

RECONSTRUCTION.

SPEECH

OF

HON. THADDEUS STEVENS,
OF PENNSYLVANIA,

DELIVERED

IN THE HOUSE OF REPRESENTATIVES,
MARCH 10, 1866.

The House, as in the Committee of the Whole on the state of the Union, having under consideration the President's annual message—

Mr. STEVENS said:

Mr. SPEAKER, I must apologize to this House for the tameness of the remarks which I am about to make, and especially for their untimeliness. It will be remembered that at the opening of the session I made some remarks upon the condition of the country, and that I was replied to by the gentleman from New York [Mr. RAYMOND] and by the able gentleman from Ohio, [Mr. FINCK.]

A recess of Congress followed. When Congress reassembled for business, on the 8th of January, I had prepared some reply to their remarks, and had obtained the floor for the purpose of delivering them, but the respectable gentleman from West Virginia [Mr. LATHAM] desired to make a speech on that occasion, and, as he was a young member, I yielded the floor to him, and have never since had an opportunity to deliver those remarks, which I did not consider important at any time, and they have lain by till now.

Now, as this is a school for debate, and as it has been intimated to me that my turn to speak had come, I have dug up the old manuscript, which is consequently tame, as the most of it has been since said by myself or others; and, not being willing to lose the paper, [laughter,] I have come here for the purpose of saying now what I had intended to say then. It is pretty much as follows:

Since I had the honor to speak on the questions contained in the President's message, relative to reconstruction; the gentleman from Ohio [Mr. FINCK] and the gentleman from New York [Mr. RAYMOND] have replied to it; in a few plain remarks I will show with how much effect

They have very properly directed their efforts to refuting a single proposition, as on that depended all subsequent questions. I asserted that the late "Confederate States of America" had occupied a position which entitled them, according to the law of nations, to be considered and treated as a belligerent, entitled to all the rights and subject to all the liabilities of a belligerent engaged in a public war, and that they had been so acknowledged and treated both by ourselves and all the civilized nations of the world; that they formed a regular government, raised armies, fitted out vessels-of-war, and issued commissions to commanders, both by sea and land, which were accepted by us and by the civilized world as protecting those who fought under them from the charge of piracy and murder, and gave them precisely the same standing as the soldiers of two foreign nations at war with each other; that for four years they claimed to be a foreign, independent nation, and made war to maintain that declaration.

I argued from this state of facts that the people and States within the jurisdiction of the confederate government had severed their former connection with the United States, and broken the ties which bound them together, not justly or legally, but in fact; that the United States had conquered this formidable power, and as their conqueror had a right to dispose of them as they deemed for their own interests, always duly regarding the law of nations.

To prove the law arising from the facts, I cited several authorities, both from elementary works of celebrated publicists and adjudicated cases of courts of the last resort. I think no one will deny that *prima facie* these authorities made out my positions. Now, when learned gentlemen came to reply to an argument founded on legal authorities, and which is not pretended to be based on or even fortified by the opinion

or judgment of the speaker, it was certainly to be expected that it would be met by other *legal authorities*, either modifying, contradicting, or overruling those already cited. Legal questions are to be decided by authority, by judicial decisions, or by the works of distinguished elementary writers. The mere unwritten opinion or judgment of no man or set of men delivered in debate can weigh a straw against such standard authority. I have looked through the speech of the distinguished gentleman from New York, (which I was not so fortunate as to hear,) and do not find that he has cited a single authority on this point to contradict or explain those which I produced. Why not produce some authority? He does not deny the facts from which I reasoned. But he does deny that the civil war broke the bands of the Union or dissolved the original condition of the nation. I had quoted Vattel where he says:

"Civil war broke the bands of society and government. * * * They stand precisely in the same predicament as two nations who engage in a contest. * * * The State is dissolved, and the war between the two parties stands on the same ground in every respect as a war between different nations."

Now, sir, this, without multiplying authorities, makes out my main substantive proposition, from which all the others are corollaries.

The gentleman denies the correctness of Vattel's doctrine, and says the war did not "dissolve the States," but he gives us no authority but his own. I admit the gravity of the gentleman's opinion, and with the slightest corroborating authority should yield the case. But without some such aid I am not willing that the sages of the law whom I have been accustomed to revere, Grotius, Rutherford, Vattel, and a long line of compeers, sustained by the verdict of the civilized world, and armed with the panoply of ages, should be overthrown and demolished by the single arm of the gentleman from New York.

The gentlemen say that this admits the doctrine of secession and the efficacy of the secession ordinances. The gentlemen are too shrewd to believe this stereotyped inference, but they may hope that others will believe it. The ordinances of secession amounted to nothing, either in law or in fact. It was the formation of a regular, hostile government, and the raising and supporting of large armies, and for a long time maintaining their declaration of independence, that made them a belligerent and the contest a war. Had there been nothing but secession ordinances it would have been "barren thunder." Who is stupid enough to believe that the assertion of a fact is the justification of it? Does the gentleman believe that the people are not astute enough to discern between the *right* and the *fact*?

The gentleman in one place says "that individuals, not States, made this war." Phillimore, as I quoted, says "individuals cannot make war." The Supreme Court says that this "war was made by States." I pray the gentleman to quote authority; not to put too heavy a load upon his own judgment; he might sink under the weight. Give us your author. The gentle-

man says, "The gentleman from Pennsylvania says they forfeited their State existence by the fact of rebellion." That is not my doctrine; but, as others hold that doctrine, I argued that, if true, still my view of the proper power to reconstruct was the same, to wit, Congress. I never held to the suicide of States, though I think it possible; but it did not happen in the present case. The gentleman, in his colloquy with my colleague, [Mr. KELLEY,] stated the true doctrine of the existence of States, though it seemed to be wholly inconsistent with his other position, that this was a war of individuals and not of States. His position is that the rebel States have never been disorganized, but have been always under State government; and that their relation to the United States did not affect that question. So say I; and so I said two years ago. While others contended that the loyal people formed the State, I thought, and still think, that *ALL* the people within its jurisdiction who are legal citizens have an equal voice in the State government, without regard to character; that the control of republics depends on the number, not the quality of the voters. This is not a government of saints. It has a large sprinkling of sinners. The eleven confederate States have always been well organized under State governments. True, after the rebellion they quit the Union, and organized under the confederate government. They were well-organized States; but they were not organized in, but out of the Union, under laws very different from those of the United States. If they wish to reorganize their States, must they not come into the Union anew? But how come in, if they were never out? It seems to me it reduces the gentleman's argument to an absurdity.

The gentleman from Ohio is much more logical than the gentleman from New York. He contends that as the States were never out of the Union they may send Representatives here and demand admission under the Constitution without conditions or asking leave of any one. If both the gentlemen are right as to the *status* of the States, then the gentleman from Ohio is certainly right. What authority has the gentleman from New York to question the right of a member from a sovereign State, except upon the ground of his qualifications? By declaring these States never out of the Union, does not the gentleman see in what deplorable guilt he involves the President? What rank usurpations has he practiced in intermeddling with the domestic affairs of a State! All States in the Union are equal, as the gentleman from Ohio justly declares. How long would the President occupy the White House if he attempted the same things in New York and Pennsylvania that he has done in South Carolina, Alabama, and other rebel States? If I believed as the gentlemen do, I should deem it the duty of Congress forthwith to present articles of impeachment.

At this point I desire to say a word which may seem egotistic. You may have observed that since I made my first speech at the opening of Congress, giving my views on reconstruction,

certain newspapers have been attempting to disturb the harmony which existed between the President and myself. In the most polite language, and the most flattering epithets within their vocabulary, they have denounced me as the enemy of the President, and, with the aid of a certain high official, as having waged a successful war against him. Those journals have, perhaps unintentionally, done me too much honor. I will say, however, once for all, that instead of feeling personal enmity to the President, I feel great respect for him. I honor his integrity, patriotism, courage, and good intentions. He stood too firmly for the Union, in the midst of dangers and sacrifices, to allow me to doubt the purity of his wishes. But all this does not make me fear to doubt his judgment and criticise his policy. When I deem his views erroneous, I shall say so; when I deem them dangerous, I shall denounce them. While I can have no hostility to the President, I may have, and have, very grave objections to the course which he is pursuing. I should have forgot the obloquy which I have calmly borne for thirty years in the war for liberty, if I should turn craven now.

Mr. PRICE. I desire to ask the gentleman, with his consent, whether there may not be some mistake here. When I remember most distinctly that the public press of the country for the last few weeks has been repeating the name of a certain "THADDEUS STEVENS" as having been used by the President in a certain speech at the White House, and when I hear a gentleman whom I suppose to be the THADDEUS STEVENS referred to speak in such strong terms in favor of the President, I wish to know whether he is the same gentleman or some other. [Laughter.]

Mr. STEVENS. Why, Mr. Speaker, does the learned gentleman from Iowa [Mr. PRICE] suppose for a single moment that that speech to which he refers as having been made in front of the White House was a fact? [Laughter.] I desire at this time to put the gentleman right. What I am going to say now I do not wish to have reported. It is a confidential communication, and I presume none will violate the confidence I repose in them. [Renewed laughter.]

Sir, that speech which has imposed upon the gentleman from Iowa, which has had a considerable run, and has made some impression upon the public mind, was one of the grandest hoaxes ever perpetrated, and has been more successful than any except the moon hoax, which I am told deceived many astute astronomers. [Laughter.] I am glad to have at this time the opportunity (although I do not wish the matter to go before the public, for they might misunderstand my motives) to exonerate the President from ever having made that speech. [Renewed laughter.] It is a part of the cunning contrivance of the Copperhead party, who have been persecuting our President since the 4th of March last. Why, sir, taking advantage of an unfortunate incident which happened on that occasion, [laughter.] they have been constantly denouncing him as addicted to low and degrading vices.

To prove the truth of what I say about this hoax, I send to the Clerk's desk to be read a specimen of this system of slander. It is an extract from the *New York World*, of March 7, 1865. Let the Clerk read that vile slander from the leading paper of the Democratic party.

The Clerk read, as follows:

"The drunken and beastly Caligula, the most profligate of the Roman emperors, raised his horse to the dignity of consul—an office that, in former times, had been filled by the greatest warriors and statesmen of the republic, the Scipios and Catos, and by the mighty Julius himself. The consulship was scarcely more disgraced by that scandalous transaction than is our Vice Presidency by the late election of Andrew Johnson. That office has been adorned in better days by the talents and accomplishments of Adams and Jefferson, Clinton and Gerry, Calhoun and Van Buren, and now to see it filled by *this insolent, drunken brute, in comparison with whom even Caligula's horse was respectable*—for the poor animal did not abuse his own nature. And to think that only one frail life stands between *this insolent, clownish drunkard* and the Presidency! May God bless and spare Abraham Lincoln!"

Mr. STEVENS. Now, Mr. Speaker, is it any wonder that—

Mr. NIBLACK. I beg to inquire of the gentleman whether that may not also be a hoax of the same kind as the President's speech?

Mr. STEVENS. That was a serious slander which appeared as an editorial in the *New York World*. That party, taking the advantage of an incident which it is thought by many they themselves brought about, have been persecuting the President with such slanders as that ever since. But, sir, although they have asserted it from time to time, they have never made the loyal Republican people of this nation believe it, and they never could. We never credited it, but looked with indignation upon the slander which was thus uttered against the President of our choice. Being, therefore, unable to fix such odium upon our President by evidence which the lawyers would call *aliunde*, they resort, with the skill of a practiced advocate, to another expedient. My friend before me, [Mr. BRIGHAM,] if he were trying in court a case *de lunatico inquirendo*, and if the outside evidence were doubtful, leaving it questionable whether the jury would adopt the view that insanity existed, would cautiously lead the alleged lunatic to speak upon the subject of the hallucination, and if he could be induced to gabble nonsense, the intrinsic evidence of the case would make out the allegation of insanity. So, Mr. Speaker, if these slanderers can make the people believe that the President ever uttered that speech, then they have made out their case. [Laughter.] But we all know he never did utter it. [Laughter.] It is not possible, sir, and I am glad of this opportunity to relieve him from that odium. But they had wrought it up in such a cunning way—

Mr. WINFIELD. The gentleman will allow me. May not we hope that the injunction of secrecy will be removed from this earnest, generous, and sincere defense?

Mr. STEVENS. I hope not. [Laughter.] I hope the gentleman will not violate the confidence I have placed in him and all others. [Renewed laughter.] It is a confidential communication.

Now, Mr. Speaker, they worked it up pretty cunningly, enough to impose upon the people. For instance, they went into circumstantial account, as in the moon hoax. They pretended the counsel of the assassins of the late President escorted him to the stone wall on which they say he mounted in front of the White House; and they say he was supported by a late rebel mayor of this city, who was gratuitously furnished lodgings in one of our penal forts for some time. [Great laughter.] All these circumstances they threw about it. The people may have been deceived, but we who knew the President knew it was a lie from the start. [Renewed laughter.]

Now, sir, having shown my friends that all it is built upon is fallacious, I hope they will permit me to occupy the same friendly position with the President I did before. [Laughter.]

Mr. PRICE. I am satisfied the House and the country will agree with me there was a mistake, a very great mistake, and, although I have not lived as long as the gentleman from Pennsylvania, I have found history cannot always be depended upon, and but for this accidental occurrence that would have gone down in history as a fact. Probably, sir, the present and succeeding generations would not have discovered it had not this fact been opportunely developed. [Laughter.]

Mr. STEVENS. I know the gentleman is satisfied now it is all a hoax. [Renewed laughter.]

But I will proceed, sir. I am glad to find the President is not in the dilemma in which these gentlemen would put him. What he has done has not been done to "States in the Union," but to conquered provinces; and he has done it, not as President under any power in the Constitution, but as Commander-in-Chief of the army, exercising military authority. In the exercise of such authority it is not surprising that he should sometimes mistake the dividing line between civil and martial law, and be tempted to overstep the boundaries of authority in pursuit of what his ardent patriotism supposed to be the public good. How unfortunate these men in power cannot realize that no permanent public advantage can arise out of disregard of organic law! Remember that I am arguing from the position of the States which the gentlemen assume for the President, and for themselves as the President's friends, not from my own position. The President goes into the State of Tennessee—a State in the Union say they, of course coequal with all other States; he appoints a provisional governor, which, if he means thereby a military governor, he had a right to do as Commander-in-Chief of a conquering army, if she was a conquered territory; but, as a State, what right had he to appoint a governor? Whence does he derive his authority? It is not in the Constitution of the United States, nor in the constitution of Tennessee. He put it under martial law, and then directs his governor to call a convention of certain citizens to form a constitution. He fixes the qualification of voters. He

finally prescribes the constitution which this convention shall adopt. Governor Brownlow in an address informs the people of Tennessee that as they were in rebellion the President has a right to order them what constitution to adopt. What a free people! What a republican restoration!

So of the others. South Carolina has a governor appointed in like manner. In rebuilding her government, as per order, she wanted to lay a foundation and send word to the President stating its shape. He orders them to give it another round. They do so, and await his approbation. Still another he demands—to adopt the constitutional amendment. That body, muster courage enough to demur to the second section. Mr. Seward scolds them with imperial dignity; tells them that "appropriate legislation" is a restraining term; tells them that they are querulous, and orders them forthwith to obey. Obedience was instantaneous; thanks to the virtue of martial law and fixed bayonets!

Virginia had assembled the free representatives of fragments of about eleven townships out of one hundred and forty-two counties, elected in spots between the contending armies on disputed ground—twelve men—who met within the Federal lines, called itself a convention, formed a constitution, ordered elections for the whole State, and Governor Pierpont received about thirty-three hundred votes for governor, (half Yankee soldiers, I suspect,) and was proclaimed in the market-house of Alexandria governor of imperial Virginia, the mother of statesmen. In "reconstruction" the President acknowledged him as the governor, and those twelve as the representatives of a million and a quarter of people, and counts this Virginia as one of the twenty-seven States that adopted the constitutional amendment. I am fond of genteel comedy, but this low farce is too vulgar to be acted on the stage of nations. Are these free republics, such as the United States are bound to guaranty to all the States in the Union? Should these swindles, these impostures, bred in the midst of martial law, without authority from Congress, be acknowledged here?

But the gentleman from New York says that these proceedings were had under decrees from the President. When asked for the President's authority he shows a distressing perplexity. Knowing that the Executive had no legislative powers, he derived the authority to him as Commander-in-Chief of the armies, and these acts as flowing from the right of conquest. But the gentleman forgets that these were no conquered people, but were merely "States in the Union," under the paternal care of their benevolent father. But taking them as a conquered people, (their true condition, I admit,) and the President at the head of the conquering force, what right did that give him to create civil State governments or interfere with the duties of the law-making power of the nation? The gentleman knew that he had none. He then justifies the imposition of these governments as the terms of their surrender. Who before ever heard that

such terms were proposed or accepted? General Sherman undertook to incorporate into the surrender of Johnston's army certain terms for the future government of the rebels; but he was quickly relieved, and the terms discarded. The gentleman says:

"My impression is that these requisitions are made a part of the terms of surrender, and it belongs to the Commander-in-Chief of the army and navy to fix the limits as to what they will embrace."

This will be news to Grant and Sherman. "Terms of surrender" are fixed before the enemy lays down his arms, not after.

Does the gentleman mean that the President is entering into a treaty and negotiating terms under the treaty-making power? With whom is he negotiating? If he claims it under the treaty-making power he must submit it to the Senate, two-thirds of whom must "advise" and approve of it. I do not hear that he invokes any such aid. The gentleman is evidently at fault in tracing the source of this power to intermeddle with "States in the Union." There can be no such power. The President is made to misconceive his duties, and to treat with too little respect the powers of Congress.

The gentleman can see no analogy between the commission of a crime, murder for instance, and the disruption of the Union, both being forbidden by law; the murder having been accomplished and the disruption only attempted. That is begging the question. We say that the severance was accomplished, and, until a reunion, was complete *de facto*. We have the admitted fact; the law declared the result. We have cited authority. Contradict us by authority if you can. But have done with mere assertions, I pray you; that is merely the childish bandying of declarations. But gentlemen say that this is conceding the right of secession, and screening the rebels from punishment for treason. Need we again refute this shallow argument? We ask to punish them for the crime of secession perpetrated in *fact*, but not in law. If nothing was done, why ask their punishment? Even conservatives agree that they should be gently punished by suffering the humiliation of asking and receiving pardon. The gentleman says they have "been punished as no community was ever punished before for the crime of treason which they have committed." Of course he would require no further punishment. How were they punished? Not by anything which the law calls punishment.

Being defeated in war is not punishment, except in the language of the pugilist, whose antagonist is said to be "punished" when he is knocked down. I do not agree with the gentlemen who sympathize so deeply with the rebels, "that they have been punished as a community was never before punished for treason." Search the whole records of crime, from the rebellion of the angels and the first transgression of man to the present day, and you can find nowhere so great a crime so inadequately punished. A rebellion only less guilty than that of the devilish angels was waged with fiendish cruelty

against the best Government on earth until it cost that Government at least four billion dollars and almost half a million of brave men, while *they* suffered but little more than half as much in either; and then when their arms were torn from them they claim to be our "loving brethren," and always "in the Union!" And the claim is allowed! What punishment has followed? All the masses were released by one sweeping decree; and almost ever since the President has been employed, it is said, with several clerks and a machine, in preparing pardons for rich rebels. All who made special applications must have been worth more than twenty thousand dollars each. While our loyal men have had their property stolen, robbed, and burned by order of these very men, they have had their property restored to them, even after confiscation; and the loyal tenants, who were placed on it by the Government, have been turned out to starve. Did any respectable government ever before allow such high criminals to escape with such shameful impunity? Who has been punished for this wholesale murder and plunder? One poor, insignificant, wretched foreigner (Wirz) has been tried and executed for acts for which his superiors, not he, ought to have been held responsible; unless, indeed, this was a war of individuals and not of belligerents, as learned gentlemen contend. Then every confederate soldier was a murderer, and the high officials were innocent, as they dealt no blows, and theirs was not a government!

If this Congress has any respect for its own prerogatives, and for the rights of the people, the punishment which so distressed the gentleman from New York [Mr. RAYMOND] will not stop here. I have never desired bloody punishments to any great extent, even for the sake of example. But there are punishments quite as appalling, and longer remembered, than death. They are more advisable, because they would reach a greater number. Strip a proud nobility of their bloated estates; reduce them to a level with plain republicans; send them forth to labor, and teach their children to enter the workshops or handle the plough, and you will thus humble the proud traitors. Teach his posterity to respect labor and eschew treason. Conspiracies are bred among the rich and the vain, the ambitious aristocrats. I trust yet to see our confiscation laws fully executed; and then the malefactors will learn that what Congress has seized as *enemy's* property and invested in the United States cannot be divested and returned to the conquered belligerent by the mere voice of the Executive. I hope to see the property of the subdued enemy pay the damages done to loyal men, North and South, and help to support the helpless, armless, mutilated soldiers who have been made wretched by this unholy war. I do not believe the action of the President is worth a farthing in releasing the property conquered from the enemy from the appropriation made of it by Congress. No, sir; they have not been punished as they deserve. They have exchanged forgiveness with the President, and

been sent on their way rejoicing. Why say that our doctrine screens them from the punishment of treason? Need gentlemen be taught the horn-book law, that in civil wars the parent government may exercise both belligerent and sovereign rights? I trust gentlemen will not mislead the people who have not the books at hand.

Still another extraordinary proposition I have to notice. The gentleman says that if the "confederate States" were a belligerent power, and have been conquered by the United States, that we became liable for the confederate debts by the law of inheritance. Will the gentleman excuse me for asking him in what book he finds any such startling doctrine? Who before ever conceived such an idea? The gentleman has confounded it with a usurper who dethrones the reigning monarch and reigns in his stead. There the government is the same; the nation is the same; the ruler only is changed. The debts of the nation are not repudiated, but the property and liabilities of the crown attach to the existing government. But when one nation conquers another, it imposes such terms as it deems beneficial to itself. Assuming the belligerent debts is not among those benefits. When belligerent Europe conquered Grance, the allies did not assume the debts of the French nation. When belligerent America overcame the mother country and established her independence, she did not inherit or assume the debts of Great Britain. When England suppressed the great mutiny I have not heard that she assumed or paid the debts of the court of Delhi.

Did the gentleman from New York adopt this idea from a suggestion of the learned gentleman from Ohio? If so, I beg that gentleman to be more cautious how he drops such heterodoxies, as he sees into what painful positions he leads confiding young men.

I was anxious that there should be no collision between the different branches of Government, no controversy as to the rightful jurisdiction of either. Hence I construed the President's message (after having stated his views) to refer the whole question of reconstruction to Congress, to whom it so evidently belongs. I regret to find the gentleman from New York, [Mr. RAYMOND,] who, with the gentleman from Ohio, [Mr. FINCK,] is evidently on confidential terms with the President, very much impairs my hope of harmony when he says:

"I cannot assent to the intimation thrown out by the gentleman from Pennsylvania that the President concurred in the views he had expressed, or that he had handed the whole subject of pacifying the States lately in rebellion and of restoring the States to the practical exercise of their functions as members of the Union to the hands of Congress."

I regret extremely that this authoritative declaration of the position and determination of the Executive has placed him in an attitude to which, it seems to me, that Congress cannot submit without the most humiliating surrender of its rights and dignity. I cannot believe the legislative power of this great Republic, holding their sovereignty in trust for the whole people, will, while it is in session and capable of acting, permit any other branch of the Government to

fix or dictate any of the terms upon which the conquered States shall be invested with the rights of citizenship. I trust the President has been misunderstood, and that he will at once disclaim this position.

Let us distinctly understand each other, in order that the different parties in this House, as well as every other department of the Government, may know precisely what position the other assumes. Let me ask a few plain questions; and I should be glad if the gentleman would give explicit answers.

1. Do you wish the Constitution of the United States to be so amended as to apportion the representation among the States according to the number of actual persons, instead of the present basis of Federal numbers?

2. Do you wish it so amended as to authorize Congress to lay a duty on exports when \$100,000,000 could be raised on exported cotton to aid in paying the interest on the public debt?

3. Do you wish it so amended as to prevent the assumption of the rebel debt or the repudiation of our own?

4. Do you wish it to provide that all laws, State and national, shall operate equally on all?

Will gentlemen answer candidly whether they wish the adoption of all or either of these amendments?

Will they with equal candor say whether they believe either of them could be adopted if the eleven confederate States were to be counted as States in making the requisite three-fourths?

The gentlemen know that neither of said amendments could then be adopted.

If those amendments were desirable, will not gentlemen agree that even if we are not compelled to treat those States as out of the Union, yet that we are at liberty so to do by right of conquest? Surely, the rebel States cannot gain-say it, as they have uniformly taken the same position.

If gentlemen will not agree to our assuming either of these propositions, for the sake of perfecting our Constitution and doing some justice to the suffering North, then it is evident that such objection comes rather from partiality to the rebels than from love of the Union and a desire for the purification of our Constitution.

Those who desire the elective franchise to be extended to every native-born citizen of the South will find no other way of accomplishing it. In framing territorial governments, Congress can provide that all shall vote for members of the legislature.

In passing enabling acts to allow them to form constitutions, it is competent for Congress to provide for universal suffrage. Thus, no doubt, members would be chosen who would form a republican constitution. If they did not they might well be remitted to their territorial condition, as Utah has been from year to year. To hope that the States when formed and admitted will ever grant that privilege is idle. To pretend that either the President or Congress, by

direct legislation, can impose it on the States is worse than idle.

Gentlemen seem confident of the success of the plan of the Commander-in-Chief of the army and navy, and profess that the people will be with them. They have the great advantage of commanding almost the whole corps of the metropolitan press, which speaks to thousands. The people have to rely on their country organs, too many of which are edited by office-holders, or have the public printing. I am satisfied, from the renewed energy of those journals that worship at the shrine of power, that all the vigor of the Administration, and all the art which political magicians are master of, are to be put in requisition to conquer Congress. I observe that the organ in this city, in a strong editorial this week, asserts that no considerable portion of the people have differed with the President's plan, while he well knew that no disinterested portions except the Democrats agreed to it. The people ought to know the value of such bold editorials. It may corroborate the declaration of the gentleman from New York, [Mr. RAYMOND.] The weathercocks are veering to the cardinal points.

I understand there is but one paper in this country understood to be Union that opposes the policy of Congress. Every paper in my State, except one hermaphrodite paper in Philadelphia, and one belligerent paper in Harrisburg, edited by the postmaster, sustains Congress; and every man not an applicant for power in the Republican party, from the Alleghanies to the Delaware, every man who ever professed to be a lover of liberty, is this day for Congress, even though he may fall under the ban of the President.

Such I am assured is the case in the great Northwest, where the free winds of Heaven blow over the prairie and purify the atmosphere; where sturdy men are willing to work, and not to play the sycophant.

I do not speak of New York now in that connection, for I do not know much about her. I do not know who does. [Laughter.] They say that Secretary Seward professes to understand her. If he does, God knows he must be wiser than most men. [Renewed laughter.] Every paragraph in the papers there lauding the President is the outcrop of an official advertisement.

I have no fear as to the final result. The people have stood too firmly and borne the burdens of a four years' war too cheerfully to be willing to surrender the fruits of victory. Nor have I any fear of Congress. Members came too well fortified by the courage of their constituents to be seduced or driven from their positions.

I know that elsewhere, but not in this branch

of Congress, the genial rays which emanate from the source of all light and warmth here will soften the spinal marrow of a few ill-conceived subjects; and frequent genuflections at the footstool of power will weaken the knees of others. You can easily designate them by their shuffling, cringing, fawning manner. They never stand erect when manhood is required. But the number is so few that a large majority will still stand by their own honor and their country's welfare.

To you who do not desire these reforms, or any of them, I say, frankly, it is of no importance by whom or when or how reconstruction is effected. For in these short years this whole Government will be in the hands of the late rebels and their northern allies.

To you who desire the above reforms or some of them, and believe them essential to the future prosperity and stability of the Republic, and, as necessary thereto, the continued ascendancy of the Union party, let me say, with all earnestness, discard every idea of reconstruction which does not put the conquered territory into territorial governments, or something equivalent, and thereby distinctly declare that in adopting those amendments their aid will neither be desired nor permitted, but that when they enter the Union they will swear allegiance to a Constitution to which the consent of their legislatures will not be asked. Seek out every other invention and mode of reconstruction which is within the jurisdiction of Congress, or the power of the Commander-in-Chief, and none can be found which can secure us from rebel rule, and save the freedmen from laws more oppressive than the old slave-code.

I had almost overlooked a very important item of the gentleman from Ohio. He says if Tennessee was reduced to a Territory, Andrew Johnson would not be eligible as President. The gentleman has not well consulted the Constitution. While the President must be a citizen of the United States, he can live in a Territory, or even the District of Columbia, which was never a State.

If any of you have technical scruples, you can have none as to the power of the conqueror over the vanquished. Cut the Gordian knot, if you cannot unite it, and save the great Republic.

Mr. Speaker, I have said a great deal more than I intended. Perhaps it is a little out of place. My remarks were prepared some time ago, and I have used them now for the same reason that President Lincoln signed a bill and then sent in a veto; he liked the veto and did not want to lose it. [Laughter.] I did not like to lose this speech, and so I now allow it to be embarked upon the surges of this turbulent debate.

Lancaster History