THE MONTROSE DEMOCRAT.

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BUSINESS CARDS.

PETER HAY,
Licensed Auctioneer,
Auburn Four Corners, Pa.

A. O. WARREN,
ATTORNEY AT LAW. Bounty, Back Pay, Pension, and Exemption Claims attended to. febl
☞ Office first door below Boyd's Store, Montrose, Pa.

M. C. SUTTON,
LICENSED AUCTIONEER, Friendsville, Susq'a co. Penn'a. Jan. '64.

DOCT. E. L. HANDRICK,
PHYSICIAN & SURGEON, respectfully tenders his professional services to the citizens of Friendsville and vicinity. ☞ Office in the office of Dr. Lect. Boards at J. Hosford's. [July 30, 1863. 1y

H. GARRATT,
DEALER in Flour, Feed, and Meal, Barrell and Dairy Salt, Timothy and Clover Seed, Groceries, Provisions, Fruit, Fish, Petroleum Oil, Wooden and Stone Ware, Yankee Notions, &c. &c. ☞ Opposite Railroad Depot, New Milford, Pa. Mch 24, 1863.—1y.

A. LATHROP, H. C. TYLER, J. P. W. RILEY.
LATHROP, TYLER & RILEY,
DEALERS in Dry Goods, Groceries, Hardware, Ready Made Clothing, Boots & Shoes, Hats & Caps, Wood & Willow Ware, Iron, Nails, Sole & Upper Leather, Fish, Flour and Salt, all of which they offer at the very
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April 6, 1863. y.

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FASHIONABLE TAILOR.—Montrose, Pa. Shop in Phœnix Block, over store of Read, Watrous & Foster. All work warranted, as to fit and finish. Cutting done on short notice, in best style. jan '60

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FASHIONABLE TAILOR,—Montrose, Pa. Shop near the Baptist Meeting House, on Turnpike trect. All orders filled promptly, in first-rate style. Cutting done on short notice, and warranted to fit.

L. B. ISBELL,
REPAIRS Clocks, Watches, and Jewelry at the shortest notice, and on reasonable terms. All work warranted. Shop in Chandler and Jessup's store, MONTROSE, Pa. oc25 tf

WM. W. SMITH,
CABINET AND CHAIR MANUFACTURERS,—Foot of Main street, Montrose, Pa. aug tf

C. O. FORDHAM,
MANUFACTURER of *BOOTS & SHOES*, Montrose, Pa. Shop over Dewitt's store. All kinds of work made to order, and repairing done neatly. jn2 y

ABEL TURRELL,
DEALER in Drugs, Medicines, Chemicals, Dye Stuffs, Glass Ware, Paints, Oils, Varnish, Window Glass, Groceries, Fancy Goods, Jewelry Perfumery, &c.—Agent for all the most popular PATENT MEDICINES,—Montrose, Pa. aug tf

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DR. E. PATRICK, & DR. E. L. GARDNER
LATE GRADUATE of the MEDICAL DEPARTMENT OF YALE COLLEGE, have formed a copartnership for the practice of Medicine and Surgery, and are prepared to attend to all business faithfully and punctually, that may be intrusted to their care, on terms commensurate with the times.
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Montrose, Pa., May 7th, 1862.—1pf

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The Oldest Insurance Co. in the Union.

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CASH CAPITAL PAID IN,.....$500,000.
ASSETS OVER,.....$1,200,000.
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THE rates are as low as those of any good company in New York, or elsewhere, and its Directors are among the first for honor and integrity.
CHARLES PLATT, Sec'y. ARTHUR G. COFFIN, Pres.
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ASSETTS 1st Jan. 1864,		$3,286,270.27.
LIABILITIES, " "		75,803.32.

J. Milton Smith, Sec'y. Chas. J. Martin, President.
John McGee, As't " A. F. Wilmarth, Vice "

Policies issued and renewed, by the undersigned at his office, in the Brick Block, Montrose, Pa.
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S. M. Pettengill & Co.,
NO. 37 PARK ROW, New York, and 6 State Street, Boston, are our agents for the *Montrose Democrat* in those cities, and are authorized to take advertisements and subscriptions for us at our lowest rates.

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☞ Pictures taken in all kinds of weather, in the best style of the Art. oct10

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Attorneys and Counsellors at Law,
MONTROSE, Penn'a.
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NOTICE!
THE subscriber hereby respectfully gives notice that he has taken License to auctioneer in the County of Susquehanna, and offers his services to the public. ☞ Charges reasonable; and all calls will be promptly attended to. LUTHER ELDRED.
Choconut, March 3, 1864. tf

SPEECH OF

Hon. Charles Denison,

IN THE

House of Representatives, May 2d, 1864.

Mr. Speaker:—I am opposed to the bill under discussion, and I am glad of this opportunity to explain my views upon the subject. The name of the bill is "A bill to guaranty to certain States, whose governments have been usurped or overthrown, a republican form of government."

The object of the bill is to change the relations between certain States and the General Government, and to make it impossible for the States referred to, under any circumstances, to hold slaves or to be organized under a constitution which permits slavery. I do not think that any political party, or any great number of men, excepting the abolitionists in the northern States, ever cared anything about the extension, perpetuity, or destruction of slavery. They have not been interested in the subject further than they were benefitted by the cheap system of labor in the South, and the market which their manufactures found in that portion of our country. But that the General Government should assume the right to control, by act of Congress, the domestic institutions of sovereign States, is a different question.

The State of Pennsylvania a few years back in her history determined to abolish slavery. What would have been the condition of the question if the General Government had denied the power of that State to dispose of a mere question of property in any manner which the people of that State might choose? Such an assumption of power would have been resisted by all the people of every State of the Union, as an encroachment upon the reserved rights of the States. And such would be the case if the people of that State should see fit to adopt slavery at this time. There is not, under the theory of our Government, any power delegated to the Government to prevent that condition of things, or we have all greatly misunderstood our own Government and the relation which each of the States has held to the national Government. The proposed law will change that relation, not over new States asking admission into the Union, but over States heretofore existing as part of the national Government, and which still exist as States as fully as ever they did, even if the language of the bill be true that the State authority has been usurped or overthrown. If the people of the State have committed treason the municipal corporation cannot be guilty of treason, nor forfeit any of its rights as a State any more than a township could cease to be a part of a county because all the able-bodied men should move out of it, or be convicted of larceny. When other men should come or children grow to be men to fill the offices necessary in a municipal corporation it would still be a township and a part of the county as much as if the municipal offices had never been vacant. And such will be the condition of the States referred to, unless by this law or the amendment of the Constitution now pending we change that state of things.

The law proposed is especially intended to govern men who are not represented in the passage of the bill, and at a time when we have not the power to reconstruct a single State, and if such law could ever become proper, that time has not arrived. This is only one step further toward centralizing all power in the General Government, which has been pursued by Congress in the passage of laws, and by the President in his proclamations. Each of these departments of Government has treated the States as if they had no reserved rights. State lines have been disregarded, and all State constitutions have been trampled upon, and the rights of the citizen everywhere have been placed at the mercy of the military power, and a solemn act of Congress has been passed to indemnify and protect the agents of this military power in the perpetration of any crime which they may seem to inflict. The passage of this law will be the final gathering up of the reserved rights of the States, and the last vestige of protection of the citizen under State constitutions will be taken away, and all power centralized in the General Government. This state of things I am not prepared to sanction by my vote.

But I have another reason for my opposition to the bill, and it is the fact that it is founded upon and intended to legalize and perpetuate the unconstitutional acts and proclamations of the President. I say unconstitutional acts of the President, and if my position be correct, then any laws founded upon these proclamations will be looked upon and actually be the extreme of folly.

The acts and proclamations of which I complain, and to which I allude, are those which the President has done and proclaimed in pursuance of his war power and as commander-in-chief of the army.—The Constitution makes "the President the commander-in-chief of the army and navy and of the militia of the several States when called into the actual service of the United States." But before entering upon the duties of his office he is required to take his oath that he will faithfully execute the office of President of the United States, and to the best of his ability preserve, protect, and defend the Constitution of the United States. It is by virtue of these provisions of the Constitution that a President elect enters upon his duties and gets control of his powers. It will be observed that the only thing which the President is required to take an oath to do is to "preserve, protect, and defend the Constitution of the United States." In all other of his official acts nothing is required of him but to act faithfully; but in the defence and protection of the Constitution there must be no question, and that is the only one thing especially mentioned in his official oath. As if the framers of the Constitution regarded the protection and defence of that instrument as the paramount and principal business of the President, and in order that he might have the necessary power to perform that duty, he was made commander-in-chief of the army and navy, and of the militia of the States whenever in the actual service of the United States.

But he must, from the nature of the case, be commander-in-chief of the army and navy in a qualified sense of the word. It is not presumed that a mere civilian should have the qualifications of a general in the field, and if he were qualified he could not attend to the duties of a military commander and all the various duties of his office as President at the same time, nor could he command the army and navy at the same time. The Constitution presumes that the President is a statesman. It is not the presumption of that instrument that he is either a military or a naval officer. And with very few exceptions the Presidents of the United States have not possessed any knowledge of either military or naval affairs. By virtue of his office he can remove and fill the places of all the civil officers of the Government, and by virtue of his office as commander-in-chief he can appoint and remove the officers of the army, and in that way may control the army as he does control the treasury department and the post office department, and in fact all the departments of government. Nor was it intended by the framers of the Constitution that he should be commander-in-chief of the army in other sense than as he is controller of the post-office, the treasury department, the mint, &c. He had taken an oath to "preserve, protect, and defend the Constitution." The Constitution was the dearest thing in the minds of the American people. That Constitution had made their Union of States, it contained the civil and religious liberties of their children, and was their Government, the life of the nation, and without this great covenant between the rulers and the people there was no government and no nation; and to "preserve, protect, and defend" that evidence of the popular will of the people, it was necessary to lodge power somewhere, and the Constitution placed it in the President. They could look back over the history of the past and see the whole ocean of time filled with fragments of republics which had fallen sacrifices to the usurpations and encroachments of military ambition and military power, and therefore the Constitution, which he had sworn to "preserve, protect and defend," gave him power to remove any military chief who should encroach upon the Constitution. He had power to surround the civil office of President with a wall stronger than adamant, and that power he had taken his oath to exert in the protection of the Constitution. That such is the war power of the President is shown in the history of the country.

At the time of the whiskey rebellion in Pennsylvania, the President, Gen. Washington, refused to take command of the army as commander-in-chief. He went as President in his civil capacity. The reason given for this military usurpation is the example of General Jackson at New Orleans; but he was not then President, but a purely military officer, and he suspended the writ of habeas corpus only in the city of New Orleans and in the immediate vicinity of the operations of the army, and only for the time necessary to prepare for and fight the battle, and then it was restored, and he submitted to and paid the fine imposed by the court, and thus acknowledged the supremacy of the civil over the military authority under the Constitution. And the American Congress, after a period of many years, approved of his use of this war power, and confirmed the interpretation which I claim for the Constitution by refunding to him the fine and its interest.

The Constitution provides "that the privileges of the writ of habeas corpus" shall not be suspended, "unless in cases of rebellion or invasion the public safety may require it." This power is not among those enumerated in the Constitution as belonging to the President, nor among those granted by that instrument to Congress. If this power belongs to the President as a part of his war power, then the government and the people and all of their rights are at his mercy, and liable to share the fate of all former republics. But if the actual commander of the army in the field is the person intended for the exercise of this power, he would have the opportunity of knowing when the operations of the army were likely to be interrupted by the civil authority, and he could suspend the writ without danger to the liberties of the people; and if he should make an improper use of the power and encroach upon the liberties of the people without this necessity, there would stand the President, armed with his war power and bound by his oath to remove such officer and place a safer and better man in his place. And that, in my opinion, is the limit of his legitimate war power.

Nor have any of the Presidents of the United States, from the foundation of the government, taken upon themselves any of the responsibilities or duties of a commander-in-chief of the army in the field, until since the 4th day of March, A. D. 1861. Since that time a new interpretation has been given the President's war power.

This power was given to the President that he might defend himself and the dignity of his office, and that he might have power to maintain the supremacy of the civil over the military power of the country, that he might "preserve, protect and defend the Constitution," that he might secure to the people the elective franchise free from military interference, and to every citizen of this broad land the right of a trial by a jury of his equals, and, above all other rights, to protect the people against the suspension of the writ of habeas corpus by his commanders, excepting in cases "when the public safety" might require the suspension. This new interpretation makes the war power of the President a weapon for the destruction and overthrow of the very powers and rights which it was placed in his hands to defend from the assaults and usurpations of the military power. The liberties of the people and the perpetuity of our form of government cannot be preserved under any such interpretation of this war power of the President, and the proof of this position is written in the history of the country during the past three years.

Look a moment at this history, marked and bloody with the record of blunders occasioned by this new interpretation of the President's war power. It was from this city and from this power that emanated the cry of "On to Richmond!" that ended in the disgraceful defeat at Bull Run, and sent our army back to this city a disorganized and dangerous mob. It was the controlling influence of this power in the hands of the President that disposed of our forces and led to our defeat at the battle of Fair Oaks and the seven days' fighting in front of Richmond. And when Burnside asked that he might not fight the battle of Fredericksburg, his orders from our commander-in-chief were to fight the battle, and thousands of our best and bravest men were left heaped up dead on that unfortunate field, sacrificed to the military ambition of a mere civilian, in his attempt to be commander-in-chief of the army, and one hundred thousand widows and orphans are to day heaping curses upon his head for thus attempting to use a power that was placed in his hands for a different purpose. When we look through this history we cannot fail to see enough to make us doubt the interpretation that places this war power in the President to control our generals in the field, embarrass our armies, and sacrifice our soldiers. It must have been placed there for a very different purpose. The assumption of this war power has made the army of the Potomac almost worthless in this war; and it now remains to be seen whether General Grant will be permitted to command that army, or whether the disappointments and disgrace of his predecessors await him. This power proved the disgrace of Pope and Burnside, and the sacrifice and removal of McClellan. If the President believed McClellan incompetent for his position, or dangerous to the liberties of the people, or liable to encroach upon the Constitution, then it was his duty to remove him and appoint his successor, and that was the limit of his war power under the Constitution.

But when we turn from the consequences of this new interpretation of the war power upon the army to its effects upon the government, the Constitution, and the civil institutions of the country, we see the danger of this interpretation. It was to protect this Government, the Constitution of the U. States, and these civil institutions, that he, as the servant of the people, was invested with this power, and it was for this purpose alone that his official oath was required of him. Our fathers left us, reared and finished, a temple of liberty, so high that the oppressed of all lands could see it, and its shadow fell upon and protected the rights of every human being in this great land, and so simple and beautiful that a child could comprehend and admire it. This bright temple has been torn down, and a most cruel, wicked, and monstrous military despotism has been reared upon its ruins. The rights of citizens are not respected under the laws of States or the Constitution and laws of the United States, and all the protection afforded by State courts and State laws and constitutions to the citizen is set aside and disregarded.

The Constitution declares that "the privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it." What rebellion has there been, or is there now, in the State of New Hampshire? In what respect did the public safety require its suspension, in the State of Pennsylvania?—And yet there is not legal power enough in that State to take a man, unjustly restrained of his liberty, from this military power and secure him a trial. Men are arrested without warrant, condemned without trial, and punished without conviction.

It is said in the discussions upon this subject that slavery must be abolished to produce sameness in our institutions, our interests, and our opinions; and it is called "homogeneity," and is stated in another way by the words "irrepressible conflict." The men who first made use of the term "irrepressible conflict" did not say a new thing, but a very wicked one. Philip II of Spain was accomplishing the same thing when he attempted to make all of his subjects of one religion; he inaugurated an "irrepressible conflict" to compel all of his subjects to think and believe as he did, and at a period when Spain was the most powerful nation on earth, with a continual stream of gold running into his treasury, he carried on a most cruel and destructive war for thirty years, with all the power of his great empire, against a few Dutchmen in the Netherlands and was beaten and defeated in the contest. He failed to either "conquer or exterminate" them. The Puritans of New England were attempting the some thing when they burned the Quakers and drove clergymen from their colonies. And if it were not the negro and the South toward which his fanaticism is directing its energy, its zeal, and its vengeance, it would be the Quakers, the Catholic religion, or some temperance question.

The trouble is not that slavery existed, but that a wild, unrelenting, vindictive, wicked, and cruel fanaticism existed, and happened to fasten its deadly fangs upon slavery. This necessity for abolishing slavery is an effort upon the part of the strong to justify its crimes against the weak. This sameness of institutions, interests, and opinions cannot be accomplished, and it would be wrong to do so if it could. As well might we attempt to level the mountains and fill up the valleys and the rivers and lakes and oceans, and make the whole earth one dead level plain and worthless.

God made the mountains and the valleys and the rivers and oceans for our good, and he gave men different minds, interests, institutions, and opinions for our good, and the remedy for those who differ with others in institutions and opinions is for every man, and the people of every State and of every Government, to mind their own affairs, and respect the opinions and the interests and institutions of others, and not arrogate to themselves the right to manage the affairs of others. Our system of Government is founded upon this idea, and it had better be respected.

The bill speaks of States whose authority has been usurped or overthrown.—That happens to be the condition of all the States, North and South and we might turn our attention to the re-construction of our own States; or it might be interesting to inquire whether some gentlemen in the southern congress, (rebel, if you please,) like the author of this bill, anxious for notoriety and perhaps a position at the head of a bureau, might not be organizing a system for reconstrutions requiring a republican from of Government, with slavery. Neither party has power to enforce such law if passed.

This word reconstruction appears to charm the advocates of the bill. The only reconstruction there ever can be is to spread the broad powers and the kindly influence of the Constitution and laws over all the land, when the usurpations of this military war power shall be removed; and this applies as well to the North as to the South. I do not justify the secession of the southern States. It was brought about by wicked and foolish men, who deserve punishment—wicked, for they preferred their ambitious projects to the good of their country; foolish, because they should have fought their battles within the Union and under the Constitution and the laws, and not upon their ruin. But I have believed, and still do, that there are good men, patriots enough, North and South, to control and dispose of the abolitionists and secessionists and once more restore our glorious old Union.

The Constitution was the only bond of union that bound the States together, and that instrument has been equally suspended and destroyed North and South, and there is no Union; all laws and all constitutions have been swallowed up by the new interpretation given to this war power. There is no Union to-day among the States not in rebellion; they are kept together by this war power, the force of habit, and the influence of money and plunder, and the necessity of meeting a common foe. We are now floating at the mercy of chance and the waves upon a mere fragment of our broken Union, and our pilot is bewildered by the contradictory "pressure" of his advisers. And the New England wreckers are not burning blue-lights to render aid and comfort to the enemy, but they are holding up false lights that will complete the wreck.

One set of men tell him that universal emancipation and reconstruction without slavery, as proposed in this bill, will save his craft. I tell him it will extinguish State rights and make our form of Government different from that left us in the Constitution. Another set of men tell him that to confiscate the lands of the South in fee and in violation of the plain provision of the Constitution will restore the Union. I tell him that it will destroy the last hope of reconstruction, and bring us to the painful alternative of recognising or annihilating the South, and to neither of these conditions am I prepared to give my consent. You speak of bringing the South back. I ask, back to what? back to where? It cannot be back to the Constitution, for that Constitution has been destroyed, and all civil rights have been destroyed with it. And should they come back to the crude and chaotic proclamations of the President's military war power, that has made a camp of the entire land? They have enough of war power at home; and with this war power and its proclamations, and our confiscation acts and reconstruction bureaus, there is no motive for the South to come back. They can but fare worse than to fight, and fight they do.

One hundred and forty thousand of the American people in my district have sent their sons to the army to fight for and maintain their Government as laid down in the Constitution. They have sent me here as their representative to maintain the same thing, and in their name I ask what you have done with their Government? On the 4th day of March, 1861, they placed their Government in your hands. And in that Government was secured to the people free speech, a free press, security of person and property, and the elective franchise undisturbed by military power, and to those suspected of crime a fair and speedy trial, and to all the benefit of the great right of the writ of *habeas corpus*. What have you done with this Government? The one which you have furnished secures none of these rights. Shall I tell them you are not bound by your oath in time of war; that when you made your oath to "preserve, protect, and defend the Constitution" it was upon condition that we had no war? When do you propose to restore to the people their Government?

The interpretation which I claim for the President's war power is the only one which will perpetuate our republican form of Government. The history of every day which passes over our heads is full of meaning and confirms this position. There dose not exist on earth a more despotic Government than that of Abraham Lincoln. He is a despot in fact, if not in name. The constitutional right of the citizen to bear arms has been denied, and houses searched and arms taken from the citizen. The right of trial denied, and citizens have been banished the country without trial or conviction; and I only mention some of the outrages perpetrated by this war power to say that if our Government has been fairly administered under this new interpretation of the war power for the last three years it does not matter how soon it is destroyed. It is not worth to the people a dollar or a battle or a man. And it does not matter to the people whether their liberties have been taken away by Abraham Lincoln as President or as Commander-in-Chief of the Army; he is no less a despot and they no less slaves.

It is more than eighteen hundred years since a roman emperor first employed spies and informers to watch the citizen, overhear his private conversation in hours of social intercourse, for information to convict the best and wealthiest citizens of disloyalty, and their property was then confiscated and divided between the Government and the informer. This was less than seventy years before the Roman empire was put up at auction by the imperial cohorts and city guards to the highest bidder. And the right to govern that vast empire was purchased by a jeweler, who had heaped up great wealth by selling jewelry to the army contractors, the men who had made haste to get rich out of the corruptions of the times; but the city of Rome had then been founded more than eight hundred years before an emperor could be found wicked enough and a people corrupt enough to inaugurate this state of things. We have not existed as nation a century, and yet we hear of spies and detectives, and are pained to know that American citizens can be found debased enough to act in that capacity; and this is one of the results of the exercise of this war power.

The President, by virtue of this new interpretation of his war power, makes laws by proclamation, and does really dispense with the action of Congress. He usurps in himself all the powers of Government—judicial, legislative, and executive—and believing, as I do, that his proclamation of freedom to the slaves is not only a violation of the Constitution but of his official oath, I shall not vote to sanction any such interpretation of the Constitution, nor for any law intended to perpetuate that proclamation. And the hour is just before the American people when they must choose between the Administration, with its peculiar views of its war power, and their liberties. If the people permit this power, as assumed by their agents, to be continued another term of four years, whether by votes or military dictation, I for one shall regard our old form of government and the liberties of the people as at an end, gathered up by this stupendous war power. And it is for the people, whose liberties have been trifled with, and whose business it is to make their decision, to settle this great problem for themselves. I have thus warned them, and I have cleared my skirts of the responsibility.