THE RESTORAION OF THE UNION.

Speech of Hon. Thaddeus Stevens,

OF PENNSYLVANIA, IN THE HOUSE OF REPRESENTATIVES, JANUARY 22, 1864.

Mr. Speaker, the gentleman from Ohio [Mr. Spalding] has said nearly all I intend to say upon this subject. I begin simply by denying that the Constitution has the least reference to any one of the provisions of the bill in question, and I intend to show that the act of 1862, which was modified by a resolution which it has been truly said was passed under duress very little to the credit of the Congress that passed it—that act of 1862 is not affected directly or indirectly by any one of the provisions of the Constitution, and that especially that part of the act which provides for seizing property and confiscating it in fee simple is purely a proceeding under the laws of war and under the law of nations, over which the Constitution has no control, and in regard to which it has no effect whatever. The first section of the act of 1862 punishes the crime of treason with death and the forfeiture of personal estate. That, I believe, is not objected to, because personal estate, once forfeited, is forfeited forever. There is no such a thing as a life estate in personal property. He who gets it for an hour gets it forever. That is the plainest principle of law. The second provision is that those who incite to rebellion shall be punished with fine and imprisonment. That has nothing to do with the Constitution. It is not pretended, I suppose, that the Constitution in any way affects it. Then comes the clause of the bill to which gentlemen take exception; and what is that? It is to be found in the statute books of that session of Congress, page 313. It provides that, to insure the speedy termination of the present rebellion, it shall be the duty of the President of the United States to cause the seizure of all the estate and property, money, credits, &c., of the persons guilty, and apply the proceeds thereof to the support of the army of the United States.

Here is no attainder for treason, here is no confiscation of property under any provision of the Constitution. Then the law goes on to state how you are to seize and condemn property. It is to be seized and proceeded against *in rem*, according to the law for that purpose, and condemned. As what? As the property of traitors? No such thing. Condemned as "enemies' property." Does not that show that the Constitution has nothing to do with it on the question of treason? Here are a body of men in arms against the United States. This act of Congress, so far as it refers to seizures of property in fee, refers to them as seizures of the property of alien enemies, to be treated as such.

Now, where is there a word about attainder of treason? That part of the act does not seize property as traitors' property at all. But the learned gentleman from Ohio (Mr. Spalding) has well said all that I intended to say with reference to attainder for treason. Attainder for treason is impossible under the laws of the United States as they now stand, without an express act making a conviction and sentence and execution for treason an attaint of treason. There is no attaint of treason in the United States, and there is no such law here.

By the common law of England, after there is a sentence of execution, or a final sentence, for treason, an attaint is worked, not by the act itself of the sentence of death, but by the common law. In the United States there is no common law. I need not say to lawyers in the House that so far as the United States Government is concerned crime is only by positive enactment, and there is no crime at common law punishable under the laws of the United States. Therefore, as there is no common law the sentence and conviction for treason works no attainder. It cannot be. It is impossible. And although the clause in the Constitution provides against a positive act of that kind by Congress, yet it has never taken place; and to talk about what can be done under an attaint for treason is not understanding the subject in a legal point of view.

It is, however, essential to ascertain what relation the seceded States bear to the United States, that we may know how to deal with them in re-establishing the National Government. There seems to be great confusion of ideas and diversity of opinion on that subject. Some think that those States are still in the Union and entitled to the protection of the Constitution and laws of the United States, and that, notwithstanding all they have done, may at any time, without any legislation, come back, send Senators and Representatives to Congress, and enjoy all the privileges and immunities of loyal members of the United States. That whenever those "wayward sisters" choose to abandon their frivolities and present themselves at the door of the Union and demand admission we must receive them with open arms and throw over them the protecting shield of the Union, of which it is said they had never ceased to be members. Others hold that, having committed treason, renounced their allegiance to the Union, discarded its Constitution and laws, organized a distinct and hostile Government, and by force of arms having risen from the condition of insurgents to the position of an independent Power *de facto*, and having been acknowledged as a belligerent both by foreign nations and our own Government, the Constitution and laws of the Union are abrogated so far as they are concerned, and that, as between the two belligerents, they are under the laws of war and the laws of nations alone, and whichever Power conquers may treat the vanquished as conquered provinces, and may impose upon them such conditions and laws as it may deem best.

It is obvious that this question is of vast importance. If the first position should be established, then the rebel States, after having been conquered and reduced to utter helplessness through the expenditure of many billions of money and the shedding of oceans of loyal blood, may lay down their arms, which they can no longer wield, claim to be legitimate members of the Union, send Senators and Representatives to Congress, retain all their lands and possessions, and leave the loyal States burdened with an immense debt, with no indemnity for their sufferings and damages, and with no security for the future.

If the latter proposition prevails, then Congress will readjust the Government on the firm basis of individual and public justice; will protect the innocent and pardon the least guilty; will punish the leading traitors; seize their lands and estates; sell them in fee simple; pay the proceeds into the National Treasury to discharge the expenses and damages of the war, and provide a permanent fund for pensions to the widows and orphans and the maimed and mangled survivors of this infamous war; and, above all, will forever exclude the infernal cause of this rebellion—human bondage—from the continent of North America.

In order rightly to determine this question we must inquire whether the "Confederate States," are to be considered as a hostile people, entitled to no other protection or privileges than are due to foreign nations at war with each other. Is the present contest to be regarded as a *public war*, and to be governed by the rules of civilized warfare, or only as a domestic insurrection, to be surpressed by criminal prosecutions before the courts of the country? If the latter, then the insurgents when proceeded against have a right to invoke the protection of the Constitution and municipal law. If the former, then they are subject to the laws of the war alone.

Another important question is, is this war waged by States in their corporate capacity, or is it merely a treasonable outbreak by guilty individuals?

Vattel, pages 424, 425, says:

"When in a Republic the nation is divided into two opposite factions, and both sides take up arms, his is called a civil war." "The sovereign indeed never fails to bestow the appellation of *rebels* on all such of his subjects as dreadly resist him; but when the latter have acquired sufficient strength to give him effectual opposition, and oblige him to carry on the war against them according to the established rules, he must necessarily submit to the use of the term, civil war."

"On earth they have no common superior. They stand precisely in the same predicament as two nations who engage in a contest, and being unable to come to an agreement, have recourse to arms."

When an insurrection becomes sufficiently formidable to entitle the party to belligerent rights, it places the contending Powers on precisely the same footing as foreign nations at war with each other. For all the consequences of war, of combat, and of conquest they are foreign nations. Judge Grier, in a most able, lucid, and conclusive opinion delivered in the prize cases, says:

"The parties belligerent in a public war are independent nations."

No one acquainted with the magnitude of this conflict, can deny to it the character of a *civil war*. For nearly three years the Confederate States have maintained their declaration of independence by force of arms. True, they have met with sad defeats. But success has not been all on one side. But what renders their position beyond controversy is, the great Powers of Europe have acknowledged them as belligerents, entitled from foreign nations to equal rights with the parent Government. What is still more conclusive, we have acknowledged them as belligerents ourselves. With unfortunate haste we blockaded their ports. A blockade is declared only against a foreign nation.—If they were still members of the Union we should repeal the laws creating ports of entry. A nation does not blockade itself. We have treated their captive soldiers as prisoners of war, not as rebels; we have exchanged prisoners; we have sent and received flags of truce. This is not the usage awarded to an unorganized banditti.

What then, is the effect of this public war between these belligerent, these *foreign nations!* Before this war the parties were bound together by a compact, by a treaty called a "Constitution." They acknowledged the validity of municipal laws mutually binding on each. This war has cut asunder all these ligaments, abrogated all these obligations.

"The conventions, the treaties made with nations are broken or annulled by a war arising between the contending parties."—Vattal, Book 3, chap. 10, sec. 125.

Phillimore says, page 662:

"It was at one time an international custom that the belligerents should, at the breaking out of the war make a public and solemn proclamation that the obligation of treaties between them had ceased. That custom has become obsolete. In the place of it has arison the general maxim that war, *ipso facto*, abrogates treaties between the *belligerents*."

Chancellor Kent says:

"As a general rule, the obligations of treaties are dissipated by hostility."—*Kent* 175.

Professor Lieber, the most learned of living publicists, in a communication to Major-General Halleck, containing instructions for the Government of our armies, which were revised by a board of officers and approved by the President, treats the rebel States as subject to martial law only, and not subjects to the municipal laws of the United States or to the Constitution. On page 8 he says:

"All municipal law of the ground on which the armies stand or of the countries to which they belong is silent and of no effect between armies in the field."

Hence he declares the slaves free and not to be re enslaved, *passim*.

The Supreme Court of the United States (in Hilton vs. Jones, Dall, 224) lays down the same doctrine. It decided that the revolted provinces of America, by the Declaration of Independence, the formation of a Government, and supporting it by arms, became an independent foreign nation in 1776. Years before their independence was acknowledged by any other nation, courts applied the law of prize to them as to other foreign nations. Segeant Wildman (page 8) says:

"The primary effect of war is to extinguish all civil intercourse, and to place all the subjects of *belligerents* in the condition of enemies. This principle extends not only to the natural-born subjects, but *to all* persons domiciled in the enemies' territories; to all who come to reside there with knowledge of the war; and who having come to reside before the war continued their residence after the commencement of hostilities for a longer time than is necessary for their convenient departure."

But it is said that this must be considered a contest with rebel individuals only, as States in the Union cannot make war. That is true so long as they remain in the Union. But they claim to be out of the Union; and the very fact that we have admitted them to be in a state of war, to be belligerents, shows that they are no longer in the Union, and that they are waging war in their corporate capacity, under the corporate name of the "Confederate States," and that such major corporation is composed of minor corporations called States, acting in their associated character. It is idle to say that townships and counties and parishes within such States are at peace, while the States by acknowledged majorities have declared war.—Is is still more idle to say that individuals within the belligerent territory, because they were opposed to secession, and were loyal to the parent Government, are *the State*, though comprising but five per cent, of the people, and hence that the States are not at war. This is ignoring the fundamental principle of democratic republics, which is that majorities must rule, that the voice of the majority, however wicked and abandoned, is the law of the State. If the minority choose to stay within the misgoverned territory, they are its citizens and subject to its conditions. The innocence of individuals forms no protection (except in a personal point of view) to those residing in a hostile territory.

Vattel, page 311, says:

"When the sovereign or ruler of a State declares war against another sovereign, it is understood that the whole nation declares war against another nation. Hence the two nations are enemies of all the subjects of the other. Since women and children are subjects of the State and members of the nation they are to be ranked in the class of enemies."

Even the innocence of women and children does not screen them from the fate of their nation. True, in dealing with them personally, great difference is made between the innocent and the guilty. But how can it be said that the States are not at war? Individuals do not make war. Individuals may take life, but they cannot make war. They cannot be recognized as belligerents. War is made by chartered or corporate communities, by nations or States.

Phillimore, vol. 3, page 101, section 69, says:

"Nevertheless, as war is the conflict of societies, that is, of corporate bodies recognizing and governed by law in all their actions," &c.

On page 100, section 62, he says:

"A war between private individuals, who are members of a society, cannot exist. The use of force in such a case is a trespass or violation of municipal law, and not war."

The Supreme Court of the United States, in the prize cases decided at its last session, says:

"Hence, in organizing this rebellion, they have *acted as States* claiming to be sovereign over all persons and property within their respective limits and asserting a right to absolve their citizens from their allegiance to the Federal Government."

Mr. Smith—I do not exactly understand the position of the gentleman, nor do I know that the question which I propose to ask will cause any difference in the result at which the gentleman arrives; but from the remarks already made by him, I desire to ask him this question: whether he takes the ground that a State, and not the individuals of a State, commits the crime of treason against the government of the United States.

Mr. Stevens—I take the ground, sir, that when you cannot punish them as traitors, you can make war with them as belligerents. It is not a question of punishing under the Constitution, but outside of it. These men are enemies, and we are treating them as enemies; and I have no doubt that, as States, they are at war with us.

Mr. Smith—The question that I mean to put directly, if the gentlemen will allow me, is this; whether the Government has power to punish a State in its corporate capacity, and not the citizens of a State as individuals?

Mr. Stevens—I mean to say that if a State, as a State, makes war upon the Government and becomes a belligerent power, we treat it as a foreign nation, and when we conquer it we treat it just as we do any other foreign nation. That is my position, very distinctly.

Mr. Smith—I understand the rule of law to be that a corporation has neither body nor soul; and therefore I would like to ask the question whether we can punish a State which, as a corporation, has neither body nor soul?

Mr. Stevens—If the gentleman be right, how then could we punish Great Britain when we make war upon her? If she has no soul to be damned, she certainly has a body to be seized. [Laughter.] When we conquer her we shall take good care, let me tell the gentlemen, that she shall be properly punished, if we have any regard for our people at all.

Mr. Bliss—I ask the gentleman from Pennsylvania, if the seceded States are foreign governments, what right we have to adjudicate upon their private property.

Mr. Stevens—When we seize it as the property of enemies during a war we have a right to take it.

Mr. Bliss—And hold jurisdiction over the soil of a foreign country?

Mr. Stevens—That is what I should call amphibious action, which the gentleman will understand from my remarks.

"All persons residing within this territory whose property may be used to increase the revenues of the hostile Power, are in this contest liable to be treated as enemies, though not foreigners."

This seems to me to settle the question.—This may work a hardship on loyal men opposed to the war. But to escape the condition of enemies they must change their domicile—leave the hostile State; for I again repeat there can no neutrals in a hostile State. Is the United States are at war with an acknowledged belligerent, with a foreign nation, and assuch war has abrogated all former compacts existing between them, neither the United States nor the Confederate States can, as against the other, claim the aid of the Constitution, or the laws passed under it. If they still exist, the slaveholder of South Carolina might claim the aid of the fugitive slave law to regain his absconded slave. So Gen. Barksdale and others were murdered, because he was shot down without being tried and condemned according to the provisions of the Constitution.

I am not now considering how far under the rights of sovereignty the parent State may punish the individual traitors when the municipal laws shall resume their sway. I am treating of the *disabilities* of the belligerens and *their* rights as belligerents under the Constitution. I deny that they have any. The associated States, acting as a public enemy, can claim nothing which the laws of war do not grant.

By the law of nations, the Captain and crew of a vessel are supposed to be standing in the soil of the nation whose flag the ship bears, although in distant seas. Those armed vessels that belong to no nation and make war are pirates. The Alabama and its fellows are not treated as pirates, and must therefore belong to an acknowledged nation. That nation is the Confederate States. But if the territory of the Confederate States is our territory, then he who treads the deck of the Alabama or Florida stands on our soil, and, plundering on the high seas, is a pirate. We do not so treat them. Until we have conquered the country held by the Confederate States, covered by the confederate flag, it is a foreign country. When we do conquer it is a conquered country. Any other principle would render all our conduct inconsistent and anomalous.

If the rebel States are still in the Union I see no reason why they should not elect the next President of the United States. Any number of them might meet and choose electors, who might cast their votes for President and Vice President, and demand that they should be counted by Congress. Or, if the rebels decline to vote, then a hundred loyal men, "*who are the State*," might meet and choose electors. The few loyal men around Fortress Monroe, or Norfolk, or Alexandria, and a few cleared patches in Louisiana, being one thousandth part of the States, might choose electors for their whole States.

The idea that the loyal citizens, though few, *are the State*, and in State municipalities may overrule and govern the disloyal millions, have not been able to comprehend. If ten men fit to save Sodom can elect a Governor and other State officers for and against the eleven hundred thousand Sodomites in Virginia, then the Democratic doctrine that the majority shall rule is discarded and dangerously ignored. Then the doctrine that the *quality* and not the *number* of voters is to decide the right to govern then we have no longer a Republic, but the worst form of despotism. The saints are the salt of the earth; but the "salt of the earth" do not carry the elections and make Governors and Presidents. Within the State of South Carolina a rebel's vote weighs just as much as a loyal voter's. We may conquer rebels and hold them in subjection, and legislate for them as a conquered people; but it is mere mockery to say that, according to any principle of popular government yet established, a tithe of the resient inhabitants of an organized State can chage its form and carry on government becase they are more holy or more loyal than he others.

From all this the legitimate conclusions, that all the people and all the territory within the limits of the organized States which, by a legitimate majority of their citizens, renounced the Constitution, took their States out of the Union and made war upon the Government, are, so far as they are concerned, subject to the laws of the State; and, so far as the United States Government are concerned, subject to the laws of war and of nations, both while the war continues and when it shall be ended.

If the United States succeed, how may we treat the vanquished belligerent? Must we treat her precisely as if she had always been at peace? If so, then this war, on the part of the United States, has been not only a foolish but a very wicked one. But there is no such absurd principle to restrain the hands of the injured victor.

By the laws of war the conqueror may seize and convert to his own use everything that belongs to the enemy. This may be done while the war is raging to weaken the enemy, and when it is ended the things seized may be retained to pay the expenses of the war and the damages caused by it. Towns, cities, and provinces may be held as a punishment for an unjust war, and as security against future aggressions. The property thus taken is not confiscated under the Constitution after conviction for treason, but is held by virtue of the laws of war. No individual crime need be proved against the owners. The fact of being a belligerent enemy carries the forfeiture with it. Here was the error of the President when he vetoed the confiscation bill passed by Congress. In the confusion of business he overlooked the distinction between a traitor and a belligerent enemy.

Vattel, page 125, says:

"Everthing, therefore, which belongs to the nation, to the State, to the sovereign, to the subjects whatever age or sex—everything of that kind. I say falls under the description of things belonging to the enemy. As to landed estate, property of this kind does not cease to be enemy's property, though possessed by a neutral foreigner, since the owner is resident in a hostile country." "We have a right to deprive our enemy of his possession of everything which may augment his strength and enable him to make war." (Page 349.) "In fine, we seize on the enemy's towns, his provinces," &c.

I am aware that a respectable Judge has denied this doctrine, because he says, "*No nation ever makes conquest of its own territory.*" This is assuming a fact which does not exist. The moment a power becomes an acknowledged belligerent, it is politically the owner of all this territory within the acknowledged limits of this hostile power. All the lands and towns and people within such boundary, so far as the contending parties are concerned, belong to the belligerent so far as the application of the laws of war and of nations touches them. The court in the prize cases says:

"It is no loose, unorganized insurrection, having no defined boundary or possession. It has a boundary marked by lines of bayonets, and which can be crossed only by force. South of this line is enemy's territory, because it is claimed and held in possession by an organized hostile and belligerent power."

The same Judge first above referred to very inconsistently condemned as lawful prize a rebel vessel captured by one of our vessels. Why did he not say, "This property cannot be held, it belonged to one of our citizens; and no nation ever captures the property of its own citizens?" Suppose the rebels should conquer Maryland as we have Tennessee, and the parties should mutually agree to cease hostilities, would not Maryland belong to the Confederate States and Tennessee to the United States? By the laws of war, when peace ensues without any stipulation as to territory, each one maintains the *uti possidetis*. Does not this show that when we conquer a seceded State we take it as hostile territory and not as our own? The Confederate States cannot be a foreign nation for one purpose and not for all—for the purpose of obtaining all the protection of a belligerent under the law of nations and yet not incurring any of its penalties. This would be showing a remarkable advantage to a belligerent made up of traitors and rebels over an honorable foreign nation with whom we were unfortunately at war. This would be as unjust as absurd.

Suppose the Confederate States should conquer the United States, could we claim the benefit of the Constitution of the United States and laws made under it? Would they not have a right to hold us as conquered provinces, and dispose of us as they might deem best? Certainly such is the law of nations. And yet conservative gentlemen, with some smattering of knowledge, ignore the doctrine of mutuality, and deny us the same right!

How did England deal with her rebels in the great mutiny in India? When she reconquered "*her own territory*," she declared

"That their engagements had been canceled by the rebellion, and that the proprietary right in the soil was confiscated to the British Government, which would dispose of that right in such a manner as to it might seem fitting."

To my mind there can be no doubt as to what we have a right to do if, as I will not permit myself to doubt, we should finally conquer the Confederate States. What it will be policy to do may be more difficult to determine. My mind is fixed. The rebels have waged the most unjust, cruel, and causeless war that was ever prosecuted by ruthless murderers and pirates. They have compelled the Government in self-defense to expend billions of money. Every inch of the soil of the guilty portion of this usurping power should be held responsible to reimburse all the costs of the war; to pay all the damages to private property of loyal men; and to create an ample fund to pay pensions to wounded soldiers and to the bereaved friends of the slain. Who will object to this? Who will consent that his constituents and their posterity shall be burdened with an immense load caused by these bloody traitors? Their lands if sold in fee would produce enough for all these purposes, and leave a large surplus. Such confiscation of course would spare the property of those who took no part in the war, and of the common soldiers, who were compelled by the laws of their States to enter the army.

All this done, and yet the half would be left undone. Oppressive as would be the debt, and grievous the loss of our loyal citizens, yet if an honorable and safe peace were made, our free and prosperous people would bear it without a murmur. But if a disgraceful peace were made leaving the cause of this rebellion, and the fruitful cause of future wars, untouched and living, its authors would be the objects of the deepest execration and of the blackest infamy. While the Constitution protected the institution of slavery very few desired to disturb it in the States. There were not three thousand abolitionists, properly so called, in the United States. But since those States have voluntarily thrown off that protection, and placed themselves under the law of nations alone, it is not only our right but our duty to knock off every shackle from every limb. So far as other nations are concerned, there is not a slave in the Confederate States. As we have seen, the law of nations fixes their condition. By the law no man can hold property in man.

Phillimore (1, page 316, chapter 17) says:

"There is a kind of property which it is equally unlawful for States or individuals to possess—property in man."

"A being endowed with intellect, passion and conscience cannot be acquired and alienated, bought and sold by his fellow-beings, like an inanimate or an unfeeling and irresponsible thing."

"The Christian word has slowly but irrevocably arrived at the attainment of this great truth; and its sound has gone out into all lands, and its voice into the ends of the world."

"The black man is no more capable of being a chattel than the white man."

Such, thank God, is at last the national law of the civilized world. And who is there base enough in this Republic to wish it otherwise or to attempt to evade it? He who now wishes to re-establish "the Union as it was" and to retain the "Constitution as it is" cannot escape the guilt of attempting to enslave his fellow men.

But something more must be done than to declare all men free in the rebel States. Supposing them now to be conquered, until some legistion by the conqueror takes place as among themselves, their old laws and institutions will remain. Until we declare otherwise, slavery will be among their municipal laws and will bind them in their intercourse with each other. Even if you were to liberate every slave now and then readmit them into the Union as free States, the moment they had acquired that standing they would re-establish slavery and enslave every man of color within their limits. You can prevent this only by amending the Constitution of the United States, prohibiting slavery forever in this Republic. "The Union as it was and the Constitution as it is" is an atrocious idea; it is man-stealing.

There is a class of very respectable men whose vocation and habitual reverence for the Union compel them *openly* to condemn secession, and yet whose argument and opposition, to all effectual means for its suppression show that their whole souls and secret yearnings are with the rebels. They are laboring hard to establish principles which, when the traitors are subdued, will remit them both as States and individuals to all their ancient rights and privileges; to the right to enter Congress and control our councils. To this end, mistaking the argument, they contend that the war has not abolished State Government. I observe that a very excellent Republican member of the last Congress from Ohio, is cited as holding that the rebellion has not destroyed State governments. I have never supposed that it did. On the other hand I believe the State governments in the rebel States to be as perfect now as before the rebellion. But that proves what these conservative gentlemen would wish to avoid, that being subsisting States, capable of corporate action, they have *as States* changed their allegiance from the United States to the Confederate States; and that all the inhabitants of such hostile corporations have forfeited all rights under the Constitution which they have renounced; and that they are forever estopped from claiming the "Union as it was." It is indeed true that the United States may give them those rights if it choose, but they cannot claim them. Nor do I contend that the rebellion has abolished slavery so far as it respects the citizens of the rebel States. Over them the State laws have full power until changed by the conqueror. But as to all the rest of the world, as to the United States and foreign nations, there is no law, no rule of international action which requires them to respect the slave laws of the States. Foreign nations never have been bound, and have never so regarded them. A slave escaping from South Carolina to Canada, or Jamaica, is free; and there is no comity of nations which requires his return to his. Were it not for a single provision of the Constitution every State in the Union would have been on the same footing as foreign nations. That provision, thank God, is now dead—killed by the traitors themselves. All this struggle by calm and dignified and moderate patriots; all this clamor against radicals; all this cry of "the Union as it was and the Constitution as it is," is but a persistent effort to re-establish slavery, and to rivet anew and forever the chains of bondage on the limbs of immortal beings. May the God of justice thwart these designs and paralyze their wicked efforts!

I pray gentlemen to consider that any other doctrine than this will fatally hamper them when they come to reestablish this Government.

To gentlemen who were members of the last Congress this is but repetition. At the extra session of 1861, I advanced the same suggestions; and I have repeated them on all occasions that I deemed proper since. They were not then quite acceptable to either side of the House. But I am glad to find that the President, after careful examination has come to the same conclusion. In details we may not quite agree; but his plan of reconstruction assumes the same general grounds. It proposes to treat the rebel territory as a conqueror alone could treat it. His plan is wholly outside of and unknown to the Constitution, but it is within the legitimate province of the laws of war. His legal mind has carefully studied the law of nations and reached a just conclusion.

Martial law is not unconstitutional. But municipal laws and martial law do not act concurrently over the same territory. The Constitution leads in martial law, add then retires until the clangor of arms ceases.

The condition of the rebel States having been thus fixed, reconstruction becomes an easier question, because we are untrammeled by municipal compacts and laws—that refuge of conservative sympathizers with our "erring brethren." The President may not strike as direct a blow with a battering ram against this Babel as some impetuous gentlemen would desire; but with his usual shrewdness and caution he is picking out the mortar from the joints until eventually the whole tower will fall.

When the free North shall be united, when that odious party which is inspired by the love of Slavery alone shall have sunk into utter contempt and be despised of all men, then will the traitors' hearts sink within them; then will the brave freemen of the North, aided by the persecuted loyal men of the South, bear aloft the banner of the Union from the lakes to the Gulf of Mexico, and from the Atlantic to the Pacific ocean.

Having crushed into atoms the ephemeral empire, whose corner-stone was slavery, they will establish a united and enduring nation on the solid foundation of universal freedom. Such a nation, possessing the most fertile soil and every variety of climate, will soon abound with untold riches, and will swarm with millions of just, intelligent, and brave freemen, who will bid defiance to all the despots of the earth.

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The course of instruction in the Theoretical Department embraces *Book-Keeping, Commercial Calculations, Lectures on Business Affairs, Penmanship, Commercial Laws, Forms, Correspondence, &c.* In THE BUSINESS DEPARTMENT the student enters upon the Graduating Course, which includes a continuation in the above studies, with their practical application in all their details. He will in turn fill the position of Accountant and Proprietor in the various departments of *Wholesale and Retail Trade, Forwarding, Jobbing, and Commission Business, Banking, Manufacturing, Mining, Steamboating, &c., and will finally act as Cashier, Book-Keeper and Teller in the Bank*, in each of which positions his previous knowledge will be put to the fullest practical test.
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Diplomas awarded upon the completion of the *Commercial Course*, which embraces all except the higher sets of *Banking, Manufacturing, Railroading, &c.* Send for a circular. dec2-1y.

CHAMBERSBURG ACADEMY, REFITTED AND REORGANIZED,
Commenced a new quarter on Monday, February 8.
Large additions have been made to its already extensive apparatus, a full and efficient corps of teachers has been employed, and no pains or expense spared to render it one of the first institutions of learning in the country.
Particular attention paid to Teachers and young men preparing for College.
It is desirable that Students enter at the commencement of the quarter, but they may enter at any time, and they will be charged only from date of entrance. Terms per quarter from $3 to $8. A deduction of ½ from the bills of Clergymen. Send for Circular.
FACULTY.
J. R. KINNEY, A. B., Principal, Greek, German and Modern Languages.
A. OVERFIELD, A. B., Latin and Higher Mathematics.
A. M. TRIMMER, Commercial Department.
MISS R. H. PERKINS, Preceptress, Com. Eng., Painting and French.
MISS SARAH A. FLORY, Primary Dept., Pencilling, Crayoning, &c.
———, Music. [Chamb'g, Jan. 27, '64.

CHAMBERSBURG SEMINARY FOR YOUNG LADIES.—The Spring Session will commence on Tuesday, Feb. 9th, 1864, but boarders can enter at any time, and will be charged accordingly. A large attendance, both in the primary and academical departments, gives evidence of an interest in the school not surpassed in any former period. Miss S. H. Curtis, assistant in the higher department, bears testimonials of her eminent fitness to instruct in the higher branches, from a Seminary in the West, where she taught for several years.—The primary Department is chiefly under the care of Mrs. C. B. Moxey, the effects of whose energy and efficiency appear in the flourishing condition of the department. Miss Z. C. DeForest is well known as an able and experienced teacher of music.
TUITION.—From $8 to $15 per session of five months. Boarding $60.
TEACHERS FURNISHED.—Schools and families in need of teachers can hear of young ladies well qualified, chiefly graduates of the Institution, by addressing
jan27-tf. Rev. HENRY REEVES, Principal.

Dentistry.

DR. W. W. SCHLOSSER, Surgeon Dentist, has removed his Office from the Mansion House to residence of Mr. John Noel, North-West corner of the Diamond, and immediately opposite the Franklin Hotel. Office on the second floor—entrance through the passage, to the right as you ascend the stairs. jun17,63.

REMOVAL.—DR. J. K. REID, Dentist, has removed his office from the corner of the Public Square, where he practised so many years, to the corner of Main and Queen Streets, above Heyser & Cressler's Drug Store, Chambersburg, Pa., where he will be pleased to receive the calls of his friends. jun17,63.

U. S. 5-20 BONDS.—Those persons who have subscribed for these Bonds, and have not yet received them, are requested to call at the Bank, surrender their due bills and receive the Bonds. [mar 9-3t*] G. R. MESSERSMITH.

Insurance.

FOURTEENTH ANNUAL REPORT of the AMERICAN LIFE INSURANCE TRUST CO., WALNUT STREET, SOUTH-EAST COR. FOURTH, *Philadelphia*, for the year ending December 31st., 1863.

RECEIPTS.

Premiums received	$162,670 24
Interest "	38,677 20
Rents "	2,018 17
	$203,365 61

DISBURSEMENTS.

Life Losses &c. paid, amounting to	$62,136 18
Commissions, Travelling Agents, and Expenses of Agencies	27,838 22
Bonus Certificates purchased, and Dividends paid	25,759 62
Salaries and Medical Examinations	10,047 00
Real Estate, Taxes, &c.	1,367 69
Return premiums and Policies bought	7,876 34
Printing, Advert'g, Station'y, Stamps, &c.	7,541 66
	$142,566 71

ASSETS.

$100,000 U. S. 5-20 Loan	
600 Shares Penna., Rail Road Stock	
$10,000 Wyoming Canal Bonds	
$10,000 State of Tennessee Bonds	
$10,000 Phila. & Erie Rail Road Bonds	
442 Shares Corn Exchange Bank	
$10,000 Pittsburg, Fort Wayne and Chicago Rail Road Bonds	
20 Shares Consolidation Bank	$49,188 50
$12,000 Allegheny County Bonds	
$9,000 Reading Rail Road Bonds	
107 Shares Farmers Bank of Reading	
$8,500 City of Pittsburg and other Bonds	
142 Shares Williamsport Water Comp'y	
$3,000 City of Philadelphia Loan	
192 Shares American Life Insurance and Trust Company	
Mortgages, Real Estate and Ground Rents	$309,338 60
Loans on Collaterals amply secured	159,333 94
Premium notes secured by Policies	54,239 35
Cash in hands of Agents secured by Bonds	12,770 62
Cash on hand and in Banks	33,358 53
	$818,440 54

VALUE OF FUTURE PREMIUMS.
Calculated to December 31st, 1863 ..... $1,700,249 65
NET PRESENT VALUE OF POLICIES
Or amount necessary to reinsure all outstanding risks $138,482 63

Philadelphia, Feb. 4, 1864.
The Trustees have this day declared a Dividend of FIFTY PER CENT, on all premiums received upon MUTUAL POLICIES during the year ending December 31st, 1863, and in force at that date, the above amount to be credited to said Policies, and have also ordered the dividend of 1850 on Policies issued during that year to be paid, as the annual premiums on said Policies are received.
OFFICERS.
President—Alexander Whilldin.
Secretary and Treasurer—John G. Wilson.
BOARD OF TRUSTEES—Alexander Whilldin, J. Edgar Thomson, George Nugent, James Pollock, Albert C. Roberts, P. B. Mingle, Samuel Work, William J. Howard, Hon. Joseph Allison, Samuel T. Bodine, John Aikman, Charles F. Heazlitt, Isaac Hazlehurst.
WM. G. REED, Chambersburg, Pa., the authorized Agent of the American Life Insurance and Trust Company, and is always prepared to furnish pamphlets or any information wanted, and to take Insurances. OFFICE, in the *Repository* Building.
DR. J. C. RICHARDS, *Medical Examiner*.
REFERENCES—Hon. A. K. McClure, Rev. S. J. Niccolls, J. S. Nixon, Chambersburg, and Wm. M. Marshal Cashier Hagerstown Bank. [mar24 2.

OUR AGENT.—Mr. JOHN GROVE, of Chambersburg, is the General Agent of the Franklin County Mutual Insurance Company. jun17

Publications.

MLAY & BICKNELL'S BANK NOTE REPORTER,
Established in 1830.
Is the oldest REPORTER published in this country, and has never missed a number since its commencement, now nearly
34 YEARS.
It is issued on the 1st and 5th of each month, and it has by the well known and admitted ability with which it is conducted, long since earned its position of the
Standard Reporter of the Country.
Our whole time and undivided attention is given to the Reporter, and the many years of experience we have had, and the great facilities we command, enable us to give to the Public the most correct and reliable work of the kind published.
QUOTATIONS.
Our Corrections and Quotations for each number are invariably made up to the hour of going into the Printer's hands, by the well known Banking House of
WORK, McCOUCH & CO.,
36 South Third Street.
☞ We hold ourselves bound
To Redeem at our Quotations,
at the time of going to press.
COUNTERFEIT MONEY.
The Reporter contains a more correct list of Counterfeits and Altered Notes than any other Reporter now published. Each number contains a full and correct description of all the Fraudulent Notes put into circulation since the preceding issue.
Particular attention is paid to
THE STOCK LIST.
It is a full and complete list of all Stocks offered at the Board of Brokers. It is always corrected up to the day of going to press.
WHOLESALE PRICES CURRENT.
Are always full and correct, the corrections being made up to the day of going to press with each issue.
TERMS OF SUBSCRIPTION.
One Copy, monthly, one year $1 00
One Copy, semi-monthly, one year 2 00
Subscriptions may commence with any month.—Terms always CASH IN ADVANCE.
All letters must be addressed to the Publisher,
CHARLES C. RHODES,
45 South Third Street,
ja20-3m. Philadelphia.

THE AMERICAN BANK NOTE REPORTER.—Published semi-monthly.
Semi-Monthly ..... $2 | Monthly $1
The only Bank Note Reporter in the country with Quatations in FOUR CITIES.
Subscriptions may commence with any month.—Terms always cash in advance. All communications should be addressed to S. F. COHEN,
mar 2-3t) 23 South Third Street, Phila.

Boots and Shoes.

NEW SHOE STORE.—The subscriber takes this method of informing the citizens of Chambersburg and vicinity that he has just returned from Philadelphia with an ENTIRELY NEW STOCK of Boots and Shoes, of every variety, style and pattern, and of the best manufactures.
He has *no old Shopkeepers* on hand. His whole stock is *new*. Give him a call—you can easily suit yourself. He invites the Ladies especially, to call, as he will take pleasure in showing his goods. Store in the room formerly occupied by Frederick Smith, Esq., as a Law Office, and more recently used for the purpose by George Eyster, Esq., two doors North of Fisher's Hotel, Main Street, Chambersburg, Pa.
His large and well selected stock, he being a practical Shoemaker, consists of Ladies' Gaiters, Boots, Slippers and Buskins; Misses and Children's Boots and Shoes; Gentlemen's Gaiters, Slippers, Boots and Brogans.
Don't forget the place. No trouble to show goods at THE NEW STORE, two doors North of Fisher's Hotel, Main Street, Chambersburg, Pa.
jun17,63. PETER FELDMAN.

CALL AND SEE.—The undersigned announces to his numerous friends and customers that he continues to manufacture to order, and keeps on hand, a full and complete assortment of various qualities and styles of SHOES and GAITERS, for Ladies, Misses and Children. His assortment of BOOTS, SHOES, &c., for Men and Boys' wear is complete, to which he respectfully invites attention. Work of all kinds made to order, in a neat and durable manner, and at short notice. Call and see before purchasing elsewhere, and he will satisfy purchasers that he sell at very small profits for cash. Don't forget the place—nearly opposite Hutz' Store, Chambersburg, Pa.
jun17,63. GEORGE LEHNER.

Painting, Glazing, &c.

BARNARD T. FELLOWS,
HOUSE AND SIGN
PAINTER, GRAINER, GLAZIER, AND PAPER HANGER.
Shop in the Old Armory Building, (up Stairs,) next door to the "Old Jail," Peiffer & Foltz's Carriage Manufactory, opposite Brown's Hotel, and