

The Potter Journal

Devoted to the Principles of True Democracy, and the Dissemination of Morality, Literature and News.

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M. W. McALABNEY, Proprietor.

Devoted to the cause of Republicanism, the interests of Agriculture, the advancement of Education, and the best good of Potter county. It is published weekly except that of principle, it will endeavor to do the work of more fully Freedomsing our Country.

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RECONSTRUCTION. SPEECH

OF

HON. GLENNI W. SCOFIELD,

OF PENNSYLVANIA,

In the House of Representatives, April 28, 1866.

The House, as in Committee of the Whole on the state of the Union, having under consideration the President's annual message—
Mr. SCOFIELD said:
Mr. SPEAKER: What is the whole amount of disloyal population in the southern States? I do not include in this inquiry persons who have been stigmatized as "sympathizers" or "copperheads," much less any other portion of the Democratic party, but only those who sought to divide the country into two republics and who now regret the failure of the enterprise. The whole amount of white population in the eleven confederate States is 5,097,524. Deducting from this amount the estimated number of loyal people in those States, and adding the disloyal scattered through the other five slave States, will give the answer to my question. Making this deduction and addition from the most reliable data within my reach, I conclude that the disloyal population in the whole South will not exceed, if indeed it will equal, five millions in all.

If the eleven confederate States were readmitted now (the Constitution and laws remaining unamended) what amount of representation in Congress and the Electoral College would this five million be entitled to claim? They would certainly have these eleven States. There could hardly be a doubt about Kentucky. For if the loyal men of that State, sustained by the power of the Federal Army and the persuasion of General patronage, with the young disunionists absent in the South and the old ones disfranchised at home, could scarcely hold their own, what could we expect them to do when these young men have returned, the disfranchising laws have been swept away, the Army removed or palsied by orders, and Federal patronage at least uncertain? This would give them twenty-four Senators. There are four more States that belonged to the slaveholding class, Delaware, Maryland, West Virginia, and Missouri. Is it any stretch of probabilities to suppose that two more Senators will be picked up somewhere in these four States by the confederate element? I fear there will be more. This will give them twenty six Senators.

In the House of Representatives this population will have as large, if not larger, proportionate representation. By the apportionment of 1851, fifty eight Representatives were assigned to the eleven confederate States. These States will be as distributed by the hostile sentiment of their several Legislatures that not one true Union man can be elected. To the other five slaveholding States twenty-six were assigned by the act of 1861. If any one will take the trouble to look over these districts, I think he will come to the conclusion that even if laws disfranchising rebels in Maryland, West Virginia, and Missouri remain in force, not less than half of these will be controlled by the influence and votes of the late secessionists. This gives seventy-one Representatives in the House. But even this large number must soon be increased. The two-fifths of the four millions freedmen which were not counted in the representative basis of the last census must be counted in the census of 1870, and (other things remaining the same) add to that number thirteen members more; so that the five million disloyal population, as soon as their full power can be felt through the elections, will have at least twenty-six Senators and eighty-four Representatives and one hundred and ten votes in the Electoral College. This is a low calculation. When we consider the earnestness, or rather I should say the fierceness, of these people, the ability, ambition, and courage of their leaders, we may well apprehend that the number will be even greater. But this number is their own—legitimate and certain under the laws as they stand. Supposing the entire population of the United States to be thirty-five million now, this five million will be just one seventh of the whole, and will have more than one third of the representation in both Houses of Congress, and more than one third of the Electoral College. The same amount of loyal population at the North is represented by only about half that number. If by factions or party division among the loyalists of the country, they could control to secure one sixth more of the representation, they would have a majority of the whole, and be able to control Federal legislation, elect the President, and distribute his patronage.

When these States are admitted and these people come to have the unbridled control of this twofold representation, how will they desire to use it? I do not inquire how they possibly may use it, nor even how they now expect or intend to use it, but how, if unrestrained by a

united North, it would be their interest and desire to use it. For the perpetuation of the Union? I fear not. They have come back to the Union, we should remember, only by coercion. To them it is a forced bride. They submit to it, but they do not, because they cannot, embrace it in their hearts. The soldiers maimed, wives widowed, and children orphaned in their bad cause; appeal to their leaders for the promised support, but the Union has no pensions for them. The fortune invested in confederate faith sees no hope of realization in the Union. Hatred of the North and its anti-slavery majorities, the original motive for secession, is ten times stronger now than in 1861, and is backed up by \$4,000,000,000 of debt, damages, and pensions, which, as they insist, could, in a separate government, be levied by an export duty on the cotton-consuming world. The life-habits of these people, their love of ease and domination, their pride, aristocracy, wealth, and power were all the outgrowth of an institution which might possibly be revived in a separate republic, but which is forever gone in the Union. "Confederacy" is a word that must long be enshrined in their hearts by the tender memories of their fallen kindred, but it must live, as they well know, in the history, traditions, and ballads of the Union, associated with perjury, dishonorable crime, and cruel war. If they should profess to love the Union we could not believe them. It is so unnatural that it would be easier to believe they were hypocrites than that they were monsters.

But they are neither hypocrites or monsters. They do not love the Union, and do not pretend to. It is untruthful men of our own section that prevaricate for them. The same class of men that misrepresented the feelings of the North before the war, and thus deceived the South and goaded them into rebellion, now misrepresent the feelings of the South to deceive the North and lure it into a retrievable surrender. Before the war they deceived the South and betrayed the North; but now it is reversed, they deceive the North and betray the loyal South. The same perfidious breath that carried South the untruthful story of northern hate, and thus prompted the war, comes back now with another story, equally untruthful, of southern loyalty. They tell us that the disloyal South is a gentle bride, impatient for the nuptials, when they know that she submits to them with loathing. Have they not laid down their arms? is the argumentative inquiry. No, sir; they were taken from them. Have they not submitted? No, sir; they were defeated in battle. There is nothing in their past conduct nor present attitude that justifies the use of the word submission. Prisoners of war have been taken, but they were released on parole; rebel armies have been dispersed, but they have been re-organized as State militia; rebel State governments have been overthrown, but again revived and restored to the old possessors; and forfeitures of life and estates have been remitted, but that is all. Call this clemency, privilege, victory, triumph, what you please, but do not call it submission, with which it has not one shade of meaning in common. We do not need to call witnesses to prove that these people are hostile to the Union and its interests. The history of the human race proves it. Whoever attempts to prove the contrary must first show that they are unlike any other people whose passions, struggles, and defeats are recorded in the annals of the world.

But witnesses have been called—Union generals and rebel generals, Union and rebel citizens, without distinction of party, condition, race, or color—and all support under oath the great historic truth, that a purpose imbibed in infancy, cherished and stimulated by the rostrum, press and pulpit for a lifetime; upheld by large fortunes, wrung from the toil of slaves, and sanctified by the blood of sons and kindred, has not been and cannot be surrendered to military orders. Such a purpose surrenders only to time. I do not present this great truth now by way of reproach or condemnation of these misguided people, but only by way of caution and warning to ourselves. I come to the conclusion, therefore, that they do not desire the perpetuation of the Union. If we would remove all restraints and give them freedom of choice they would revive the confederacy at once. They would take advantage of a war with Great Britain or France to secure their independence, and they would take advantage of their double representation here to promote such a war. If no opportunity of escape should soon offer, would they not still live in hopes of it and in persistent hostility to the country's obligations to the soldiers, widows, orphans, and creditors of our war, and triended to the assumption of similar obligations created by themselves in the interest of the rebellion? Even in advance of their own coming a portion of their vast claims have reached your files. When my colleague [Mr. RANDALL] from the Democratic side pro-

posed that the national faith, pledged in war, should not be broken in peace, there was one voice from Kentucky against it—only one by count, but considering the quarter from which it came, multitudinous in omen. A bill has also been introduced by a gentleman, sometimes called the Democratic leader in this House, to repudiate in part the public debt under pretense of taxing it, in violation of the laws by which it was created. These cannot be regarded as the addition of one or two men, but rather as impulsive confessions of imprudent counsels, too far in advance of the following army. The purpose will not be generally disclosed until the forces are arranged for its execution.

I am speaking now only of the dangers that will beset the Republic by the allowance of a representation unfriendly to its prosperity and even its existence in such disproportionate numbers. But we should not forget that this act is also a recognition as republican in form of constitutions, we have never seen (except that of Tennessee) and all, except those of Lincoln origin, under republican government. The white Unionists who have been looking through five years of persecution, lynching, and confiscation to this as their hour of deliverance, will find themselves betrayed into the hands of their old, unhumiliated, unrelenting, tormentors. It also consigns the freedmen to the tyranny of old masters, not now as heretofore bribed to humanity by a moneyed interest in the preservation of their chattel estates. Twenty-five per cent., says an honorable gentleman who presents his back offending to the North as he makes his low obeisance South, twenty-five per cent have already perished. The wish no doubt was father to the thought with the masters in whose interest the declaration was made.

These, then, are my premises. I will repeat them:
1. There are only about five million disloyal population in the country.
2. This population when fully restored to the Union, the Constitution and laws remaining unamended, will hold more than one third of its representative power and the supreme control of at least thirteen States.
3. They will be interested to use that power for the division of the Union; and, failing in that, for the repudiation of its military and financial obligations.

Now, what is to be done? If these States are denied representation, it violates the fundamental principle of republican government. If allowed a double and hostile representation, the Union itself must be destroyed or preserved at the expense of another war.

Three remedies are proposed:
1. Disfranchise some portion of the rebels.
2. Allow all the rebels to vote, but neutralizing their disunion sentiments by enfranchising the blacks in these States.
3. Equalize representation by taking as its basis either the number of voters or the population, minus the disfranchised classes; so that these States shall have no more representation in proportion to their represented people than the old free States have.

Either proposition would require an amendment to the Constitution, to be accepted by the rebel States as a condition precedent to their restoration. It is also proposed to couple with either proposition a second amendment, prohibiting the assumption of rebel debts and claims either by States or the United States.

The third proposition has commended itself to much the largest number of Union members, and the amendments to that effect have already passed this House by more than a two-thirds vote. This, then, so far as this House is concerned, is the congressional plan of reconstruction. All we ask of the rebel leaders who are wrongly charging us with having no policy at all, but designing to exclude them for an indefinite period, is a little time to put in form of fundamental law these pledges of future peace. For five years they have been out upon plague-infected seas. Can they not tarry at quarantine for a single session?

Stripped of all disguises, herein lies the main disagreement. Shall these States be recognized at once in their present temper, without guarantees of any kind and with a twofold representation? It is not whether they shall be represented at all; to that we all agree. There may be a little question of time; a difference of a few weeks or a few months, and that is all. Shall they be represented twice over, once in their own names and once in the name of the negroes? Shall they come in upon a representative basis that clothes a white man of the South with almost as much again political power as a northern voter in South Carolina, as much voice in the selection of a President and in the legislation of this House, as five voters in Pennsylvania possess? That practically gives to one seventh of your population, disloyal at this, more than one third of

your power? That, sir, is the great question before this House and the American public. It is an effort on the part of the Opposition to carry into the politics of the country the old problem by which sixteen in made the majority of forty-nine. In England it is called the system of "rotten boroughs." It has long been the subject of political strife between the free and slave labor counties of Maryland, Virginia, and Tennessee. And when it is everywhere else abandoned as a pernicious and anti-republican theory of representation, we are asked to make it the basis of reconstruction in the model Republic.

The enactment of these two simple and brief amendments, or others similar in purpose, is so absolutely necessary for the preservation of the Republic and the discharge of its obligations to its soldiers and creditors, and is so just and even generous to the insurgents, that they ought to receive the assent of every Union man, especially of every northern Union man. The Opposition do not dare to discuss their merits. While some deny that we have any plan of reconstruction, others assail it with insidious and deceptive objections. Some of these I propose to notice here.

First of all, they complain of the consumption of time. Five months have passed, and not a rebel admitted, is the complaining accusation. The Opposition are impatient. They cannot wait. Come in at once, say they, to the "erring brethren." Do not wait to drop your side arms or exchange your disloyal garments. Bills to protect the loyal men of the South against your pretended violence are pending now, come and help defeat them. We will soon have bills to enlarge pensions and equalize bounties to the soldiers you have maimed and the widows you have made; your advice and votes will be needed. A bill to give bounty land to the "boys in blue" could not be defeated nor the "butcher's" included without you. A bill to lift the burdens of taxation from the industry of the country and place it upon your foreign confederates, through exported cotton, will need your attention. Hurry up your organizations. Do not wait to heal lips blistered with a double oath of broken fealty before you kiss the Holy Evangelists with another. We have buried our sons and are languishing to clasp the hands of their murderers. When once admitted, deny that you ever tried to break up the Government, but swear on all occasions that the Lincoln party were and are the traitors.

The complainants have only themselves to blame for much of this delay. Except for their persistent opposition the amendments would have been submitted months ago to the Legislatures then in session in the loyal States, and been assented to, no doubt, by the constitutional number. Except for their own opposition they might now be welcoming back their long-mourned friends to seats in these Halls. But they would consent to nothing that did not return them greater in numbers, and more malevolent in purpose. Hence the delay. *Hinc ille lacrimas.*

Next we are told that it conflicts with the "President's policy." What is the President's policy? I aver, first, that the President, when last authoritatively heard from, was in favor of the principle embodied in each of the proposed amendments. Of the first one, because he required the confederate States to adopt it; of the second one, because he has repeatedly declared himself in favor of making the number of voters the basis of representation. I aver, second, that he does not consider the status of the States such, that their assent to constitutional amendments cannot be required as conditions precedent to their restoration, because he directed Mr. Seward to inform these States that their assent to the amendment proposed in the last Congress was "indispensable" to restoration; and because he has not himself dealt with them as if they were States already in the Union. Governors, Legislatures, judges, and a full set of county and township officers were at work under constitutions once declared to be republican in form by the United States. These governments were regular unless you assent to the doctrine of forfeiture, for they had political continuity, what the church people call apostolic succession. Yet they were destroyed by the President's order and now ones extemporized to their stead.

From that time to this, in these States, the breath of the President has been the law of the land. Mr. Johnson went much further in this direction than his predecessor. Mr. Lincoln established governments only in States where he found none existing before, but Mr. Johnson first destroyed existing governments and then supplied their places with those of his own creation. So, both by words, and actions which speak louder than words, the President assents to every principle involved in the congressional policy of reconstruction. Indeed, the two policies could not well conflict, because they relate to different subjects. The one creates or restores State organizations, the other re-

news their Federal relations. When these organizations were complete, and the States ready to apply to Congress for a return to the Union, the President's policy was ended. His work was all done. The rest was for Congress. So he directed his Secretary of State to inform Governor Sharkey, July 24, 1865, Governor Marvin, September 12, 1865, and so be informed us in his annual message. If he has changed his policy since then it is hardly worth while to inquire what it is now, for his principles are written in water.

I do not wish to disguise the fact that while he approves the two amendments and believes the power exists to require their adoption as conditions of return, he thinks it unnecessary to insist upon any terms additional to those imposed by himself. It is in this opinion that his old persecutors, the defeated enemies of the Union, the foiled plotters of his assassination, have taken heart, and with cruel malice conspired with northern sympathizers to pursue him with their unrelenting friendship. Their last hope for the destruction of this country lies in the destruction of its friends. War failed them, they resort to diplomacy. The President was not much moved by their threats, will he be seduced by their flattery? If so, let me assure these of our friends who are disposed to suppress their own convictions in hope to detain him and his patronage in a little select court party, that they might as well exercise a reasonable liberty of opinion. For if he ever determines to trust his political future to anybody besides the great earnest, triumphant Union organization that elected him, he will have sense enough to put them aside as mere nobodies in popular strength, heartless friends and harmless enemies, as courtiers always are, and push straight for the "southern brotherhood," rebelled opponents of a permanent and peaceful Union. In that event his children and friends may well rejoice that the past, at least, is secure. His patriotic thoughts of the last five years will still live, although only to reprove him.

Again, it is said by way of excuse, "Why not admit such Union men as Fowler, Stokes, and Maynard, of Tennessee?" Because it is not a question about men. Shall a disloyal district, while it is still in a disloyal spirit, be declared entitled to representation with only half as many represented people in it as we require for a district in the North? That is the question. Captain Semmes ran up the Union flag when he wished to decoy an unarmed merchant vessel under the power of his guns, but replaced it with the pirate emblem when he had secured his victim. The names of these patriots are hung out to day to secure representation to a rebel constituency behind them, but they will be hauled down at the first election and rebels put up in their stead. You may think you are only recognizing the Union flag, but when it is too late you will find yourselves alongside the Alabama and in the power of its pirate crew.

But it is said in reply, "We will not admit disloyal men even if elected." How can you help yourselves? If a whole delegation from South Carolina, for instance, present themselves to the Clerk of the last House and ask to be placed on the roll, prior to organization, and tender him the certificate of their election signed by the Governor and sealed with the great seal of that most sovereign State, shall the Clerk say which is loyal and which is not? I suppose not. After the organization, in which all have participated, and all have been qualified and taken their seats, will you get up an inquiry committee to explore the secret recesses of their consciences and be father confessors to their sins? "No, but the iron-clad oath will exclude them." Do you not know, sir, that almost every man who is in favor of admitting these States without conditions is also in favor of repealing that oath? They already denounce it as an odious and unconstitutional test. The Secretary of the Treasury and the Postmaster General, backed up by a message from the President, ask its repeal so far as regards their Departments, thus making rebels as eligible as Union soldiers to the appointments here, and under such lead I expect to see it swept away, and do most of the gentle men who are now urging us to lay aside a real safeguard and trust to this cobweb of a morning.

But suppose we could in this way contrive to dictate to these people who they should and who they should not elect, what kind of a representation would that be? We say to them, "you are free to select your representatives, but mind that you select such as suit us, not yourselves." You call that representation? I call it obedience. We propose to extract the envenomed fang of the serpent before he is uncaged, and you to bind him with test oaths afterwards. Suppose, again, you could manage to exclude in this way those who had been engaged in the rebellion, do you not know that a rebel constituency could find a fit representation

[Continued on fourth page.]