reason of its representation that it saved the Union and taking all the credit of saving the Union, but it claims all the credit of having suppressed the rebellion and demands that it shall be esteemed as the secessionists shall be hated.

These two sources of strength to the republican party are now endangering the States. Why, sir, every step of the republican party is to the destruction of the States. Take the very measures now under consideration. What are they? In 1862, for purposes which every man can explain, a test oath was prescribed for jurors. In 1865 a clause was put in an Army bill authorizing the use of troops to keep the peace at the polls. Neither of these statutes was ever known on our statute-book before; they did not exist in the early days of the Republic; they never existed until they were enacted during the war. In 1870 and 1871 your election laws were passed. They never existed before. Up to that time all parties had agreed that the States were both able and willing to take care of the elections and protect their citizens. Now I put it to every intelligent man what stronger indication of a desire to grasp power, what stronger indication of a purpose to crush out the States than the attempt to drive intelligence and virtue and property from the jury-box and use the Army at the elections, and to place in the Federal Government power by supervisors and deputy marshals to take absolute control of the States in their elections, things that were never done before?

If either one of the laws which we now propose to repeal had been proposed for enactment in any administration of this Government from the days of Washington to 1860, it would have ruined the man that made the proposition. No man could have stood before the indignation of the American people who would have proposed to place upon the statute-book a law keeping intelligence and virtue from the jury-box, a law surrounding the polls with the Army and the Navy, or a law giving to the Federal Government absolute control of the elections, and, as my friend from Kentucky [Mr. BECK] suggests, fixing the congressional elections to come off on the same day with presidential elections and State elections, so as to control all.

I have given this subject careful consideration. I wish to do no man injustice; but with a full sense of responsibility to my country I affirm to-day that this heated contest we have had here for six weeks has no meaning, has no purpose, and can have no result but the absolute control of the States by force through the Federal Government to perpetuate the republican party in power, whether the people will it or not; and if the President shall use the veto power, conferred upon him for a high conservative purpose, to aid these party schemes, and the people shall not rise in their indignation and drive from power these men who thus abuse power and disregard their duty, the Union will be destroyed in the destruction of the States.

But, sir, to accomplish their purpose, almost every speaker of the republican side in the Senate and in the other House is persistently seeking to impress the country with the idea that the dangers to the country come from the confederates in this presence. The Senator from New York said:

Twenty-seven States adhered to the Union in the dark hour. Those States send to Congress two hundred and sixty-nine Senators and Representatives. Of these two hundred and sixty-nine Senators and Representatives, fifty-four, and only fifty-four, were soldiers in the armies of the Union. The eleven States which were disloyal send ninety-three Senators and Representatives to Congress. Of these, eighty-five were soldiers in the armies of the rebellion, and at least three more held high civil station in the rebellion, making in all eighty-eight out of ninety-three.

Let me state the same fact, dividing the Houses. There are but four Senators here who fought in the Union Army. They all sit here now; and there are but four. Twenty Senators sit here who fought in the army of rebellion, and three more Senators sit here who held high civil command in the confederacy.

In the House, there are fifty Union soldiers from twenty-seven States, and sixty-five confederate soldiers from eleven States.

Who, I ask you, Senators, tried by this record, is keeping up party divisions on the issues and hatreds of the war?

The South is solid. Throughout all its borders it has no seat here save two in which a republican sits. The Senator from Mississippi [Mr. BRUCE] and the Senator from Louisiana [Mr. KELLOGG] are still spared; and whisper says that an enterprise is afoot to deprive one of these Senators of his seat. The South is emphatically solid. Can you wonder if the North soon becomes solid too? Do you not see that the doings witnessed now in Congress fill the North with alarm and distrust of the patriotism and good faith of men from the South? Forty-two democrats have seats on this floor; forty-three if you add the honorable Senator from Illinois, [Mr. DAVIS]. He does not belong to the democratic party, although I must say, after reading his speech the other day, that a democrat who asks anything more of him is an insatiable monster. [Laughter.] If we count the Senator from Illinois, there are forty-three democrats in this Chamber. Twenty-three is a clear majority of all, and twenty-three happens to be exactly the number of Senators from the South who were leaders in the late rebellion.

Do you anticipate my object in stating these numbers? For fear you do not, let me explain. Forty-two Senators rule the Senate; twenty-three Senators rule the caucus. A majority rules the Senate; a caucus rules the majority; and the twenty-three southern Senators rule the caucus. The same thing, in the same way, governed by the same elements, is true in the House.

This present assault upon the purity and fairness of elections, upon the Constitution, upon the executive department, and upon the rights of the people; not the rights of a king, not on such rights as we heard the distinguished presiding officer, who I am glad now to discover in his seat, dilate upon of a morning some weeks ago; not the divine right of kings but the inborn rights of the people—the present assault upon them, could never have been inaugurated without the action of the twenty-three southern Senators here and the southern Representatives there, [pointing to the House.]

The people of the North know this and see it. They see the lead and control of the democratic party again where it was before the war, in the hands of the South.

And he says that alarms the North. Mr. President, I shall meet.

that question as I endeavor to meet all others, frankly. These charges are all made against the southern Representatives in this House and the other upon the assumption that they are enemies of the Government, that the people they represent are enemies of the Government, and therefore when the Government passes into their control the Government is in danger. Well, sir, if the assumption be true, the conclusion is inevitable. If the southern people are the enemies of this Union and if the members of this House and the other from the Southern States are the enemies of the Union, we have no right here, we have no business here; if we are honorable men we will not remain here.

I grant you that the people of the North ought to have solid arguments on this subject. I grant what the Senator from New York intimated, that gush will not do; simply talking about shaking hands and locking arms does not amount to much. That will do for children and Sunday-school teachers. Statesmen want facts; statesmen want arguments; statesmen want reasons why the southern people are not the enemies of the Government, and therefore ought to be friends and can be safely trusted. I propose to give some of those reasons.

The laws that are now proposed to be repealed have been made the occasions for all kinds of intimations from the leaders of the republican party that the South is not worthy to be trusted. How on earth can a proposition to repeal a law which was unknown to the country for the first seventy-five years of the existence of the Government be an evidence of disloyalty? How is it any evidence that we are not to be trusted because we want intelligence and virtue in the jury-box? How is it an evidence that we are not to be trusted because we want the absence of the Army from the polls when the Army was never known at the polls in the days of our fathers? How is it that we are to be declared disloyal because we are in favor of taking away from the Federal Government the control of the elections through the deputy marshals and the supervisors? United States deputy marshals and supervisors in elections were never known to the history of this country for the first eighty years of its government.

Are we disloyal because we want what Washington had, what Jefferson had, what Madison had, what Jackson had? The President in his messages says that he invites us back to the good old habits and customs of the country, and he says that the habit of tacking legislation to appropriation bills was unknown in the first forty years of the Government and invites us back to those good old days. I mean to accept his invitation. I say to the President "Come, sir, let us go back to the good old days when for not forty but seventy-five years troops were not known at the polls; let us go back to the good old days when for not forty but for eighty years supervisors and deputy marshals in control of the elections were unknown to the Federal statute-book. Now, come, let us go back." Why not? That is what we are trying to do.

Here let me notice another quotation of the Senator from Vermont. I was amused yesterday when he used the argument of Mr. Madison on the subject of electing members of Congress as a true exposition of the clause of the Constitution. I accept it. I believe Mr. Madison was right, and what did Mr. Madison say? Those words ought to be remembered. Mr. Madison said that the control of elections for members of Congress had to be given either wholly to the National Government or wholly to the State governments, or primarily to the State governments and ultimately to the National Government. He goes on to explain, and other writers explain the same condition of things in this way, that as long as the States are willing to exercise the power of controlling the elections they ought to be allowed to do it; it is proper and right that they should, but the time might come when the States might not be willing to elect their Representatives to Congress, and then the power should be in the Federal Government to do it as the ultimate authority.

Mr. EDMUNDS. I wish my honorable friend would read any passage of Mr. Madison—I do not desire to interrupt the course of the Senator's remarks, but he is quoting Mr. Madison, and I have not been able to read in anything Mr. Madison said any question as to the willingness of a State to elect as being the test of the exertion of the national authority.

Mr. HILL, of Georgia. Mr. Madison said if any bad influences should prevail, or something of that kind—

Mr. EDMUNDS. That is what is the trouble now.

Mr. HILL, of Georgia. Did he mean the bad influences in New York that the Senator from New York talked about? Did he mean thugs, and shoulder-hitters, and rat-pitters? That is a pretty bad state of things. That is not what Mr. Madison meant. No, no. If Mr. Madison meant that because there were bad men in a State, therefore that was the ground on which the Government should exercise this ultimate power, it would have been exercised from the beginning, because we have had bad men from the beginning. There may be more in New York than anywhere else; according to their Senator it seems there are; but there are a good many elsewhere; there is no doubt about that. Mr. Madison meant just what I have said, because he explained it in another clause where he said that every government ought to have the power of its own preservation, and I grant it that right. Every government ought to have it. Therefore, when the State should fail in the duty it would be proper for the National Government to take control of the elections.

Sir, are the States of this Union any less able or less willing to protect their citizens in exercising the right of suffrage now than they

were in the days of Washington, than they were in the days of Madison, than they were in the days of Jefferson or Jackson? Are they not able now? If they are as willing now, the contingency upon which Mr. Madison placed the exercise of that ultimate authority has not transpired, and therefore, according to Mr. Madison, it being a question of constitutional power, looking upon it in the meaning of the Constitution, the true intent and purpose of it in the light of wisdom and expediency, we ought to leave this question to the States, where it was left until 1870.

But I want to give the reasons why the South is trustworthy, and I want to call the attention of the country to them. First, the southern men went to war for what they believed their self-preservation. They defended their convictions bravely. They have surrendered; they have abandoned their convictions; they have abandoned secession, both as a doctrine and a remedy; and a people who were brave enough to defend their convictions with their blood are honorable enough to keep their pledges. When the Senator from New York points out that eighty-five out of the ninety-three southern Senators and Representatives—I will not quarrel with the figures—went to the battle-field and shed their blood for their convictions, he stated a strong reason why they are trustworthy; when he shows that twenty southern Senators on this floor were willing to defend their convictions with their life and only four on that side of the Chamber, he shows a large proportion of republicans who were very anxious to get up war and very few who were willing to fight in the wars.

But, sir, there is another reason why the South ought to be trusted. I say here that the South did not secede from hostility to the Union nor from hostility to the Constitution. That is your assumption. You are always talking about the southern people as enemies of the Union. Not a word of it is true. As I said, the South was driven into secession by the opposite extreme at the North, who were as inimical to the Constitution as the secessionists themselves. That is the truth, and every intelligent man and every honest man admits it. The aggravations of the slavery question got possession of their respective sections and carried them into war, but do you suppose every southern man who stood by his section in a sectional war was hostile to the Union? Not a word of it.

The Senate will pardon me if I refer to a little personal history in this connection, because I am a representative man, but before doing it I want to call the attention of the Senator from New York to another count of figures. He counted up the number of confederates from the South, as he calls them, in this House and in the other, and he says they have control of legislation, and then he notifies the North that they ought to be alarmed, because the legislation of this Union is under the lead of the same men who were here before the war. Now, I want to say to the Senator from New York that I have been making a count too, and strange as he may think it, while I have not been able to make the count with perfect accuracy, it is more accurate than his on another subject, much more. Of the eleven Senators and Representatives from Georgia in the present House and Senate nine, certainly eight, were opposed to secession.

Mr. CONKLING. When?

Mr. HILL, of Georgia. When it occurred, and up to the time it was an accomplished fact. As for going with our States after secession was an accomplished fact, we shall not apologize to any mortal man. We stood up for our own section; but up to that dark hour four out of five of the men who represent Georgia to-day faced secession and fought it in more dangerous places than did you who now libel them; and from the best count I have been able to make, out of the ninety-three southern Senators and Representatives in this Congress about seventy-five were opposed to secession, four-fifths of the whole number. I do not make this statement for the purpose of saying that those who were in favor of secession are less to be trusted. By no means. They were brave and honest men who fought for their convictions and their section, and they have given their pledge and their word of honor, and the people are willing to trust them. But I refer to this for the purpose of showing a fact. It shows how sound the people are. The people of the South are not enemies of the Union in that they are willing to be represented by men here who were always true to the Union in the hour of doubt. They do not repudiate the Union sentiment that prevailed before the war nor allow it to be a reason why they should not be their representatives now.

But, sir, I want to give a little personal history, because I give it as a representative man and it is directly upon this question. South Carolina seceded, I believe, on the 20th of December, 1860. A convention was called by the people of Georgia to take into consideration the course that Georgia should pursue. That convention was called to meet on the 16th of January, 1861. The people of the county of Troup, in which I then lived, assembled *en masse* and requested me to represent them as a delegate in that convention. They made that nomination on the 25th of December, 1860, and appointed a committee to notify me of that nomination. I accepted, and, as was my duty, avowed to them the principle on which I should act as a member of that convention if chosen; and here is what I said in a letter then written and published:

I will consent to the dissolution of the Union as I would consent to the death of my father, never from choice, only from necessity, and then in sorrow and sadness of heart; for, after all, the Union is not the author of our grievance. Bad, extreme men in both sections of the Union abuse and insult each other, and all take revenge by fighting the Union which never harmed or insulted any. Perhaps it has blessed all above their merits. For myself, I will never ask from any government more

real liberty and true happiness than I have enjoyed as a citizen of this great American Union. May they who destroy this Government in a frolic have wisdom to furnish our children a better.

And upon these sentiments, written and published at that day, the people of that county sent me their delegate to that convention without opposition. The convention assembled the 16th of January, 1861. On the 18th of January a debate took place on a resolution asserting the right and duty of the State to secede. I had the honor of making the last speech on that occasion against the resolution. The resolution, however, was adopted just at nightfall. A committee was appointed to report an ordinance to carry the resolution into effect. The ordinance of secession, therefore, actually passed on the 19th of January, 1861, though the resolution declaring it the duty to secede was passed on the 18th. On the night of the 19th I wrote a letter to a friend, which was then published, and a copy of it I now have in my hand. That was the night of the day of Georgia's secession.

MILLEDGEVILLE, January 19, 1861.

DEAR SIR: The deed is done. Georgia this day left the Union. Cannon have been firing and bells tolling. At this moment people are filling the streets shouting vociferously. A large torchlight procession is moving from house to house and calling out speakers. The resolution declaratory passed on yesterday, and similar scenes were enacted last night. The crowd called loudly for me, but my room was dark, my heart was sad, and my tongue was silent. Whoever may be in fault is not now the question. Whether by the North or by the South or by both, the fact remains; our Union has fallen. The most favored sons of freedom have written a page in history which despots will read to listening subjects for centuries to come to prove that the people are not capable of self-government. How can I think thus and feel otherwise than badly?

Do not understand me as intimating a belief that we cannot form a new union on the basis of the old Constitution. We can do it, and we will. This point we have secured as far as Georgia can secure it and her will on that subject will be the pleasure of her sister seceders. But can we form one with more inspiring hopes of perpetual life than did Washington and his comrades? Despots will say no; and therefore if the first Union lived only seventy-five years, how long will this live, and the next, and still the next, until anarchy comes! It will take an hundred years of successful, peaceful free government to answer the logic of this argument against constitutional liberty.

Sir, in 1868 I had a correspondence with that great man, Horace Greeley. In my judgment he did more to build up the republican party than any other man in America. He was a great and a good man, honest in his convictions and fearless in asserting them. The charge had been made that the South had sought war, that the southern people were not to be trusted. The correspondence is published in the Tribune of that day. I beg the indulgence of the Senate while I read an extract from that correspondence. The letter is dated New York, October 2, 1868. I will read the extract. Gentlemen can see the letter by looking at the New York Tribune of October 2, 1868. It is to Mr. Greeley:

Sir, let the deep sincerity of my convictions crave your indulgence for a few additional sentences. I am entitled to an audience from your readers, and through your assistance. I allude to the incident following in no spirit of reproach, but in entire kindness, and only to illustrate my point and my motive. I have seen the explanation of the Tribune, and recognize its force viewed from the stand-point of the Tribune, but our people did not then so understand it. On the passage of the Kansas-Nebraska bill, nearly all the old whig leaders of the South joined the democracy. This left the whigs or Americans in a decided minority. It was then I felt it to be my duty to change the purpose of my life and enter politics.

It was my lot to engage with all my humble powers, from 1835 to 1861, in a vain effort to arrest the tide of secession that was sweeping the South, as I thought, into revolution. Late in the winter of 1860, more earnest than ever before, I warned our people that war, on the most unequal terms, must follow secession. On one of these occasions a distinguished secession gentleman replied to my war warnings by reading extracts from prominent northern republicans—

I call your attention to that—

and with special emphasis from the columns of the Tribune to the effect that if the people of the South desired to secede they had a right to do so, and would be allowed to do so in peace. He then alluded to me as one born and raised in the South, and yet was endeavoring to frighten our people from their rights by threats of war, while northern free-soilers, who had been esteemed the enemies of the South, were conceding our rights and assuring its peaceful exercise. Now, my good sir, what could I have rejoined? Here are the very words I did rejoin:

"I care not what Mr. Greeley and Mr. Wade, or any other republican, or all republicans together, have said or may say to the contrary. More to be relied on than all these, I plant myself on the inflexible laws of human nature, and the unvarying teachings of human experience, and warn you this day that no government half as great as this Union can be dismembered and in passion except through blood. You had as well expect the fierce lightning to rend the air and wake no thunder in its track as to expect peace to follow the throes of dissolving government. I pass by the puerile taunts at my devotion to the best interests of the people among whom I was born and reared, and trust my vindication to the realities of the future, which I deprecate and would avert, and again tell you that dissolve this Union and war will come. I do not say it ought to come. I cannot tell when, nor how, nor between whom it will come; but it will come, and it will be to you a most unequal, fierce, vindictive, and desolating war."

I have reason to know that those words impressed Mr. Greeley. How could a northern free-soiler stand up and charge infidelity to the Union when that northern free-soiler, as many of them did, had told the southern people that it was their real desire that the South should secede and they could do so in peace. But there were men all over the South who stood up in that mad hour and warned their people what would result, that these free-soil teachings must not be listened to.

Sir, I am reading these things to show the sentiment in the South. The southern people did not secede from hostility to the Union nor hostility to the Constitution nor from any desire to be rid of the system of Government under which they had lived.

The highest evidence is what is given you in the very act of secession, when they pledged themselves to form a new union upon the model of the old. The very night when I was writing that letter and the serenading bands were in the streets I wrote to my friends, "We

will be able to effect a new union upon the model of the old," and we did form a constitution which varied not one whit in principle from the one under which we had lived.

No, sir; the South seceded because there was a war made upon what she believed to be her constitutional rights by the extreme men of the North. Those extreme men of the North were gaining absolute power in the Federal Government as the machinery by which to destroy southern property. Then the northern people said, a large number of the leaders and the republican party said, that if secession was desired to be accomplished it should be accomplished in peace. Mr. Greeley said that they wanted no union pinned together by bayonets. Here is the condition in which the South was placed: they believed the northern extremists would use the machinery of the Government to their injury; the people of the South believed that they would protect their property by forming a new union in the South precisely upon the basis of the old. They believed they could do it in peace; and I say here there were thousands upon thousands, yea, hundreds of thousands of the best men of the South who believed that the only way to avoid a war was to secede. They believed the northern conscience wanted to get rid of the responsibility for slavery; they believed they had a right to protect their slave property, and they thought they would accommodate the northern conscience by leaving the Union and preserving that property. They believed they could do it in peace and if they had believed that a war would result they never would have seceded.

Mr. President, how was it at the North? How was it with many who are now clamoring in this country that the Southern people will not do to be trusted? I shall never forget an instance. Notwithstanding those sentiments which I have read to the Senate, the convention at Milledgeville selected me as one of the delegates to the provisional congress at Montgomery, which met, I believe, on the 4th of February, 1861. Up to that very hour those of us who believed that the interest of the South was in the Union looked to the North anxiously to avert war. We believed in our hearts that if war could be averted for a few months the Union could be restored on terms honorable to all parties. Virginia had not gone out. Virginia had a glorious record in this country. It was the eloquent voice of her Patrick Henry which aroused the colonies to resistance to tyranny. It was her Jefferson who framed the Declaration of Independence. It was her Madison who was the father of the Constitution under which we live. It was her Washington who conducted our armies to victory in the great struggle for liberty. It was Virginia that first made the call for the convention that framed the Constitution. No man can ever know with what gladness and hope I saw glorious old Virginia issue a request to the States of this Union in that dark hour to meet in conference and see if the peace could not be preserved and the differences adjusted between the sections.

I am not ashamed to say here, and I said there, a member of the provisional congress of the Confederate States as I was, that my heart was with that proposition, and I prayed God that it might have success. Seven States had gone out, and they could not co-operate in that peace convention. Virginia undertook the peace conference with her sister border States. I watched every movement giving hope of its success. What did we see? These very men who are now dinning the weary air with charges of infidelity upon the southern people, who are absolutely defiling themselves with calumnies upon everything southern, went to work to defeat the purpose of Virginia and to defeat the peaceful purposes of that movement. I shall never forget the feelings I had when I read letters from leading citizens in Washington, leading and controlling members of the republican party, written to the governors of their States asking them not to send delegates to that convention, and preventing its success. Here is one of the letters:

WASHINGTON, February 11, 1861.

MY DEAR GOVERNOR: Governor Bingham and myself telegraphed to you on Saturday at the request of Massachusetts and New York to send delegates to the peace or compromise congress. They admit that we were right and they were wrong; that no republican State should have sent delegates; but they are here and cannot get away. Ohio, Indiana, and Rhode Island are caving in, and there is danger of Illinois—

"Caving in" how? Becoming willing to compromise to preserve the peace. He called that "caving in"—

and now they beg us, for God's sake, to come to their rescue and save the republican party from rupture. I hope you will send stiff-backed men or none. The whole thing was gotten up against my judgment—

That is, the whole conference, the peace conference.

The whole thing was gotten up against my judgment, and will end in thin smoke. Still I hope, as a matter of courtesy to some of our erring brethren, that you will send the delegates.

Truly, your friend,

Z. CHANDLER.

His Excellency AUSTIN BLAIR.

He adds a postscript:

P. S.—Some of the manufacturing States think that a fight would be awful. Without a little blood-letting this Union will not, in my estimation, be worth a rush.

Sir, I was standing at the door of my hotel in Montgomery when that letter was put in my hands. I was looking to see the prospects from this peace conference. I do not wish to do anybody injustice. I do not know the gentleman who wrote that letter. It is only one of many, and it showed a purpose on the part of the republican party to defeat all efforts at peace, a peaceful adjustment. I said to

a friend standing by me, "this is terrible; it is sad. If the leading republicans seek to defeat the purpose of Virginia in this peace convention it will fail; but, if war shall come, I predict now that those men who are so anxious to let blood for the Union will never let any of their own blood; they are anxious to let other people's blood." That is what I said then. I do not know whether it came true or not. Did "Z. CHANDLER" let any of his blood? I said more. I said, "I will venture that these men at the North, who are so clamorous to defeat this peace movement will not only not go into the war, but they will seek easy places and make money during the whole time it lasts." I do not know whether any of them did it or not. I will not say they did. I am merely stating a fact of history.

Now, the Senator from New York tells me that of all the loyal men on his side of the House who were clamoring at the rebels as unworthy of being trusted, men who in the terrible war of secession were battling for the Union, only four of the whole number now on this floor were willing to save the Union by shedding their own blood. Sir, will the people look at these things? You could not have pronounced a higher eulogy upon the confederates in this Congress than when you showed that eighty-five out of ninety-three were willing to give their blood for what they believed to be right.

Sir, that peace conference was broken up. I put it to the northern people who claim that they were looking to the preservation of the Union, looking to the preservation of their rights, who is most to be trusted, those men at the South who were doing all they could to avert war, or those men at the North who were doing all they could to bring it on and then refusing to take any part in it? I know that the republican party claim that they alone saved the Union. It is a claim of which history will judge, and it will make the claim not good. If there had been no republican party the Union would never have been endangered. If there had been no republican party there would have been no secession, no war, no reconstruction, no returning boards, and no electoral commissions. It will always be an impeachment of the statesmanship of America that they were not wise enough and deliberate enough to dispose of the question of slavery without shedding each other's blood. If the South had respected as she ought the conscience of the North on this subject, and if the North had respected as she ought the property of the South, and there had been no obstruction from the leaders of the republican party, there might have been a peaceful settlement of the whole controversy. Then a million of glorious, brave spirits that are now sleeping in their graves might be living, and millions more that are widows and orphans might have husbands and fathers, and millions more who are traveling through the country houseless and naked and hungry might have raiment and shelter and plenty.

Yet the Senator from Maine finds in the passage of the bill that passed yesterday a stronger assertion of the State-rights power than has ever taken place before. What a declaration was that!

I shall not debate this bill—

Said the Senator from Maine.

It were useless. It has been exhaustively debated. The whole measure is a removal of the Federal Government from its proper domain and the installation of the States into degrees of power that were not dreamed of by Calhoun and were not asserted by Breckinridge.

Is it possible a bill which simply says that the Army and Navy shall not be placed at the polls is a stronger assertion of secession or the doctrine of State rights than was ever made by Calhoun or Breckinridge? What is the purpose of such language as that but to alarm and awe. A bill which proposes to put the people of this country just where they were for seventy-five years, a bill which proposes to put the people of this country just where they were under Washington, just where they were under Jefferson, just where they were under Adams, just where they were from 1790 to 1865, is a bill to endanger this Union more than the war of secession, according to the interpretation of the Senator from Maine! That is not all. The Senator from Maine became perfectly dynamic:

Pass this bill. Pass it as the triumph of the reactionary party against the spirit of the Union. Pass it in defiance of all the lessons and all the teachings that have come from a bloody and abortive rebellion. Pass it, and mark it as the high tide of that reaction which were it to rise higher could lead only to another and more formidable rebellion against the legitimate authority of the Union. [Applause on the floor and in the galleries.]

Who is talking about war now? Who was talking about war when Virginia was talking about peace? Sir, I will not do injustice to the American character by collating, as I could do, the number of sentiments that have been uttered upon this floor and in the other House during the last six weeks intimating that the people of the North would have another war, another war that is to cut deeper than the first and cut beyond the wound. Whom will you have the war with? A war because we want intelligence, virtue, and property represented in the jury-box! A war because we want to keep the Army from the polls! A war because we want to say to the States, "You are able and willing to control your elections as you have done for seventy-five years of the Government and we will trust you to do it again!" A war for that! A war because we stand here as a bulwark of defense for the Constitution of the country against disunionists who would destroy the Union by destroying the States! A war because we will not consent to manacle the States of this Union, because we will not centralize power in this Government!

Sir, I hope the people of America will not commit another mistake. I always said it was a fearful mistake that the people of the North who did not agree with the republican party and the people of the South who did not agree to secession could not have managed to preserve this Union and let the others alone go to battle. If war must come, with whom shall it come? As I said to my own people on one occasion, and I repeat it here, if war shall come—God forbid that it should ever come—I give them notice now that the men they call rebels, that the men they say are not trustworthy, we of the South to a man will go to battle under the Star and Stripes, under the flag of our country. Do not imagine that the destroyers of the States and the advocates of monarchy shall ever again bear the flag of our country. If you must have a war, we shall maintain our rights in the Union; but I pray God the people will take charge of this question and see where the danger lies.

You say the northern people are alarmed. I assure you they have no right to be alarmed with us of the South. I assure you they have no right to be alarmed at southern representatives on this floor and in the other House; but I tell you the northern people have a right to be alarmed by such threats as have been made here. They have a right to be alarmed by men who say or intimate that if they cannot control the Government, if they cannot surround the polls of free-men with armed men, if they cannot take control of the elections in the States by Federal supervisors they will come to another war and cut deeper than the core. They are the men for the North to be alarmed at, not we.

But, as I said in this letter to Mr. Greeley, the Constitution could not be destroyed without war any more than the Union could be dissolved without war, and the States can no more be destroyed without war than they can be divided without war. I said that the danger to the country was imminent, and I so confessed it to him; that I feared that the course of the extreme men who had remained untouched by the war, secession being utterly crushed out, consolidation being not only alive but insolent by reason of its apparent success—I believed another war would come; but I believe Providence has averted that; I believe the very condition of things which seems to alarm the country is going to save this country and preserve its peace. I believe that the democratic majority in the House and the democratic majority in the Senate are going to be able to take care of this country, preserve its peace, promote its glories, and increase its prosperity.

We appeal to the people. We are going to the people in favor of the Constitution of Madison, the Constitution of Webster. We are going to the people in favor of their own freedom at the polls, in favor of their own intelligence in the jury-box, in favor of the independence of the States in the management of their elections, as had always been the case heretofore. The people will answer, in my judgment, North as well as South.

The course the gentlemen are pursuing, so far from bringing the day which they expect—of the reversal of a majority of this body—will, as I believe, increase it. Men who have lost by revolution, men who have lost all by revolution, are the ones who are not going to force another revolution. Men who owe all they have to revolution, who owe wealth and position and power to revolution, who owe the highest honors of the Republic to revolution, are the men who may be fairly expected to want revolution again. They are the ones for the people to fear.

But the Senator from New York and the Senator from Maine, as various other gentlemen have done before, take occasion to remind us that they were exceedingly gracious to us after the war. The Senator from New York tells us that after reconstruction was completed none of our property was confiscated and none of us were disfranchised and none of us were imprisoned. That is a fact, after reconstruction was completed. He takes credit for turning us loose after he had completed reconstruction and reorganized the States upon his idea. I do not put the comparison as applicable to the Senator from New York, but it is just as true of the robber who claims credit for kindness to the traveler because he had done him no harm after he had robbed him and let him go, because since the time he had let him go he had done him no harm at all.

Sir, the Senators are mistaken if they do not think we understand to what we owe our redemption. It is not to the republican party. The republican party set aside our State governments. The Senator from Maine the other day said there had been only fourteen thousand citizens disfranchised in the South. The Senator confounded disabilities under the fourteenth amendment with disfranchisement. There were at least two hundred and fifty thousand citizens disfranchised in the South.

Mr. BLAINE. I said by the action of the Federal Government. Mr. HILL, of Georgia. Certainly, by the action of the Federal Government; by the reconstruction acts of Congress. By the reconstruction acts you came down there and took possession of our States, set aside our State governments, declared we had no legal State governments, and you created a constituency and created new governments and disfranchised two hundred and fifty thousand of the very best men, the most intelligent, the property-holding men in the whole South, at a time when our governments were destroyed, when our industrial system was destroyed, and you put us in the hands of our slaves, under the lead of strangers, men who came for no purpose but to get power over us and build governments for us, and we had to stand by and witness the process, threatened with confiscation and

exile if we dared resist. And there were two hundred and fifty thousand in that condition.

Do gentlemen say that we owe anything to them? Did not my friend from Kentucky quote from the Senator from Maine in 1868 a statement that there was nothing more to be feared from the South? You thought you had destroyed us. You created new constituencies and created governments to suit them; you had the power. You thought we were powerless forever, and then, like the wicked Delilah, you said:

Samson, the Philistines be upon you.

And they were. And after that you left, and left us, as you thought, bound with your cords and whips. It was then that the Samson of State sovereignty stretched himself and burst them all.

Mr. HOAR. And pulled down the temple?

Mr. HILL, of Georgia. Well, I should think, if the Senator would go through the South, he would find his carpet-bag temples in that country just now in the returning boards. There is nothing so sacred to him as a returning board. That is all that was left.

It was through this very agency of the autonomy and sovereignty of the States that we were able to recover ourselves, not by violence, not by intimidation as you falsely charge, but by the very autonomy of the States which you thought you had manacled, which you thought you had destroyed. It is to this very autonomy of the States that we owe our presence here to-day. Oh, but you say the South is solid. That is true. And you intimate to the North that we are solid against the Union. That is not true. There is not a word of truth in it. We are solid. Solid how? Solid against whom? Solid against the republican party. Why should we not be? Do you wonder? The past is enough to make us solid. But let that go. I would remember nothing in the spirit of revenge. Do you think, Senators, that such speeches as you have been making here during the last four weeks have no tendency to make the South solid against your party? Do you think that such speeches as you have been making in the House have no such tendency? Do you think that it is perfectly legitimate and proper for you to calumniate and slander and misrepresent and abuse us in every form in which language will authorize you to do it, and that we are going to love you for it? You may not know it, but we are men. You pick up every vagabond in the South who can be induced by any motive to testify against us, and you believe him, you praise him. In your papers you scatter it through all your country. You make it appear that we are rebellious. I do not care how vile a character he is, I do not care how covered with crime he is, if he testifies to barbarities and cruelties against the best class of southern people you believe him, you profess to believe him; you parade that testimony on this floor; you parade it on the floor of the other House; you parade it before the northern people; and I do not care how manly, how intelligent, how earnest a man may be that testifies justly for the southern people and gives them credit for honor and honesty, you discredit him as unworthy of belief.

That alone would be sufficient to make the South solid, but the South is solid against the republican party for another reason. We regard the republican party as only a sectional party. It was sectional in its origin. I will not say anything about the questions which then divided us, but it was a sectional party; it had no organization save in some of the States. It has been sectional in its history; it has been sectional in its doctrines; it has been sectional in its purposes; it has been sectional in its triumphs; it is sectional now. You never have had any organization in the South except that which you forced and bought—and that could not last—and you never will.

Now, we have tried sectionalism and we have abandoned it, and therefore we cannot consistently affiliate with the republican party. We are for national parties now. We come back to the grand old party of the North that never went off after secession, that never went after the Baals of consolidation. If there are any men on this earth for whom I have a higher regard than others, they are the democrats of the North. I know those of us at the South who were for the Union went through a trying ordeal, and none can ever know how trying it was except those who passed through it; but it seems to me the northern democrats who were so maligned and abused by the republicans went through a greater, for when the crisis came they had no sympathy with the objects or purposes of the republican party shouldered their arms and marched side by side with the republicans of the North to put down their real friends in the South, and they did it. And yet, notwithstanding their fidelity to the Union, notwithstanding so many hundreds of thousands of democrats periled their all in the war, you abuse, you malign them, you give them no credit for it. And why do we affiliate with them? Because when we grounded our arms they met us as brethren and not as enemies.

Then, again, we never can affiliate with the republican party for a higher reason, a greater reason than the one I have given. The republican party to-day is the representative and the only representative on this continent of the consolidation theory of our Government, the theory, not of a mixed union, federal and national, the theory of an absolute nationalism, a theory which in its doctrines is seeking at this very hour to destroy the States of this Union. While we have abandoned secession, while we have agreed never to divide the States, we have never agreed to destroy the States; we will not agree to do it.

And then, gentlemen, because of your conduct, your calumnies, your slanders, what we know to be slanders, the South is solid against

you. Every day things are repeated upon this floor against ten millions of people which no gentleman would dare repeat against one man. You charge a whole people with being false, untrustworthy, untrue, without evidence, against the fact, and yet you alarm the North by crying of a solid South. You seek to destroy the States when so far from yielding our devotion to the States we owe all that is left of us to the States and to that very principle of the Government which recognizes the States as a part of our system.

Sir, if the South were solid from any motives of hostility to the Union, from any motives of hostility to the Constitution, from any motives of hostility to the northern people, the South would be exceedingly reprehensible. We were made solid in defense of our own preservation; we are now solid in defense of our own honor and self-respect. We will be kept solid in defense of the Constitution of our fathers as interpreted by Madison and expounded by Webster. We would be glad, if it could be, to see two national parties in this country, national in organization, national in principles, national in hopes, and consistent with the true interpretation of the Constitution; but the northern man who after having made the South solid by calumny, by wrongs piled mountain high extending through years, that northern man who takes advantage of the wrongs he has inflicted upon the South, and thereby made them solid, who now undertakes for that very reason to make the North solid too, having a solid North against a solid South, is a disunionist in fact, for whenever we shall have a solid North and a solid South in this country the Union cannot last.

No, my good northern democratic brethren, you saved the country at last; you saved the Union in the hour of its peril; not the republican party. You who had showed devotion to your flag saved the Union, and now it is for you to go before your people and tell them that the solid North must never become a fact against the solid South. If so, disunion will be accomplished. It is you that we look to. You saved the Union and you will save the States. We could not help you save the Union, but we are here with all the power that God has given us to help you preserve and save the States of this country against the only remaining enemy of either the States or the Union.

Mr. President, I know I have detained the Senate long. I was born a slaveholder. That was a decree of my country's laws, not my own. I never bought a slave save at his own request; and of that I am not ashamed. I was never unkind to a slave, and all I ever owned will bear cheerful testimony to that fact. I would never deprive a human being, of any race, or color, or condition, of his right to the equal protection of the laws; and no colored man who knows me believes I would. Of all forms of cowardice, that is the meanest which would oppress the helpless, or wrong the defenseless; but I had the courage to face secession in its maddest hour and say I would not give the American Union for African slavery, and that if slavery dared strike the Union, slavery would perish. Slavery did perish, and now in this high council of the greatest of nations, I face the leaders of State destruction and declare that this ark of our political covenant, this constitutional casket of our confederate nation, encasing as it does more of human liberty and human security and human hope than any government ever formed by man, I would not break for the whole African race. And cursed, thrice cursed forever be the man who would! Sir, in disunion through the disintegration of the States I have never been able to see anything but anarchy with its endless horrors. In disunion through the destruction of the States I have never been able to see anything but rigid, hopeless despotism, with all its endless oppression. In disunion by any means, in any form, for any cause, I have never been able to see anything but blood, and waste, and ruin to all races and colors and conditions of men. But in the preservation of our Union of States, this confederate nation, I have never been able to see anything but a grandeur and a glory such as no people ever enjoyed. I pray God that every arm that shall be raised to destroy that Union may be withered before it can strike the blow.

Mr. WINDOM. Mr. President—

Mr. CHANDLER. Will the Senator from Minnesota yield to me for a moment?

Mr. WINDOM. I do not desire to proceed to-night, but would like to retain the floor. With the consent of the Senate I will yield to the Senator for a moment if I may do so without losing the floor.

Mr. CHANDLER. Mr. President, by the consent of the Senator from Minnesota I shall occupy the time of the Senator for a moment.

Mr. President, this is the fourth time since 1861 that allusion has been made to a letter written by me to the governor of the State of Michigan; first it appeared in a newspaper published in Detroit, a copy of which was sent to me and a copy was likewise sent to the late Senator Powell. The letter was a private note written to the governor and no copy retained. Senator Powell approached me with his copy of the letter and asked if it was a correct copy. I told him I did not know; I had written to the governor of Michigan a private note and had kept no copy and could not say whether this was correct or not. He told me that if it was a correct copy he would wish to make use of it, and if it was not he did not propose to make use of it. I said, "Sir, I will adopt it, and you may make any use of it you please." So to-day that is my letter. If not originally written by me, it is mine by adoption.

And, Mr. President, what were the circumstances under which that letter was written? I had been in this body then nearly four years

listening to treason day by day and hour by hour. The threat, the universal threat daily, hourly, was, "Do this or we will dissolve the Union; if you do not do that we will dissolve the Union." Treason was in the White House, treason in the Cabinet, treason in the Senate, and treason in the House of Representatives; bold, outspoken, rampant treason was daily and hourly uttered. The threat was made upon this floor in my presence by a Senator, "You may give us a blank sheet of paper and let us fill it up as we please, and then we will not live with you." And another Senator stood here beside that Senator from Texas and said, "I stand by the Senator from Texas." Treason was applauded in the galleries of this body, and treason was talked on the streets, in the street-cars, in private circles; everywhere it was treason—treason in your Departments, traitors in the White House, traitors around these galleries, traitors everywhere.

The flag of rebellion had been raised; the Union was already dissolved, we were told; the rebel government was already established with its capital in Alabama; "and now we will negotiate with you," was said to us. Upon what basis would you negotiate? Upon what basis did you call your peace convention? With rampant rebellion staring us in the face. Sir, it was no time to negotiate. The time for negotiation was past. We had offered everything we could in the way of negotiation, everything in the way of compromise, and all our proffers had been indignantly refused.

Sir, this was the condition of affairs when that letter was written; and after Mr. Powell had made his assault upon me in this body for it, I instantly responded, relating what I have related here now with regard to the letter, and I said, "I stand by that letter," and I stand by it now. What was there in it then, and what is there in it now? The State of Michigan was known to be in favor of the Constitution and the Union and the enforcement of the laws, even to the letting of blood if need be, and that was all there was and all there is in that letter. Make the most of it.

The Senator from Georgia says that I did not shed any blood. How much blood did he shed? [Laughter.] Will somebody inform us the exact quantity of blood that the Senator from Georgia shed?

Mr. HILL, of Georgia. The difference between us is that I was not in favor of shedding anybody's blood.

Mr. CHANDLER. Nor I, except to punish treason and traitors. Sir, the Senator is not the man to stand up on this floor and talk about other men saving their own blood. He took mighty good care to put his blood in Fort Lafayette where he was out of the way of rebel bullets as well as Union bullets. He is the last man to stand up here and talk to me about letting the blood of others be shed.

Mr. President, I was then, as I am now, in favor of the Government of the United States. Then, as now, I abhorred the idea of State sovereignty over national sovereignty. Then, as now, I was prepared even to shed blood to save this glorious Government. Then, as now, I stood up for the Constitution and the Union. Then, as now, I was in favor of the perpetuity of this glorious Government. But the Senator from Georgia was, as he testified before a committee, "a Union secessionist." I have the testimony here before me. Will somebody explain what that means—"a Union secessionist?" Mr. President, I should like to see the dictionary where the definition can be found of "a Union secessionist!" I do not understand the term.

He says that they have a right to have a solid South, but a solid North will destroy the Government. Why, Mr. President, the South is no more solid to-day than it was in 1857.

Several SENATORS. Eighteen hundred and sixty-one, you mean.

Mr. CHANDLER. Well, it was the same in 1857. It was just as solid in 1857 as it is to-day. It has been solid ever since, and it was no quarrel with the North that made it solid. It was solid because it was determined either to "rule or ruin" this nation. It tried the "ruin" scheme with arms; and now having failed to ruin this Government with arms, it comes back to ruin it by withholding supplies to carry on the Government. Sir, the men have changed since 1857. There is now but one member on this floor who stood here with me on the 4th of March, 1857. The men have changed, the measures not at all. You then fought for the overthrow of this Government, and now you vote and talk for the same purpose. You are to-day, as you were then, determined either to rule or ruin this Government, and you cannot do either.

Mr. WINDOM. Mr. President—

Mr. HILL, of Georgia. I desire simply to make one remark only; and that is this: the testimony to which the Senator from Michigan refers, taken by the ku-klux committee in Atlanta, contains, I believe, what he says—I have never seen it for I have never read it all over in my life—the term that I was "a Union secessionist." I will simply say that that testimony was written out after the stenographer and the committee left Atlanta. There are several typographical errors in it, and some mistakes of that sort such as get even into the RECORD or anywhere else occasionally; but I never used an expression of that sort.

Mr. WINDOM. Mr. President, I will say to the Senator from Kentucky who has charge of the bill, that I do not wish to proceed to-night, but I would like to cite one little scrap of history suggested by the remarks of the honorable Senator from Georgia. I shall occupy the Senate only two or three minutes.

The burden of the speech of the Senator from Georgia since I came into the Senate Chamber was that secession was brought about by the extremists of the North who threatened to take away the property

of the South. Now I want to read to him, for I think he must have forgotten it, what those extremists of the North did in February, 1861. There was then a republican House of Representatives, and they passed this proposed amendment to the Constitution of the United States by a two-thirds vote:

No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere within any State with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State.

I am not here to defend that amendment, but a republican House of Representatives passed it by a two-thirds vote and it was agreed to by the Senate of the United States, and submitted to the people for their adoption. Mr. Lincoln, a few days afterward, in his inaugural address, used this language:

Apprehension seems to exist among the people of the Southern States, that, by the accession of a republican administration, their property and their peace, and personal security, are to be endangered. There has never been any reasonable cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while existed, and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I do but quote from one of those speeches, when I declare that "I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists." I believe I have no lawful right to do so, and I have no inclination to do so.

That is the manner in which the extremists of the North compelled this Union-loving people of the South to secede for fear they would lose their slave property!

I yield to the Senator from Kentucky for a motion to adjourn now.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. GEORGE M. ADAMS, its Clerk, announced that the House had passed a bill (H. R. No. 1492) to amend section 688 of the Revised Statutes of the United States relating to writs of prohibition and mandamus; in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. No. 565) to authorize the employment of three additional assistants in the Library of Congress; and it was thereupon signed by the President *pro tempore*.

PERSONAL EXPLANATION.

Mr. GORDON. I ask indulgence long enough to make a remark in reference to a vote given by myself yesterday. Before I left for Georgia, the Senator from Nebraska [Mr. PADDOCK] was kind enough to pair with me at my request. On my return, not observing that he was out of the Senate, I proceeded to give one vote yesterday, when I was reminded by another Senator on that side of the Chamber that the Senator from Nebraska himself was absent. I therefore wish to explain that I gave that vote inadvertently. Afterward, I announced my pair with him. I should have announced it at the time if I had observed that he was not in the Chamber.

HOUSE BILL REFERRED.

The bill (H. R. No. 1492) to amend section 688 of the Revised Statutes of the United States relating to writs of prohibition and mandamus, was read twice by its title, and referred to the Committee on the Judiciary.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. BECK. I rise for the purpose of saying that I have no idea of sitting the bill out any further to-night, and therefore I propose to make a motion to adjourn. Before doing so, I desire to ask the Senator from Minnesota to allow us on Monday morning to proceed, say, until half past one with the bill before he begins to speak. By that hour, perhaps, we shall have reached the part of the bill to which he desires to speak.

Mr. WINDOM. I am entirely content with that arrangement.

Mr. BECK. Let us proceed with the bill until half past one on Monday, and then the Senator can speak. I move now that the Senate adjourn.

The motion was agreed to; and (at five o'clock and twenty-five minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

SATURDAY, May 10, 1879.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. W. P. HARRISON, D. D.

The Journal of yesterday was read and approved.

REMOVAL OF CAUSES FROM STATE COURTS.

Mr. ORTH. On behalf of a minority of the Committee on the Revision of the Laws, I ask unanimous consent that certain amendments designed to be offered to the bill (H. R. No. 1715) to repeal certain sections of the Revised Statutes and to amend certain sections of the Revised Statutes and of the Statutes at Large relating to the removal of causes from State courts be ordered to be printed.

There being no objection, it was ordered accordingly.