A STAND FOR LIBERTY.

MR. BLACKBURN'S STATEMENT OF THE DEMOCRATIC POSITION.

A Halt Called on the Radical Policy of Constitutional Subversion—The People's Trust Must Not be Betrayed —"He Who Doubts is Damned."

We herewith republish from the *Congressional Record* the magnificent speech delivered by Mr. Blackburn in the House in defense of the position taken by his party with reference to the repeal of the damnable Radical election laws. The Democrat who does not read it disowns his party:

Mr. Blackburn—Mr. Chairman, I trust that in what I may have to submit for the consideration of this committee, I shall in no wise derogate from or lower the plane of fairness and dignity with which in the main this discussion has been conducted by colleagues on this side of the chamber. I trust that no utterance of mine will give color to the charge that in my judgment any sectional question is involved in the consideration of the issue before this committee.

I do not intend, sir, to be personal in any thing that I may say. There has come from different members of the other side of the House, during this debate, that which, in my judgment, requires and merits notice, and I shall go back, before I shall have finished, several days to reply as best I may to the points that have been made by the distinguished gentleman from Ohio (Mr. Garfield).

I take it, sir, that nobody is surprised at the appearance of the honorable gentleman from New Jersey (Mr. Robeson) who last occupied the floor. This debate would not have been complete or fairly rounded out unless some member of the privy council of that imperialistic dynasty under whose administration these very vicious practices grew up, which it is now sought by this amendment to repeal, should have appeared upon this floor to testify in their behalf.

It is charged, sir, not that the amendment under consideration involves of itself an unconstitutional piece of legislation, but it is urged by various distinguished members on this floor that it is revolutionary in its character; that it has no proper place on an appropriation bill; that it is out of line, and deserves the condemnation of the House because it is an exotic in this connection and should have been considered as an independent bill. It is charged that the tendency and operation of it will be to restrict the power of the President as commander-in-chief of the army of the United States.

Now, Mr. Chairman, he is but a poor student of this country's history who is not able to satisfy himself that from the very formation of the Federal Constitution down to the present time it has ever been held, and that by the highest authorities of the land, and never successfully denied, that it was a power not only of the American Congress but a power of this House to control the employment of the army by a withholding of supplies.

The debates upon the formation of the Federal Constitution which lie before me show that the brightest intellects assembled in that convention asserted this doctrine in its broadest term and no man dared gainsay it. It is one of those features of English liberty that have come down to us by adoption.

It was so stated in the debates upon the formation of this instrument, as given to us, that it is ever and always in the power of the House of Representatives, by copying the example of the House of Commons of England in withholding supplies, to control absolutely the employment and conduct of the army. You may follow that theory down at short intervals, and in 1819, when an army appropriation bill was considered and passed in this chamber, and it was proposed to restrict the power of the President by specifying the purposes to which the appropriations should be applied, the very same argument was made against it then that our friends upon the other side hurl against us now.

It was upon that occasion that Mr. Mercer, one of the brightest among law-makers of the Government of his day, asserted upon this floor, without encountering contradiction, that it was in the power of the House of Representatives to withhold supplies altogether for the maintenance of the army if, indeed, that should become necessary to control its operation. It was then that one whose patriotism has never yet been questioned, though it has survived through the greater portion of a fading century only to grow brighter as the ages go by—it was then that not only Kentucky's, but America's great commoner, Mr. Clay, declared in his burning words of eloquence, uttered where we now sit, that he was ready to make the issue with the Executive and offer him a bill with the objectionable features incorporated in it, and to say to the Executive: "Sign or refuse to sign it; but if you do refuse to sign it, declaring that we have not the power to pass it, then my answer to you will be, neither has the Executive the power that you arrogate to yourself." And you may come down from then till now, and never in the history of this Government has it been denied that the Constitution itself, which gives to Congress the right to pass these money bills to provide means for the support and maintenance of a military establishment, carries with it the resultant right on the part of Congress to withhold those appropriations when in its judgment it is necessary to prevent abuses in the employment of the military.

In the very nature of things this proposed amendment of the law cannot be revolutionary. It is a repealing statute; its only purpose and object is to repeal an existing law. I will not now pause to tell how or under what circumstances it was passed; I will not now pause to delineate the motives which, in a great measure, because of the prevalence of natural passions, inspired, if they did not excuse, the passage of this law. But in the very nature of things this amendment cannot be revolutionary. Negative legislation is never revolutionary. This is not affirmative legislation, twist the issue as the gentleman from New Jersey (Mr. Robeson) may seek to do. Buckle, the most philosophic of all historians either ancient or modern, has told us that the statesman and the law maker seldom, if ever, render a benefit to mankind by the enactment of affirmative laws; that it is rather by the repealing of obnoxious and vicious enactments that they entitle themselves to the gratitude of humanity.

As I have said, this measure is in its very nature anything but revolutionary. Will it be claimed—is there a gentleman upon that side of this chamber who will undertake to claim—that by reason of any provisions of the Federal Constitution the President now holds the power of which this amendment proposes to deprive him? Is there a man left in this House on either side who, after the clear and logical presentation of the issue made a few days since by my colleauge from Kentucky (Mr. Carlisle), will undertake to assert that there was any such power on the part of the Executive prior to the act of Congress of 1795?

Sir, if the utmost be granted, if it be admitted instead of being denied, as we deny it, that this power was originally held by the President, it was held by reason of a Congressional statute, and of necessity the authority passing that statute and conferring that power must be clothed with equal authority to repeal it.

The Constitution does not give to the President the right to send the armed forces of this Government into any State, even to suppress domestic violence, when the Legislature of that State, or its Governor, the Legislature not being convened, shall make a requisition upon him.

He is not to proceed upon apprehension, he is not permitted to anticipate domestic violence. Neither he, nor the Executive of the State, nor its Legislature are permitted to exercise such anticipation. It must be upon a pre-existing state of things. Domestic violence must exist, and that fact must be certified by the Legislature of the State whose peace is disturbed, or when that Legislature may not be convened, then by the chief Executive of that Commonwealth.

The President of the United States is the recipient of no power of implication. There is not a prerogative that he holds which is not clearly defined and clearly limited by the provisions of our organic law. That Constitution has made this Congress, in express terms by the positive provision, the grand reservoir into which all powers of implication flow. No, sir; this amendment cannot in the very nature of things contemplate revolutionary action.

But is said that it is not in its proper place when engrafted upon an appropriation bill. Is there a gentleman in this chamber who will dare deny or take issue with me upon the assertion—and I make it measuring the full imports of my words after a careful examination of the statutes—that more than one-third of the permanent legislation affecting or relating to the army of this Government, as it stands up the statute books of our country to-day, has been put there as riders upon army appropriation bills?

I do not care to trench upon the patience of this committee by any elaborate review of the countless instances which that side of the House has furnished us in the shape of precedents for the action that we take. Sir, if letters upon revolution are to be read to us, let them come from some quarter and from some member who is not himself convicted on the record.

The gentleman from Ohio (Mr. Garfield) told us that this was an effort, an unmanly effort, to starve the Government to death. He contrasted it with what he termed the bolder and braver action of certain members of Congress in 1861, when they left their seats in these two chambers and carried their issue to the field of carnage. He tells us that this is revolution, and he denounces any effort we make to adopt it.

Mr. Chairman, better would it have been for the people of this land if the well-earned power of the distinguished gentleman from Ohio had been employed at an earlier period of his political history in averting, denouncing and opposing revolutionary legislation. Does the gentleman remember the record that he made in 1855 upon an amendment offered by Mr. Wilson, of Iowa, proposing to revolutionize the judicial system of this country, proposing to rob a co-ordinate branch of the Government, and that, too, the last barrier behind which the liberty of the citizen finds shelter, proposing to strip the Supreme court of the United States of the prerogative and power with which the Federal Constitution has clothed it? Does he remember the record he made when Mr. Wilson's amendment, which reads as follows, was offered?

Provided, however, That if any circuit or district court of the United States shall adjudge any act of Congress to be unconstitutional or invalid, the judgment, before any other proceeding shall be had upon it, shall be certified up to the Supreme court of the United States, and shall be considered therein, and if upon the consideration thereof two-thirds of all the members of the Supreme court shall not affirm said judgment below, the same shall be declared and held reserved.

Upon the call of the yeas and nays the gentleman from Ohio is found voting "yea;" and then that amendment was passed through this House by the aid of that gentleman's vote. That court then consisted of eight judges; and under the bill it required six of the Supreme court judges, more than a quorum, to affirm the opinion of a district or circuit Federal court declaring unconstitutional one of the gentleman's own ill advised, hasty, crude, if not partisan measures. Here, sir, I beg the attention of the committee for a minute. A district Federal judge might hold one of the hasty laws unconstitutional; upon appeal the circuit Federal judge might affirm that decision. What then? The United States district attorney might concur in the judgment rendered. No appeal might be asked. But under that act, which received the support of the gentleman from Ohio, it became absolutely imperative to certify the record without appeal (nobody complaining) to the Supreme court of the United States. And then what? Under the law a majority of that court constituted a quorum. Five is a majority of eight. Five of those Supreme court judges, clothed in their spotless ermine, might be upon the bench. All five of them might, by unanimous concurrent action, declare that the two lower judgments were correct, and yet that law was to be held, under the bill which the gentleman supported, constitutional and valid. Revolution! What is there (before I get through I will ask this committee to tell me) that the party the gentleman so ably leads has not done in that direction?

But, sir, this is not all. The gentleman from Ohio, in that effective and able speech to which he treated this House a few days ago, used the following language, which I read from the *Record:*

In opening this debate, I challenge all comers to show a single instance in our history where this consent has been coerced.

What consent? The consent of the Executive by extraneous matter injected into appropriation bills.

This is the great, the paramount issue, which dwarfs all others into insignificance.

I accept the gage of battle that the gentleman throws down. I read from the records and show him the instance he seeks. I find that on the 2d day of March, 1867, a thing occurred in this House, of which the gentleman should have been cognizant, for he was then as now an honored member on this floor. I find the following message was sent by the then President of the United States to the House of Representatives:

To the House of Representatives:

The act entitled "An act making appropriations for the support of the army"—

Ah, by singular coincidence that too was an army bill, just as this is.

The act entitled "An act making appropriations for the support of the army for the year ending June, 30, 1868, and for other purposes," contains provisions to which I must call attention. Those provisions are contained in the second section, which, in certain cases, virtually deprives the President of his constitutional functions as commander-in-chief of the army, and in the sixth section, which denies to ten states of this Union their coustitutional right to protect themselves in any emergency by means of their own militia. These provisions are out of place in an appropriation act.

Did the gentleman from Ohio borrow his recently-used protest from this official protest of the Executive of the country?

These provisions are out of place in an appropriation act. I am compelled to defeat these necessary appropriations if I withhold my signature to the act. Pressed by these considerations—

I grant you, he does not say "coerced."

Pressed by these considerations, I feel constrained to return the bill with my signature, but to accompany it with my protest against the sections which I have indicated. ANDREW JOHNSON.

March 2, 1867.

Is there no coercion there? Why, sir, the record is full. In an act making appropriations for the sundry civil expenses of this Government for the year ending June 30, 1865, it was provided that in the courts of the United States there should be no exclusion of any witness on account of color, or in any other civil action because he is a party interested in the issue to be tried. Is not that extraneous matter. Yet upon this bill the record shows that the gentleman from Ohio is found voting in the list of yeas.

But, sir, worse than all this, I find that on a memorable occasion in the Thirty-ninth Congress, of which the gentleman from Ohio was likewise a member, that occurred which will never fade from the minds of the American people. I refer to the proceedings looking to the impeachment of the Chief Executive of this Republic, which came so nigh resulting in conviction. On that occasion I find that a colleague of the gentleman from Ohio, Mr. Ashley, moved to suspend the rules to allow him to make a report from the committee on what? Judicary? No, sir. From the Committee on Territories, in the nature of a resolution impeaching the President of the American Government for high crimes and misdemeanors. On the yea-and-nay vote I find the gentleman from Ohio voted "yea."

And I find further, sir, the counts upon which those impeachment articles were predicated, and I beg to call the attention of this committee to them. Mr. Ashley said:

I do impeach Andrew Johnson, Vice-President and acting President of the United States, of high crimes and misdemeanors.

I charge him with usurpation of power and violation of law.

And now come the five counts in the indictment, and I beg the careful attention of this committee, for I will bring it home to the very issue that the gentleman from Ohio has courted in this contest:

In that he has corruptly used the appointidg power.

I put the gentleman on his candor and submit to him to say whether he ever intended to impeach the President for that? The country knows he did not. That appointing power had not been wielded in such a way as to merit the censure of the gentleman himself.

Secondly, in that he has corruptly used the pardoning power.

Did the gentleman from Ohio mean to impeach him for that? I will answer for him, no. Everybody knows he did not.

Thirdly, in that he has corruptly used the veto power.

And that was where the sting came in. It was the exercise of that constitutional prerogative; it was the employment of the veto power, for which the House and the gentleman from Ohio voted these articles of impeachment, coupled with one other offense only.

Fourth in that he has corruptly disposed of the public property of the United States.

That was a mere formal count in the indictment, and I doubt not that the gentleman from Ohio will admit it.

Fifthly, in that he has corruptly interfered—

In what?

In the elections and did acts which in contemplation of the Constitution are high crimes and misdemeanors.

There were but two counts in that indictment upon which it was proposed to impeach the Executive; it was the exercise of the veto power, and it was his interference, not in elections, but his interference to prevent the interference of the armed power of this Government in the elections of this country. Was the denunciation still ringing in that gentleman's ears which the then President had employed in his interview with Gen. Emory, denouncing as subversive of all the principles of free government the interference of the military with the rights of suffrage at the polls?

But, Mr. Chairman, these counts in this indictment were voted on more than once. The gentleman from Ohio is recorded every time as voting in their favor. And may I be permitted to remind this committee that the record of that Congress shows that he was supported in his action, that he had standing by him, voting side by side with him to impeach the President for the legitimate exercise of the veto power, one who was then comparatively obscure and who but for a combination of accidents would have remained to this day and until his dying day in that obscurity for which nature and his Creator seemed so designedly to have fitted him—that side by side with the gentleman from Ohio stood and voted with him Mr. Rutherford B. Hayes, with whose prospective veto we are threatened. [Applause and laughter.] Now, sir, I beg you to tell me by what rule of consistency does the gentleman from Ohio come upon this floor to flaunt in the face of an American Congress an anticipated exercise by this Executive of his veto when he and that Executive both stand committed upon the record to his impeachment if he dares to employ it?

And while I am at this point I might ask by what sort of authority either that gentleman or any other comes upon this floor to threaten us with the probable or possible action of that Executive at all? What provision of the Federal Constitution, what law enacted by any preceding Congress to clothe anybody, either that President himself or one of the privy council, even including his premier, his Secretary of State, to sit as he did on the floor of this chamber on Saturday of last week and by his presence and his indications of approval seek to intimidate, overawe [cries of "Oh!" on the Republican side] and browbeat an American Congress? Who commissioned the gentleman from Ohio to tell us that we had best be careful because the issue was made and the Executive would not be coerced into a message of approval?

I would ask, does the gentleman from Ohio, or does any other gentleman, put so low an estimate upon the self-respect, the integrity, the courage and the manhood of this House, without regard to party, as to believe that such a threat so flaunted is to intimidate the law-making branch of this Government to shape its action on measures of legislation? I cannot think that we are measured by so short a standard.

But, sir, I am not through with the speech which the gentleman has made. He tells us:

The proposition now is, that after fourteen years have passed, and not one petition from one American citizen has come to us asking that this law be repealed, while not one memorial has found its way to our desks complaining of the law, so far as I have heard, the Democratic House of Representatives now holds that if they are not permitted to force upon another House upon the Executive against their consent and the repeal of a law that Democrats made, this refusal shall be considered a sufficient ground for starving this Government to death. That is the proposition which we denounce as revolution.

And that was received with applause on the Republican side.

Does the gentleman from Ohio mean to stand upon that declaration? By that significant nod he says that he does. Does he not know that the Congress just expired bore upon its files petition after petition, memorial after memorial, in contested election cases, sent by the house to its committee, protesting against the presence of the military at the polls, and denouncing the usurpation, demanding its repeal, in order that a free ballot might be had? Does the gentleman fail to remember that the state of Louisiana, a sovereign state of this confederacy once more, thank God, sent her memorial to these halls, in which in thunder tones she uttered her anathemas against the very practice which this amendment seeks to correct?

But that gentleman did more; he went further, and, if possible, he did worse. I mean to deal in exact fairness. I even mean to be liberal in the construction I put upon his utterances.

Mr. Chairman, it is generally true that the grave suffices to silence the tongue of detraction. It is not often that its darkened portals are invaded to pronounce severe criticism, even though richly deserved, if it is to be pronounced upon the dead. But the gentleman from Ohio, forgetting himself in his speech on last Saturday, forgot also to observe this manly and magnanimous rule. By that speech he certainly must have sought, or, if not seeking, he was unfortunate in producing the impression that a distinguished dead senator from the state of Kentucky had introduced into the Federal Senate chamber the bill which we by this amendment seek to repeal, and send his name down to posterity to be blasted by the act, if indeed he had performed it, and that charge to rest upon that gentleman's own high authority. I hold in my hand the very bill, No. 37, which was introduced upon the 5th of January, 1864, by Senator Powell, of Kentucky. There lies before me on my desk the manly, statesmanlike and patriotic, bold utterances that he delivered in the shape of a speech upon the consideration of that bill. I challenge the gentleman to find within the limits of this measure a single, solitary provision, line, sentence, word or syllable that this amendment seeks to repeal.

Does not the gentleman know—if he does, not, it is his fault—that the amendment incorporated upon this bill which we now seek to repeal was incorporated and ungrafted upon it, not when the Senate was in Committee of the Whole, but in open Senate, upon motion of Senator Pomeroy, and when the vote was taken upon that amendment by yeas and nays, every solitary Democrat in that chamber voted against it and put the seal of their condemnation upon it, Mr. Powell among the number? Here stands Senator Poweli's utterance, in which he explains how and why it was that the Democratic members in that body and this body at last accepted this as the best that could be had: nothwithstanding against their protest, the ingrafting of the Pomoroy amendment, because it was to be taken in lieu of what they charged was true, of what the President of the United States in an official communication to Congress had declared to be true, that in the absence of even the limitations that amended bill would give, the military authorities and officers of the Government had arrogated to themselves the power in all the lately seceding states of declaring what should be the qualification of voters and what should be the qualification to hold office. It was as the least offensive of two offensive alternatives. It was not candid, it was not fair; the record rebukes the gentleman for seeking to place a dead statesman in such a false position.

But, Mr. Chairman, it is useless to follow these things further. It is not, sir, for me to waste the time and trench upon the patience of this committee by following out the tergiversations through which the Republican party has wound itself to this high plane of protest against revolutionary legislation. Why, sir, the gentleman from Ohio, in 1872, made a speech upon this floor which he will not deny. It was, as is always the case with his efforts, an adroit as well as an able speech. In that he declared that the minority to which we then belonged, but which in God's providence we are no longer found—he declared that the minority were guilty of revolution. For what? Because they insisted that extraneous matter should not be put upon appropriation bills. He said that was revolution. [Laughter and applause.] We took him at his word, and now where does he stand? It was revolution then to resist the injection of extraneous matter over the protest of the majority. It is revolution now for the majority to resist the same protest of that minority; but in the one case it was his side protesting, in the other it was ours.

Ah, Mr. Chairman, let one take the darkened pages of his country's history for the last seventeen long years and read it carefully, and tell me then whether it lies in the mouth of that worthy leader of a once great but wanning party to read lectures to anybody, either upon the scare of revolutionary legislation or of extraneous introductions into appropriation bills. Better far in the face of the record that they have made, better to listen patiently to the confirmed inebriate as he dilates upon the virtues of temperance, better let the queen of the demi-monde, elaborate the beauties of female virtue, or let the devil prate of the scheme of universal redemption, than for homilies upon good morals and lectures upon revolutionary legislation to be delivered from such a source. [Applause.]

There is but one issue here, and I insist that neither this House nor the people of this country shall be allowed to wander from it. It is but this, and nothing more: whether the military power shall be allowed at your polls; whether the elections shall be guarded by the mailed hand of military power; whether the ballot-box, that last and safest shield of the freeman's liberties, shall be turned over to the tender mercies of the armies of your land. Or to state it yet more tersely and probably more fairly, it is simply whether the spirit and the genius of this Government shall be reversed, and whether the civil shall be made subordinate to the military power.

Why, sir, among the most favored, the most cherished and precious principles ingratified on our system of government from our old prototype, the English people, is that provision which would not tolerate not only the interference but the presence of the military at the polls.

Over one hundred years ago an English statute declared the will of Englishmen upon this vital question.

I read the statute:

Be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords, spiritual and temporal, and Commons in Parliament assembled, and by the authority of the same. That when and as often as any election of any peer or peers to represent the peers of Scotland in Parliament, or any member or members to serve in Parliament, shall be appointed to be made, the Secretary of War for the time being, or in case there be no Secretary at War, then such person who shall officiate in the place of the Secretary at War, shall, and is hereby required, at some convenient time before the day appointed for such election, to issue and send forth proper orders, in writing, for the removal of every such regiment, troop or company, or other number of soldiers as shall be quartered or billeted in any such city, borough or town or place where such election shall be appointed to be made, out of every such city, borough town or place, one-day at the least before the day appointed for such election, to the distance of two or more miles from such city, borough, town or place, as aforesaid, until one day at the least after the poll to be taken at such election shall be ended and the poll books closed—*Statute George II.*

From that time till now I do declare that it is not within the power of any man to find a single scion of the Saxon race that has not held in utter abhorrence the efforts of him or them who sought to control the freedom of the ballot by the employment of the military power, [Applause.]

The very army of this country protests against such a prostitution of its service.

I see before me the justly distinguished general-in-chief of our army, and I do not believe that I overstate the fact when I say that from him down to the private in the ranks it is difficult to find one who has not recoiled from this service which they have been called upon to render. [Applause.]

It is this question, and it is none other, that I insist shall be kept before this House. We are declaring that the ballot shall be free. We are denying that it is either constitutional, legal, just, fair or decent to subject the sovereign to the surveillance of the soldier.

Now, upon that issue the gentleman from Ohio and his associates tells us that they stand committed. I answer so do we. We are willing to discuss it, and for my part, I shall oppose any limitation being put upon this debate. If we cannot stand upon an issue so broad, so constitutional, so catholic, so fair, so free as this, then tell me in heaven's name where are there battlements strong enough for us to get behind? Let it go the country that one party asserts that the manacles shall fall from the limbs of the citizen, and that the army shall hold its mailed hand at the throat of the sovereign, and that the other refuses to release the throttling grasp, and declares that it will block the wheels of the Government and bring it to starvation.

I am willing, and those with whom I stand are willing, to accept this issue, and we go further, we tender it. We are the ones to make the issue and we are ready for you to accept it. Planting ourselves upon this broad ground, we welcome controversy. We seek no quarrel with you, but for the first time in eigteen years past the Democracy are back in power in both branches of the Legislature, and she proposes to signalize her return to power; she proposes to celebrate her recovery of her long lost heritage by tearing off these degrading badges of servitude and destroying the machinery of a corrupt and partisan legislation.

We do not intend to stop until we have stricken the last vestige of our war measures from the statute book, which like these were born of the passions incident to civil strife and looked to the abridgement of the liberty of the citizen.

We demand an untrammeled election; no supervising of the ballot by the army. Free, absolutely free right to the citizen in the deposit of his ballot as a condition precedent to the passage of your bills.

Now, sir, if the gentleman from Ohio is to be excused, for surely he cannot be justified, if he is to be excused for parading before this House the threat, the *argumentum in terrorem* of a veto that is already cut and dried to be placed upon a bill that is not yet passed; if he is to be pardoned for warning this House that the Executive branch of this Government will never yield its assent to this measure in its present form, may I not be warranted and justified in employing equal candor, and may I not assure that gentleman and his associates that the dominant party of this Congress, the ruling element of this body, is so equally determined that until their just demands are satisfied, demands sanctioned by all laws, human and divine, protected and hedged around by precedents without number, demanded by the people of this land without regard to section, who are clamoring for a free, untrammeled ballot (not for the South, I beg you to remember, for if there be sectionality in this issue I cannot discover it); for Philadelphia as well as for New Orleans, for San Franciso and Boston as well as for Charleston and Savannah—that this side of the chamber, which has demonstrated its power, never means to yield or surrender until this Congress shall have died by virtue of its limitation. [Applause on the Democratic side.] We will not yield. A principle cannot be compromised. It may be surrendered, but that can only be done by its advocates giving proof to the world that they are cravens and cowards, lacking the courage of their own conviction. We cannot yield and will not surrender.

Let me assure my friend, and it is a picture that I know he does not dwell upon with pleasure, that this is the restoration to power of a party as old as our Government itself, which for almost a hundred years has stood the boldest, fairest, freest exponent and champion and defender of the doctrine of constitutional limitations against the doctrine of the aggrandizement of power. It is this organization that has come back to rule, that means to rule, and means to rule in obedience to law.

Now, sir, the issue is laid down, the gage of battle is delivered. Lift it when you please; we are willing to appeal to that sovereign arbiter that the gentleman so handsomely lauded, the American people, to decide between us.

Standing upon such grounds, we intend to deny to the President of this Republic the right to exercise such unconstitutional power. We do not mean to pitch this contest upon ground of objection to him who happens, if not by the grace of God, yet by the run of luck, to be administering that office.

I tell you here that if from yonder canvas (pointing to the picture of Washington) the first President of this Republic should step down and resume those powers that the grateful people of an infant Republic conferred upon him as their first Chief Magistrate, if he were here fired by that patriotic ardor that moved him in the earlier and better days of this Republic, to him we would never consent to yield such dangerous and unwarranted powers, to rest the liberties of the citizen upon any one man's discretion, nor would he receive it.

It was not for the earlier but for the later Executives of this Government to grasp and seek to retain such questionable prerogatives. You cannot have it. The issue is made; it is made upon principle, not upon policy. It cannot be abandoned; it will not be surrendered. Standing upon such ground, clothed in such a panoply, resting this case upon the broadest principles of eternal justice, we are content to appeal to the people of this land. There is no tribunal to which we are not willing to carry this case of contest; and we are willing to allow Him who rules the destinies of men to judge between us and give victory to the right.

I do not mean to issue a threat. Unlike the gentleman from Ohio, I disclaim any authority to threaten. But I do mean to say that it is my deliberate conviction that there is not to be found in this majority a single man who will ever consent to abandon one jot or tittle of the faith that is in him. He cannot surrender if he would. I beg you to believe he will not be coerced by threats nor intimidated by parade of power. He must stand upon his conviction, and there we will all stand. He who dallies is a dastard, and he who doubts is damned. [Great applause on the Democratic side.]

How to acquire short-hand—fool around a buzz saw.