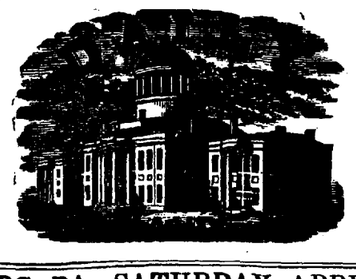
Patriot  Union.

VOL. 5—NO. 183. HARRISBURG, PA., SATURDAY, APRIL 4, 1863. PRICE TWO CENTS

RATES OF ADVERTISING.

Four lines or less constitute half a square. Ten lines or more than four, constitute a square.

Half sq., one day	$0 30	One sq., one day	$0 60
" one week	1 20	" one week	2 00
" one month	3 00	" one month	6 00
" three months	5 00	" three months	10 00
" six months	8 00	" six months	15 00
" one year	12 00	" one year	20 00

☞ Business notices inserted in the LOCAL COLUMN, or before marriages and deaths, TEN CENTS PER LINE for each insertion. To merchants and others advertising by the year, liberal terms will be offered.

☞ The number of insertions must be designated on the advertisement.

☞ Marriages and Deaths will be inserted at the same rates as regular advertisements.

PUBLISHED EVERY MORNING,

SUNDAYS EXCEPTED,

BY O. BARRETT & CO

THE DAILY PATRIOT AND UNION will be served to subscribers residing in the Borough for TEN CENTS PER WEEK, payable to the Carrier. Mail subscribers, FIVE DOLLARS PER ANNUM.

THE WEEKLY PATRIOT AND UNION is published at TWO DOLLARS PER ANNUM, invariably in advance. Ten copies to one address, *fifteen dollars*.

Connected with this establishment is an extensive JOB OFFICE, containing a variety of plain and fancy type, unequalled by any establishment in the interior of the State, for which the patronage of the public is solicited.

Miscellaneous.

PENSIONS, BOUNTIES, BACK PAY,

War Claims and Claims for Indemnity.

STEWART, STEVENS, CLARK & CO.,

Attorneys and Counsellors-at-Law, and Solicitors for all kinds of Military Claims,

450 PENNSYLVANIA AVENUE,

WASHINGTON, D. C.

This firm, having a thorough knowledge of the Pension Business, and being familiar with the practice in all the Departments of Government, believe that they can afford greater facilities to Pension, Bounty, and other Claimants, for the prompt and successful accomplishment of business entrusted to them, than any other firm in Washington. They desire to secure such an amount of this business as will enable them to execute the business for each claimant *very cheaply*, and on the basis of *their pay contingent upon their success in each case*. For this purpose they will secure the services of Law Firms in each prominent locality throughout the States where such business may be had, furnish such with all the necessary blank forms of application and evidence, requisite printed pamphlet instructions, and circulars for distribution in their vicinity, with associates names inserted, and upon the due execution of the papers and transmission of the same to them by their local associates, they will promptly perform the business here.

☞ Their charges will be *ten dollars for officers* and *five dollars for privates*, for each Pension or Bounty and Back Pay obtained, and ten per cent. on amount of Claims for *Military Supplies* or *Claims for Indemnity*.

☞ Soldiers enlisted since the 1st of March, 1861, in any kind of service, Military or Naval, who are disabled by disease or wounds, are entitled to Pensions. All soldiers who serve for two years, or during the war, should it sooner close, will be entitled to $100 Bounty. Widows of soldiers who die or are killed, are entitled to Pensions, and the $100 Bounty. If there be no widow, then the minor children. And if no minor children, then the father, mother, sisters or brothers are entitled as above to the $100 Bounty and Back Pay.

JOSEPH B. STEWART,
HESTOR L. STEVENS,
EDWARD CLARK,
OSCAR A. STEVENS,
WILLIS E. GAYLORD.

WASHINGTON, D. C., 1862.

☞ Apply at our office, or to our Associate at HARRISBURG, PA.—JOHN A. BIGLER, Attorney and Counsellor.

PITTSBURG, PA.—ARTHURS & RIDDELL, Attorneys-at-Law.

POTTSVILLE, PA.—WM. R. SMITH, Attorney and Counsellor.

PHILADELPHIA, PA.—J. G. MINNICHILD, 46 Alwood street, WM. M. SMITH, Attorney and Counsellor.

WASHINGTON, PA.—BOYD CRUMRINGE, Attorney and Counsellor.

jy31-dly

JACKSON & CO.'S

SHOE STORE,

NO. 96½ MARKET STREET,

HARRISBURG, PA.

Where they intend to devote their entire time to the manufacture of

BOOTS AND SHOES

all kinds and varieties, in the neatest and most fashionable styles, and at satisfactory prices.

Their stock will consist, in part, of *Gentlemen's Fine Calf and Patent Leather Boots and Shoes*, latest styles; *Ladies' and Misses' Gaiters*, and other Shoes in great variety; and in fact everything connected with the Shoe business.

CUSTOMER WORK will be particularly attended to, and in all cases will satisfaction be warranted. *Lasts fitted up by one of the best makers in the country.*

The long practical experience of the undersigned, and their thorough knowledge of the business will, they trust, be sufficient guarantee to the public that they will do them justice, and furnish them an article that will recommend itself for utility, cheapness and durability. [jan9] JACKSON & CO.

MURINGER'S PATENT BEEF TEA, a solid, concentrated extract of

BEEF AND VEGETABLES,

Convertible immediately into a nourishing and delicious soup. *Highly approved by a number of eminent Physicians.*

This admirable article condensed into a compact form, all the substantial and nutritive properties of a large bulk of meat and vegetables. The readiness with which it dissolves into a rich and palatable Soup, which would require hours of preparation according to the usual method, is an advantage in many situations of life, too obvious to need urging. Its highly nourishing qualities combined with its delicacy, renders it invaluable for the sick; while for those in health, it is a perfect substitute for fresh meat and vegetables. It will keep good in any climate.

It is peculiarly well adapted FOR TRAVELERS, by land or sea, who can thus avoid those accidental deprivations of a comfortable meal, to which they are so liable.

FOR INVALIDS, whose capricious appetite can thus be satisfied in a moment.

FOR SPORTSMEN and EXCURSIONISTS, to whom, both its compactness and easy preparation will recommend it. For sale by

sep24-tf WM. DOCK, JR., & Co.

CHARTER OAK

FAMILY FLOUR!

UNEXCELLED BY ANY IN THE U. STATES!

AND SUPERIOR TO ANY

FANCY BRANDS

OFFERED IN PENNSYLVANIA!

IT IS MADE OF

CHOICE MISSOURI WHITE WHEAT.

☞ Delivered any place in the city *free of charge. Terms cash on delivery.*

jy30 WM. DOCK, JR., & CO.

SOLDIER'S CAMP COMPANION.—A very convenient Writing Desk; also, Portfolios, Memorandum Books, Portmonnaies, &c., at SCHEFFER'S BOOKSTORE

CHEESE!!—100 Boxes Prime Cheese (on consignment) for sale at less than market rate.

jy10 WM. DOCK, JR., & CO

NOTIONS.—Quite a variety of useful and entertaining articles—cheap—at SCHEFFER'S BOOKSTORE.

WANTED.—A GOOD COOK at the BOMGARDNER HOTEL. Apply immediat

CLARET WINE!!!—We are closing out A VERY SUPERIOR LOT *at less than cost!*

jy9 WM. DOCK JR CO.

PRIME POTATOES!—A LARGE LOT just received and for sale low.

oct24-dtf WM. DOCK, JR., & CO.

MINCE MEAT!—Very superior, just received and for sale by WM. DOCK, jr., & CO.

CONDENSED MILK!—Just received and for sale by WM. DOCK jr., & CO.

HERMETICALLY SEALED Peaches, Tomatoes, Lobster, Salmon, Oyrters, Spiced Oysters, for sale by WM. DOCK, jr., & CO.

SMOKED HALIBUT!—A very choice article, just received and for sale by WM. DOCK, jr., & CO.

FRENCH MUSTARD, ENGLISH and Domestic Pickles, (by the dozen or hundred,) Superior Salad Oil, Ketchup, Sauces and condiments of every description, for sale by

my25 WM. DOCK, JR., & Co

LAKE TROUT!!—A small invoice of LAKE TROUT, (Mackinaw,) trimmed, and the quality "A NO. 1," just received and for sale very low by WM. DOCK, JR., & CO

WAR! WAR!—BRADY, No. 62 Market street, below Third, has received a large assortment of SWORDS, SASHES and BELTS, which he will sell very low. ap20-dtf

SELF SEALING FRUIT JARS!—Best and Cheapest in the markets! Call and examine them.

jy31 WM. DOCK, JR., & CO.

FOR RENT—Two desirable OFFICE ROOMS, second story front of Wyeth's Building corner of Market Square and Market street. Applyat his office sep23d-f

MACKEREL!!!

MACKEREL, Nos. 1, 2 and 3, in all sized packages new, and *each package warranted*. Just received, and for sale low by WM. DOCK, JR., & CO.

Business Cards.

DR. C. WEICHEL,

SURGEON AND OCULIST,

RESIDENCE THIRD NEAR NORTH STREET.

He is now fully prepared to attend promptly to the duties of profession in all its branches.

A LONG AND VERY SUCCESSFUL MEDICAL EXPERIENCE justifies him in promising full and ample satisfaction to all who may favor him with a call, be the disease Chronic or any other nature. m18-d&wly

WM. H. MILLER,

ATTORNEY AT LAW.

OFFICE IN

SHOEMAKER'S BUILDINGS,

SECOND STREET,

BETWEEN WALNUT AND MARKET SQUARE,

no28] Nearly opposite the Buehler House. [d&wlyr

THOS. C. MacDOWELL,

ATTORNEY AT LAW,

MILITARY CLAIM AND PATENT AGENT.

Office in Burke's Row, Third street, (Up Stairs.)

Having formed a connection with parties in Washington City, who are reliable business men, any business connected with any of the Departments will meet with immediate and careful attention. m8-y

CHARLES F. VOLLMER

UPHOLSTERER,

Chestnut street, four doors above Second,

(OPPOSITE WASHINGTON HOSE HOUSE,)

Is prepared to furnish to order, in the very best style of workmanship, Spring and Hair Mattresses, Window Curtains, Lounges, and all other articles of Furniture in his line, on short notice and moderate terms. Having experience in the business, he feels warranted in asking a share of public patronage, confident of his ability to give satisfaction. jan17-dtf

SILAS WARD.

NO. 11, NORTH THIRD ST., HARRISBURG.

STEINWAY'S PIANOS,

MELODEONS, VIOLINS, GUITARS,

Banjos, Flutes, Fifes, Drums, Accordeons,

STRINGS, SHEET AND BOOK MUSIC, &c., &c.,

PHOTOGRAPH FRAMES, ALBUMS,

Large Pier and Mantle Mirrors, Square and Oval Frames of every description made to order. Regilding done.

Agency for Howe's Sewing Machines.

☞ Sheet Music sent by Mail. oct1-1

JOHN W. GLOVER,

MERCHANT TAILOR!

Has just received from New York, an assortment of

SEASONABLE GOODS,

which he offers to his customers and the public at *MODERATE PRICES.* dtf

nov22)

SMITH & EWING,

ATTORNEYS-AT-LAW,

THIRD STREET, Harrisburg,

Practice in the several Courts of Dauphin county. Collections made promptly. A. C. SMITH, J. B. EWING.

feb26

J. COOK, Merchant Tailor,

27 CHESNUT ST., between Second and Front,

Has just returned from the city with an assortment of

CLOTHS, CASSIMERES AND VESTINGS,

Which will be sold at moderate prices and made up to order, [illegible]

Clothing and Gentlemen's Furnishing Goods.

nov21-1yd

DENTISTRY.

B. M. GILDEA, D. D. S.,

NO. 119 MARKET STREET,

EBY & KUNKEL'S BUILDING, UP STAIRS.

jan8-tf

RELIGIOUS BOOK STORE,

TRACT AND SUNDAY SCHOOL DEPOSITORY,

E. S. GERMAN,

27 SOUTH SECOND STREET, ABOVE CHESNUT,

HARRISBURG, PA.

Depot for the sale of Stereoscopes, Stereoscopic Views, Music and Musical Instruments. Also, subscriptions taken for religious publications. no30-dy

JOHN G. W. MARTIN,

FASHIONABLE

CARD WRITER,

HERR'S HOTEL, HARRISBURG, PA.

All manner of *VISITING, WEDDING AND BUSINESS CARDS* executed in the most artistic styles and most reasonable terms. dec14-dtf

FRANKLIN HOUSE,

BALTIMORE, MD.

This pleasant and commodious Hotel has been thoroughly re-fitted and re-furnished. It is pleasantly situated on North-West corner of Howard and Franklin streets, a few doors west of the Northern Central Railway Depot. Every attention paid to the comfort of his guests. G. LEISENRING, Proprietor,

jel2-tf (Late of Selins Grove, Pa.)

THEO. F. SCHEFFER,

BOOK, CARD AND JOB PRINTER,

NO. 18 MARKET STREET, HARRISBURG.

☞ Particular attention paid to printing, ruling and binding of Railroad Blanks, Manifests, Insurance Policies, Checks, Bill-Heads, &c.

Wedding, Visiting and Business Cards printed at very low prices and in the best style. jan21

DYOTTVILLE GLASS WORKS,

PHILADELPHIA,

MANUFACTURE

CARBOYS, DEMIJOHNS,

WINE, PORTER, MINERAL WATER, PICKLE AND

PRESERVE BOTTLES

OF EVERY DESCRIPTION.

H. B. & G. W. BENNERS,

oct9-dly 27 South Front steret, Philadelphia.

MUSIC STORE!

NO. 93 MARKET STREET, HARRISBURG, PA.

SHEET MUSIC, PIANOS,

MELODEONS, GUITARS,

VIOLINS, BANJO STRINGS,

Of every description.

DRUMS, FIFES, FLUTES, ACCORDEONS, etc. at the lowest CITY PRICES, at

W. KNOCHE'S MUSIC STORE,

No. 93 MARKET STREET.

A BOOK FOR THE TIMES!

American Annual Cyclopedia and Register of Important Events for the Year 1861. *In* 1 *vol* 8 *vo. over* 750 *pages. Cloth* $3, *Leather* $3.50. *Published by D. Appleton & Co., New York.*

The design of this work is to furnish a record of all the important knowledge of the year. The events of the war, owing to their prominence, will, of course, occupy a conspicuous part, but all other branches—Science, Art, Literature, the Mechanic Arts, &c., will receive due attention. The work will be published exclusively by subscription, and ready for delivery in June next.

Also, now complete

Benton's Debates of Congress, 16 *volumes*, $3 *and* $3.50 *per volume.*

Benton's Thirty Years in U. S. Senate, 2 *volumes*, $2.50 *and* $3 *per vol.*

Cyclopedia of American Eloquence, containing the speeches of the most eminent Orators of America, 14 *steel portraits*, 2 *vols.* $2.50 *each.*

Parton's Life and Times of Andrew Jackson, 3 *volumes*, $2.50 *each.*

Address J. F. STRASBAUGH, Harrisburg, Pa.

General Agent for D. APPLETON & CO.

For Circulars descriptive of Annual Cyclopedia.

april3-d&wtf.

SWEET CIDER!—A very superior lot just received and for sale by WM. DOCK, jr., &Co.

POTATOES.—300 BUSHELS OF A superior quality just received and for sale low, by WM. DOCK, JR., & CO.

DRIED PEACHES—PARED AND UNPARED—just received by WM. DOCK, JR., & CO.

The Patriot & Union.

SATURDAY MORNING, APRIL 4 1863

INDEMNIFICATION BILL.

SPEECH

OF

HON. D. W. VOORHEES,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

February 18, 1863.

[CONTINUED.]

Mr. Speaker, we cannot over-estimate the value of the victory obtained by the popular will, over the doctrine of one-man power when the Great Charter was extorted from England's perfidious king. Every enlightened lover of human freedom has borne testimony to the importance of this grand achievement. The graat Earl of Chatham, in pleading the cause of constitutional liberty in 1770, paid tribute to it as follows:

"It is to your ancestors, my Lords, it is to the English barons that we are indebted for the laws and constitutions we possess. Their virtues were rude and uncultivated, but they were great and sincere. Their understandings were as little polished as their manners; but they had hearts to distinguish right from wrong; they had heads to distinguish truth from falsehood; they understood the rights of humanity, and they had spirit to maintain them.

"My Lords, I think history has not done justice to their conduct; when they obtained from their sovereign that great acknowledgment of natural rights contained in *Magna Charta*, they did not confine it to themselves alone, but delivered it as a common blessing to the whole people."

Sir James Mackintosh dwells upon it in glowing periods. Says that brilliant historian and statesman:

"Whoever, in any future age or unborn nation, may admire the felicity of the expedient which converted the power of taxation into the shield of liberty, by which discretionary and secret imprisonment was rendered impracticable, and portions of the people were trained to exercise a larger share of judicial power than ever was allotted to them in any other civilized state, in such a manner as to secure, instead of endangering public tranquility; whoever exults at the spectacle of enlightened and independent assemblies, which, under the eye of a well-informed nation, discuss and determine the laws and policy likely to make communities great and happy; whoever is capable of comprehending all the effects of such institutions, with all their possible improvements upon the mind and genius of a people, is sacredly bound to speak with reverential gratitude of the authors of the Great Charter. To have produced it, to have preserved it, to have matured it, constitute the immortal claim of England upon the esteem of mankind."

[illegible] been thus esteemed by the wisest minds of the world to be worthy of such lofty encomiums? Why does it tower up with such magnitude over all other considerations in the construction of free governments? The answer is very simple, plain, brief. It is because, in the language of Hume, the historian—

"This famous deed either granted or secured very important liberties and privileges to every order of men in the kingdom—to the clergy, to the barons, and to the people."

It is immortal and dear, sir, to all people, and more especially to the American people at this time, because in the discussion of its principles Hallam declares:

"From the era, therefore, of King John's charter it must have been a clear principle of our Constitution that no man can be detained in prison without trial."

It is an authority in point to-day against the daily practices of those who now administer the affairs of this Republic, because Sir James Mackintosh has pronounced its "crowning glories," which fill the world with grateful admiration, to be "those essential clauses which protect the personal liberty and property of all freemen, by giving security from imprisonment and arbitrary spoliation."

Such, sir, are its claims upon the dearest affections of mankind. It was born in the hearts of a proud, free race, and its mission on earth was to confront and resist that pernicious dogma of tyrants, that the liberties of the people can in any event be left to the control of any solitary individual, whether he be called czar, emperor, king, or president. And in every contest with its enemy it has been eventually victorious. The people of England compelled their sovereigns to solemnly ratify it more than thirty times in the space of four hundred years.

But bearing in mind the causes which produced *Magna Charta*, and the great object it was designed to accomplish, let us take another step in the history of the progress of personal liberty and personal security. In 1627 commenced that wonderful English revolution which fills so many memorable and bloody pages of history. It commenced over the old question of power. The King arrested Hampden, Darnel, and other citizens for refusing to pay certain taxes, and threw them into prison. They applied to the court of King's Bench for the writ of *habeas corpus*, in order that it might be known whether their commitment was "by the law of the land," and upon what charge it was made.

"The writ was granted; but the warden of the fleet made return that they were detained by a warrant from the Privy Council, informing him of no particular cause of imprisonment, but that they were committed by the special command of His Majesty."

We have had many such returns in this land of freedom during the past year, and every mind will suggest the ready parallel by a simple change of names. But in the days of Charles I, more than two hundred years ago, our ancestors did not allow the subject to drop at the haughty bidding even of a king. They met the issue. Bold and fierce discussion followed, until the unwarranted arrest and imprisonment of five Englishmen gave rise to the famous Petition of Right, which was a clear and explicit affirmation of the principles of *Magna Charta*, and an application of them to existing grievances. I quote that portion of it which so forcibly reminds us of the high and sacred rights which have been stricken down by the present administration in our own midst:

"I. And whereas, also, by the statute called 'the Great Charter of the Liberties of England,' it is declared and enacted that no freeman may be taken or imprisoned, or be disseized of his freehold or liberties, or his free customs, or be outlawed or exiled, or in any manner destroyed, but by the lawful judgment of his peers, or by the law of the land.

"IV. And in the eighth and twentieth year of the reign of King Edward III, it was declared and enacted by authority of Parliament that no man, of what estate or condition that he be, should be put out of his lands or tenements, nor taken, nor imprisoned, nor disinherited, nor put to death without being brought to answer by due process of law.

"V. Nevertheless, against the tenor of said statutes, and other the good laws and statutes of your realm, to that end provided, divers of your subjects have of late been imprisoned without any cause showed; and when, for their deliverance, they were brought before your justices, by your Majesty's writs of *habeas corpus*, there to undergo and receive as the court should order, and their keepers commanded to testify the causes of their detainer, no cause was certified but that they were detained by your Majesty's special command, signified by the Lords of your Privy Council, and yet were returned back to several prisons without being charged with anything to which they might make answer according to law."

The king signed new guarantees of liberty to meet these complaints, but, in an unhappy hour for him, broke his royal word and again trespassed upon the rights of the people. The struggle again commenced, and raged until Charles I. fell beneath the ax of the executioner; and that mysterious and unexplained enigma of history, Oliver Cromwell, triumphed over him in the name of popular right and constitutional government. And though the practical fruits of this mighty revolution were for long years turned to dust and ashes upon the lips of England, yet the public mind of the world had learned a grand and overwhelming lesson. The English people taught mankind of every age and of every country that no sanctity of prerogative, no dignity of blood, no proscriptive customs, no pageantry of royal state, no bayonets surrounding the palace, can protect one man in plundering the multitude of their personal liberties. It is a lesson, sir, which the humblest American citizen knows by heart to-day and treasures up as an everlasting inheritance.

But there was another great period in history in which our ancestors developed their devotion to the progress of liberty, to the principles of *Magna Charta*. In 1689 another member of the house of Stuart, forgetful of the fate of his father, possessed himself of the atrocious instruments of oppression, and attempted to subvert the laws and the liberties of his kingdom. But the spirit which brought Charles I. to the block exiled James II., and changed the dynasty forever from the house of Stuart. And the same causes, the same aggressions against the personal rights of the subject, which produced the Petition of Right under Charles I., produced the Bill of Rights under James II. It was the same venerable issue, and is contained in the following sections:

"1. That the pretended power of suspending laws by regal authority, without consent of Parliament, is illegal.

"2. That the pretended power of dispensing with laws, or the execution of laws by regal authority as it hath been assumed and exercised of late, is illegal."

Mr. Speaker, we have here, then, the three grand acts in the sublime drama of English liberty; and the unity of immortal principle which pervades and sustains them all is so complete that Lord Chatham consolidated them [illegible] claimed them to be "the [illegible] spiration was confined, [illegible] and to no age. Their application to civil rights was as universal as mankind itself. They speak in tones of hope, of dignity, and of manhood, to every heart worthy to be free which beats beneath the sun. They constitute a frowning and defiant bulwark against arbitrary and despotic power; but a radiant and smiling angel of liberty, peace, fraternity, and security to the toiling millions whose strong arms uphold the wealth, the commerce, the progress, and the civilization of the world. And when the next great struggle in behalf of constitutional liberty for the citizen against the unlawful assumption of power by one man, which startled the nations in 1776, had closed in triumph on the soil of Virginia—where the voice of Patrick Henry first aroused it—the material for those clauses of the American Constitution which secure the personal independence and personal rights of the citizen, was ready and ample, a rich inheritance of the past, and only needed to be reasserted in the form of an organic law. Our Constitution is simply one more denial recorded in history of the power to transcend the written law in order to reach and injure the citizen in the enjoyment of life, liberty, and property. It is simply one more declaration, added to those already made, that the people possessed an inherent power to protect themselves against their old enemy—executive usurpation. It was a solemn protest, in the name of human nature, that one man should have the liberties of this people within his control no more forever. It was the promulgation of *Magna Charta*, the continuation of the *Petition of Right*, the extension of the *Bill of Rights*, and a concentration of them all. Here are the noble, familiar sections, the due observance of which alone renders American citizenship more valuable than the condition of the slave on his plantation:

"ART. IV. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

"ART. V. No person shall be held to answer a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger; nor shall any person be subject, for the same offence, to be twice put in jeopardy of life or limb; nor shall he be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation

"ART VI. In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense."

I have thus, sir, given a brief and summary view of the results which have attended a contest between free principles and the abuse of power for more than six hundred years in England and America. I have endeavored to point out the issue which has at all times been involved. It will be observed, however, that all these great instruments, which stand as beacon lights of liberty along the pathway of the last six centuries, and from which I have so freely quoted, are only declaratory of what the rights of man are, and depend for their execution on an additional agency in the policy of government. *Magna Charta*, as I have shown, declared a mighty principle in the science of just government, and it has been repeated over and over again many times since, and at last finds a polished and detailed embodiment in the American Constitution; but something more is necessary and indispensable in order to carry it out and confer its practical benefits on mankind. The Barons said that the executive should not take, imprison, or punish any citizen of the realm, except according to the law of the land; the subjects of every English king have repeated it, and the framers of our Constitution assert the same thing with great particularity and care in the sections which I have just read; but what would all this be worth if no means had been provided to enforce this often reiterated principle of liberty? It would simply stand as an expression, a sublime one it is true, in favor of immutable justice and right; but without the machinery of some active process of administrative law, it would be powerless to extend succor to the oppressed. Therefore all these proud declarations against the infringement of personal liberty by the executive, from Runnymede to the present hour, have been accompanied by that messenger of speedy justice, the writ of *habeas corpus*. It executes what they declare. It gives motion and efficacy to the laws of a free government. It is the active agent by which the will of the people, as expressed in the Constitution and laws made for their own protection, is enforced. Without it, the tyrant may laugh to the winds every doctrine of *Magna Charta*, every provision of our own Constitution. Without it, an executive ruler is beyond legal restraint or coercion, and can with impunity substitute his own will for the Constitution and the laws. Without it, arbitrary power may roam over the rights of the people, like the wild boar in the rich vineyards of Gaul, and tear and rend its victims at pleasure.

Sir, the *habeas corpus* is the life of liberty. It is of ancient origin. It was born amid the opening struggles of our remote ancestors in behalf of popular freedom. It was recognized at once by a race unwilling to accept the doom of slaves to be a law of necessity. It sprang from no statute. It depends for its existence on no enactment. It is one of those high, unrepealable laws which liberty writes on the hearts of all her worshippers, and which, without the aid of legislation, became a part of the common law of England, simply because of that rule of God's providence which prescribes an eternal fitness of things. It is, perhaps, older than *Magna Charta* itself. Hallam, in his History of the Middle Ages, referring to the period when the great charter was obtained, says:

"Whether courts of justice framed the writ of *habeas corpus* in conformity to the spirit of this clause, or found it already in their register, it became from that era the right of every subject to demand it."

And again, this great author says:

"From the earliest records of the English law no freeman could be detained in prison except upon a criminal charge or conviction, or for a civil debt. In the former case it was always in his power to demand of the Court of King's Bench a writ of *habeas corpus ad subjiciendum*, directed to the person detaining him in custody, by which he was enjoined to bring up the body of the prisoner, with the warrant of commitment, that the court might judge of its sufficiency, and remand the party, admit him to bail, or discharge him, according to the nature of the charge."

This law, thus described, the American colonists had [illegible] period of their settlement [illegible] lation to bestow on them its blessing, for as an eminent law writer observes:

"And it must now be taken as a settled axiom of American law, that the territory of the colonies was claimed by right of occupancy, or by finding it 'desert and uncultivated;' and that the common law of England first obtained in that part of the empire, as a law personal to the English born colonists."

And, in the formation of our Constitution, our fathers assumed that it already existed in all its ancient force and benevolent mission, and simply made the following provision against its suspension:

"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."

And now, Mr. Speaker, in view of the historical grandeur of this writ; in view of the duties which belong to its nature to perform; in view of the evils which it alone can restrain; in view of the causes which produced it, and in view of the abuses against which it is leveled, I am filled with wonder and amazement that any healthy intellect has ever been found to entertain the opinion that it was in the power of the executive department of any government to suspend its privilege and deny to the people its protection. It came into existence to compel English kings to obey the principles of *Magna Charta*, and it is the only means, this side of the sword, by which an American President can be made to obey the Constitution; and yet the air is filled with a clamorous cry that these kings and this President can escape this obedience by nullifying, with a single word, the only peaceful means which the people possess to enforce it. It is the only legal means by which the American citizen can resist and antagonize the most infamous outrages against personal rights; and yet the doctrine is daily proclaimed here and elsewhere that it is wholly left to the Executive to determine whether he will be resisted at all, or whether he will enjoy the spectacle of a people devoted to liberty imploring, not the law, but his clemency, through the iron grates of prisons, with less legal redress for their wrongs than the dusky slaves of the Carolinas. The writ of *habeas corpus* was originated for the sole purpose of controlling one man and his subordinates; and yet it is claimed, in this enlightened age, that that very man can control it. It has been the master of every executive since it was known among men; but in these modern days the majority of the American Congress assert that the President of the United States has become its master. You might as well lock the convict in his cell, and give him the key, and expect to find him there when you return, as to expect the executive ruler of a nation to abide within the limits of constitutional restraint when the people have surrendered to him the only engine of power which they hold over the question. You might as well expect an enemy who had laid siege to a city, to refrain from entrance when the gates were thrown open and the sword delivered up, as to expect official station to respect at all times popular rights when all their safeguards are abandoned to their ancient enemy. Sir, the very purpose, the single object for which the writ of *habeas corpus* has survived the lapse of centuries and rocked the world with revolutions, would be utterly defeated, if the President of the United States can suspend its operations and paralyze it by his touch. It might as well never have adorned the pages of jurisprudence. It becomes a useless, an idle thing by such a construction. It is only needed when the Executive attempts to deprive the citizen of his liberty contrary to law; and, according to the construction of the supporters of this administration, that attempt need never fail, for it is within the power of the President to remove every obstacle which stands in his way by the suspension of this writ.

Let this construction be maintained, and the cause of liberty recedes back into the twilight dawn from which it emerged nearly a thousand years ago. Then there was no law for the king except his arbitrary will; and there will be no other law here now for the President. Every effort made in behalf of free government will have been made in vain. The Barons will have assembled in vain. John Hampden, on the plains of Chalgrave, will have died in vain. Our own martyred host, robed in glory, who fell for freedom on the battle fields of the Revolution, will have tasted the bitterness of death in vain. The lights which have been hung up over our heads by the wisdom and the sufferings of the past, will all be stricken down. *Magna Charta* will fall from its exalted sphere like a falling star, and our own Constitution, like the eagle towering in his pride of place, will be by a mousing owl hawked at and killed. The gloom of absolutism will once more fill the sky, and it will only be left to American citizens to creep around in its shadows as secret and stealthy mourners at the tomb of liberty. One man's supremacy, the everlasting foe to free institutions, will be complete. In the place of written constitutions and laws, we will enjoy the government of one mind and one will, embittered and swayed by the passions and prejudices which make their home in every frail mortal breast. No, sir; this darling writ of the people, which has caused the venerable statesman to abound in warm and swelling periods of eulogism, and the cool lips of the judge to indulge in unwonted judicial eloquence; this guardian of every home; this saint in every freeman's calendar; this friend of every fireside; this key to every dungeon; this messiah of the law, which comes to redeem the lost and to visit those that are sick and in prison, was not born to be suspended and crucified at the command of some ruling Cæsar. The people who made it, and who own it by the title of a hundred battles fought for its principles, can alone, through their representatives, say when they are willing to waive for a season its protection and enact its temporary suspension. Not only is this the law, as decided by every court in the history of English and American jurisprudence, but it is also the law as decided by every maxim of reason, by every principle of political philosophy.

If I err, Mr. Speaker, in asserting that the Parliament alone in England, and the Congress alone in the United States, can judge of the necessity, and exercise the power of suspending the writ of *habeas corpus*, I err in most noble company. I am but following at an humble distance in the footsteps of those whose illustrious names have long since become proverbs of wisdom and justice. If I am lost and going astray in the doctrines I have enunciated to-day, I am consoled with the reflection that I am wandering with Blackstone, with Hale, with Mansfield, with Coke; that I share my delusion with Kent, with Story and with John Marshall. If I am insensible at this time to the claims of modern political lawyers, it is because my mind is absorbed in the contemplation of the teachings of those whose names are of the immortal few not born to die. If I turn a deaf ear, on this occasion, to the arrogant pretensions of provost marshals and police officials, the representatives of executive usurpations, it is because I prefer to fix my attention upon a lofty and virtuous class, the latches of whose shoes they are not worthy to unloose. If I am to be denounced for my utterance here in behalf on my head, sustained and protected by the unanimous voice of those whom mankind has been taught to revere as benefactors of the human race. My eye shall not be withdrawn from the Constitution as the guardian of liberty. I will not turn away from the written law, judicially expounded, for any consideration of earthly importance. It is to me the star that hovered over the cradle of liberty in its infancy, the spirit which upheld and strengthened it when tempted in the wilderness, and the power which will roll away the stone from its tomb, if it should ever again be betrayed and put to death.

I belong, sir, to a profession which is glorious in history. I rejoice that I have spent some of the days of my manhood in the study of a science in the adornment of which Erskine and Curran, Webster and Grimke spent their lives. The legal profession has had much to bear in the hostile criticism provoked by an unworthy class who inhabit the vestibule of her temple, and allure to their meshes the unwary pilgrims, who seek her shrine for substantial relief. The artful trickery of ignoble minds has been assigned as an attribute of the profession of the law, and its lower walks; that pestilential brood which swarms around the base of the pedestal of honorable fame, has, to the casual observer, sanctioned such a view. But this is all unjust. There is an atmosphere near the sun, in which the great jurists of twenty generations dwell. They have been the forerunners of legal liberty. They have never hung upon the skirts of governmental progress. Other professions have formed technical barricades against the advance of popular freedom, and questioned the divinity of the people; but those who have drank deep from the fountains of that "perfection of reason," English and American law, recognize the voice of the people as the voice of God. It is matter of record that the legal profession has been the patient, the toiling, and the inspired handmaiden of liberty. I might dwell upon its services, and recall the circumstances, in historical order, which will forever commend its fame to the lovers of free institutions, if the fleeting hour assigned to me would allow. But these things will all suggest themselves to the student of the law and the student of history. I pause, however, to inquire whether my brethern of the law have forgotten the examples of the past; whether the exalted chivalry of the profession is dead? Do you stand by power with its robes of purple, or do you stand by the oppressed in destitution? Is your motto the scepire of exaggerated and bloated authority, or is it the farmer at his plow-handle, in grand though humble demand for his rights as a free man under the Constitution? The mission of the law, as the chosen apostle of freedom, has always been to succor the oppressed, the feeble, the suffering, and the poor, to minister, in the spirit of the great Master, to those whom Christ blessed upon the mountain of Olives. Sir, for me, my way is chosen. I shall turn my back on the blandishments of executive power, and, though prison, though death assail me in the pathway of duty, I shall follow the examples and the precepts of old, and vindicate alike the dignity of my birth, and the honor of my profession, by defending the privileges of the people. To me this is a labor of love. My whole nature responds to its burning appeal. Wherever the spirit of unlawful aggression has been repelled; wherever tyranny has been defied and resisted; wherever honest, upright manhood, in whatever condition found, has asserted its right to a glorious sovereign equality, there my heart has paid a devout pilgrimage, and prayed for the success of every effort which tends to enlarge the liberty of the citizen.

But, sir, the blow has fallen, and I turn to survey for a few moments its ghastly consequences. In defiance of all law, in contempt of the judiciary, in derision of the teachings of history, and in scorn and mockery of the holy principles of personal liberty, the writ of *habeas corpus* stands suspended. The will of the Executive has for more than a year been the sole law of the land, to which the outraged citizen