THIRD EDITION

PRESIDENTIAL VETO.

Message of the President of the United States Returning to the Senate a Bill Entitled "An Act to Regulate the Elective Franchise in the District of Columbia."

To the Senate of the United States:-

I have received and considered a bill entitled "An act to regulate the elective franchise in the District of Columbia," passed by the Senate on the 13th of December, and by the House of Representatives on the succeeding day. It was presented for my approval on the 26th ultimosix days after the adjournment of Congress-and is now returned with my objections to the Senate, in which House it originated.

Measures having been introduced, at the commencement of the first session of the present Congress, for the extension of the elective franchise to persons of color in the District of Columbia, steps were taken by the corporate authorities of Washington and Georgetown to ascertain and make known the opinion of the people of the two cities upon a subject so immediately affecting their welfare as a community. The question was submitted to the people at special elections, held in the month of December, 1865, when the qualified voters of Washington and Georgetown, with great unanimity of sentiment, expressed themselves opposed to the contemplated legislation. In Washington, in a vote of 6556-the largest, with but two exceptions, ever polled in that city-only thirty-five ballots were cast for negro suffrage; while in Georgetown, in an aggregate of 813 votes-a number considerably in excess of the average votest the four preceding annual electionsbut one was given in tayor of the proposed extension of the elective francaise.

As these elections seem to have been conducted with entire fairness, the result must be accepted as a truthful expression of the opinion of the people of the District upon the question which evoked it. Possessing, as an organized community, the same popular right as the inhabitants of a State or territory, to make known their will upon matters which affect their social and political condition, they could have selected no more appropriate mode of memorializing Congress upon the subject of this bill than

through the suffrages of their qualified voters. Entirely disregarding the wishes of the people of the District of Columbia, Congress has deemed it right and expedient to pass the measure now submitted for my signature. It, therefore, be-comes the duty of the Executive, standing between the legislation of the one and the will of the other, fairly expressed, to determine whether he should approve the bill, and thus aid in placing upon the statute books of the nation a law against which the people to whom it is to apply have solemnly and with such unanimity protested, or whether he should s, in th upon reconsideration, Congress, acting as the representatives of the inhabitants of the seat of government, will permit them to regulate a purely local question, as to them may seem best suited to their interests and condition.

The District of Columbia was ceded to the

United States by Maryland and Virginia, in order that it might become the permanent seat of government of the United States. Accepted by Congress, it at once became subject to the "exclusive legislation" for which provision is made in the Federal Constitution. It should be borne in mind, however, that in exercising its functions as the law-making power of the District of Columbia, the authority of the National Legislature is not without limit, but that Congress is bound to observe the letter and spirit of the Constitution, as well in the enactment of local laws for the seat of government as in legislation common to the entire Union.

Were it to be admitted that the right "to ex ercise exclusive legislation in all cases what-soever," conferred upon Congress unlimited power within the District of Columbia, titles of nobility might be granted within its bounds ries; laws might be made "respecting an establishment of religion, or prohibing the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to petition the Govvernment for a redress of grievances." Despotism would thus reign at the seat of government of a free republic, and, as a place of permanent residence, it would be avoided by all who prefer the blessings of liberty to the mere emoluments

of official position.

It should also be remembered that in legis lating for the District of Columbia, under the Federal Constitution, the relation of Congress to its inhabitants is analogous to that of a Legislature to the people of a State, under their own local Constitution. It does not, therefore, seem to be asking too much that, in matters pertain ing to the District, Congress should have a like respect for the will and interests of its inhabitants as is entertained by a State Legislature for the wishes and prosperity of those for whom they The spirit of our Constitution and the genius of our Government require that, in regard to any law which is to affect and have a permanent bearing upon a people, their will should exert at least a reasonable influence upon these who are acting in the capacity of their

legislators.
Would, for instance, the Legislature of the State of New York, or of Pennsyl ania, or of Indiana, or of any State in the Union, in oppo sition to the expressed will of a large majority of the people whom they were chosen to repre sent, arbitrarily force upon them, as voters, al persons of the African or negro race, and make them eligible for office, without any other quali-fication than a certain term of residence within In neither of the States named would the colored population, when acting together, be able to produce any great social or political result. Yet, in New York, before he can vote, the man of color must fulfil conditions that are not required of the white citizen; in Pennsylvania the elective franchise is restricted to white freemen: while in Indiana negroes and mulattoes are expressly excluded from the right of suffrage.

It bardly seems consistent with the principles of right and justice that representatives of States where suffrage is either denied the colored man, granted to him on qualifications requiring intelligence or property, should compel the people of the District of Columbia to try an ex-periment which their own constituents have thus far shown an unwillingness to test for themselves. Nor does it accord with our repub lican ideas that the principle of self-government should lose its force when applied to the residents of the District, merely because their legis lators are not, like those of the States, respons ble, through the ballot, to the people for whom

they are the law-making power.

The great object of placing the seat of government under the exclusive legislation of Congress, was to secure the entire independence of the general Government from undue State influ-

propagaudists or political parties a place for an experimental test of their principles and theories. While, indeed, the residents of the seat of government are not citizens of any State, and are not, therefore, allowed a voice in the electoral coilege, or representation in the councils of the nation, they are, nevertheless, American citizens, entitled as such to every guarantee of the Constitution, to every benefit of the laws, and to every right which pertains to citizens of our common In all matters, then, affecting their domestic affairs, the spirit of our democratic form of government demands that their wishes should be consulted and respected, and they taught to feel that, although not permitted practically to participate in national concerns, they are nevertheless under a paternal Government, regardful of their rights, mindful of their wants, and solicitous for their presperity. It was evidently contemplated that all local questions would be left to their decision, at least to an extent that would not be incompatible with the object for which Congress was granted exclusive legislation over the seat of government. When the Constitution was yet under consideration, it was assumed by Mr. Madison that its inhabitants would be allowed "a muni-cipal legislature, for local purposes, derived from their own suffrages." When, for the first time, Congress, in the year 1800, assembled at Washington, President Adams, in his speech at its opening, reminded the two Houses that it was for them to consider whether the local powers over the District of Columbia, vested by the Constitution in the Congress of the United States, should be immediately exercised, and he asked them to "consider it as the capital of a great nation, advancing with unexampled rapidity in arts, in commerce, in wealth, and in population, and possessing within itself those resources which, if not thrown away or lamentably misdirected, would secure to it a long course of prosperity and self-government." Three years had not elapsed when Congress was called upon to determine the propriety of retroceding to Maryland and Virgima the jurisdiction of the territory which they had re-spectively relinquished to the Government of the United States. It was urged, on the one hand, that exclusive jurisdiction was not necessary or useful to the Government; that it deprived the inhabitants of the District of their political rights; that much of the time of Congress was consumed in legislation pertaining to it; that its government was expensive; that Congress was not competent to legislate for the District, because the members were strangers to its local concerns; and that it was an example of a government without representation—an experiment dangerous to the liberties of the States. On the other hand, it was held, among other reasons, and successfully, that the Constitution, the acts Virginia and Maryland, contemplated the exercise of exchallegislation by Congress, and that exclusive legislation by Congress, and that its usefulness, if not its necessity, was in-ferred from the inconvenience which was felt for want of it by the Congress of the Confedera-tion; that the people themselves, who it was said had been deprived of their political rights, had not complained and did not desire a retrocession; that the evil might be remedied by giving them a representation in Congress when the District should become sufficiently populous, and in the meantime a local legislature; the inhabitants had not political rights, they had great political influence; that the trouble and expense of legislating for the District would not be great, but would diminish, and might in a great measure be avoided by a local legislature; and that Congress could not retrocede the inhabitants without their consent. Continuing to live substantially under the laws that existed at the time of the cession, and such changes only having been made as were sug-gested by them-elves, the people of the District have not sought, by a local legislature, that which has generally been willingly conceded

by the Congress of the nation. As a general rule, sound policy requires that the Legislature should yield to the wishes of a people, when not inconsistent with the Constitution and the laws. The measures suited to one community might not be well adapted to the condition of another; and the persons best qualified to determine such questions are those whose interests are to be directly affected by any proposed law. In Massachusetts, for nstance, male persons are allowed to vote without regard to color, provided they possess a certain degree of intelligence. In a population in that State of 1,231,066, there were, by the census of 1860, only 9602 persons of color; and of the males over twenty years of there were 339,086 white to 2602 colored. By same official enumeration, there were in the District of Columbia 60,764 whites to 14,316 persons of the colored race. Since then, however, the population of the District has largely in creased, and it is estimated that at the present time there are nearly a hundred thousand whites

to thirty thousand negroes. The cause of the augmented numbers of the latter class needs no explanation. Contiguous to Maryland and Vurginia, the District, during the war, became a place of refuge for those who escaped from servitude, and it is yet the abiding place of a considerable proportion of those who sought within its limits a shelter from bondage. Until then held in slavery, and denied all opportunies for mental culture, their first knowledge of the Government was acquired when, by conferring upon them freedom, it became the bene-iactor of their race; the test of their capability for improvement began when, for the first time, the career of tree industry and the avenues to intelligence were opened to them. Possessing these advantages but a limited time, the greater number perhaps having entered the District of Columbia during the later years of the war or since its termination-wa may well pause to inquire whether, after so brief a probation, they'are as a class capable of an intelligent exercise of the right of suffrage, and qualified to discharge the duties of official post fion. The people who are daily witnesses of their mode of living, and who have become familiar with their habits of thought, have expressed the conviction that they are not yet competent to serve as electors, and thus become eligible for office in the local Governments under which they live. Clothed with the elective franchise, their numbers, already largely in exsoon increased by an influx from the ad-joining States. Drawn from fields where employment is abundant, they would in vain seek it here, and so add to the embarrassments already experienced from the large class of idle persons congregated in the District. Hardly yet capable of forming correct judgments upon the important questions that often make the issues of a political contest, they could readily be made subservient to the purcoses of designing persons. While in Massachusetts, under nsus of 1860, the proportion of white to colored males over twenty years of age was one hundred and thirty to one, here the black race constitutes nearly one-third of the entire popuation, whilst the same class surrounds the District on all sides, ready to change their residence at a moment's notice, and with all the facility of a nomadic people, in order to enjoy here, after a short residence, a privilege thay find nowhere else. It is within their power, in one year, to come into the District in numbers as to have the supreme control of the white race, and to govern them by their own officers, and by the exercise of all the municipal authority—among the rest, of the power of taxa-

tion over property in which they have no m-terest. In Massachusetts, where they have

ence, and to enable it to discharge, without danger of interruption or infringement of its authority, the high functions for which it was created by the people. For this important purpose it was ceded to the United States by Margiand and Virginia, and it certainly never could have been contemplated, as one of the objects to be attained by placing it under the exclusive jurisdiction of Congress, that it would afford to propagandists or political parties a place for an enjoyed the benefits of a thorough educational system, a qualification of intelligence is required, while here suffrage is extended to all, without discrimination, as well to the most incapable, who can prove a residence in the District of one year, as to those persons of color who, comparatively lew in number, are permanent inhabitants, and having given evidence of merit and qualification, are recognized as useful and reproductions. qualification, are recognized as useful and re-sponsible members of the community. Imposed upon an unwilling people, placed b the Constitution under the exclusive legis-lation of Congress, it would be viewed as an arbitrary exercise of power, and as an indication by the country of the purpose of Congress to compel the acceptance of negro suffrage by the States. It would engender a feeling of opposition and hatred between the two races, which, becoming deep-rooted and inera-dicable, would prevent them from living together in a state of mutual friendliness. Carefully avoiding every measure that might tend to produce such a result, and following the clear and well-ascertained popular will, we should assidu-ously endeavor to promote kindly relations be-tween them, and thus, when that popular will leads the way, prepare for the gradual and har

monious introduction of this new element into the political power of the country.

It cannot be urged that the proposed extension of suffrage in the District of Columbia is necessary to enable persons of color to protect either their interests or their rights. They stand here precisely as they stand in Pennsylvania, Ohio, and Indiana. Here, as elsewher in all that pertains to civil rights, there is nothing to distinguish this class of persons from citizens of the United States; for they possess the "full and equal benefit of all laws and proceedings for the security of person and property as is enjoyed by white citizens," and made "subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom to the contrary notwithstanding." Nor, as has been assumed, are their suffrages necessary to aid a loyal sentiment here; for local governments already exist of undoubted fealty to the Government, and are sustained by communities which were among the first to testify their devotion to the Union, and which during the strug-gle furnished their full quotas of men to the

military service of the country.

The exercise of the elective frauchi-e is the highest attribute of an American citizen, and, when guided by virtue, Intelligence, patriotism, and a proper appreciation of our institutions, constitutes the true basis of a democratic form of government, in which the sovereign power is lodged in the body of the receple. Its induence for good necessarily depends upon the elevated character and patriotism of the elector, for if exercised by persons who do not justly estimate its value, and who are indifferent as to its results, it will only serve as a means of placing power in the hands of the unprincipled and am-pitious, and must eventuate in the complete destruction of that liberty of which it should be the most powerful conservator. Great danger is therefore to be apprehended from an untimely extension of the elective franchise to any new class in our country, especially when the large majority of that class, in wielding the power thus placed in their hands, cannot be expected correctly to comprehend the duties and responsibilities which pertain to suffrage. Yesterday, as it were, four millions of persons were held in a condition of slavery that had existed for generations; to-day they are free men, and are assumed by law to be citizens. It cannot be presumed, from their previous condition of servitude, that, as a class, they are as well informed as to the nature of our Government as the intelligent foreigner who makes our land the home of his choice. In the case of the latter, neither a residence of five years, and the knowledge of our institutions which it gives, nor attachment to the principles of the Constitution, are the only conditions upon which he can be admitted to citizenship. He must prove, in addition, a good moral character, and thus give reasonable ground for the belief that be will be faithful to the obligations which he assumes as a citizen of the republic. Where a people—the source of all political power—speak, by their suffrages, through the instrumentality of the ballot-box, it must be carefully guarded against the control of those corrupt in principle and enemies of free institutions, for it can only become to our political and social system a safe conductor healthy popular sentiment when kept free from demoralizing influences. Controlled, through fraud and usurpation, by the designing, anarchy and despotism must inevitably follow. In the hands of the patriotic and worthy, our Government will be preserved upon the principles of the Constitution inherited from our fathers. It follows, therefore, that in admitting to the ballot-box a new class of voters not qualified for the exercise of the elective franchis weaken our system of government, instead of

adding to its strength and durability. In returning this bill to the Senate I deeply egret that there should be any conflict opnion between the Legislative and Executive Departments of the Government in regard to measures that vitally affect the prosperity and peace of the country. Sincerely desiring to reconcile the late with one another, and the whole people to the Government of the United States, it has been my earnest wish to co-operate with Congress in all measures havfor their object a proper and complete ustment of the questions resulting from our late civil war. Harmony between the co-ordinate branches of the Government, always necessary for the public welfare, was never more demanded than at the present time, and it will therefore be my constant aim to promote, as far as possible, concert of action between them. The differences of opinion that have already occurred have rendered me only the more cautious lest the Executive should encroach upon any of the prerogatives of Congress, or, by exceeding, in any manner, the constitutional limit of his duties, destroy the equilibrium which should exist between the several co-ordinate departments, and which is so essential to the harmonious working of the Government. I know it has been urged that the Executive Department is more likely to enlarge the sphere of its action than either of the other two branches of the Government, and specially in the exercise of the veto power con-ferred upon it by the Constitution. It should remembered, however, that this power is wholly negative and conservative in its charac-ter, and was intended to operate as a check upon unconstitutional, hasty, and improvident legis-lation, and as a means of protection against invasions of the just powers of the Execu-tive and Judicial Departments. It is re-marked by Chanceltor Kent that "to enact laws is a transcendent power; and, if the body that possesses it be a full and equal representation of the people, there is danger of pressing with destructive weight upon all the other parts of the machinery of government. It has, therefore, been thought neces-sary, by the most skilful and most experienced artists in the science of civil polity, that strong barriers should be erected for the protection and security of the other necessary powers of the Government. Nothing has been deemed more fit and expedient for the purpose than the partment should be so constituted as to secure a requisite share of independence, and that he should have a negative upon the passing of laws; and that the judiciary power, resting on a still more permanent basis, should have the right of determining upon the validity of laws by the standard of the Constitution."

The necessity of some such check in the hands of the Executive is shown by reference to the most eminent writers upon our system of government, who seem to concur in the optni hat encroachments are most to be apprehended from the department in which all legislative powers are vested by the Constitution. Mr. Madison, in referring to the difficulty of pro-

viding some practical security for each against the invasion of the others, remarks that "the Legislative Department is everywhere extending the sphere of its activity, and drawing all power into its impetuous vortex." 'The founders of our republics " " seem never to have recollected the danger from legislative usurpations, which, by assembling all power in the same hands, must lead to the same pranny as is threatened by Executive usurpations." "In a representative Republic, where the Executive Magistracy is carefully limited, both in the exent and the duration of its power and where the legislative power is exercised by an assembly which is inspired by a supposed influence over the people, with an intropid con-fidence in its own strength; which is sufficiently numerous to feel all the passions which actuate multitude, yet not so numerous as to be inca pable of pursuing the objects of its passions by means which reason prescribes—it is against the enterprising ambition of this department that the people ought to indulge all their jea lousy and exhaust all their precautions."
The Legislative Department derives a superiority in our Government from other circumstances. Its constitutional powers being once more extensive and less susceptible precise limits, it can with the greater facility mask, under complicated and indirect measures. the encroschments which it makes on the co-ordinate departments. On the other side, the exe cutive power being restrained within a narrower compass, and being more simple in its nature, and the judiciary being described by landmarks still less uncertain, projects of usurpation by either of these departments would fu-mediately betray and deteat themselves. Nor is this all. As the Legislative Department alone has access to the pockets of the people, and has in some constitutions full discretion, and in all a prevailing influence over the pecuniary re-wards of those who fill the other departments, a dependence is thus created in the latter which gives still greater facility to encroachments of the former. We have seen that the tendency of republican governments is to an aggrandize-

ment of the legislative, at the expense of the other departments," Mr. Jefferson, in referring to the early Constitution of Virginia, objected that by its pro-visions all the powers of government-legislative, executive, and judicial-resulted to the legislative body, holding that "the concentrating these in the same hands is precisely definition of despotic government. It will be no alleviation that these powers will be exer-cised by a plurality of hands, and not by a single one. One hundred and seventy-three despots would surely be as oppressive as one." "As little will it avail us that they are chosen by ourselves. An elective despotsm was not the Government we fought for, but one which should not only be founded on free principles, but in which the powers of government should be so divided and balanced among several bodies of magistracy as that no one could transcend their legal limits without being effectually checked and restrained by the others. For this reason that Convention which passed the ordinance of government laid its foundation on this basis, that the Legislative, Executive, and Judiciary Departments should be separate and distinct, so that no person should exercise the powers of more than one of them at the same time. But no barrier was provided between these several powers. The Judiciary and Executive members were left dependent on the Legislative for their subsist-ence in office, and some of them for their continuance in it. If, therefore, the Legislature assumes executive and judiciary powers, no opposition is likely to be made, nor, if made, can be effectual; because in that case they may put their proceedings into the form of an act of assembly, which will render them obliga-tory on the other branches. They have ac-cordingly, in many instances, decided rights which should have been left to judiciary con-troversy; and the direction of the Executive, during the whole time of their session, is becoming habitual and familiar."

Mr. Justice Story, in his commentaries on the Constitution, reviews the same subject, and

"The truth is that the legislative power is the great and overruling power in every free Govern-ment." 'The representatives of the people will watch with jealousy every encorachment of the Executive Magistrate, for it trencues upon their own authori'y. But who shall watch the encroachments of these representatives themselves? Will they be as jealous of the exercise of power by themseives as by others?" "there are many reasons which may be assigned for the engrossing influence of the legislative department. In the first place, its constitutional powers are more extensive, and less sapable of being brought within precise limits, toan either of the other departments. The on and defined. It reaches few objects, and those are known. It cannot transcend them without being brought in contact with the other departments. Laws may check and testrain and bound its exercise. The same remarks apply with still greater force to the Judiciary. The jurisdiction is, or may be, bounded to a few objects or persons; or, however general and understants. imited, its operations are necessarily confined to the mere administration of private and public jus-tice. It cannot punish without law. It cannot create controversies to act upon It can decide only upon rights and cases as they are brought by others before it. It can do nothing for itse i. It others before it It can do nothing for itse i. It must do everything for others It must obey the laws; and if it corruptly administers them it is sub-ject to the power of impeachment. On the other hand, the legislative power, except in the few cases of constitutional prohibition, is unlimited. It is forever varying its means and its end. It governs the institutions and laws and public policy of the country. It regulates all its vast interests. It disposes of all its property. Look but at the exercise of two or three branches of its ordinary powers. It lives all tayes, it directs and appropriates all and appropriates all and appropriates all and appropriate all and appropriates all and appropriate all and appropriates all and appropriate all and appropriates all and appropriate all and appropriates all and appropriates all and appropriates all and appropriate all and appropriates all and appropriate all and appropriate all and appropriates all and appropriate all and appropriate all and appropriates all and appropriate all and appropriate all and appropriate all and appropriates all and appropriate all and appropriates all and appropriate all and appropriates all and appropriate all and appropriate all and appropriates all and appropriate all and appropriates all It vies all taxes; it directs and appropriates all supplies; it gives the rules for the descent distribution, and devises of all property held by individuals. It controls the sources and the resources of wealth. It changes of times and the resources of weath. It moulds at its pleasure almost all the institutions which give strength and comfort and dignity to society. In the next place, it is the direct, visible representative of the will of the people in all the changes of times and circumstances. It has the moved and steadily moved by the strong impuses of popular feeling and popular odium. It is easily moved and steadily moved by the strong impuses of popular feeling and popular odium. It obeys, without re uctance, the wishes and the will of the majority for the time being. The path to public favor lies open by such obedience; and it finds not only support, but impunity, in whatever measures the majority advises, even though they measures the majority advises, even though they transcend the constitutional limits. It has no mo-tive, therefore, to be jealous or scrupulous in its own use of power; and if finds its ambition at mulated, nse of power; and it finds its ambition at mulated, and its arm strengthened, by the countenance and the courage of numbers. These views are not alone those of men who look with apprehension upon the fate of republics, but they are also freely admitted by some of the strongest advocates for popular rights and the permanency of republican institutions." "Each department should have a will of its own." "Each should have its own independence secured beyond the power of being taken away by either or both of the others. But at the same time the relations of each to the other should either or both of the others. But at the same time the relations of each to the other should be so strong that there should be a matual interest to sus'ain and protect each other. There should not only be constitutional means, but personal motives to re-sistence achieves of one or either of the others. Thus, ambition would be made to counteract ambition; the decire of power to check power; and the pressure of interest to balance an opposing interest." "The judiciary is naturally, and almost necessarily (as has been already said) the weakest department. It can have no m ans of influence by patronage. Its powers can sever be wielded for itself, It has no command over the purse or the sword of the nation. It can neither lay taxes, nor appropriate money, nor command arm es, purse or the sword of the nation. It can neither lay raxes, nor appropriate money, nor command armes, nor appoint to office. It is never brought into contact with the people by constant appeals and solicitations, and private intercourse, which belong to all the other departments of Government. It is seen only in controversies, or in trials and punishments. Its rigid justice and impartiality give it no claims to tavor, however they may to respect. It stands solitary and unsupported, except by that portion of public opinion which is interested only in the strict administration of justice. It can rarely secure the sympathy or scalous support either of the Exceutive or the Legislature. If they are not can is not unfrequently the case) jealous of

its prerogatives, the constant necessity of scrutinizing the acts of each, upon the application of any private person, and the paintul du y of pronouncing judgment that these acts are a departure from the law or Constitution, can have no t-ndency to conclinate kindness or nourish influence. It would seem, therefore, that some additions guards would, under such circumstances, be necessary to project this department from the absolute dominion of the others. Yet rarely have any such guards been applied; and every attempt to introduce them has been resisted with a pertinacity which demonstrates how slow popular leavers are to introduce them has been resisted with a pertinacity which demonstrates how slow popular leavers are to introduce checks upon their own power, and how slow the people are to believe that the judiciary is the real bulwark of their literies." 'If any department of the Government has undue influence, or absorbing power, it certainly has not been suber the executive or judiciary."

In addition to what has been said by these distingnished writers, it may also be urged that the dominant party in each House may, by the expulsion of a sufficient number of members, or by the exclusion from representation of a requisite number of States, reduce the minority to less than one-third. Congress, by these means, might be enabled to pass a law, the objectious of the President to the contrary notwithstanding, which would render impotent the other two departments of the Government, and make in-operative the wholesome and restraining power which it was intended by the framers of the Constitution should be exerted by them. This would be a practical concentration of all power in the Congress of the United States—this, in the language of the author of the Declaration of Independence, would be "precisely the definition of despotic government."

I have preferred to reproduce these teachings of the great statesmen and consutu ional lawthe early and later days of the republic, rather than to rely simply upon an expression of my own opinions. We cannot too often recur to them, especially at a conjuncture like the present. Their application to our actual condition is so apparent, that they now come to us a living voice, to be listened to with more attention than at any previous period of our history. We have been and are yet in the midst of popular commotion. The passions aroused by a great civil war are still dominant. It is not a time favorable to that calm and deliberate judgment which is the only safe guide when radical changes in our institutions are to be made. The measure now before one of those changes. It initiates an untried experiment, for a people who have said, with one voice, that it is not for their good. This alone should make us pause; but it is not all. The experiment has not been tried, or so much manded, by the people of the several States for themselves. In our few of the States has such an it novation been allowed as giving the ballot to the colored population without any other qualification than a residence of one year, and in most of them the denial of the ballot to this race is absolute, and by fundamental law placed beyond the domain of ordinary legislation. In most of those States the evil of such suffrage would be partial; but, small as it would be, it is guarded by constitutional barriers. Here the innovation assumes formidable proportions, which may easily grow to such an extent as to

make the white population a subordinate ele-ment in the body politic.

After full deliberation upon this measure, 1 cannot bring myself to approve it, even upon local considerations, nor yet as the beginning of an experiment on a larger scale. I yield to no one in attachment to that rule of general suffrage which distinguishes our policy as a nation. But there is a limit, wisely observed hitherto, which makes the ballot a privilege and a trust, and which requires of some classes a time suitable for probation and preparation. To give it indiscriminately to a new class, wholly unpre-pared, by previous habits and opportunities, to perform the trust which it demands, is to degrade it, and finally to destroy its power; for it may be safely assumed that no political truth is better established than that such indiscriminate and all-embracing extension of popular suffrage must end at last in its destruction.

Washington, January 5, 1867.

THE NEW CITY COUNCILS.

Organization of Both Branches this Morning.

This morning at 10 o'clock both branches of the City Council met for the purpose of organizing for the present year. We give below the names of the members, with the Wards which they represent, their residences or places of business, and the party by whom they we:e elected. Those marked with an asterisk (*) are new members; the others hold over from last year.

SELECT COUNCIL. First Ward-Thomas A. Barlow (3.), No. 1332 S. Finh street.
Second Ward-Dr. C. R. Kamerly (0.), S. W corner of 'blird and Federal streets.
Third Ward-James D. (ampbell (0.), No 759 S. Firth street.
Fourth Ward-Henry Marcus (O.), No. 720 South Fifth Ward-James Page (0.), No 272 S. Fourth Street. Ward-Patrick Duffy* (O.), S. W. corner of Fifth and Vine streets. Seventh Ward-John A. Shermer (R.), N. E. corner of Eighth and South streets. Eighth Ward-Alexander L. Hodgdon (R.), No. 1015 Eighth Ward—William S. Stokley* (R.), No. 19 Se
Eighth street.
Tenth Ward—Joshua Spering (R.), No. 1012 Vin
street or No. 142 south Fourth street.
Eleventh Ward—Samuel G. King (O.), No 352 N. Second street. Twelth Ward-Charles M. Wagner (R.), No. 341 N. Sixth street.
Thirteenth Ward—Alexande: M. Fox*(R), No. 920 N. Second street, or No 288 N. Sixth street
Fourteenth Ward—F. A. Van Cleve (R), No. 314 N. Tenth or No. 118 S. Sixth street.
Fifteenth Ward—John J. Kersey*(R.), No. 1920 Green street. Sixteenth Ward—James W. Hopkins (O.), No. 1102 N. Third street. Seventeenth Ward-Patrick Shern (O.), No. 1240 Hanock street, Eighteenth Ward-William Bumm (R.), Race street and Delaware avenue.
Nineteenth Ward—James Richie (R.), No. 1624 Ameri-Twenty-third Ward—Edward A. Snailcross (R.), No. 112

Twenty-trat Ward—Char.es Thompson Jones (R.), No. 131

S. Fifth street.

Twenty-second Ward—William F. Smith (R.), No. 112

S. Fourth street.

Twenty-third Ward—Edward A. Snailcross (R.), No. 331 Chesnut a reet. Twenty-third Ward-Edward A. Sanitoes (R.), So. 331 Cleanut's reet.
Twenty-fourth Ward-Sanuel W. Cattell (R.), S. W. corner Twenty-fifth and Soruce streets
Twenty-firth Ward-James Mecutcheon* (O.), corner of Ann and Amber streets.
Twenty-fixth Ward-William J. Pollock (R.), N. W. corner Seventeenth and Fitzwards streets.
Twenty-seventh Ward-R. P. Gli.ingham* (R.), No. 3768 Chegaut, or Front and Poplar streets.

Republican majority.....

COMMON COUNCIL.

First Ward—George W. Maciague (R.), No. 1813 S. First Ward-William Calhoun (B.), No. 1925 Moyamensing avenue.
Second Ward-William D. Martin* (O.), No. 1888 Moyanensing avenue Second Ward-Hugh Kennedy* (O) Second Ward-John E. Tyson* (O.), No. 1146 S. Eleenth street. Third Ward—Wil'lam Thompson* (O.), No. 1203 Catha-

ne street. Fourth Ward-W. P. H. Barnes (O.), No. 802 South Fourth Ward-Benjamin Haney* (O), No. 702 Penn rreet.
Flith Ward—James P. Dillon (O.), No. 398 South street.
sixth Ward—Phillip Mutton* (O.), No. 139 N. Fourth seventh Ward-Thomas Little (R), No. 338 S. Thir-Seventh Ward-John Bardsley (B.) No. 2116 Lombard street
Lighth Ward—Alexander J. Harper (R.), No. 1108
Walnut street
Eighth Ward—John C. Martin (R.), No. 248 S. Eighth street. Ninth Ward-Walter Allison* (R.) No. 24 S. Eigh-Leenth street. Ninth Ward-A. H. Merahon* (R.), No. 206 Market

Tenth Ward-A. H. Franciscus (a.), No. 513 Market enth Ward-A. W. Henger (R.). To 814 Arch street, Fleventh War -Thomas H. Gill (O.), No. 816 North econd street. hirteenth Ward-William Palmer (H.), No. 702 Coates ? hirteenth Ward—John L. Shoemaker? (B.), No 621

ourteenth Ward-H. C. Oram (H.), No. 1216 Spring Garden street. Fourteenth Ward-Joseph B. Bancock (R.), No. 864 No. Sleventh street.
Firteenth Ward-Robert M. Evans (R.), No. 816 N. Fitteenth Street.
Fitteenth Ward-Joseph B. Conrow* R.), No 1516
Green *Treet
Fitteenth Ward-Thomas Potter* (R.), No. 1616 Green Fiteenth Ward—George W. Smith* (R.), No. 6¹3 N. I lyhiteenth atreet
Sixteen h Ward—Charles Eager (R.) No. 1144 Frenk
ford read.
Sixteenth Ward—George J. Hetzel (O.), No. 155 Dock
street.
Seventeenth Ward—Lawis Driesbach Feventeenth Ward-Lewis Driesbach* (O) Feventeenth Ward-J. O'Sell.* (U), Firth and Jeffer-

son streets.

1 thteenth Ward-Daniel P Ray (R.), No. 112 N.
Third street
Eighteenth Ward-Daniel W. Stockham (R.), Norris
and talborne nin Ward-Joseph Earnest (B.), No. 1634 N. Front street Nineteenth Ward-Nicholas Shane (R.), No. 2148 N. nth Ward-Francis Martine (B.), N. 947 East York street. Twentieth Ward-Joseph F. Marcer (3.), No. 918 S. Twellih street.
Twentieth Ward-James H. Bill (ugton (R.), No. 45 S. Twentieth Ward-Henry C. Harrison (R.), Master and Slxth streets. Twentieth Ward-Angus Cameron* (R.), No. 18 S. enty first Ward-William A. Simpson (R), No. 236 Twenty-first Ward-George W. Mevers' (R.), Twen-Twenty-second Ward-Joseph Hill (R), No. 60 N.
Front of Germantown.
Twenty-second Ward-Lewis Wagner* (R), No. 133
Walnut street.
Twen y-third Ward-Samuel C. Willitts (R), Holmes-Twenty-third Ward-Joseph T. Vankirk (R.), Frank-ord P. O. Wenty-fourth Ward-William Stokes (R.), No. 48 N. Twenty-fith Ward-S. H. Colchower (O.), Port Rich-Twenty-sixth Ward-John Keter (R.), No. 1528 South Wenty-sixth Ward-Robert Armstrong (R.), No. 1237

pposition wil

Proceedings in Select Council. The Select branch met at 10 o'clock, President Spering in the chair. The credentials of the new members were read, when the election a President was proceeded with, resulting as follows:-

Fo this mu-t be added the amount of warrants outstanding. 1,398,552 12
And to pay arrears of State tax, due in March, 1867..... 591,111-43

Making the whole amount of the debt. is \$1 931 300, as used for the extension of the Gas Works, the interest and Sinking, Fund for which are paid out

Many our

M. Jarriage B.

28 106 854 81

THE TAX TO SEE

CONTRACTOR

of the income of the Works, and which might, therefore, properly be deducted in the statement of funded debt, it having a special provision in the property of the Gas Works for its payment.

To pay this debt the same statement of the Controller shows resources as 101 cws:—

Casb in hands of Commis-

sioners of the Sinking Fund. SE69 372-50 City loan in sinking fund. 2 788,136 31 Order securities, valued at 18 9.1, 345 00 Outstanding taxes collect-

able

Leaving a balance of debt not repre-sented by assets in the sinking fund But for the large amount of money raised by loan during the four years of the war, for the purpose of paying bounties and supporting the families

of volunteers, which was about..... 13,150,000-00

850,000-00

the interest on the loans issued to them to the extent of \$219,000 per annum.

In the valuation of the a-sets of the Sinking Fund, there is not included the Parks, Squares, Vacant Ground, Public Buildings, Bridges, Prison, House of Refuge, Police Stations, Alm-houses, Municipal Hospital, Gas Works, School Houses, etc., which have cost many millions, and iar exceed in value the balance of the debt beyond the sinking sand, and all of which have long since been paid for.

Perceiving the uneasiness of the public mind at the rapid increase of our debt during the last four years (all of which srew out of the war, directly or indirectly), I have thought that a statement of this nature might serve to reassure the holders of the city debt of the entire ceriainty of the regular payment of their interest, and of the liquidation of the principal when due.

princit al when due.

It is the mistortune of the city to have inherited from the old municipalities an irregular system of meaning which bears with particular soverity upon the holders of property in the thickly settled districts, where the assessments are high and approximate somewhat to the actual value of the property. An experience of some years in Council has satisfied me that the whole real estate of the city is not assessed at an average of twenty-five per coal.

of its actual value.

When the measures now in contemplation for 10-When the measures now in contemplation for increasing the powers and adding to the working force of the Board of Revision are completed, which it is hoped will be early in the present year, a tax of 2 per cent on the actual value of the real esta'e, \$640 000,000 if my estimate is correct), which would seem low after the apparently high rates to which we have been accustomed, would viold \$12,840 000, a sum which, with the other sources of income, is far more than enough to meet every obligation and requirement of the Government.

Efforts have been made for the last few years to exercise the power possessed by the city, to raise some portion of the expense of Government by a tax on personal estate, but these efforts have so far

tax on personal estate, but these efforts have so far been unsuccessful, from the resistance made by the interests to be affected, and the consideration that interests to Le affected, and the consideration that such taxation of personal property might have a tendency to drive away capital from the city. However this may be, other cities raise considerable revenue from personal estate without seeming to banish capital from among them. Perhaps if the legal rate of interest were raised to seven per cent, the objections of capitalists to a moderate impention upon that kind of property might be withdraws.

[Continued on the Eighth Page.]