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### TERMS OF THE REPUBLICAN.

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### SPEECH

HON. EDGAR COWAN.

Delivered in the United States Senate, on the 21st of December, 1865, in reply to the "negro" speech of Senator Sumner.

Mr. COWAN. Mr. President, I am not disposed to allow the speech of the honorable Senator from Massachusetts [Mr. SUMNER] to go to the country without a very brief reply. If that speech be true, and if it be a correct picture of the South, then God help us; then this Republic, this Union is at an end; then the great war which we waged for the Union was a folly; then all the blood and treasure which we have expended in that war in order to restore ourselves to companionship with the people of the South have been equally follies. But, Mr. President, is it true? Or is not this a series of *ex parte* statements made up by anonymous letter-writers, people who are down there more likely stealing cotton, people who are down there in the enjoyment of place and power, people who are interested that the disturbed condition of things which exists there now shall always continue, because they make profit of it? Is there any man who has had any experience in the trial of causes, any man who knows anything about the nature of evidence, who does not know that the honorable Senator could have sent his emissaries into any one county in the lately rebellious States and gathered up from the expressions of knaves and fools and discontented, single-minded people, far more than he has given us in this speech?

We are told here of the exceptional instances of bad conduct on the part of the people of the South. Why, what a large volume it would take to hold all that! If a man were to go about anywhere in the loyal States and hunt up what he might suppose to be treasonable expressions, heretical expressions, how many could he find? And yet we are treated to all this here as if it was the whole of the evidence in the case. One man out of ten thousand is brutal to a negro, and that is paraded here as a type of the whole people of the South, whereas nothing is said of the other nine thousand nine hundred and ninety-nine men who treat the negro well. One man expresses a great deal of dissatisfaction at the present state of affairs, and that is paraded here, while nothing is said of the other ten thousand men who are contented to accept it and make the most of it.

What, then, are we to do? We are to suppose that the people of the southern States lately in rebellion have common sense; and when their utterances are in accordance with what is common sense and the dictate of their own interest, we have a right to presume it to be true. But according to what we have just heard, everything that has come from the people of these States and from their public bodies, from the representatives of these people, is to be taken as false; and why? Because some cotton agent, some correspondent of a radical newspaper in the North, some office-holder who has been making profit of the state of things there, chooses to say it is all false! The heresy of State rights is not destroyed there, the honorable Senator says: "Have we not heard from almost all the public men of the South that that question was put to the arbitrament of the sword, that they submit? Have they not acquiesced in the abolition of slavery—that thing of all others which was the last, in the opinion of everybody, that they would submit to? But still further guarantees are wanted; we are not told what they are. What are they? What is wanted? Everybody admits that the negro ought to have his natural rights secured to him. I believe all the moderate conservative men of the Chamber are fully agreed that every man should have his natural rights secured—the right to life, liberty, and the pursuits of happiness; the protection of property, limbs, and reputation; that he should have the right to sue and be sued, and to testify in the courts of justice. The negro has never been allowed in the southern States to testify in courts of justice, and why? Because he was a slave, and if I had been a citizen of the southern States when slavery prevailed there, I would have resisted him to testify in courts. A witness in a voter ought to be a free man—he should not belong to another man. What chance would a litigant have against the master of slaves if the slaves could testify? It seems to me that the slave ought not to testify for the same reason that the wife ought not to testify either for or against the husband. Would you ask a negro to testify against his master, to go back to that master and be subjected to his ill-will because of his testimony? Would you allow him to testify for the master against a party on the other side? Certainly not. But now this state of things has passed away. Now the people of the southern States themselves, so far as I understand them, are in favor of opening the courts to all these classes of people. And, sir, they must open them for their own security. I am willing to leave that to themselves; their own interest will compel them to allow all people to testify unless they are excluded by those disabilities that have heretofore excluded witnesses from testifying." If the honorable Senator from Massachusetts and those who think with him desire that these people should have the right of suffrage, why not say so broadly?

Mr. SUMNER. I do say so. Mr. COWAN. Very well; that is so much that is clear; make it broader; we may differ from him, but the people will decide. I am perfectly willing to acquiesce in their decision; I do not care which way it is; but the people will decide that question, and they will decide it promptly. If the honorable Senator from Massachusetts wants to hold the doctrine that these States are not States; that they are not constituent members of this Union, let him say so; there is a tribunal to which that can be referred. If he wishes to take issue with the President on these points, let the issue be made fairly and squarely, and it will be met. Thank God, in this Government, not like that of Russia which he has eulogized, there is a power above us all; there is a power to whose arbitrament and award we can appeal, and who will settle this thing conclusively. Now, Mr. President, I am for reconciliation. I want to have this Union restored; and a Union means a Union by consent, not by force. I would like to make friends of all the people with whom we have been at enmity heretofore. I do not want the contest to go on any longer. But are we to make friends with them, and are they to be reconciled to us, and are they to behave better by such speeches as have been made by the honorable Senator here to-day? I very much doubt it. I do not think that he will improve the condition of the southern heart, or the condition of the southern mind, by thus parading these exceptional cases to the people of this country, and stimulating and exciting their angry passions more than they are now against this unfortunate people—unfortunate in every respect; unfortunate on account of their errors; unfortunate on account of the penalty which has followed those errors, and which they have suffered. Mr. President, let us look at this testimony. The honorable Senator, as I said before, reads from anonymous letter-writers, from cotton agents and people of that kind. Now, it does so happen that we have some testimony upon this subject; we have some testimony of the President of the United States, not a summer soldier or sunshine patriot—Mr. SUMNER. I have not read anonymous letters. Mr. COWAN. They are anonymous so far as we are concerned; and I commend the Senator's prudence in keeping the names of their writers from the public, because I have no doubt that if their names were known they would not be considered of much importance. I very much doubt whether there is a single man among them who has ever wielded anything more than a pen during this rebellion. But I say that we have the testimony of men of unexceptionable veracity; we have the testimony of the President of the United States, who was a Union man, and who was in favor of the Union at a time and in a place where there was some merit in it. I do not suppose there was any great merit in being a Union man in Massachusetts. I suspect a man would have been very likely to get a lamp-post if he had been anything else there; but the President of the United States was a Union man in the very thick and storm of the battle. He was driven from his home; he was waylaid hither in order to attend to his official duties in this body. He has stood by the Constitution, by the Union, all the way through, steadily and firmly, and as a compliment to him the great party to which I belong, and to which he did not belong, and never pretended to belong, conferred upon him of office which, in the providence of God,

has made him President of the United States. Now, sir, you are told here that this man in his official communication to the Senate of the United States whitewashes the condition of things down below. Yes, sir, "whitewash" is the word. The honorable Senator says that he will not accept the definition of "whitewash" given by the Senator from Connecticut or the Senator from Wisconsin, but he has not told us what he means by the word "whitewash." It is not necessary that he should say what he means by that word. Everybody understands it. I suppose even his colored friends, in whom he takes so much interest, would know what the meaning of the word "whitewash" was. [Laughter.] He says that this man, who stood firm when everybody else flinched, this man who stood almost alone in the midst of an enraged population, and in the very storm and strifes of the worst civil war perhaps the world has ever seen, comes here to "whitewash." What does he mean except that the President of the United States in an official communication to this body comes here to lie; that is the plain English of it; comes here either to suppress the truth or to suggest a falsehood. What does the President say? I will read what he says as a sufficient answer to what all these people down South report of the state of affairs there, and I do not find it necessary to deny thousands of instances of exceedingly heretical talk may have taken place there, and of treasonable talk if you please; and I have no doubt that in a state of things unparalleled in the history of the world heretofore wrongs and outrages innumerable happen there; but that is not the question. The question is what is the condition of the mass of the people in the South, what is their disposition and tendency, not to love the North, not to love the honorable Senator from Massachusetts—because I very much fear that that will be brought about soon unless there is a change in the temper of both parties—not to have hearts overflowing with love and gallantry to those who they think persecute and hunt them in their submission, who kick and strike them after they are down, after they have cried "enough"—but the question is what is their disposition to obey the laws? What do we care about their hearts or their dispositions if they are obedient to the laws, and submit to the laws? Now they have submitted to laws which impose the heaviest penalty for if they are traitors the law imposes the penalty of death and confiscation of estates by means of fine. I will read what the President says now of the condition of that people from the information he has received: "In that portion of the Union lately in rebellion, the aspect of affairs is more promising than in view of all the circumstances could well have been expected." I think there is no candid man who will not endorse that sentiment. "The people throughout the entire South evince a laudable desire to renew their allegiance to the government, and to repair the devastations of war by a prompt and cheerful return to peaceful pursuits."

Why should they not? To suppose anything else is to suppose that they are demoralized, that they have no kind of common sense left, that four years of the most terrible war and the most terrible punishments ever inflicted upon a people have been without their lessons. It cannot be, Mr. President; it is not in the nature of things that it should be. "An abiding faith" on the part of this man who suffered from these people, who suffered from this war and the doctrine of secession and the attempt to break the Union; he says, "An abiding faith is entertained that their actions will conform to their professions, and that in acknowledging the supremacy of the Constitution and the laws of the United States, their loyalty will be unreservedly given to the government, whose leniency they cannot fail to appreciate, and whose fostering care will soon restore them to a condition of prosperity."

And here, Mr. President, allow me to ask when in the history of this world or the human family has it happened that severity, cruelty, persecution, refusal to recognize common rights has reconciled a people and pacified a distracted country; and when has it happened that clemency, leniency, as the President expresses it, has failed to produce beneficial results? It is not necessary to go very far back for instances to show this. Look at the treatment of England toward Ireland. What has been the result there of her holding that a Fenian insurrection upon her hands now after hundreds of years of attempt to dominate over

that people. Look at Poland; look everywhere. And if it be necessary to see what clemency, what leniency and justice and trust and confidence can do to restore a people once in revolution, take the conduct of Hoche in La Vendee. There by the genius of one man, high enough to be above vulgar passion, statesman enough to look to the future, La Vendee was restored to France and is there now part and parcel of it, with every recollection of the Revolution effaced. Says the President, "It is true in some of the States the demoralizing effects of warfare to be seen in occasional disorders."—These effects are to be seen in the North as well as in the South—"but these are local in character, not frequent in occurrence, and are rapidly disappearing as the authority of civil law is extended and sustained. Perplexing questions were naturally to be expected from the great and sudden change in the relations between the two races; but systems are gradually developing themselves under which the freedmen will receive the protection to which he is justly entitled, and by means of his labor make himself a useful and independent member of the community in which he has his home. From all the information in my possession, and from that which I have recently derived from the most reliable authority, I am induced to cherish the belief that sectional animosity is surely and rapidly merging itself into a spirit of nationality, and that representation, connected with a properly adjusted system of taxation, will result in a harmonious restoration of the relations of the States to the national Union."

There is a little more testimony yet, Mr. President; and it is worth while to consider, while we are here to take counsel and to know what we ought to do in the extraordinary situation in which we find ourselves, from whom will we take that counsel. Are we to take it from men, the purpose of whose whole life seems to be to wage war upon these people and their institutions? Shall we take it from men whom they hate personally and by name, and to whom it is almost impossible to suppose they will ever be reconciled, or, in nature of things, can be reconciled? Or are we to take it from the men who have not made this a personal war, who have treated it as a national war, and who, in their conduct of it, have won the applause of both sections? The President says that part of his information has been received from General Grant. Who is General Grant? Who is to be put in the scale with that scarred soldier, and whose testimony is to weigh down his? Is he "whitewashing" here too? Has he forgotten the position he occupies before the American people? With the highest military character of any man to-day upon the earth, has he condescended to come here to deceive the Senate of his country, and to lie about the condition of affairs in the South, which he has recently visited? Let us here what he says, and listen with patient reverence to the utterance of a man of sense, a patriot, and a prudent man, who desires not to embroil, not to embitter, not to widen the gap that already exists between two people who ought to be fraternally united, but a man who desires to heal and to pacify; a man imbued with the spirit of Hoche when he went to La Vendee, and where he succeeded when others had failed. What does he say? It is not the tone or manner of the letter-writer, but it is in the manner of a man and a soldier. "I am satisfied"—says he; and when he is satisfied who dares say he is not satisfied upon the score of honesty and good intent toward this Republic?—"I am satisfied that the mass of thinking men in the South accept the present situation of affairs in good faith."

That is what General Grant says. Is that "whitewashing"? "The questions which have heretofore divided the sentiment of the people of the two sections—slavery and State rights, or the right of a State to secede from the Union—they regard as having been settled forever by the highest tribunal, arms, that man can resort to." It is now said that they do not think so; that they are only pretending, and have a covert purpose of doing something hereafter about this thing, nobody can tell exactly what. Perhaps we will be told they will not abide the result. "I was pleased to learn from the leading men whom I met, that they not only accepted the decision arrived at as final, but that now, when the smoke of battle has cleared away and time has been given for reflection, this decision has been a fortunate one for the whole country, they receiving like benefits from it with those who opposed them in the field and in council."

Why, Mr. President, the common sense of that last utterance is worth more as testimony than that of a thousand scribblers who merely look at detached points of this great field. They have resolved to accept the decision as final; and what we ought all to be glad to know, they have found

that it is for their benefit. They have found, too, after the smoke has cleared away, that they are really in a better condition than they were before, that they have been relieved from the incubus which has oppressed them for so long a time, and they are ready now to take their places in the Union, and along side of the northern States who have made liberty their great principle rather than slavery. Why should they not? If any man can give a reason why they should desire to keep up this strife longer, with their devastated fields, with their treasuries empty, with their society disorganized, I should like to hear it. I therefore hope, Mr. President, that we may meet them in a different spirit; that we may show them that we made this war, not to make them eternal enemies of ours, not to humiliate them, but to rescue them; that we made this war to go and get them out of the clutches of the bad men who had misled them into the gloomy realm of of secession and disunion; and that we intend, after the great military victory which we have achieved, to achieve another by magnanimity and clemency in our conduct toward them; that we will win them back to be as they were before, our friends and our brothers, of the same race and of the same lineage.

I hope too that this angry, irritating, and exciting mode of treating this subject, which is calculated to make us anything else than friends, will be discarded hereafter, and we shall coolly and calmly and in the spirit of the nation, (because that is the spirit of the nation,) examine this question and do with it that which will be calculated to restore the old harmony and peace and the old Union again.—*Con. Globe.*

**PENNSYLVANIA LEGISLATURE.**  
*Party Caucus—Organization of the House, &c.*  
HARRISBURG, January 1, 1866.  
Nearly all the members of the Legislature of both Houses had arrived by an early hour last night. The Republicans of both Houses met in the afternoon and nominated for State-Treasurer, W. H. Kemble, of Philadelphia, the present incumbent. The Democratic Senate caucus met in the library room, this morning, and nominated for—  
Speaker—William Hopkins, Washington county.  
Clerk—F. M. Hutchinson; Assistant Clerk—William H. Gallagher.  
Sergeant-at-arms—Michael Mullin; Assistant Sergeant-at-arms—Jacob Wilhelm.  
Doorkeeper—John S. Eicher.  
Assistant Doorkeepers—Silas Casey, Isaac Raker, P. H. Norton.  
Messenger—George F. Long; Assistant Messenger—John Cox.  
Librarian—Jacob Strass.  
Transcribing Clerks—Richard Kuhns, Freeman Brady, Jr., Thomas Hanna, Philip Shoemaker, E. J. Small.  
The Republican Senate caucus met in the Senate Chamber at seven o'clock in the evening, and nominated for—  
Chief Clerk—George W. Hammersley, of Germantown.  
Assistant Clerk—Lucius Rogers, of McKean.  
Transcribing Clerks—E. K. Haines, Somerset; James C. Graham, Allegheny; John T. Johnson, Centre; Henry M'Gratz, Montgomery; Col. Chauncey C. Rogers, Erie.  
Sergeant-at-arms—Joseph Reblett, of Philadelphia.  
Doorkeeper—John Martin, Lancaster.  
Messenger—William Duffy, Philadelphia.  
Librarian—Jacob Styers, Dauphin.  
The Democratic House caucus met in the west library room, at half-past seven, and was organized by calling John Missimer, of Berks county, to the chair, and Nelson Weiser, of Lehigh county, and A. D. Markly, of Montgomery county, as Secretaries, and nominated for—  
Speaker—Hon. William M. Nelson, of Wayne county.  
Chief Clerk—Cyrus T. Alexander, of Centre county; Assistant Clerk—Daniel H. Neiman, of Northampton county.  
Sergeant-at-arms—Coleman Keck.  
Doorkeeper—John Terremore.  
Messenger—John Cox.  
Postmaster—John R. Smith, of Fayette county.  
The Republican House caucuses met in the east library room, at half-past seven, and nominated for—  
Speaker—James R. Kelly, of Washington county.  
Chief Clerk—A. W. Benedict, Huntingdon county; Assistant Clerk—W. H. Donnison, Allegheny county.  
Transcribing Clerks—1st, C. W. Walker, Philadelphia; 2d, A. D. Harlan, Chester county; 3d, J. P. Williston, Allegheny county; 4th, M. Edgar

King, Falcon county; 5th, Robert Brown, Lycoming county.  
Postmaster—J. D. Kirkpatrick, Mercer county; Assistant Postmaster—W. A. Rupert, Crawford county.  
Sergeant-at-arms—Charles E. Idell, Philadelphia.  
Assistant Sergeants-at-arms—1st, G. Straub, Allegheny county; 2d, James B. Work, Indiana county; 3d, Samuel Christ, Lancaster county; 4th, Hugh M'Mullen, Delaware county.  
Doorkeeper—James M'Gowan, Lawrence county.  
Assistant Doorkeepers—1st, J. H. Hall, Susquehanna county; 2d, Chas. H. Kurtz, Philadelphia; 3d, John Moore, Westmoreland county; 4th, S. Y. Boyer, Dauphin county.  
Messenger—James M'Cauley, Philadelphia.  
Assistant Messengers—1st, William F. Brockway, Erie county; 2d, J. J. Nofsker, Blair county; 3d, J. W. Powell, Lancaster county; 4th, Samuel Nace, Philadelphia.

SENATE.—TUESDAY, JAN. 2, 1866.  
The Senate was called to order at three o'clock p. m., by Speaker Fleming.  
Prayer was offered by Rev. J. Walker Jackson, of Harrisburg.  
The Secretary of the Commonwealth then presented the credentials of the new Senators, which were read.  
Mr. Fleming then ordered the roll of Senators to be called, that they might take the prescribed oath.  
Mr. Wallace submitted a protest, signed by the newly elected Senators Duncan, Glatz and Wallace, against administering the oath to Senators until the Senate should have elected a Speaker for this session.  
The Chair ruled out the protest as a point of order, and it was entered on the Journal.  
The oath was then administered to the new Senators.  
Mr. Connell moved that the Senate proceed to the election of Speaker, which was agreed to.  
Mr. Fleming, Abolitionist of Dauphin, had 29 votes.  
Mr. Hopkins, Democrat of Washington, had 11 votes.  
Mr. Hopkins then administered the oath of office to Speaker Fleming.  
The Senate then proceeded to the election of officers of the Senate, when the gentlemen nominated at the Republican caucus last night were elected by a vote of 20 to 11.  
Messrs. Bigham and Wallace were appointed a committee to inform the House of Representatives that the Senate was now organized and ready to proceed to business.  
Mr. Connell introduced a resolution that the Senate adjourn on Wednesday the 3d inst., until Tuesday the 9th, at 10 o'clock P. M. Agreed to. The Senate then by a vote of 27 to 4, agreed to invite the Clergy of Harrisburg to pray for them every morning. That the majority need praying for there is no doubt, after which they adjourned until to-morrow.

HOUSE.—HARRISBURG, JAN. 2, 1866.  
The House was called to order by the Clerk of the last House, Mr. Benedict, at 12 m.  
On motion of Mr. Negley, of Butler, the House proceeded to elect a Speaker.  
Mr. Negley nominated Hon. James R. Kelly.  
Mr. Missimer nominated Hon. Wm. M. Nelson.  
Mr. Kelly had 65 votes.  
Mr. Nelson had 31 votes.  
Mr. Kelly was conducted to the Chair by Messrs. Glass and Nelson.  
Mr. Nelson, of Wayne, administered the oath of office to the Speaker.  
The members were then sworn in by the Speaker.  
After the adoption of a resolution fixing the hour of meeting at eleven a. m., and of adjournment at one p. m., the House adjourned until to-morrow morning at eleven o'clock.

SENATE.—Wednesday, Jan. 3, 1866.  
The Senate met at 10 o'clock a. m., the Speaker in the chair.  
The hour of 11 o'clock having arrived, the Senate proceeded to draw a committee in the contested election case of Duncan vs. M'Conaughy.  
Hon. John C. Kunkel, of Harrisburg, was admitted as counsel for the contestant, and J. M'Dowell Sharpe, Esq., of Chambersburg, for the sitting Senator.  
The following Senators were announced by the Speaker as the committee.  
The Speaker decided that he could not be excused from serving on said committee in absence of an affidavit on the part of the Senator that he was unable to attend to the duties of said position.  
Subsequently the Senator was excused.  
Mr. White, moved to substitute Senator Montgomery in place of Sena-