

# THE MONTROSE DEMOCRAT.

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## CONGRESSIONAL ADDRESS!

You have not, as good Patriots should do, studied the public good, but your particular ends. You have not, as good Patriots should do, studied the public good, but your particular ends. You have not, as good Patriots should do, studied the public good, but your particular ends.

## AN ADDRESS

To the People of the United States, and particularly to the People of the State which elects the Federal Government.

As members of the 38th Congress, politically opposed to the present Federal Administration and representing the Opposition Union sentiment of the country, we address ourselves to the people of the United States; and our object will be to show (as far as may be done within the limits of an address) that there is good reason for changing the Administration and Policy of this General Government through the instrumentality of suffrage in the elections of the present year.

It is our settled conviction that men now in public station, who control the policy of the Government, cannot or will not perform those duties which are necessary to save the country and perpetuate its liberties. Many of them are engrossed by personal and political objects which do not comport with the public welfare, and will not subserve it; others have false or perverted views of our system of free government, or are inspired by passions that continually mislead them; and the Opposition in Congress are powerless to check the majority, and are unable even to secure such investigation of the Executive Departments and of the conduct of Government officials, as will prevent abuse and secure honesty, economy, and efficiency in the public service.

Profoundly, painfully impressed by passing events, we turn from the President of the United States and from the majority in Congress, upon whom all remonstrance against misgovernment would be wasted, to address ourselves to our fellow countrymen at large; and we appeal to them to interpose in public affairs, and by a proper exertion of their sovereign electoral power, to decree that these United States shall be justly governed, re-united, tranquilized and saved!

### ENGROSSMENT OF POWER.

What we propose to notice in the first place is the engrossment of power in public affairs, in the consolidation of all power in the Government of the United States into the hands of a single political interest. The party of the Administration has not been subjected to any efficient check upon its action from an opposing interest or party, since its attainment of power in 1861. Carrying all the Northern, Western, and Pacific States, with a single exception, at the Presidential election in 1860, and being relieved of all southern opposition in Congress by the withdrawal of the States of that section, it was able to do its will and pleasure without check or hindrance in the Government of the United States. All public patronage was subsidized to its uses: all Government outlays (and they were enormous in amount) were disbursed by its officials; all public power was wielded by its arm; and this condition of things has continued to the present time. It has revealed in power, and of inevitable necessity, from its very nature and from the opportunities presented it, it has abused its powers; it has forgotten or despised and trampled under foot the duties imposed upon it by the people, and the objects announced by it in the outset have been supplanted by others, which now inspire its action and occupy its hopes.

No truth is more certain, none better established by history, than this, that political power is aggressive; that it will always seek to enlarge itself and increase its domination, and that no free government is possible where by the very constitution of the Government itself, power is not made a check to power. Freedom is secured by the action and reaction upon each other of political forces, so organized and so limited that no one can absolutely dominate over or control the rest. And hence, the necessity of constitutions that shall so divide and arrange the powers of government, that no single interest, class, or individual, shall become supreme and engross the whole mass of political power. Now the capital mischief (or rather source of mischief and evil) in the Government of the United States during the past three years—and at this moment, is, that a single political interest or party, of evil constitution, has obtained and exercised the whole mass of government powers, free from all check or limitation whatsoever. The fatal results are obvious. It has been false to its promises made as the condition upon which it attained power; it has broken the Constitution shamefully and often; it has wasted the public treasure; it has suspended the ancient writ of liberty, the "habeas corpus," rendering it impossible for the citizen to obtain redress against the grossest outrage; it has changed the war into a humanitarian crusade outside of any constitutional or lawful object; it has grossly mismanaged the war in the conduct of military operations; it has degraded the currency of the country by profuse issues of paper money, and confused

private property by a legal tender enactment, and to retain its power, that it may not be plundered and be subjected to no check and no restraint from public opinion. It has undertaken to control State elections by direct military force or by a fraudulent selection of voters from the army. The bare results of the results already achieved, and "the end is not yet." No impartial observer can contemplate the future without apprehension of still greater evils, or can doubt that some real division of public power or its lodgment in new hands, is necessary not merely to the success but to the very existence of free government in the United States.

### THE DEMOCRATIC PARTY.

The evil of uncontrolled party domination in government will be greater or less according to the character and objects of the party in power. The Democratic party, which ordinarily has administered the Government of the United States, even in the utmost plenitude of its power, did not fall into gross abuse or threaten the liberties of the country. Although it required to be checked upon occasion, and that its policy and conduct should be subjected to rigid scrutiny by an active opposition, there was great security against its abuse of its powers in the principles and doctrines to which it held; for its creed was established for it by men of the most sterling virtue and profound wisdom, who justly comprehended the nature of free governments and the dangers to which they are exposed. Strict construction of the Constitution, a sparing use of the powers of Government, moderate expenditures and equal laws, became the articles of a political creed which preserved the Government from abuse and degeneracy, kept the States in harmony, and secured the growth and development of a material prosperity unexampled in the history of nations. Its great merit was that it was a constitutional party, (in the true sense of that term), subjecting itself cheerfully, thoroughly, and constantly, to all the rules and limitations of the fundamental law. Its principles themselves, checked it and kept it within bounds: As its contests for power were upon the very ground that there should be no over-action of government but only a due exertion of its authorized powers, there was less necessity to confront it with a powerful opposition. Yet such opposition always existed and was no doubt, necessary to the safe and successful action of the Government under its management.

### THE PARTY OF THE ADMINISTRATION.

But with the party now in power the case is widely different. Its main strength lies in States which voted against Mr. Jefferson in 1800, against Mr. Madison in 1812, against Andrew Jackson in 1828, and against Mr. Polk in 1844; and it embraces that school of opinion in this country which has always held to extreme action by the General Government, favoritism to particular interests, usurpation of State powers, large public expenditures, and generally, to constructions of the Constitution which favor Federal authority and extend its pretensions. Besides, it is essentially sectional and aggressive,—the very embodiment of that disunion partyism foreseen and denounced by Washington and Jackson in those Farewell Addresses which they left on record for the instruction of their countrymen, and by Henry Clay in a memorable address to the Legislature of Kentucky. That it could not safely be entrusted with the powers of the Federal Government is a conclusion which inevitably results from this statement of its composition and character. But the question is no longer one of mere opinion or conjecture. Having been tried by the actual possession of the Government powers and been permitted to exhibit fully its true nature, it has completely justified the theory which condemns it; as will plainly appear from considering particular measures of policy pursued by it. From among these we shall select several for particular examination, in order that our general statement of Republican unfitness for the possession of the Government powers may be illustrated, established, and made good against any possible contradiction.

### MILITARY INTERFERENCE WITH ELECTIONS.

This has taken place in two ways: First, by the selection of soldiers of the army to be sent home temporarily to participate in State elections. This practice, in connection with sending home on such occasions large numbers of Government employes in the civil service, has changed the result of many State elections and given to the party in power an unjust advantage. With the large powers possessed by the Administration for the purposes of the war; and with the large increase of appointments to civil office and the employment of vast numbers of persons in all parts of the country in the business of Government, the Administration and its party have been enabled to influence elections to an alarming extent. The powers conferred by the whole people upon the Government; and the revenues derived by taxation from the whole people or derived from loans which become charged upon the whole mass of individual property, have been used in various ways for party purposes and to secure to the Republican interest, in the Federal and State Governments, the continued

possession of power. The injustice and corruptive tendency of this system cannot be denied, and alone should be held sufficient to condemn the party of the Administration. It is notorious that, time after time, on the eve of doubtful elections, thousands of voters have been sent home from the army to turn the scale between parties and to secure an Administration triumph. And this has been done, not upon the principle of sending home citizen soldiers indiscriminately and without reference to their political opinions and attachments, (which would have been just,) but upon the principle of selecting republican soldiers, or of granting furloughs upon the condition of a promise from the persons favored that they would support Administration candidates. We mention elections in New Hampshire, Connecticut, and Pennsylvania, in instances of such most base and unjust proceeding, by which unscrupulous power has defeated the true expression of popular opinion, and obtained political advantages which were shameful, to it and deeply injurious to the country. Will a free people consent to have their system of elections thus perverted and corrupted, and expect to enjoy, in spite thereof, the peaceable fruits of good government and honest rule?

Second, A still more grave offense against the purity and independence of elections has been committed by the Administration in the States of Missouri, Kentucky, Maryland and Delaware. The particular circumstances of Government interference were somewhat different in each of these States, but the substantial facts in all, were these:

1. That the military power of the General Government was directly applied to control the elections, and that officers and soldiers of the army of the United States were openly used for the purpose.

2. That the States in question were at the time in a state of profound peace and quiet, and that with the exception of a single congressional district in Kentucky, no Rebel raid or invasion into them was then in progress or expected.

3. That in each of them existed an adhering State government, exercising complete and unquestioned jurisdiction under Governors and other State officials whose devotion and fidelity to the Government of the United States were unquestionable.

4. That there was no official call upon the Federal Government by the Executive or Legislature of any one of those States for protection against domestic violence, (under the particular provision of the Constitution of the United States, authorizing such call,) but that the interference, in most cases, was against the desire, and notably in the case of Maryland against the protest of the State authorities.

5. That thousands of qualified persons were prevented from voting at those elections, and in most of those States the result of the election was changed from what it would have been without military interference. The aged and timid were deterred from attending the elections; many who attended were kept from approaching the polls; and, in many cases, actual outrage prevented the legal voter from exercising his right. The full proof of all this appears in a number of contested election cases in Congress, in official papers from the Governors of several of the States in question, in reports of committees of the State Legislatures, and from other reliable sources; and we recommend the whole subject, as one of fearful importance, to the examination and judgment of our countrymen.

### CREATION OF BOGUS STATES.

The steps taken towards establishing a system of false and unjust representation in the Government of the United States, should also be carefully considered.

In the first place, let us consider what has taken place in regard to the State of Virginia. In 1860, Virginia had a population, (including slaves,) of 1,596,318; Pennsylvania a population of 2,906,215; New York a population of 3,880,735. (While the two States last named adhered faithfully to the Government of the United States, and have since borne on its behalf; their proper share of the burdens of the war, Virginia revolted, and two thirds of her population was thrown into the scale of the enemy. What result followed as to the representation of that State in the Congress of the Union? The comparatively small part of the State which adhered to the Union was recognized as constituting, for political purposes, the State of Virginia; an improvised Legislature of this adhering fragment of the State, elected two Senators, who were admitted into the Senate of the United States, and Representatives into the Federal House of Representatives. The liberal principles of construction upon which this was done, may stand justified by the peculiar circumstances of the case. But there was a further proceeding for which no warrant of power or pretence of necessity can be shown. A part of the adhering Virginia territory was permitted to form itself into a new State, was admitted into the Union under the name of West Virginia, (although the Constitution of the United States declares that no State shall be divided for the formation of a new one

without the express assent of the Legislature thereof; and Senators therefrom were admitted into the United States Senate. A very small part of the old State, not included within the boundaries of the new one, remained within our military lines, to be, as well as the new State, represented by two members in the Senate. Thus, under Republican manipulation, one third of the ancient State of Virginia has four votes in the Senate of the United States, and may neutralize the votes of both New York and Pennsylvania in that body. The "Ancient Dominion," with a population a little exceeding one half that of Pennsylvania, is represented by four Senators in the Congress of the United States, and by two in the Confederate Congress at Richmond! Pennsylvania, with her three millions of people, remains true to the Union, and retains her former vote in the Senate; Virginia turns traitor, sends two thirds of her population under the Confederate flag, and forthwith has her representation doubled in the Senate of the United States, and that, too, in defiance of a constitutional provision forbidding it, and avoided only upon a strained construction or implication totally at variance with the plain fact. Against the plain truth of the case, and without necessity, it was assumed that the Legislature of a fragment of the State represented the whole for the purpose of assenting to its division and the erection therefrom of a new member of the Federal Union.

We pass from this case to speak of matters more recent. A State government has been set up in Louisiana, under the supervision of a major general of the United States Army, which, although it holds the allegiance of but part of the population, we suppose it to have the former representation of that State in Congress; and in Tennessee and Arkansas there have been proceedings of a similar description. The indications are clear and full, that in these cases and in others of similar character which may follow them, the President of the United States, through his officers of the army in command in the States to be represented, dictates and will dictate and control the whole proceeding for renewed representation, and upon principles most unequal, unjust and obnoxious.

A recent attempt, to set up one of these bogus States in Florida, under a presidential agent, must refresh in the recollection of the country, as must also be the military disaster by which that attempt was frustrated.

But why refer to particular cases? Why reason upon events that have happened, or upon probabilities which present themselves before us? The President of the United States has, himself, in his message at the opening of the present session of Congress, and in his proclamation appended thereto, announced his programme for the reconstruction and consequent representation of the States which may be reached in whole or in part from the Confederates during the existing war.

The Proclamation extends a pardon to all persons in the rebellious States, (except certain Confederate officers, &c.) upon condition that they shall take, subscribe, and keep a prescribed oath, one provision of which is, that they will abide by and faithfully support all proclamations of the President made during the existing rebellion having reference to slaves, so long and so far as not modified or declared void by decision of the Supreme Court. And it further proclaims, that whenever in any one of the Confederate States, "a number of persons not less than one tenth in number of the votes cast in such State at the Presidential election of 1860, having taken and kept the aforesaid oath, &c., shall re-establish a State Government which shall be republican, and is nowise contravening said oath, such State shall be recognized as the true government of the State."

The presidential paper must be regarded as the most remarkable one ever issued by an American Executive. The one tenth part of a population are to exercise the powers of the whole, and, if Congress concur, are to be represented in the Government of the United States; and in our electoral colleges for the choice of President, as if they were the whole! And this one tenth is to be made up of men who will solemnly swear that they will obey and keep all the President's proclamations upon a particular subject, issued during the present war; not proclamations which he may have issued already, but future ones also. A more abject oath was never framed in the history of the whole earth. Was a religious obligation ever before required of citizen or subject, in any age or country, to obey and keep the future and unknown edicts of the Executive will? And if usurped authority can accomplish its object, a handful of men in a State, degraded by such an oath, are to wield representative votes in the Government of the United States, and enter electoral colleges to extend the power of the master to whom their fealty is sworn.

The lawless and dangerous character of the Administration must most evidently appear from the foregoing review of its policy and conduct regarding popular elections and the organization of States. But its incapacity (if not profligacy) will as clearly appear from an examination of its measures in the prosecution of the war, and to some of those measures we will now direct attention.

In April, 1861, at the outbreak of hostilities, the army of the United States was small and wholly inadequate to meet the exigency of war which had arisen. The President called for seventy-five thousand troops from the States to serve for a period of three months, and subsequently made other calls. Finally, in the latter part of 1862, drafts were ordered in several State authorities, pursuant to State laws and some general regulations of the War Department, framed for the occasion. Thus the case stood as to the raising of troops at the commencement of 1863, and the troops in service at that time consisted of the Regular Army of the United States as it stood at the outbreak of hostilities, with subsequent enlistments added; and of volunteers and drafted militia of the States, organized and officered as companies and regiments by State authority. Volunteering had at one time been checked by the Administration, upon a statement by it that all the troops needed were already in service. Soon, however, the demand for men was renewed, and at the beginning of 1863 the number called for and raised had become enormous. But for the after purposes of the Administration it was perfectly feasible for it to call for additional troops in the manner theretofore practiced; which involved State assistance and co-operation and secured to the troops raised their regular organization as State militia under the laws of their respective States. The army bore, mainly, the character of a public force contributed by the States under the fifteenth and sixteenth clauses of the eighth section of the first article of the Constitution, which authorize Congress "to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," and "to provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, &c."

The power of the Federal Government to call for troops, and the power of the States to supply them, organizing them into companies and regiments and appointing their officers, were unquestionable, as was also the power of the States to select those troops which they were to contribute, by draft or lot.

### CONSCRIPTION.

But early in 1863 a new system for the raising of troops was established by act of Congress. This was a system of conscription, (the word and idea being borrowed from the French,) and was without example in the history of the United States. Passing by the State authorities and by the clauses of the Constitution above mentioned, it put the General Government in direct communication with the whole arms-bearing population of the country, and assumed for the General Government exclusive and absolute control over the whole proceeding of raising troops. The validity of this enactment has been questioned, and it is one of the debatable points which belong to the history of the war. For, it has been argued with much force and reason that the power of Congress to raise armies although a general power, is not unlimited, and that laws of conscription by it are not "necessary and proper" when the forces required can be raised with perfect certainty and convenience from the militia of the States under the provisions of the Constitution above cited. But, passing this point, the inquiry arises, why was the former system involving State co-operation abandoned, and a new and questionable one substituted? No clear and adequate reason for the measure appears in the debates of the Congress which passed it, unless the suggestion made by one of its leading supporters in the House of Representatives that it was in hostility to "the accursed doctrine of State rights" be accepted as such reason. We must, therefore, conclude that it was the policy of the authors of the law to deprive the States of the appointment of the officers of the troops raised; and to absorb that power into the hands of the Federal Administration; that the act was the measure of a party to increase its influence and power, and to prevent the possibility of any participation therein by the Governments of the States.

We believe it to be certain that this measure has entailed great expenses upon the Treasury of the United States; that it has created unnecessarily a large number of Federal officers, distributed throughout the country; and that, while it has been no more efficient than the system which required State co-operation, it has been much less satisfactory.

If a necessity for raising troops by conscription be asserted, then it would follow that the revolutionary policy of the Administration has alarmed and disgusted the people, and chilled that enthusiasm which in the earlier days of the contest filled our patriot army with brave and willing volunteers.

### BOUNTIES.

What is further to be mentioned in this connection is the payment of bounties by the United States; by the State governments, and by cities, counties, and other municipalities. In their payment, there has been great want of uniformity and

system. The policy of the general government has not been the same at all times, and in the States there has been infinite diversity. Upon the whole, the system of bounties has been costly and unequal, the amount of indebtedness created by it is enormous, and unequal sums have been paid to soldiers of the same grade of merit. Under any system of local bounties to avoid conscription, the wealthy parts of the country enjoy an advantage over the others, and especially where manufacturing and other interests find it to their profit in providing the supplies of the war to retain their laborers at home, substituting payments of money in their stead, unless each State shall be firmly required to furnish the substitutes to fill up its quota from its own citizens. But the general government has permitted the agents of such interests in a State to go into other States and into the southern country and obtain enlistments for bounties, both of white and black troops, to be credited on the quota of the State of the agent. If it shall happen hereafter that the payment of local bounties, whether by States or by municipalities within them, be assumed by the government of the United States, the inequalities of the system and its extravagance in many cases will become a matter of concern to the whole people. And it is just matter of complaint against those who have held authority in the Federal government, that by their policy and want of policy in this subject the burden of the war has been vastly increased, and been distributed irregularly and unfairly.

The pecuniary outlay and indebtedness caused by payment of local bounties, being mostly incurred by powerful and influential communities, it is quite possible that they may be recognized hereafter by Congress as a legitimate object of national assumption; and if this happen, those communities that have retained their laborers at home, and thereby secured their prosperity during the war, will cast a part of the burden of their exemption upon other sections.

Obviously what has been wanting has been wisdom and foresight in those who have controlled the public measures of the war, and who have resorted to one expedient after another without a fixed policy—who have acted where they ought not, and have failed to act where action and regulation were demanded.

### NEGRO TROOPS.

But a subject which requires particular notice is the employment of negro troops in the war. An act of Congress passed the 17th day of July, 1862, authorized the President "to receive into the service of the United States for the purpose of constructing entrenchments, or performing camp service, or any other labor, or any military or naval service for which they might be found competent, persons of African descent; and such persons should be enrolled and organized under such regulations, not inconsistent with the Constitution and laws, as the President might prescribe; and further, that they should receive ten dollars per month and one ration, three dollars of which monthly pay might be in clothing."

Without any other law on the subject prior to the present session of Congress, (except an imperfect provision in an act of 1862,) the President in his message of December 8, 1863, announced that "of those who were slaves at the beginning of the rebellion, fully one hundred thousand are now in the military service of the United States, about one half of which number actually bear arms in the ranks."

At the present session, on the 24th of February, an act amendatory to the conscription law of 1863 was approved, the twenty-fourth section of which provides for the enrollment of colored persons between twenty and forty-five years of age; that slaves of loyal masters enrolled, drawn and mustered into the public service, shall be free, and one hundred dollars for each shall be paid to the master; and that in the slave States represented in Congress, the loyal master of a slave who volunteers into the public service shall be paid a sum not exceeding three hundred dollars, out of the military commutation fund.

By the army appropriation bill, approved June 15, 1864, it was further provided "that all persons of color who have been or may be mustered into the military service of the United States shall receive the same uniform, clothing, arms, equipments, camp equipage, rations, medical and hospital attendance, pay and emoluments, other than bounties, as other soldiers of the regular or volunteer forces of the United States of like arm of service, from and after the first day of January, 1864; and that every person of color who shall hereafter be mustered into the service, shall receive such sums in bounty as the President shall order in the different States and parts of the United States, not exceeding one hundred dollars [each]."

This enactment is similar in terms to a bill which passed the Senate in March last, upon the consideration of which it was announced, that at least two hundred thousand colored troops would be raised. Adding to this number the number stated by the President, to be in the service in December last, would make one

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