Miscellaneous.

THE RECONSTRUCTION COMMITTEE'S REPORT. (CONCLUDED.)

REBEL SPIRIT UNCHANGED.

Hardly has the war closed before the people of these insurrectionary States come forward and haughtily claim, as a right, the privilege of participating at once in that Government which they had for four years been fighting to destroy. Allowed and encouraged by the Executive to organize State governments, they at once place in power leading rebels, unrepentant and unpardoned, excluding with contempt those who had manifested an attachment to the Union, and preferring, in many instances, those who had rendered themselves most obnoxious. In the face of the law requiring an oath of office which would necessarily exclude all such from Federal offices, they elect, with very few exceptions, as Senators and Representatives to Congress, men who had actively participated in the rebellion, insultingly denouncing the laws as unconstitutional. It is only necessary to instance the election to the Senate of the late Vice-President of the Confederacy, a man who lent his own declared great ability and his influence as a most prominent public man to the cause of the rebellion, and who, unpardoned rebel that he is, with that oath staring him in the face, had the assurance to lay his credentials on the table of the Senate.

Other rebels, of scarcely less note or notoriety, were selected from other quarters -professing no repentance, glorying apparently in the crime they had committed, avowing still, as the uncontradicted testimony of Mr. Stephens and others proves, an adherence to the pernicious doctrine of secession, and declaring that they only yielded to necessity. They insist, with unanimous voice, upon their rights as States, and proclaim that they will submit to no conditions whatever as preliminary to their resumption of power under that Constitution which they still claim the right to repudiate.

Examining the evidence taken by your Committee still further, in connection with facts too notorious to be disputed, it appears that the Southern press, with few exceptions, and those mainly of newspapers recently established by Northern men, abounds with weekly and daily abuse of the institutions of the people of the loyal States, defends the men who led, and the principles which incited, the rebellion, denounces and reviles Southern men who adhered to the Union, and strives, constantly and unscrupulously, by any means in its power, to keep alive the fire of hate and discord between the two sections; calling upon the President to violate his oath of office and overturn the Government by force of arms, and drive the Representatives of the people from their seats in Congress. The national banner is openly insulted, not only by an ignorant population, but at public meetings, and once, among other notable instances, at a dinner given in honor of a notorious rebel who had violated his oath and abandoned his place. The same individual is elected to an important office in the leading city of his State, although an unpardoned rebel, and so offensive that the press silently allows him to enter upon his official duties. In another State the leading general of the rebel armies is openly nominated for Governor by the Speaker of the House of Delegates, and the nomination is hailed by the people with shouts of satisfaction, and

openly indorsed by the press. taken by your Committee, it is found to be clearly shown by witnesses of the highest character and having the best means of information, that the Freedmen's Bureau, instituted for the relief and protection of the freedmen and refugees, is almost unimen of the South are earnest in its defence, erto required. to obtain labor at fair prices, and could hardly live in safety. They also testify obliged to abandon their homes. The feeltive and malicious hatred. This deepseated prejudice against color is assiduously cultivated by the public journals, and leads to acts of cruelty, oppression, and murder, which the local authorities are at no pains to prevent or punish. There is no disposition to place the colored men, constituting at least four fifths of the population, upon terms of even civil equality, while many instances may be found where, large planters and men of the better class accept the situation and honorably strive to bring about a better order of things by employing the freedmen at fair wages, and treating them kindly. The general feeling and disposition, among all classes, are yet totally averse to the toleration of any class of people friendly to the Union, be they white or black, and this aversion is not unfrequently manifested in an insulting and offensive manner.

The witnesses examined as to the willingness of the people of the South to contribate under existing laws, to the payment of the National debt, prove that the taxes levied by the United States will be paid only on compulsion and with great reluctance, while there prevails to a considerable extent, the idea that compensation will pe made for slaves emancipated and property destroyed during the war. The testimony on this point came from officers of the Union army, officers of the late rebel army, Union men of the Southern States, and avowed secessionists, almost all of whom state that, in their opinion, the people of the rebellious States would, if they should see a prospect of success, repudiate the National debt.

While there is scarcely any hope or desire among leading men to renew the at empt at secession at any future time, there a still, according to a large number of vitnesses, including A. H. Stephens, who may be regarded as good authority on that

defends the legal right of secession, and applicable to the States recently in rebelupholds the doctrine that the first alle- lion. giance of the people is due to the States, and not to the United States. This belief evidently prevails among leading and prominent men, as well as among the masses everywhere, except in some of the northern counties of Alabama and the eastern coun-

ties of Tennessee. The evidence of an intense hostility to the Federal Union and an equally intense love of the late Confederacy, nurtured by and Northern men who go there to engage. in business are generally detested and pro-scribed. Men who adhere to the Union are bitterly hated and relentlessly persecuted. In some localities presecutions have been instituted in State Courts against Union officers for acts done in the line of official duty, and similar prosecutions are: States troops are removed. All such demonstrations show a state of feeling against which it is unmistakably necessary to guard. FEELING AT THE CLOSE OF THE WAR.

The testimony is conclusive that after the collapse of the Confederacy the feeling of the people of the rebellious States was that of abject submission. Having appealed to the tribunal of arms, they had no hope except that, by the magnanimity of their conquerors, their lives and possibly their property might be preserved. Unfortunately, the general issue of pardons to persons who had been prominent in the rebellion, and the feeling of kindliness and conciliation manifested by the Executive and very generally indicated through the Northern press, had the effect to render whole communities torgetful of the crime they had committed, defiant toward the Federal Government, and regardless of their duties as citizens. The conciliatory measures of the Government do not seem to have been met even half way. The bitterness and defiance exhibited toward the United States, under such circumstances, is without a parallel in the history of the world. In return for our leniency we receive only an insulting denial of our authority. In return for our kind desire for documents, and speeches. the resumption of fraternal relations, we receive only an insolent assumption of rights and privileges long since forfeited. The crime we have punished is paraded as a virtue, and the principles of Republican Government which we have vindicated at so terrible a cost, are denounced as unjust and oppressive.

If we add to this evidence the fact that, although peace has been declared by the President, he has not, to this day, deemed it sate to restore the writ of habeas corpus, to relieve the insurrectionary States of martial law, nor to withdraw the troops from many localities, and that the Comorder and the protection of loyal and wellout the insurrectionory States, would seem to be overwhelming.

COMMITTEE'S CONCLUSIONS. With such evidence before them, it is

the opinion of your Committee:

I. That the States lately in rebellion were, at the close of the war, disorganized Looking still further at the evidence virtue of which political relations could

from disorganized communities, which, from the very nature of the case, were unversally opposed by the mass of the populat able to present their claim to representation. tion, and in an efficient condition only under those established and recognized under military protection, while the Union | rules, the observance which has been hith-

declaring in one voice that without its pro-tection the colored people would be unable to obtain labor at fair prices, and could participation in the Government of the that without the protection of the United | stitutional or other guarantees as will tend States troops, Union men, whether of Northern or Southern birth, would be the Republic, a just equality of representaing in many portions of the country toward rebellion and crime, and, at least, a tempo- the concurrence of all the departments in emancipated slaves, especially among the rary restriction of the right of suffrage to which political power is vested, and hence uneducated and ignorant, is one of vindicthe effort to destroy the Union, and the ex- to the people of the Confederate States worthy of public confidence.

> further, but inasmuch as immediate and Executive power. unconditional representation of the States lately in rebellion is demanded as a matter then. Whether conquered enemies have of right, and delay and even hesitation is the right, and shall be permitted at their denounced as grossly oppressive and unjust, own pleasure and own terms, to participate as well as unwise and impolitic, it may not undisputed and notorious facts, and the their theatre of operations from the battleprinciples of public law applicable thereto, fields, where they were defeated and overin order that the propriety of that claim may be fully considered and well understood.

> tionary States, and has been the subject of whole civil administration, its credit, its a separate report, which your Committee pensioners, its widows and orphans of those have not thought it expedient to disturb, who perished in the war; the public honor, Whether Congress shall see fit to make that State the subject of separate action, or the keeping of its recent enemies, without to include it in the same category with all delay, and without requiring such condiothers so far as concerns the imposition of tions as in the opinion of Congress the preliminary conditions, it is not within the security of the country and its institutions province of this Committee either to determine or advise.

To ascertain whether all the so-called Confederate States "are entitled to be represented in either House of Congress," the essential inquiry is, whether there is in any one of them a constituency qualified to be represented in Congress. The question how far persons claiming seats in either House ossess the credentials necessary to enable them to represent a duly qualified constituency, is one for the consideration of each House separately, after the preliminary question shall have been finally determined. BECAPITULATION.

We now propose to restate as briefly as until proper precautions shall have been

First: The seats of the Senators and Representatives, from the so-called Confederate States became vacant in the year 1861, during the second session of the Confederate States, unless we except the XXXVIth Congress, by the voluntary state of Tennessee; qualified to elect Senawithdrawal of their incumbents with the sanction and by the direction of the legis. State constitution or amendment to a State latures or conventions of their respective | constitution has had the sanction of the latures or conventions of their respective consultation has not people. All the so called legislation of against the Constitution and Government State conventions and legislatures has a state with a declared intent been had under military dictation. If the war, is decisive. While it appears that of the United States, with a declared intent been had, under military dictation. If nearly all are willing to submit, at least for to overthrow the same by forming a South the President may, at his will and under the time being to rederal authority, it is ern. Confederacy. This act of declared his own authority, whether as military equally clear that the ruling motive is a hostility was speedily followed by an ordesire to obtain the advantages which will ganization of the same States into a con-be derived from a representation in Con-gress. Officers of the Union army on duty, sea and laid against the United States. This war continued more than four years, within which time the rebel armies besieged the National Capital, invaded the loyal States, burned their towns and cities, robbed their citizens, destroyed more than 250,000 loyal soldiers, and imposed an in- moment impute to the President any such creased national burden of not less than design, but cheerfully concede to him the \$3,500,000,000, of which seven or eight threatened elsewhere as soon as the United hundred millions have already been met and paid. From the time that these Confederate States thus withdrew their representation in Congress and levied war on the United States, the great mass of their people became and were insurgents, rebels. traitors; and all of them occupied the political, legal, and practical relation of enemies of the United States. This position is established by acts of Congress and judicial decisions, and is recognized repeatedly by the President in public proclamations,

documents, and speeches. Second; The States thus confederated prosecuted their war against the United States to final arbitrament, and did not cease until all their armies were captured, their military power destroyed, their civil officers, State and Confederate, taken prison- and safety should be required; that this ers or put to flight, every vestige of State and Confederate Government obliterated. their territorry overrun and occupied by the Federal armies, and their people reduced to the condition of enemies conquered in war, entitled only, by public law, to such rights, privileges, and conditions as might be vouchsafed by the conqueror This position is also established by judicial decisions, and is recognized as sound by the President in public proclamations,

Third: Having voluntarily deprived themselves of representation in Congress, for the criminal purpose of destroying the Federal Union, and having reduced themselves by the act of levying war to the condition of public enemies they have no right to complain of temporary exclusion from Congress; but, on the contrary, having voluntarily renounced the right to representation, and disqualified themselves by crime from participating in the Government, the burden now rests upon them, before claiming to be reinstated in their former condition, to show that they are qualified to resume Federal relations. In perfections may be cured and its deficienmanding General deems an increase of the order to do this, they must prove that they army indispensable to the preservation of have established, with the consent of the people, republican forms of government in harmony with the Constitution and laws of disposed people in the South, the proof of harmony with the Constitution and laws of the existence of feeling hostile to the Union the United States, that all hostile purposes and dangerous to the Government through, have ceased, and should give adequate guarantees against future treason and rebellion; guarantees which shall prove sutis factory to the Government against which they rebelled, and by whose arm they were

Fourth: Having by this treasonable withdrawal from Congress, and by flagrant rebellion and crime forfeited all civil and communities, without civil government, and without constitutions or other forms by virtue of which political relations could legally exist between them and the Federal constitution, they can only be legally exist between them and the Federal constitution of the cons Government. thority of that constitutional power and the constitution of the were subdued. The value of the constitution of the were subdued.

Fifth: These rebellious urmies were conquered by the people of the United States, acting through all the colordinate branches of the Government and onot by the Executive Department alone The powers of Congress are notes vested in the country without first providing such con- and traitors, nor can he in any way qualify. enemies of the Government to exercise its tion, protection against claims founded in ral Government can be exercised only with clusion from positions of public trust of at cannot be considered declared, and can least a portion of those whose crimes have only be regarded as provisional permissions proved them enemies of the Union and un- by the Commander in Chief of the army to do certain acts, the effect and validity Your Committee will, perhaps, hardly be whereof is to be determined by the Constideemed excusable for extending this report tutional Government, and not solely by the

Sixth: The question before Congress is, in making laws for their donquerors? be amiss again to call attention to a few Whether conquered rebels may change thrown, to the halls of Congress, and their representatives seize upon the Government, tood:

The State of Tennessee occupies a positive National Treasury, the army of the tion distinct from all the other insurrec- nation, its navy, its forts and arsenals, its peace and safety, shall all be turned out to may demand?

Seventh: The history of mankind exhib its no example of such madness and folly.
The instinct of self preservation protests against it. The surrender by Gen Grant to Lee, and by Sherman to Johnston, would have been disasters of less magnitude, for new armies could have been graised; battles fought, and the Government saved. The anti-coercive policy, under, pretext, of avoiding bloodshed, allowed the rebellion to take form and gather force; but it would be surpassed in infamy by the matchless wickedness the hallwickedness that would surrender the halls of Congress to those so recently in rebellion,

point, a generally prevailing opinion which possible the general facts and principles taken to secure the National faith and the National safety. Eighth: As has been shown in this re-

port and in the evidence submitted, no proof has been afforded to Congress of a

constituency in any one of the so called presentatives and empower others to elect and appoint them, he thereby practically controls the organization of a legislative department. The constitutional form of Government is thereby practically destroyed and its powers absorbed in the Executive. And while your Committee do not for a most patriotic motives, they cannot but look with alarm upon a precedent so fraught

with danger to the Republic. Ninth: The necessity of providing adequate safeguards for the future, before restoring the insurrectionary States to a participation in the direction of public af fairs is apparent from the bitter hostility to the Government and people of the United States yet existing throughout the conquered territory, as proved incontestably by the testimony of many witnesses and undisputed facts.

Tenth: The conclusion of your Committee, therefore, is that the so-called Confederate States are not, at present, entitled to representation in the Congress of the United States; that before allowing such representation, adequate security for future peace can only be tound in such changes of the organic law as shall determine the civil rights and privileges of all citizens in all parts of the Republic, shall place representation on an equitable basis, shall fix a stigma upon treason, and protect the loyal people against future claims for the expenses incurred in support of rebellion and for manumitted slaves, together with an express grant in Congress to enforce these provisions. To this end, they offer a joint resolution for amending the Constitution, and the two several bills designed to carry the same into effect before referred to.

Before closing this report, your Committee beg leave to state that the specific recommendations submitted by them are the result of mutual concession, after a long and careful comparison of conflicting opinions. Upon a question of such magnitude infinitely important as it is to the future of the Republic, it was not to be expected that all should think alike. Sensible of the imperfections of the scheme, your Committee submit it to Congress as the best they could agree upon, in the hope that its imcies supplied by legislative wisdom, and that when finally adopted it may tend to restore peace and harmony to the whole country, and to place our Republican institutions on a more stable foundation.

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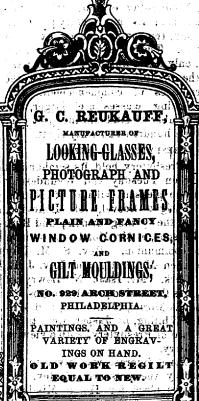
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