

The Great Conspiracy, Part 4

John Alexander Logan

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THE GREAT CONSPIRACY

Its Origin and History

Part 4

BY

JOHN LOGAN

CHAPTER XIV.

THE COLORED CONTRABAND.

When the first gun was fired at Fort Sumter, its sullen echoes sounded the funeral knell of Slavery. Years before, it had been foretold, and now it was to happen. Years before, it had been declared, by competent authority, that among the implications of the Constitution was that of

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the power of the General Government to Emancipate the Slaves, as a War measure. Hence, in thus commencing the War of the Rebellion, the South marched with open eyes upon this, as among other of the legitimate and logical results of such a War.

Patrick Henry, in opposing the ratification by Virginia of the Federal Constitution, had declared to the Slaveholders of that State that "Among ten thousand implied powers" which Congress may assume, "they may, if we be engaged in War, liberate every one of your Slaves, if they please, * * * Have they not power to provide for the General Defense and Welfare? May they not think that these call for the abolition of Slavery? May they not pronounce all Slaves Free? and will they not be warranted by that power? * * * They have the power, in clear, unequivocal terms, and will clearly and certainly exercise it."

So, too, in his great speech of May 25, 1836, in the House of Representatives, John Quincy Adams had declared that in "the last great conflict which must be fought between Slavery and Emancipation," Congress "must and will interfere" with Slavery, "and they will not only possess the Constitutional power so to interfere, but they will be bound in duty to do it, by the express provisions of the Constitution itself." And he followed this declaration with the equally emphatic words: "From the instant that your Slave-holding States become the theatre of War--civil, servile, or foreign--from that instant, the War powers of Congress extend to interference with the Institution of Slavery in every Way by which it can be interfered with."

The position thus announced by these expounders of the Constitution--the one from Virginia, the other from Massachusetts--was not to be shaken even by the unanimous adoption, February 11, 1861, by the House of Representatives on roll call, of the resolution of Mr. Sherman, of Ohio, in these words:

"Resolved, That neither the Congress of the United States nor the people or governments of the non-Slaveholding States have the Constitutional right to legislate upon or interfere with Slavery in any of the Slaveholding States in the Union."

Ex-President J. Q. Adams's cogent exposition of the Constitution, twenty-five years before, in that same House, demonstrating not only that Congress had the right but the Constitutional power to so interfere--and his further demonstration April 15, 1842, of his statement that under the laws of War, "when a Country is invaded, and two hostile armies are set in martial array, the Commanders of both Armies have power to Emancipate all the Slaves in the invaded territory"--as not to be overcome by a mere vote of one House, however unanimous. For the time being, however, it contributed, with other circumstances, to confuse the public mind and conscience. Indeed as early as May of 1861, the attitude of our Government and its troops toward Negro Slaves owned or used by Rebels in rebellious States, began to perturb the public, bother the Administration, and worry the Military officers.

For instance, in Major-General McClellan's proclamation to the Union men of West Virginia, issued May 26, 1861, he said:

"The General Government cannot close its ears to the demand you have made for assistance. I have ordered troops to cross the river. They come as your friends and brothers--as enemies only to armed Rebels, who

are preying upon you; your homes, your families, and your property are safe under our protection. All your rights shall be religiously respected, notwithstanding all that has been said by the Traitors to induce you to believe our advent among you will be signalized by an interference with your Slaves. Understand one thing clearly: not only will we abstain from all such interference, but we will, on the contrary, with an iron hand crush any attempt at insurrection on their part."

On the other hand, the very next day, May 27, 1861, Major-General Butler, in command of the "Department of A Virginia," wrote to Lieutenant-General Scott as follows:

"Since I wrote my last dispatch the question in regard to Slave property is becoming one of very serious magnitude. The inhabitants of Virginia are using their Negroes in the batteries, and are preparing to send the women and children South. The escapes from them are very numerous, and a squad has come in this morning to my pickets bringing their women and children. Of course these cannot be dealt with upon the theory on which I designed to treat the services of able-bodied men and women who might come within my lines, and of which I gave you a detailed account in my last dispatch. I am in the utmost doubt what to do with this species of Property.

"Up to this time I have had come within my lines men and women with their children, entire families, each family belonging to the same owner. I have, therefore, determined to employ, as I can do very profitably, the able-bodied persons in the party, issuing proper food for the support of all, and charging against their services the expense of care and sustenance of the non-laborers, keeping a strict and accurate account as well of the services as of the expenditure, having the worth of the services, and the cost of the expenditure, determined by a Board of Survey, to be hereafter detailed. I know of no other manner in which to dispose of this subject and the questions connected therewith.

"As a matter of Property to the Insurgents, it will be of very great moment, the number that I now have amounting, as I am informed, to what, in good times, would be of the value of sixty thousand dollars. Twelve of these Negroes, I am informed, have escaped from the batteries on Sewall's Point, which, this morning, fired upon my expedition as it passed by out of range. As a means of offense, therefore, in the Enemy's hands, these Negroes, when able-bodied, are of the last importance. Without them the batteries could not have been erected, at least for many weeks.

"As a Military question it would seem to be a measure of necessity to deprive their masters of their services. How can this be done? As a political question and a question of humanity, can I receive the services of a father and mother, and not take the children? Of the humanitarian aspect I have no doubt. Of the political one I have no right to judge. I therefore submit all this to your better judgment, and as the questions have a political aspect, I have ventured, and I trust I am not wrong in so doing, to duplicate the parts of my dispatch relating to this subject, and forward them to the Secretary of War."

In reply to the duplicate copy of this letter received by him, Secretary Cameron thus answered:

"WASHINGTON, May 30, 1861.

"SIR: Your action in respect to the Negroes who came within your lines from the service of the Rebels is approved. The Department is sensible of the embarrassments which must surround officers conducting Military operations in a State by the laws of which Slavery is sanctioned.

"The Government cannot recognize the rejection by any State of the Federal obligations, nor can it refuse the performance of the Federal obligations resting upon itself. Among these Federal obligations, however, none can be more important than that of suppressing and dispersing armed combinations formed for the purpose of overthrowing its whole Constitutional authority.

"While, therefore, you will permit no interference by the persons under your command, with the relations of Persons held to Service under the laws of any State, you will, on the other hand, so long as any State, within which your Military operations are conducted, is under the control of such armed combinations, refrain from surrendering to alleged masters any Person who may come within your lines.

"You will employ such Persons in the services to which they may be best adapted, keeping an account of the labor by them performed, of the value of it, and the expenses of their maintenance. The question of their final disposition will be reserved for future determination.

"SIMON CAMERON,
"Secretary of War.

"To Major General BUTLER."

Great tenderness, however, was exhibited by many of the Union Generals for the doomed Institution. On June 3, 1861, from Chambersburg, Pa., a proclamation signed "By order of Major General Patterson, F. J. Porter, Asst. Adj. General," was issued from "Headquarters Department of Pennsylvania," "To the United States troops of this Department," in which they are admonished "that, in the coming campaign in Virginia, while it is your duty to punish Sedition, you must protect the Loyal, and, should the occasion offer, at once suppress Servile Insurrection."

"General Orders No. 33," issued from "Headquarters Department of Washington," July 17, 1861, "By command of Brigadier General Mansfield, Theo. Talbot, Assistant Adjutant General," were to this effect: "Fugitive Slaves will under no pretext whatever, be permitted to reside, or be in any way harbored, in the quarters or camps of the troops serving in this Department. Neither will such Slaves be allowed to accompany troops on the march. Commanders of troops will be held responsible for a strict observance of this order." And early in August a Military order was issued at Washington "that no Negroes, without sufficient evidence of their being Free or of their right to travel, are permitted to leave the city upon the cars."

But Bull Run did much to settle the Military as well as public mind in proper grooves on this subject.

Besides employing Negro Slaves to aid Rebellion, by the digging of ditches, the throwing up of intrenchments, and the erection of

batteries, their Rebel masters placed in their hands arms with which to shoot down Union soldiers at the Battle of Bull Run, which, as we have seen, occurred on Sunday, July 21, 1861--and resulted in a check to the Union Cause.

The terror and confusion and excitement already referred to, that prevailed in Washington all that night and the next day, as the panic-stricken crowd of soldiers and civilians poured over the Long Bridge, footsore with running, faint with weariness, weak with hunger, and parched with thirst and the dust of the rout, can hardly be described.

But, however panicky the general condition of the inhabitants of the National Capital, the Congress bravely maintained its equanimity.

In the Senate, on the day following the disaster, a bill touching the Confiscation of Property used for insurrectionary purposes being up for consideration, the following amendment was offered to it:

"And be it further enacted, That whenever any person claiming to be entitled to the Service or Labor of any other Person under the laws of any State, shall employ such Person in aiding or promoting any Insurrection, or in resisting the Laws of the United States, or shall permit him to be so employed, he shall forfeit all right to such Service or Labor, and the Person whose Labor or Service is thus claimed shall be thenceforth discharged therefrom, any law to the contrary notwithstanding."

This amendment, emancipating Slaves employed by their masters to aid Rebellion, was adopted by 33 yeas to 6 nays.

As showing the feeling expressed right upon the very heels of what seemed to be a great disaster, and when rumor, at any rate, placed the victorious Enemy at the very gates of the Capital City, a few lines from the debate may be interesting.

Mr. Trumbull said: "I am glad the yeas and nays have been called to let us see who is willing to vote that the Traitorous owner of a Negro shall employ him to shoot down the Union men of the Country, and yet insist upon restoring him to the Traitor that owns him. I understand that Negroes were in the fight which has recently occurred. I take it that Negroes who are used to destroy the Union, and to shoot down the Union men by the consent of Traitorous masters, ought not to be restored to them. If the Senator from Kentucky is in favor of restoring them, let him vote against the amendment."

Senator Wilson, of Massachusetts, said: "I shall vote with more heart than I vote for ordinary measures, for this proposition. I hope the Senate and the House of Representatives will sustain it, and that this Government will carry it out with an inflexibility that knows no change. The idea that men who are in arms destroying their Country shall be permitted to use others for that purpose, and that we shall stand by and issue orders to our Commanders, that we should disgrace our Cause and our Country, by returning such men to their Traitorous masters, ought not longer to be entertained. The time has come for that to cease; and, by the blessing of God, so far as I am concerned, I mean it shall cease.

"If there is anybody in this Chamber that chooses to take the other path, let him do it; let him know what our purpose is. Our purpose is

to save this Government and save this Country, and to put down Treason; and if Traitors use bondsmen to destroy this Country, my doctrine is that the Government shall at once convert these bondsmen into men that cannot be used to destroy our Country. I have no apologies to make for this position, I take it proudly.

"I think the time has come when this Government, and the men who are in arms under the Government, should cease to return to Traitors their Fugitive Slaves, whom they are using to erect batteries to murder brave men who are fighting under the flag of their Country. The time has come when we should deal with the men who are organizing Negro companies, and teaching them to shoot down loyal men for the only offence of upholding the flag of their Country.

"I hope further, Sir, that there is a public sentiment in this Country that will blast men who will rise, in the Senate or out it, to make apologies for Treason, or to defend or to maintain the doctrine that this Government is bound to protect Traitors in converting their Slaves into tools for the destruction of the Republic."

Senator McDougall, of California, said: "I regard this as a Confiscation for Treason, and I am for the proposition."

Mr. Ten Eyck, said: "No longer ago than Saturday last I voted in the Judiciary Committee against this amendment, for two reasons: First, I did not believe that persons in Rebellion against this Government would make use of such means as the employment of Persons held to Labor or Service, in their Armies; secondly, because I did not know what was to become of these poor wretches if they were discharged. God knows we do not want them in our Section of the Union. But, Sir, having learned and believing that these persons have been employed with arms in their hands to shed the blood of the Union-loving men of this Country, I shall now vote in favor of that amendment with less regard to what may become of these people than I had on Saturday. I will merely instance that there is a precedent for this. If I recollect history aright, General Jackson, in the Seminole War, declared that every Slave who was taken in arms against the United States should be set Free,"

So, too, in the House of Representatives, the retrograde of a badly demoralized Army, its routed fragments still coming in with alarming stories of a pursuing Enemy almost at the gates of the city, had no terrors for our legislators; and there was something of Roman dignity, patriotism, and courage, in the adoption, on that painfully memorable Blue Monday, (the first--[Offered by Mr. Crittenden, of Kentucky]--with only two dissenting votes, on a yea and nay vote; and, the second --[Offered by Mr. Vandever, of Iowa.]--with entire unanimity) of the following Resolutions:

"Resolved by the House of Representatives of the Congress of the United States, That the present deplorable Civil War has been forced upon the Country by the Disunionists of the Southern States, now in arms against the Constitutional Government, and in arms around the Capital; that in this National emergency, Congress, banishing all feelings of mere passion or resentment, will recollect only its duty to the whole Country; that this War is not waged on their part in any spirit of oppression, or for any purpose of conquest or subjugation, or purpose of overthrowing or interfering with the rights or established Institutions of those States, but to defend and maintain the supremacy of the Constitution, and to preserve the Union with all the dignity, equality,

and rights of the several States unimpaired; and that as soon as these objects are accomplished, the War ought to cease."

"Resolved, That the maintenance of the Constitution, the preservation of the Union, and the enforcement of the Laws, are sacred trusts which must be executed; that no disaster shall discourage us from the most ample performance of this high duty; and that we pledge to the Country and the World, the employment of every resource, National and individual, for the suppression, overthrow, and punishment of Rebels in arms."

The first of these Resolutions was intended to calm the fears of the Border States--excited by Rebel emissaries; the second, to restore confidence and courage to the patriot hearts of Union-men, everywhere. Both were effectual.

And here it will hardly be amiss to glance, for an instant, toward the Senate Chamber; and especially at one characteristic incident. It was the afternoon of August the 1st, 1861,--scarce ten days since the check to the Union arms at Bull Run; and Breckinridge, of Kentucky, not yet expelled from the United States Senate, was making in that Body his great speech against the "Insurrection and Sedition Bill," and upon "the sanctity of the Constitution."

Baker, of Oregon,--who, as Sumner afterward said: "with a zeal that never tired, after recruiting men drawn by the attraction of his name, in New York and Philadelphia and elsewhere, held his Brigade in camp, near the Capitol, so that he passed easily from one to the other, and thus alternated the duties of a Senator and a General," having reached the Capitol, direct from his Brigade-camp, entered the Senate Chamber, in his uniform, while Breckinridge was speaking.

When the Kentucky Senator "with Treason in his heart, if not on his lips," resumed his seat, the gray-haired soldier-Senator at once rose to reply. "He began,"--said Charles Sumner, in alluding to the incident --"simply and calmly; but as he proceeded, his fervid soul broke forth in words of surpassing power. As on a former occasion he had presented the well-ripened fruits of study, so now he spoke with the spontaneous utterance of his own mature and exuberant eloquence--meeting the polished Traitor at every point with weapons keener and brighter than his own."

After demolishing Breckinridge's position touching the alleged Unconstitutionality of the measure, and characterizing his other utterances as "reproof, malediction, and prediction combined," the Patriot from the Far-West turned with rising voice and flashing eye upon the gloomy Kentuckian:

"I would ask him," said he, "what would you have us do now--a Confederate Army within twenty miles of us, advancing, or threatening to advance, to overwhelm your Government; to shake the pillars of the Union, to bring it around your head, if you stay here, in ruins? Are we to stop and talk about an uprising sentiment in the North against the War? Are we to predict evil, and retire from what we predict? Is it not the manly part to go on as we have begun, to raise money, and levy Armies, to organize them, to prepare to advance; when we do advance, to regulate that advance by all the laws and regulations that civilization and humanity will allow in time of battle? Can we do anything more? To talk to us about stopping, is idle; we will never stop. Will the Senator yield to Rebellion? Will he shrink from armed Insurrection?"

Will his State justify it? Will its better public opinion allow it? Shall we send a flag of Truce? What would he have? Or would he conduct this War so feebly, that the whole World would smile at us in derision?"

And then cried the orator-his voice rising to a higher key, penetrating, yet musical as the blast from a silver trumpet: "What would he have? These speeches of his, sown broadcast over the Land, what clear distinct meaning have they? Are they not intended for disorganization in our very midst? Are they not intended to dull our weapons? Are they not intended to destroy our zeal? Are they not intended to animate our enemies? Sir, are they not words of brilliant, polished Treason, even in the very Capitol of the Nation?"

"What would have been thought, if, in another Capitol, in another Republic, in a yet more martial age, a Senator as grave, not more eloquent or dignified than the Senator from Kentucky, yet with the Roman purple flowing over his shoulder, had risen in his place, surrounded by all the illustrations of Roman glory, and declared that the cause of advancing Hannibal was just, and that Carthage ought to be dealt with in terms of peace? What would have been thought if, after the battle of Cannae, a Senator there had risen in his place and denounced every levy of the Roman People, every expenditure of its treasure, and every appeal to the old recollections and the old glories?"

The speaker paused. The sudden and intent silence was broken by another voice: "He would have been hurled from the Tarpeian rock."

"Sir," continued the soldier-orator, "a Senator, himself learned far more than myself in such lore, [Mr. Fessenden,] tells me, in a voice that I am glad is audible, that he would have been hurled from the Tarpeian Rock! It is a grand commentary upon the American Constitution that we permit these words [Senator Breckinridge's] to be uttered.

"I ask the Senator to recollect, too, what, save to send aid and comfort to the Enemy, do these predictions of his amount to? Every word thus uttered falls as a note of inspiration upon every Confederate ear. Every sound thus uttered is a word, (and, falling from his lips, a mighty word) of kindling and triumph to a Foe that determines to advance.

"For me, I have no such word as a Senator, to utter. For me"--and here his eyes flashed again while his martial voice rang like a clarion-call to battle--"amid temporary defeat, disaster, disgrace, it seems that my duty calls me to utter another word, and that word is, bold, sudden, forward, determined, WAR, according to the laws of War, by Armies, by Military Commanders clothed with full power, advancing with all the past glories of the Republic urging them on to conquest!

* * * * *

"I tell the Senator," continued the inspired Patriot, "that his predictions, sometimes for the South, sometimes for the Middle States, sometimes for the North-East, and then wandering away in airy visions out to the Far Pacific, about the dread of our people, as for loss of blood and treasure, provoking them to Disloyalty, are false in sentiment, false in fact, and false in Loyalty. The Senator from Kentucky is mistaken in them all.

"Five hundred million dollars! What then? Great Britain gave more than

two thousand million in the great Battle for Constitutional Liberty which she led at one time almost single-handed against the World. Five hundred thousand men! What then? We have them; they are ours; they are the children of the Country; they belong to the whole Country; they are our sons; our kinsmen; and there are many of us who will give them all up before we will abate one word of our just demand, or will retreat one inch from the line which divides right from wrong.

"Sir, it is not a question of men or of money in that sense. All the money, all the men, are, in our judgment, well bestowed in such a cause. When we give them, we know their value. Knowing their value well, we give them with the more pride and the, more joy. Sir, how can we retreat? Sir, how can we make Peace? Who shall treat? What Commissioners? Who would go? Upon what terms? Where is to be your boundary line? Where the end of the principles we shall have to give up? What will become of Constitutional Government? What will become of public Liberty? What of past glories? What of future hopes?

"Shall we sink into the insignificance of the grave--a degraded, defeated, emasculated People, frightened by the results of one battle, and scared at the visions raised by the imagination of the Senator from Kentucky on this floor? No, Sir! a thousand times, no, Sir! We will rally--if, indeed, our words be necessary--we will rally the People, the Loyal People, of the whole Country. They will pour forth their treasure, their money, their men, without stint, without measure. The most peaceable man in this body may stamp his foot upon this Senate Chamber floor, as of old a warrior and a Senator did, and from that single tramp there will spring forth armed Legions.

"Shall one battle determine the fate of empire, or a dozen?--the loss of one thousand men, or twenty thousand? or one hundred million or five hundred million dollars? In a year's Peace--in ten years, at most, of peaceful progress--we can restore them all. There will be some graves reeking with blood, watered by the tears of affection. There will be some privation; there will be some loss of luxury; there will be somewhat more need for labor to procure the necessaries of life. When that is said, all is said. If we have the Country, the whole Country, the Union, the Constitution, Free Government--with these there will return all the blessings of well-ordered civilization; the path of the Country will be a career of greatness and of glory such as, in the olden time, our Fathers saw in the dim visions of years yet to come, and such as would have been ours now, to-day, if it had not been for the Treason for which the Senator too often seeks to apologize."

This remarkable speech was the last utterance of that glorious and courageous soul, in the National Senate. Within three months, his lifeless body, riddled by Rebel rifle balls, was borne away from the fatal field of Ball's Bluff--away, amid the lamentations of a Nation --away, across land and ocean--to lie beside his brave friend Broderick, on that Lone Mountain whose solemn front looks out upon the calm Pacific.

He had not lived in vain. In his great speech at the American Theatre in San Francisco, after his election by Oregon (1860) to represent her in the United States Senate, he had aroused the people to a sense of shame, that, as he said: "Here, in a land of written Constitutional Liberty it is reserved for us to teach the World that, under the American Stars and Stripes, Slavery marches in solemn procession; that, under the American flag, Slavery is protected to the utmost verge of

acquired territory; that under the American banner, the name of Freedom is to be faintly heard, the songs of Freedom faintly sung; that, while Garibaldi, Victor Emanuel, every great and good man in the World, strives, struggles, fights, prays, suffers and dies, sometimes on the scaffold, sometimes in the dungeon, often on the field of battle, rendered immortal by his blood and his valor; that, while this triumphal procession marches on through the arches of Freedom--we, in this land, of all the World, shrink back trembling when Freedom is but mentioned!"

And never was a shamed people more suddenly lifted up from that shame into a grand frenzy of patriotic devotion than were his auditors, when, with the inspiration of his matchless genius, he continued:

"As for me, I dare not, will not, be false to Freedom. Where the feet of my youth were planted, there, by Freedom, my feet shall ever stand. I will walk beneath her banner. I will glory in her strength. I have watched her in history struck down on an hundred chosen fields of battle. I have seen her friends fly from her; her foes gather around her. I have seen her bound to the stake; I have seen them give her ashes to the winds. But when they turned to exult, I have seen her again meet them face to face, resplendent in complete steel, brandishing in her strong right hand a flaming sword, red with Insufferable light! I take courage. The People gather around her. The genius of America will, at last, lead her sons to Freedom."

Never were grander utterances delivered by man in all the ages; never was there exhibited a more sublime faith; never a truer spirit of prophecy; never a more heroic spirit.

He was then on his way to Washington; on his way to perform the last acts in the drama of his own career--on his way to death. He knew the time had come, of which, ten years before, he had prophetically spoken in the House of Representatives, when he said: "I have only to say that, if the time should come when Disunion rules the hour, and discord is to reign supreme, I shall again be ready to give the best blood in my veins to my Country's Cause. I shall be prepared to meet all antagonists with lance in rest, to do battle in every land, in defense of the Constitution of the Country which I have sworn to support, to the last extremity, against Disunionists, and all its Enemies, whether of the South or North; to meet them everywhere, at all times, with speech or hand, with word or blow, until thought and being shall be no longer mine." And right nobly did he fulfil in all respects his promise; so that at the end--as was afterward well said of him by Mr. Colfax--he had mounted so high, that, "doubly crowned, as statesman, and as warrior--

'From the top of Fame's ladder he stepped to the Sky!'"

[This orator and hero was a naturalized Englishman, and commanded an American regiment in the Mexican War.]

CHAPTER XV.

FREEDOM'S EARLY DAWN.

On the day following Baker's great reply to Breckinridge, another notable speech was made, in the House of Representatives--notable,

especially, in that it foreshadowed Emancipation, and, coming so soon after Bull Run, seemed to accentuate a new departure in political thought as an outgrowth of that Military reverse. It was upon the Confiscation Act, and it was Thaddeus Stevens who made it. Said he:

"If we are justified in taking property from the Enemy in War, when you have rescued an oppressed People from the oppression of that Enemy, by what principle of the Law of Nations, by what principle of philanthropy, can you return them to the bondage from which you have delivered them, and again rivet the chains you have once broken? It is a disgrace to the Party which advocates it. It is against the principle of the Law of Nations. It is against every principle of philanthropy. I for one, shall never shrink from saying when these Slaves are once conquered by us, 'Go and be Free.' God forbid that I should ever agree that they should be returned again to their masters! I do not say that this War is made for that purpose. Ask those who made the War, what is its object. Do not ask us. * * * Our object is to subdue the Rebels.

"But," continued he, "it is said that if we hold out this thing, they will never submit--that we cannot conquer them--that they will suffer themselves to be slaughtered, and their whole country to be laid waste. Sir, War is a grievous thing at best, and Civil War more than any other; but if they hold this language, and the means which they have suggested must be resorted to; if their whole country must be laid waste, and made a desert, in order to save this Union from destruction, so let it be. I would rather, Sir, reduce them to a condition where their whole country is to be re-peopled by a band of freemen than to see them perpetrate the destruction of this People through our agency. I do not say that it is time to resort to such means, and I do not know when the time will come; but I never fear to express my sentiments. It is not a question with me of policy, but a question of principle.

"If this War is continued long, and is bloody, I do not believe that the free people of the North will stand by and see their sons and brothers and neighbors slaughtered by thousands and tens of thousands by Rebels, with arms in their hands, and forbear to call upon their enemies to be our friends, and to help us in subduing them; I for one, if it continues long, and has the consequences mentioned, shall be ready to go for it, let it horrify the gentleman from New York (Mr. Diven) or anybody else. That is my doctrine, and that will be the doctrine of the whole free people of the North before two years roll round, if this War continues.

"As to the end of the War, until the Rebels are subdued, no man in the North thinks of it. If the Government are equal to the People, and I believe they are, there will be no bargaining, there will be no negotiation, there will be no truces with the Rebels, except to bury the dead, until every man shall have laid down his arms, disbanded his organization, submitted himself to the Government, and sued for mercy. And, Sir, if those who have the control of the Government are not fit for this task and have not the nerve and mind for it, the People will take care that there are others who are--although, Sir, I have not a bit of fear of the present Administration, or of the present Executive.

"I have spoken more freely, perhaps, than gentlemen within my hearing might think politic, but I have spoken just what I felt. I have spoken what I believe will be the result; and I warn Southern gentlemen, that if this War is to continue, there will be a time when my friend from New York (Mr. Diven) will see it declared by this free Nation, that every bondman in the South--belonging to a Rebel, recollect; I confine it to

them--shall be called upon to aid us in War against their masters, and to restore this Union."

The following letter of instruction from Secretary Cameron, touching the Fugitive Slave question, dated seven days after Thaddeus Stevens' speech, had also an interesting bearing on the subject:

"WASHINGTON, August 8, 1861.

"GENERAL: The important question of the proper disposition to be made of Fugitives from Service in States in Insurrection against the Federal Government, to which you have again directed my attention in your letter of July 30, has received my most attentive consideration.

"It is the desire of the President that all existing rights, in all the States, be fully respected and maintained. The War now prosecuted on the part of the Federal Government is a War for the Union, and for the preservation of all Constitutional rights of States, and the citizens of the States, in the Union. Hence, no question can arise as to Fugitives from Service within the States and Territories in which the authority of the Union is fully acknowledged. The ordinary forms of Judicial proceeding, which must be respected by Military and Civil authorities alike, will suffice for the enforcement of all legal claims.

"But in States wholly or partially under Insurrectionary control, where the Laws of the United States are so far opposed and resisted that they cannot be effectually enforced, it is obvious that rights dependent on the execution of those laws must, temporarily, fail; and it is equally obvious that rights dependent on the laws of the States within which Military operations are conducted must be necessarily subordinated to the Military exigences created by the Insurrection, if not wholly forfeited by the Treasonable conduct of parties claiming them. To this general rule, rights to Services can form no exception.

"The Act of Congress, approved August 6, 1861, declares that if Persons held to Service shall be employed in hostility to the United States, the right to their services shall be forfeited, and such Persons shall be discharged therefrom. It follows, of necessity, that no claim can be recognized by the Military authorities of the Union to the services of such Persons when fugitives.

"A more difficult question is presented in respect to Persons escaping from the Service of Loyal masters. It is quite apparent that the laws of the State, under which only the services of such fugitives can be claimed, must needs be wholly, or almost wholly, suspended, as to remedies, by the Insurrection and the Military measures necessitated by it. And it is equally apparent that the substitution of Military for Judicial measures for the enforcement of such claims must be attended by great inconveniences, embarrassments, and injuries.

"Under these circumstances it seems quite clear that the substantial rights of Loyal masters will be best protected by receiving such fugitives, as well as fugitives from Disloyal masters, into the service of the United States, and employing them under such organizations and in such occupations as circumstances may suggest or require.

"Of course a record should be kept showing the name and description of the fugitives, the name and the character, as Loyal or Disloyal, of the master, and such facts as may be necessary to a correct understanding of

the circumstances of each case after tranquillity shall have been restored. Upon the return of Peace, Congress will, doubtless, properly provide for all the persons thus received into the service of the Union, and for just compensation to Loyal masters. In this way only, it would seem, can the duty and safety of the Government and the just rights of all be fully reconciled and harmonized.

"You will therefore consider yourself as instructed to govern your future action, in respect to Fugitives from Service, by the principles here stated, and will report from time to time, and at least twice in each month, your action in the premises to this Department.

"You will, however, neither authorize, nor permit any interference, by the troops under your command, with the servants of peaceful citizens in house or field; nor will you, in any way, encourage such servants to leave the lawful Service of their masters; nor will you, except in cases where the Public Safety may seem to require, prevent the voluntary return of any Fugitive, to the Service from which he may have escaped."

"I am, General, very respectfully, your obedient servant,

"SIMON CAMERON,
"Secretary of War.

"Major-General B. F. BUTLER,
"Commanding Department of Virginia,
"Fortress Monroe."

Whether or not inspired by the prophetic speech of Thaddeus Stevens, aforesaid, the month of August was hardly out before its prophecy seemed in a fair way of immediate fulfilment. Major-General John Charles Fremont at that time commanded the Eastern Department--comprising the States of Missouri, Kansas, Illinois, and Kentucky--and he startled the Country by issuing the following Emancipation proclamation:

"HEADQUARTERS OF THE WESTERN DEPARTMENT.

"St. Louis, August 30, 1861.

"Circumstances, in my judgment, of sufficient urgency, render it necessary that the commanding general of this Department should assume the administrative powers of the State. Its disorganized condition, the helplessness of the civil authority, the total insecurity of life, and the devastation of property by bands of murderers and marauders, who infest nearly every county of the State, and avail themselves of the public misfortunes and the vicinity of a hostile force to gratify private and neighborhood vengeance, and who find an enemy wherever they find plunder, finally demand the severest measures to repress the daily increasing crimes and outrages which are driving off the inhabitants and ruining the State.

"In this condition, the public safety and the success of our arms require unity of purpose, without let or hinderance, to the prompt administration of affairs.

"In order, therefore, to suppress disorder, to maintain as far as now practicable the public peace, and to give security and protection to the

persons and property of loyal citizens, I do hereby extend and declare established Martial Law throughout the State of Missouri.

"The lines of the Army of Occupation in this State are for the present declared to extend from Leavenworth by way of the posts of Jefferson City, Rolla, and Ironton, to Cape Girardeau, on the Mississippi river.

"All persons who shall be taken with arms in their hands within these lines shall be tried by Court-Martial, and if found guilty will be shot.

"The property, real and personal, of all persons, in the State of Missouri, who shall take up arms against the United States, or who shall be directly proven to have taken an active part with their Enemies in the field, is declared to be confiscated to the public use, and their Slaves, if any they have, are hereby declared Free men.

"All persons who shall be proven to have destroyed, after the publication of this order, railroad tracks, bridges, or telegraphs, shall suffer the extreme penalty of the law.

"All persons engaged in Treasonable correspondence, in giving or procuring aid to the Enemies of the United States, in fomenting tumults, in disturbing the public tranquillity by creating and circulating false reports or incendiary documents, are in their own interests warned that they are exposing themselves to sudden and severe punishment.

"All persons who have been led away from their allegiance, are required to return to their homes forthwith; any such absence, without sufficient cause, will be held to be presumptive evidence against them.

"The object of this declaration is to place in the hands of the Military authorities the power to give instantaneous effect to existing laws, and to supply such deficiencies as the conditions of War demand. But this is not intended to suspend the ordinary Tribunals of the Country, where the Law will be administered by the Civil officers in the usual manner, and with their customary authority, while the same can be peaceably exercised.

"The commanding general will labor vigilantly for the public Welfare, and in his efforts for their safety hopes to obtain not only the acquiescence, but the active support of the Loyal People of the Country.

"J. C. FREMONT,
"Major-General Commanding."

Fremont's Proclamation of Confiscation and Emancipation, was hailed with joy by some Patriots in the North, but was by others looked upon as rash and premature and inexpedient; while it bitterly stirred the anger of the Rebels everywhere.

The Rebel Jeff. Thompson, then in command of the Rebel forces about St. Louis, at once issued the following savage proclamation of retaliation:

"HEADQUARTERS FIRST MILITARY DISTRICT, M. S. G.

'St. Louis, August 31, 1861.

"To all whom it may concern:

"Whereas Major-General John C. Fremont, commanding the minions of Abraham Lincoln in the State of Missouri, has seen fit to declare Martial Law throughout the whole State, and has threatened to shoot any citizen-soldier found in arms within certain limits; also, to Confiscate the property and Free the Negroes belonging to the members of the Missouri State Guard:

"Therefore, know ye, that I, M. Jeff. Thompson, Brigadier-General of the First Military District of Missouri, having not only the Military authority of Brigadier-General, but certain police powers granted by Acting-Governor Thomas C. Reynolds, and confirmed afterward by Governor Jackson, do most solemnly promise that for every member of the Missouri State Guard, or soldier of our allies, the Armies of the Confederate States, who shall be put to death in pursuance of the said order of General Fremont, I will hang, draw, and quarter a minion of said Abraham Lincoln.

"While I am anxious that this unfortunate War shall be conducted, if possible, upon the most liberal principles of civilized warfare--and every order that I have issued has been with that object--yet, if this rule is to be adopted (and it must first be done by our Enemies) I intend to exceed General Fremont in his excesses, and will make all tories that come within my reach rue the day that a different policy was adopted by their leaders.

"Already mills, barns, warehouses, and other private property have been wastefully and wantonly destroyed by the Enemy in this district, while we have taken nothing except articles strictly contraband or absolutely necessary. Should these things be repeated, I will retaliate ten-fold, so help me God!"

"M. JEFF. THOMPSON,
"Brigadier-General Commanding."

"President Lincoln, greatly embarrassed by the precipitate action of his subordinate, lost no time in suggesting to General Fremont certain modifications of his Emancipation proclamation-as follows:

"[PRIVATE.]

"WASHINGTON, D. C., September 2, 1861.

"MY DEAR SIR: Two points in your proclamation of August 30th give me some anxiety:

"First. Should you shoot a man according to the proclamation, the Confederates would very certainly shoot our best man in their hands, in retaliation; and so, man for man, indefinitely. It is, therefore, my order that you allow no man to be shot under the proclamation without first having my approbation or consent.

"Second. I think there is great danger that the closing paragraph, in relation to the Confiscation of Property, and the liberating Slaves of Traitorous owners, will alarm our Southern Union friends, and turn them against us; perhaps ruin our rather fair prospect for Kentucky.

"Allow me, therefore, to ask that you will, as of your own motion, modify that paragraph so as to conform to the first and fourth sections of the Act of Congress entitled, 'An Act to Confiscate Property used for Insurrectionary purposes,' approved August 6, 1861, a copy of which Act I herewith send you.

"This letter is written in a spirit of caution, and not of censure.

"I send it by a special messenger, in that it may certainly and speedily reach you.

"Yours very truly,
"A. LINCOLN.

"Major-General FREMONT."

General Fremont replied to President Lincoln's suggestions, as follows:

"HEADQUARTERS WESTERN DEPARTMENT,
"St. Louis, September 8, 1861.

"MY DEAR SIR: Your letter of the second, by special messenger, I know to have been written before you had received my letter, and before my telegraphic dispatches and the rapid developments of critical conditions here had informed you of affairs in this quarter. I had not written to you fully and frequently, first, because in the incessant change of affairs I would be exposed to give you contradictory accounts; and., secondly, because the amount of the subjects to be laid before you would demand too much of your time.

"Trusting to have your confidence, I have been leaving it to events themselves to show you whether or not I was shaping affairs here according to your ideas. The shortest communication between Washington and St. Louis generally involves two days, and the employment of two days, in time of War, goes largely toward success or disaster. I therefore went along according to my own judgment, leaving the result of my movement to justify me with you.

"And so in regard to my proclamation of the thirtieth. Between the Rebel Armies, the Provisional Government, and the home Traitors, I felt the position bad, and saw danger. In the night I decided upon the proclamation and the form of it--I wrote it the next morning and printed it the same day. I did it without consultation or advice with any one, acting solely with my best judgment to serve the Country and yourself, and perfectly willing to receive the amount of censure which should be thought due, if I had made a false movement.

"This is as much a movement in the War, as a battle, and, in going into these, I shall have to act according to my judgment of the ground before me, as I did on this occasion. If upon reflection, your better judgment still decides that I am wrong in the article respecting the Liberation of Slaves, I have to ask that you will openly direct me to make the correction. The implied censure will be received as a soldier always should the reprimand of his chief.

"If I were to retract of my own accord, it would imply that I myself thought it wrong, and that I had acted without the reflection which the gravity of the point demanded. But I did not. I acted with full deliberation, and upon the certain conviction that it was a measure

right and necessary, and I think so still.

"In regard to the other point of the proclamation to which you refer, I desire to say that I do not think the Enemy can either misconstrue or urge anything against it, or undertake to make unusual retaliation. The shooting of men who shall rise in arms against an Army in the Military occupation of a Country, is merely a necessary measure of defense, and entirely according to the usages of civilized warfare. The article does not at all refer to prisoners of war, and certainly our Enemies have no grounds for requiring that we should waive in their benefit any of the ordinary advantages which the usages of War allow to us.

"As promptitude is itself an advantage in War, I have also to ask that you will permit me to carry out upon the spot the provisions of the proclamation in this respect.

"Looking at affairs from this point of view, I am satisfied that strong and vigorous measures have now become necessary to the success of our Arms; and hoping that my views may have the honor to meet your approval,

"I am, with respect and regard, very truly yours,
"J. C. FREMONT.

"THE PRESIDENT."

President Lincoln subsequently rejoined, ordering a modification of the proclamation. His letter ran thus:

"WASHINGTON, September 11, 1861.

"SIR: Yours of the 8th, in answer to mine of the 2d instant, is just received. Assuming that you, upon the ground, could better judge of the necessities of your position than I could at this distance, on seeing your Proclamation of August 30th, I perceived no general objection to it.

"The particular clause, however, in relation to the Confiscation of Property and the Liberation of Slaves, appeared to me to be objectionable in its non-conformity to the Act of Congress, passed the 6th of last August, upon the same subjects; and hence I wrote you expressing my wish that that clause should be modified accordingly.

"Your answer, just received, expresses the preference, on your part, that I should make an open order for the modification, which I very cheerfully do.

"It is therefore Ordered, that the said clause of said proclamation be so modified, held, and construed as to conform to, and not to transcend, the provisions on the same subject contained in the Act of Congress entitled, 'An Act to Confiscate Property used for Insurrectionary Purposes,' approved August 6, 1861, and that said Act be published at length with this Order.

"Your obedient servant,
"A. LINCOLN.

"Major-General JOHN C. FREMONT."

In consequence, however, of the agitation on the subject, the extreme delicacy with which it was thought advisable in the earliest stages of the Rebellion to treat it, and the confusion of ideas among Military men with regard to it, the War Department issued the following General Instructions on the occasion of the departure of the Port Royal Expedition, commanded by General T. W. Sherman:

"WAR DEPARTMENT, October 14, 1861.

"SIR: In conducting Military Operations within States declared by the Proclamation of the President to be in a State of Insurrection, you will govern yourself, so far as Persons held to Service under the laws of such States are concerned, by the principles of the letters addressed by me to Major-General Butler on the 30th of May and the 8th of August, copies of which are herewith furnished to you.

"As special directions, adapted to special circumstances, cannot be given, much must be referred to your own discretion as Commanding General of the Expedition. You will, however, in general avail yourself of the services of any Persons, whether Fugitives from Labor or not, who may offer them to the National Government; you will employ such Persons in such services as they may be fitted for, either as ordinary employees, or, if special circumstances seem to require it, in any other capacity with such organization, in squads, companies, or otherwise, as you deem most beneficial to the service. This, however, not to mean a general arming of them for Military service.

"You will assure all Loyal masters that Congress will provide just compensation to them for the loss of the services of the Persons so employed.

"It is believed that the course thus indicated will best secure the substantial rights of Loyal masters, and the benefits to the United States of the services of all disposed to support the Government, while it avoids all interference with the social systems or local Institutions of every State, beyond that which Insurrection makes unavoidable and which a restoration of peaceful relations to the Union, under the Constitution, will immediately remove.

"Respectfully,
"SIMON CAMERON,
"Secretary of War.

"Brigadier-General T. W. SHERMAN,
"Commanding Expedition to the Southern Coast."

Brigadier-General Thomas W. Sherman, acting upon his own interpretation of these instructions, issued a proclamation to the people of South Carolina, upon occupying the Forts at Port Royal, in which he said:

"In obedience to the orders of the President of these United States of America, I have landed on your shores with a small force of National troops. The dictates of a duty which, under these circumstances, I owe to a great sovereign State, and to a proud and hospitable people, among whom I have passed some of the pleasantest days of my life, prompt me to proclaim that we have come amongst you with no feelings of personal animosity, no desire to harm your citizens, destroy your property, or

interfere with any of your lawful rights or your social or local Institutions, beyond what the causes herein alluded to may render unavoidable."

Major-General Wool, at Fortress Monroe, where he had succeeded General Butler, likewise issued a Special Order on the subject of Contrabands, as follows:

"HEADQUARTERS DEPARTMENT OF VIRGINIA,
"FORT MONROE, October 14, 1861.
"[Special Orders No. 72.]

"All Colored Persons called Contrabands, employed as servants by officers and others residing within Fort Monroe, or outside of the Fort at Camp Hamilton and Camp Butler, will be furnished with their subsistence and at least eight dollars per month for males, and four dollars per month for females, by the officers or others thus employing them.

"So much of the above-named sums, as may be necessary to furnish clothing, to be decided by the Chief Quartermaster of the Department, will be applied to that purpose, and the remainder will be paid into his hands to create a fund for the support of those Contrabands who are unable to work for their own support.

"All able-bodied Colored Persons who are under the protection of the troops of this Department, and who are not employed as servants, will be immediately put to work in either the Engineer's or Quartermaster's Department.

"By command of Major-General Wool:

"[Signed] WILLIAM D. WHIPPLE,
"Assistant Adjutant General."

He subsequently also issued the following General Order:

"HEADQUARTERS DEPARTMENT OF VIRGINIA,
"FORT MONROE, November 1, 1861.
"[General Orders No. 34.]

"The following pay and allowances will constitute the valuation of the Labor of the Contrabands at work in the Engineer, Ordnance, Quartermaster, Commissary, and Medical Departments at this Post, to be paid as hereinafter mentioned;

"Class 1st.--Negro man over eighteen years of age, and able-bodied, ten dollars per month, one ration and the necessary amount of clothing.

"Class 2d.--Negro boys from 12 to 18 years of age, and sickly and infirm Negro men, five dollars per month, one ration, and the necessary amount of clothing.

"The Quartermaster will furnish all the clothing. The Department employing these men will furnish the subsistence specified above, and as an incentive to good behavior (to be withheld at the direction of the chiefs of the departments respectively), each individual of the first

class will receive \$2 per month, and each individual of the second class \$1 per month, for their own use. The remainder of the money valuation of their Labor, will be turned over to the Quartermaster, who will deduct from it the cost of the clothing issued to them; the balance will constitute a fund to be expended by the Quartermaster under the direction of the Commanding officer of the Department of Virginia for the support of the women and children and those that are unable to work.

"For any unusual amount of Labor performed, they may receive extra pay, varying in amount from fifty cents to one dollar, this to be paid by the departments employing them, to the men themselves, and to be for their own use.

"Should any man be prevented from working, on account of sickness, for six consecutive days, or ten days in any one month, one-half of the money value will be paid. For being prevented from laboring for a longer period than ten days in any one month all pay and allowances cease.

"By command of Major-General Wool:

"[Signed] "WILLIAM D. WHIPPLE,
"Assistant Adjutant General."

On November 13, 1861, Major-General Dix, in a proclamation addressed to the people of Accomac and Northampton Counties, Va., ordered the repulsion of Fugitive Slaves seeking to enter the Union lines, in these words:

"The Military Forces of the United States are about to enter your Counties as a part of the Union. They will go among you as friends, and with the earnest hope that they may not, by your own acts, be forced to become your enemies. They will invade no rights of person or property. On the contrary, your Laws, your Institutions, your Usages, will be scrupulously respected. There need be no fear that the quietude of any fireside will be disturbed, unless the disturbance is caused by yourselves.

"Special directions have been given not to interfere with the condition of any Person held to domestic service; and, in order that there may be no ground for mistake or pretext for misrepresent action, Commanders of Regiments and Corps have been instructed not to permit any such Persons to come within their lines."

On the 20th of November, 1861, Major General Halleck issued the following Genera., Order--which went even further, in that it expelled, as well as repelled Fugitive Slaves from our lines:

"HEADQUARTERS DEPARTMENT OF MISSOURI,
"St. Louis, November 20, 1861.
"[General Orders No. 3.]

"I. It has been represented that important information respecting the number and condition of our Forces, is conveyed to the Enemy by means of Fugitive Slaves who are admitted within our lines. In order to remedy this evil, it is directed that no such Persons be hereafter permitted to enter the lines of any camp, or of any forces on the march; and that any

now within such lines be immediately excluded therefrom."

This Order was subsequently explained in a letter, of December 8, 1861, from General Halleck to Hon. F. P. Blair, in which he said:

" * * * Order No. 3 was in my mind, clearly a Military necessity. Unauthorized persons, black or white, Free or Slaves, must be kept out of our camps, unless we are willing to publish to the Enemy everything we do or intend to do. It was a Military and not a political order. I am ready to carry out any lawful instructions in regard to Fugitive Slaves which my superiors may give me, and to enforce any law which Congress may pass. But I cannot make law, and will not violate it. You know my private opinion on the policy of Confiscating the Slave Property of Rebels in Arms. If Congress shall pass it, you may be certain that I shall enforce it. Perhaps my policy as to the treatment of Rebels and their property is as well set out in Order No. 13, issued the day (December 4, 1861), your letter was written, as I could now describe it."

It may be well also to add here, as belonging to this period of doubtfulness touching the status of escaped Slaves, the following communication sent by Secretary Seward to General McClellan, touching "Contrabands" in the District of Columbia:

"DEPARTMENT OF STATE,
"WASHINGTON, December 4, 1861.

"To Major-General GEORGE B. MCCLELLAN, Washington:

"GENERAL: I am directed by the President to call your attention to the following subject:

"Persons claimed to be held to Service or Labor under the laws of the State of Virginia, and actually employed in hostile service against the Government of the United States, frequently escape from the lines of the Enemy's Forces and are received within the lines of the Army of the Potomac.

"This Department understands that such Persons afterward coming into the city of Washington are liable to be arrested by the city police, upon the presumption, arising from color, that they are Fugitives from Service or Labor.

"By the 4th section of the Act of Congress approved August 6, 1861, entitled, 'An Act to Confiscate Property used for Insurrectionary purposes,' such hostile employment is made a full and sufficient answer to any further claim to Service or Labor. Persons thus employed and escaping are received into the Military protection of the United States, and their arrest as Fugitives from Service or Labor should be immediately followed by the Military arrest of the parties making the seizure.

"Copies of this communication will be sent to the Mayor of the city of Washington and to the Marshal of the District of Columbia, that any collision between the Civil and Military authorities may be avoided.

"I am, General, your very obedient,

"WILLIAM H. SEWARD."

CHAPTER XVI.

"COMPENSATED GRADUAL EMANCIPATION."

Thus far the reader's eye has been able to review in their successive order some of the many difficulties and perplexities which beset the pathway of President Lincoln as he felt his way in the dark, as it were, toward Emancipation. It must seem pretty evident now, however, that his chief concern was for the preservation of the Union, even though all other things--Emancipation with them--had to be temporarily sacrificed.

Something definite, however, had been already gained. Congress had asserted its right under the War powers of the Constitution, to release from all claim to Service or Labor those Slaves whose Service or Labor had been used in hostility to the Union. And while some of the Union Generals obstructed the execution of the Act enforcing that right, by repelling and even as we have seen, expelling, from the Union lines all Fugitive Slaves--whether such as had or had not been used in hostility to us--yet still the cause of Freedom to all, was slowly and silently perhaps, yet surely and irresistibly, marching on until the time when, becoming a chief factor in the determination of the question of "whether we should have a Country at all," it should triumph coincidentally with the preservation of the Republic.

But now a new phase of the Slave question arose--a question not involving what to do with Fugitive Slaves of any sort, whether engaged or not engaged in performing services hostile to the Union cause, but what to do with Slaves whom their panic-stricken owners had, for the time being, abandoned in the presence of our Armies.

This question was well discussed in the original draft of the report of the Secretary of War, December 1, 1861 in which Secretary Cameron said:

"It has become a grave question for determination what shall be done with the Slaves abandoned by their owners on the advance of our troops into Southern territory, as in the Beaufort district of South Carolina. The whole White population therein is six thousand, while the number of Negroes exceeds thirty-two thousand. The panic which drove their masters in wild confusion from their homes, leaves them in undisputed possession of the soil. Shall they, armed by their masters, be placed in the field to fight against us, or shall their labor be continually employed in reproducing the means for supporting the Armies of Rebellion?"

"The War into which this Government has been forced by rebellious Traitors is carried on for the purpose of repossessing the property violently and treacherously seized upon by the Enemies of the Government, and to re-establish the authority and Laws of the United States in the places where it is opposed or overthrown by armed Insurrection and Rebellion. Its purpose is to recover and defend what is justly its own.

"War, even between Independent Nations, is made to subdue the Enemy, and all that belongs to that Enemy, by occupying the hostile country, and

exercising dominion over all the men and things within its territory. This being true in respect to Independent Nations at war with each other, it follows that Rebels who are laboring by force of arms to overthrow a Government, justly bring upon themselves all the consequences of War, and provoke the destruction merited by the worst of crimes. That Government would be false to National trust, and would justly excite the ridicule of the civilized World, that would abstain from the use of any efficient means to preserve its own existence, or to overcome a rebellious and traitorous Enemy, by sparing or protecting the property of those who are waging War against it.

"The principal wealth and power of the Rebel States is a peculiar species of Property, consisting of the service or labor of African Slaves, or the descendants of Africans. This Property has been variously estimated at the value of from seven hundred million to one thousand million dollars.

"Why should this Property be exempt from the hazards and consequences of a rebellious War?

"It was the boast of the leader of the Rebellion, while he yet had a seat in the Senate of the United States, that the Southern States would be comparatively safe and free from the burdens of War, if it should be brought on by the contemplated Rebellion, and that boast was accompanied by the savage threat that 'Northern towns and cities would become the victims of rapine and Military spoil,' and that 'Northern men should smell Southern gunpowder and feel Southern steel.'

"No one doubts the disposition of the Rebels to carry that threat into execution. The wealth of Northern towns and cities, the produce of Northern farms, Northern workshops and manufactories would certainly be seized, destroyed, or appropriated as Military spoil. No property in the North would be spared from the hands of the Rebels, and their rapine would be defended under the laws of War. While the Loyal States thus have all their property and possessions at stake, are the insurgent Rebels to carry on warfare against the Government in peace and security to their own property?

"Reason and justice and self-preservation forbid that such should be; the policy of this Government, but demand, on the contrary, that, being forced by Traitors and Rebels to the extremity of war, all the rights and powers of war should be exercised to bring it to a speedy end.

"Those who war against the Government justly forfeit all rights of property, privilege, or security, derived from the Constitution and Laws, against which they are in armed Rebellion; and as the labor and service of their Slaves constitute the chief Property of the Rebels, such Property should share the common fate of War to which they have devoted the property of Loyal citizens.

"While it is plain that the Slave Property of the South is justly subjected to all the consequences of this Rebellious War, and that the Government would be untrue to its trust in not employing all the rights and powers of War to bring it to a speedy close, the details of the plan for doing so, like all other Military measures, must, in a great degree, be left to be determined by particular exigencies. The disposition of other property belonging to the Rebels that becomes subject to our arms is governed by the circumstances of the case.

"The Government has no power to hold Slaves, none to restrain a Slave of his Liberty, or to exact his service. It has a right, however, to use the voluntary service of Slaves liberated by War from their Rebel masters, like any other property of the Rebels, in whatever mode may be most efficient for the defense of the Government, the prosecution of the War, and the suppression of Rebellion. It is clearly a right of the Government to arm Slaves when it may become necessary, as it is to take gunpowder from the Enemy; whether it is expedient to do so, is purely a Military question. The right is unquestionable by the laws of War. The expediency must be determined by circumstances, keeping in view the great object of overcoming the Rebels, reestablishing the Laws, and restoring Peace to the Nation.

"It is vain and idle for the Government to carry on this War, or hope to maintain its existence against rebellious force, without employing all the rights and powers of War. As has been said, the right to deprive the Rebels of their Property in Slaves and Slave Labor is as clear and absolute as the right to take forage from the field, or cotton from the warehouse, or powder and arms from the magazine. To leave the Enemy in the possession of such property as forage and cotton and military stores, and the means of constantly reproducing them, would be madness. It is, therefore, equal madness to leave them in peaceful and secure possession of Slave Property, more valuable and efficient to them for war than forage, cotton, military stores. Such policy would be National suicide.

"What to do with that species of Property is a question that time and circumstances will solve, and need not be anticipated further than to repeat that they cannot be held by the Government as Slaves. It would be useless to keep them as prisoners of War; and self-preservation, the highest duty of a Government, or of individuals, demands that they should be disposed of or employed in the most effective manner that will tend most speedily to suppress the Insurrection and restore the authority of the Government. If it shall be found that the men who have been held by the Rebels as Slaves, are capable of bearing arms and performing efficient Military service, it is the right, and may become the duty, of this Government to arm and equip them, and employ their services against the Rebels, under proper Military regulations, discipline, and command.

"But in whatever manner they may be used by the Government, it is plain that, once liberated by the rebellious act of their masters they should never again be restored to bondage. By the master's Treason and Rebellion he forfeits all right to the labor and service of his Slave; and the Slave of the rebellious master, by his service to the Government, becomes justly entitled to Freedom and protection.

"The disposition to be made of the Slaves of Rebels, after the close of the War, can be safely left to the wisdom and patriotism of Congress. The Representatives of the People will unquestionably secure to the Loyal Slaveholders every right to which they are entitled under the Constitution of the Country."

This original draft of the report was modified, at the instance of President Lincoln, to the following--and thus appeared in Secretary Cameron's report of that date, as printed:

"It is already a grave question what shall be done with those Slaves who were abandoned by their owners on the advance of our troops into

Southern territory, as at Beaufort district, in South Carolina. The number left within our control at that point is very considerable, and similar cases will probably occur. What should be done with them? Can we afford to send them forward to their masters, to be by them armed against us, or used in producing supplies to sustain the Rebellion?

"Their labor may be useful to us; withheld from the Enemy it lessens his Military resources, and withholding them has no tendency to induce the horrors of Insurrection, even in the Rebel communities. They constitute a Military resource, and, being such, that they should not be turned over to the Enemy is too plain to discuss. Why deprive him of supplies by a blockade, and voluntarily give him men to produce them?

"The disposition to be made of the Slaves of Rebels, after the close of the War, can be safely left to the wisdom and patriotism of Congress. The Representatives of the People will unquestionably secure to the Loyal Slaveholders every right to which they are entitled under the Constitution of the Country.

SIMON CAMERON.
"Secretary of War."

The language of this modification is given to show that the President, at the close of the year 1861, had already reached a further step forward toward Emancipation--and the sound reasoning upon which he made that advance. He was satisfying his own mind and conscience as he proceeded, and thus, while justifying himself to himself, was also simultaneously carrying conviction to the minds and consciences of the People, whose servant and agent he was.

That these abandoned Slaves would "constitute a Military resource" and "should not be turned over to the Enemy" and that "their labor may be useful to us" were propositions which could not be gainsaid. But to quiet uncalled-for apprehensions, and to encourage Southern loyalty, he added, in substance, that at the close of this War--waged solely for the preservation of the Union--Congress would decide the doubtful status of the Slaves of Rebels, while the rights of Union Slave-holders would be secured.

The Contraband-Slave question, however, continued to agitate the public mind for many months--owing to the various ways in which it was treated by the various Military commanders, to whose discretion its treatment, in their several commands, was left--a discretion which almost invariably leaned toward the political bias of the commander. Thus, in a proclamation, dated St. Louis, February 23, 1862, Halleck, commanding the Department of Missouri, said:

"Soldiers! let no excess on your part tarnish the glory of our arms!

"The order heretofore issued in this department, in regard to pillaging and marauding, the destruction of private property, and the stealing or concealment of Slaves, must be strictly enforced. It does not belong to the Military to decide upon the relation of Master and Slave. Such questions must be settled by the civil Courts. No Fugitive Slaves will therefore be admitted within our lines or camps, except when especially ordered by the General Commanding. * * * "

And Buell, commanding the Department of the Ohio, in response to a

communication on the subject from the Chairman of the Military Committee of the Kentucky Legislature, wrote, March 6, 1862:

"It has come to my knowledge that Slaves sometimes make their way improperly into our lines, and in some instances they may be enticed there, but I think the number has been magnified by report. Several applications have been made to me by persons whose servants have been found in our camps, and in every instance that I know of the master has recovered his servant and taken him away."

Thus, while some of our Commanders, like Dix and Halleck, repelled or even expelled the Fugitive Slave from their lines; and others, like Buell and Hooker, facilitated the search for, and restoration to his master, of the black Fugitive found within our lines; on the other hand, Fremont, as we have seen, and Doubleday and Hunter, as we shall yet see, took totally different ground on this question.

President Lincoln, however, harassed as he was by the extremists on both sides of the Slavery question, still maintained that calm statesman-like middle-course from which the best results were likely to flow. But he now thought the time had come to broach the question of a compensated, gradual Emancipation.

Accordingly, on March 6, 1862, he sent to Congress the following message:

"Fellow citizens of the Senate and House of Representatives:

"I recommend the adoption of a joint Resolution by your honorable bodies, which shall be substantially as follows:

"Resolved, That the United States ought to co-operate with any State which may adopt gradual abolishment of Slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public and private, produced by such change of system.

"If the proposition contained in the Resolution does not meet the approval of Congress and the Country, there is the end; but if it does command such approval, I deem it of importance that the States and people immediately interested should be at once distinctly notified of the fact, so that they may begin to consider whether to accept or reject it, The Federal Government would find its highest interest in such a measure, as one of the most efficient means of self preservation.

"The leaders of the existing Insurrection entertain the hope that this Government will ultimately be forced to acknowledge the Independence of some part of the disaffected region, and that all the Slave States North of such part will then say, 'the Union for which we have struggled being already gone, we now choose to go with the Southern Section.'

"To deprive them of this hope, substantially ends the Rebellion; and the initiation of Emancipation completely deprives them of it, as to all the States initiating it. The point is not that all the States tolerating Slavery would very soon, if at all, initiate Emancipation; but that, while the offer is equally made to all, the more Northern shall, by such initiation, make it certain to the more Southern that in no event will the former ever join the latter in their proposed Confederacy. I say,

'initiation,' because in my judgment, gradual, and not sudden Emancipation, is better for all.

"In the mere financial or pecuniary view, any member of Congress, with the census tables and Treasury reports before him, can readily see for himself how very soon the current expenditures of this War would purchase, at fair valuation, all the Slaves in any named State.

"Such a proposition on the part of the General Government sets up no claim of a right by Federal authority to interfere with Slavery within State limits, referring, as it does, the absolute control of the subject in each case to the State and its people immediately interested. It is proposed as a matter of perfectly free choice with them.

"In the Annual Message last December, I thought fit to say, 'the Union must be preserved; and hence all indispensable means must be employed.' I said this, not hastily, but deliberately. War has been made, and continues to be an indispensable means to this end. A practical reacknowledgment of the National authority would render the War unnecessary, and it would at once cease. If, however, resistance continues, the War must also continue; and it is impossible to foresee all the incidents which may attend, and all the ruin which may follow it. Such as may seem indispensable, or may obviously promise great efficiency toward ending the struggle, must and will come.

"The proposition now made, though an offer only, I hope it may be esteemed no offense to ask whether the pecuniary consideration tendered would not be of more value to the States and private persons concerned, than are the Institution, and Property in it, in the present aspect of affairs?

"While it is true that the adoption of the proposed resolution would be merely initiatory, and not within itself a practical measure, it is recommended in the hope that it would soon lead to important practical results. In full view of my great responsibility to my God and to my Country, I earnestly beg the attention of Congress and the People to the subject.

"March 6, 1862."

In compliance with the above suggestion from the President, a Joint Resolution, in the precise words suggested, was introduced into the House, March 10, by Roscoe Conkling, and on the following day was adopted in the House by 97 yeas to 36 nays.

Of the 36 members of the House who voted against this Resolution, were 34 Democrats, and among them were Messrs. Crisfield of Maryland, and Messrs. Crittenden, Mallory, and Menzies of Kentucky. These gentleman afterward made public a report, drawn by themselves, of an interesting interview they had held with President Lincoln on this important subject, in the words following:

"MEMORANDUM OF AN INTERVIEW BETWEEN THE PRESIDENT AND SOME BORDER SLAVE-STATE REPRESENTATIVES MARCH 10, 1862.

"DEAR SIR:--I called, at the request of the President, to ask you to come to the White House to-morrow morning, at nine o'clock, and bring

such of your colleagues as are in town."

"WASHINGTON, March 10, 1862.

"Yesterday on my return from church I found Mr. Postmaster General Blair in my room, writing the above note, which he immediately suspended, and verbally communicated the President's invitation; and stated that the President's purpose was to have some conversation with the delegations of Kentucky, Missouri, Maryland, Virginia, and Delaware, in explanation of his Message of the 6th inst.

"This morning these delegations, or such of them as were in town, assembled at the White House at the appointed time, and after some little delay were admitted to an audience.

"After the usual salutations and we were seated, the President said, in substance, that he had invited us to meet him to have some conversation with us in explanation of his Message of the 6th; that since he had sent it in, several of the gentlemen then present had visited him, but had avoided any allusion to the Message, and he therefore inferred that the import of the Message had been misunderstood, and was regarded as inimical to the interests we represented; and he had resolved he would talk with us, and disabuse our minds of that erroneous opinion.

"The President then disclaimed any intent to injure the interests or wound the sensibilities of the Slave States. On the contrary, his purpose was to protect the one and respect the other; that we were engaged in a terrible, wasting, and tedious War; immense Armies were in the field, and must continue in the field as long as the War lasts; that these Armies must, of necessity, be brought into contact with Slaves in the States we represented and in other States as they advanced; that Slaves would come to the camps, and continual irritation was kept up; that he was constantly annoyed by conflicting and antagonistic complaints; on the one side, a certain class complained if the Slave was not protected by the Army; persons were frequently found who, participating in these views, acted in a way unfriendly to the Slaveholder; on the other hand, Slaveholders complained that their rights were interfered with, their Slaves induced to abscond, and protected within the lines, these complaints were numerous, loud, and deep; were a serious annoyance to him and embarrassing to the progress of the War; that it kept alive a spirit hostile to the Government in the States we represented; strengthened the hopes of the Confederates that at some day the Border States would unite with them, and thus tend to prolong the War; and he was of opinion, if this Resolution should be adopted by Congress and accepted by our States, these causes of irritation and these hopes would be removed, and more would be accomplished towards shortening the War than could be hoped from the greatest victory achieved by Union Armies; that he made this proposition in good faith, and desired it to be accepted, if at all, voluntarily, and in the same patriotic spirit in which it was made; that Emancipation was a subject exclusively under the control of the States, and must be adopted or rejected by each for itself; that he did not claim nor had this Government any right to coerce them for that purpose; that such was no part of his purpose in making this proposition, and he wished it to be clearly understood; that he did not expect us there to be prepared to give him an answer, but he hoped we would take the subject into serious consideration; confer with one another, and then take such course as we felt our duty and the interests of our constituents required of us.

"Mr. Noell, of Missouri, said that in his State, Slavery was not considered a permanent Institution; that natural causes were there in operation which would, at no distant day, extinguish it, and he did not think that this proposition was necessary for that; and, besides that, he and his friends felt solicitous as to the Message on account of the different constructions which the Resolution and Message had received. The New York Tribune was for it, and understood it to mean that we must accept gradual Emancipation according to the plan suggested, or get something worse.

"The President replied, he must not be expected to quarrel with the New York Tribune before the right time; he hoped never to have to do it; he would not anticipate events. In respect to Emancipation in Missouri, he said that what had been observed by Mr. Noell was probably true, but the operation of these natural causes had not prevented the irritating conduct to which he had referred, or destroyed the hopes of the Confederates that Missouri would at some time range herself alongside of them, which, in his judgment, the passage of this Resolution by Congress, and its acceptance by Missouri, would accomplish.

"Mr. Crisfield, of Maryland, asked what would be the effect of the refusal of the State to accept this proposal, and desired to know if the President looked to any policy beyond the acceptance or rejection of this scheme.

"The President replied that he had no designs beyond the action of the States on this particular subject. He should lament their refusal to accept it, but he had no designs beyond their refusal of it.

"Mr. Menzies, of Kentucky, inquired if the President thought there was any power, except in the States themselves, to carry out his scheme of Emancipation?

"The President replied, he thought there could not be. He then went off into a course of remark not qualifying the foregoing declaration, nor material to be repeated to a just understanding of his meaning.

"Mr. Crisfield said he did not think the people of Maryland looked upon Slavery as a permanent Institution; and he did not know that they would be very reluctant to give it up if provision was made to meet the loss, and they could be rid of the race; but they did not like to be coerced into Emancipation, either by the direct action of the Government or by indirection, as through the Emancipation of Slaves in this District, or the Confiscation of Southern Property as now threatened; and he thought before they would consent to consider this proposition they would require to be informed on these points.

"The President replied that 'unless he was expelled by the act of God or the Confederate Armies, he should occupy that house for three years, and as long as he remained there, Maryland had nothing to fear, either for her Institutions or her interests, on the points referred to.'

"Mr. Crisfield immediately added: 'Mr. President, what you now say could be heard by the people of Maryland, they would consider your proposition with a much better feeling than I fear without it they will be inclined to do.'

"The President: 'That (meaning a publication of what he said), will not

do; it would force me into a quarrel before the proper time;' and again intimating, as he had before done, that a quarrel with the 'Greeley faction' was impending, he said, 'he did not wish to encounter it before the proper time, nor at all if it could be avoided.'

"Governor Wickliffe, of Kentucky, then asked him respecting the Constitutionality of his scheme.

"The President replied: 'As you may suppose, I have considered that; and the proposition now submitted does not encounter any Constitutional difficulty. It proposes simply to co-operate with any State by giving such State pecuniary aid;' and he thought that the Resolution, as proposed by him, would be considered rather as the expression of a sentiment than as involving any Constitutional question.

"Mr. Hall, of Missouri, thought that if this proposition was adopted at all, it should be by the votes of the Free States, and come as a proposition from them to the Slave States, affording them an inducement to put aside this subject of discord; that it ought not to be expected that members representing Slaveholding Constituencies should declare at once, and in advance of any proposition to them, for the Emancipation of Slaves.

"The President said he saw and felt the force of the objection; it was a fearful responsibility, and every gentleman must do as he thought best; that he did not know how this scheme was received by the Members from the Free States; some of them had spoken to him and received it kindly; but for the most part they were as reserved and chary as we had been, and he could not tell how they would vote.

"And, in reply to some expression of Mr. Hall as to his own opinion regarding Slavery, he said he did not pretend to disguise his Anti-Slavery feeling; that he thought it was wrong and should continue to think so; but that was not the question we had to deal with now. Slavery existed, and that, too, as well by the act of the North, as of the South; and in any scheme to get rid of it, the North, as well as the South, was morally bound to do its full and equal share. He thought the Institution, wrong, and ought never to have existed; but yet he recognized the rights of Property which had grown out of it, and would respect those rights as fully as similar rights in any other property; that Property can exist, and does legally exist. He thought such a law, wrong, but the rights of Property resulting must be respected; he would get rid of the odious law, not by violating the right, but by encouraging the proposition, and offering inducements to give it up."

"Here the interview, so far as this subject is concerned, terminated by Mr. Crittenden's assuring the President that whatever might be our final action, we all thought him solely moved by a high patriotism and sincere devotion to the happiness and glory of his Country; and with that conviction we should consider respectfully the important suggestions he had made.

"After some conversation on the current war news we retired, and I immediately proceeded to my room and wrote out this paper.

"J. W. CRISFIELD."

"We were present at the interview described in the foregoing paper of Mr. Crisfield, and we certify that the substance of what passed on the occasion is in this paper, faithfully and fully given.

"J. W. MENZIES,
"J. J. CRITTENDEN,
"R. MALLORY.
"March 10, 1862."

Upon the passage of the Joint-Resolution in the House only four Democrats (Messrs. Cobb, Haight, Lehman, and Sheffield) voted in the affirmative, and but two Republicans (Francis Thomas, and Leary) in the negative. On the 2nd of April, it passed the Senate by a vote of 32 yeas--all Republicans save Messrs. Davis and Thomson--to 10 nays, all Democrats.

Meantime the question of the treatment of the "Contraband" in our Military camps, continued to grow in importance.

On March 26, 1862, General Hooker issued the following order touching certain Fugitive Slaves and their alleged owners:

"HEADQUARTERS, HOOKER'S DIVISION, CAMP BAKER,
"LOWER POTOMAC, March 26, 1862.

"To BRIGADE AND REGIMENTAL COMMANDERS OF THIS DIVISION:

"Messrs. Nally, Gray, Dummington, Dent, Adams, Speake, Price, Posey, and Cobey, citizens of Maryland, have Negroes supposed to be with some of the regiments of this Division; the Brigadier General commanding directs that they be permitted to visit all the camps of his command, in search of their Property, and if found, that they be allowed to take possession of the same, without any interference whatever. Should any obstacle be thrown in their way by any officer or soldier in the Division, they will be at once reported by the regimental commanders to these headquarters.

"By command of Brigadier General Hooker;

"JOSEPH DICKINSON,
"Assistant Adjutant General."

On the following day, by direction of General Sickles, the following significant report was made touching the above order:

"HEADQUARTERS, SECOND REGIMENT, EXCELSIOR BRIGADE.
"CAMP HALL, March 27, 1862.

"LIEUTENANT:--In compliance with verbal directions from Brigadier General D. E. Sickles, to report as to the occurrence at this camp on the afternoon of the 26th instant, I beg leave to submit the following:

"At about 3:30 o'clock P. M., March 26, 1862, admission within our lines was demanded by a party of horsemen (civilians), numbering, perhaps, fifteen. They presented the lieutenant commanding the guard, with an order of entrance from Brigadier General Joseph Hooker, Commanding Division (copy appended), the order stating that nine men should be admitted.

"I ordered that the balance of the party should remain without the

lines; which was done. Upon the appearance of the others, there was visible dissatisfaction and considerable murmuring among the soldiers, to so great an extent that I almost feared for the safety of the Slaveholders. At this time General Sickles opportunely arrived, and instructed me to order them outside the camp, which I did, amidst the loud cheers of our soldiers.

"It is proper to add, that before entering our lines, and within about seventy-five or one hundred yards of our camp, one of their number discharged two pistol shots at a Negro, who was running past them, with an evident intention of taking his life. This justly enraged our men.

"All of which is respectfully submitted.

"Your obedient servant,

"JOHN TOLEN.

"Major Commanding Second Regiment, E. B.

"To Lieutenant J. L. PALMER, Jr.,
"A. D. C. and A. A. A. General."

On April 6, the following important dispatch, in the nature of an order, was issued by General Doubleday to one of his subordinate officers:

"HEADQUARTERS MILITARY DEFENSES,
"NORTH OF THE POTOMAC,
"WASHINGTON, April 6, 1862.

"SIR:--I am directed by General Doubleday to say, in answer to your letter of the 2d instant, that all Negroes coming into the lines of any of the camps or forts under his command, are to be treated as persons, and not as chattels.

"Under no circumstances has the Commander of a fort or camp the power of surrendering persons claimed as Fugitive Slaves, as it cannot be done without determining their character.

"The Additional Article of War recently passed by Congress positively prohibits this.

"The question has been asked, whether it would not be better to exclude Negroes altogether from the lines. The General is of the opinion that they bring much valuable information, which cannot be obtained from any other source. They are acquainted with all the roads, paths, fords, and other natural features of the country, and they make excellent guides. They also know and frequently have exposed the haunts of Secession spies and Traitors and the existence of Rebel organizations. They will not, therefore, be excluded.

"The General also directs me to say that civil process cannot be served directly in the camps or forts of his command, without full authority be obtained from the Commanding Officer for that purpose.

"I am very respectfully, your obedient servant,

"E. P. HALSTED,

"Assistant Adjutant General.

"Lieut. Col. JOHN D. SHANE,
"Commanding 76th Reg. N. Y. Vols."

CHAPTER XVII.

BORDER-STATE OPPOSITION.

On April 3, 1862, the United States Senate passed a Bill to liberate all Persons of African descent held to Service or Labor within the District of Columbia, and prohibiting Slavery or involuntary servitude in the District except as a punishment for crime--an appropriation being made to pay to loyal owners an appraised value of the liberated Slaves not to exceed \$300 for each Slave. The vote on its passage in the Senate was 29 yeas to 14 nays--all the yeas being Republican, and all but two of the nays Democratic.

April 11th, the Bill passed the House by 92 yeas to 39 nays--all the yeas save 5 being Republican, and all the nays, save three, being Democratic.

April 7, 1862, the House adopted a resolution, by 67 yeas to 52 nays --all the yeas, save one, Republican, and all the nays, save 12, Democratic--for the appointment of a Select Committee of nine, to consider and report whether any plan could be proposed and recommended for the gradual Emancipation of all the African Slaves, and the extinction of Slavery in Delaware, Maryland, Virginia, Kentucky, Tennessee, and Missouri, by the people or local authorities thereof, and how far and in what way the Government of the United States could and ought equitably to aid in facilitating either of those objects.

On the 16th President Lincoln sent the following Message to Congress:

"Fellow citizens of the Senate and House of Representatives:

"The Act entitled 'An Act for the release of certain Persons held to Service or Labor in the District of Columbia,' has this day been approved and signed.

"I have never doubted the Constitutional authority of Congress to abolish Slavery in this District; and I have ever desired to see the National Capital freed from the Institution in some satisfactory way. Hence there has never been in my mind any question upon the subject except the one of expediency, arising in view of all the circumstances.

"If there be matters within and about this Act which might have taken a course or shape more satisfactory to my judgment, I do not attempt to specify them. I am gratified that the two principles of compensation and colonization are both recognized and practically applied in the Act.

"In the matter of compensation, it is provided that claims may be presented within ninety days from the passage of the Act, 'but not thereafter;' and there is no saving for minors, femmes covert, insane, or absent persons. I presume this is an omission by mere oversight, and I recommend that it be supplied by an amendatory or Supplemental Act.

"ABRAHAM LINCOLN.

"April 16, 1862."

Subsequently, in order to meet the President's views, such an amendatory or Supplemental Act was passed and approved.

But now, Major General Hunter having taken upon himself to issue an Emancipation proclamation, May 9, 1862, the President, May 19, 1862, issued a proclamation rescinding it as follows:

"Whereas there appears in the public prints what purports to be a proclamation of Major General Hunter, in the words and figures following, to wit:

"HEADQUARTERS DEPARTMENT OF THE SOUTH,
'HILTON HEAD, S. C., May 9, 1862.
'[General Orders No. 11.]

'The three States of Georgia, Florida, and South Carolina, comprising the Military Department of the South, having deliberately declared themselves no longer under the protection of the United States of America, and having taken up arms against the said United States, it becomes a Military necessity to declare them under Martial Law. This was accordingly done on the 25th day of April, 1862. Slavery and Martial Law, in a Free Country, are altogether incompatible; the Persons in these three States--Georgia, Florida, and South Carolina-heretofore held as Slaves, are therefore declared forever Free.

'DAVID HUNTER,
'Major-General Commanding.

'Official:
ED. W. SMITH,
'Acting Assistant Adjutant General.'

"And whereas the same is producing some excitement and misunderstanding,

"Therefore, I, ABRAHAM LINCOLN, President of the United States, proclaim and declare, that the Government of the United States had no knowledge, information, or belief, of an intention on the part of General Hunter to issue such a proclamation; nor has it yet any authentic information that the document is genuine. And further, that neither General Hunter, nor any other Commander, or person, has been authorized by the Government of the United States to make proclamations declaring the Slaves of any State Free; and that the supposed proclamation, now in question, whether genuine or false, is altogether void, so far as respects such declaration.

"I further make known that whether it be competent for me, as Commander-in-Chief of the Army and Navy, to declare the Slaves of any State or States free, and whether, at any time, in any case, it shall have become a necessity indispensable to the maintenance of the Government, to exercise such supposed power, are questions which, under my responsibility, I reserve to myself, and which I cannot feel justified in leaving to the decision of Commanders in the field. These are totally different questions from those of police regulations in armies and camps.

"On the sixth day of March last, by a Special Message, I recommended to Congress the adoption of a Joint Resolution to be substantially as follows:

" Resolved, That the United States ought to co-operate with any State which may adopt a gradual abolishment of Slavery, giving to such State pecuniary aid, to be used by such State, in its discretion, to compensate for the inconveniences, public and private, produced by such change of system.'

"The Resolution, in the language above quoted, was adopted by large majorities in both branches of Congress, and now stands an authentic, definite, and solemn proposal of the Nation to the States and people most immediately interested in the subject-matter. To the people of those States I now earnestly appeal--I do not argue--I beseech you to make the argument for yourselves--you cannot, if you would, be blind to the signs of the times--I beg of you a calm and enlarged consideration of them, ranging, if it may be, far above personal and partisan politics. This proposal makes common cause for a common object, casting no reproaches upon any. It acts not the Pharisee. The changes it contemplates would come gently as the dews of Heaven, not rending or wrecking anything. Will you not embrace it? So much good has not been done, by one effort, in all past time, as, in the providence of God, it is now your high privilege to do. May the vast future not have to lament that you have neglected it.

"In witness thereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

"Done at the city of Washington this nineteenth day of May, in the year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States the eighty-sixth.

"By the President. ABRAHAM LINCOLN.

"WILLIAM H. SEWARD, Secretary of State."

On June 5th, 1862, General T. Williams issued the following Order:

"HEADQUARTERS SECOND BRIGADE,
"BATON ROUGE, June 5, 1862.
"[General Orders No. 46.]

"In consequence of the demoralizing and disorganizing tendencies to the troops, of harboring runaway Negroes, it is hereby ordered that the respective Commanders of the camps and garrisons of the several regiments, Second Brigade, turn all such Fugitives in their camps or garrisons out beyond the limits of their respective guards and sentinels.

"By order of Brigadier-General T. Williams:

"WICKHAM HOFFMAN,
"Assistant-Adjutant General."

Lieutenant-Colonel D. R. Anthony, of the Seventh Kansas Volunteers, commanding a Brigade, issued the following order, at a date subsequent

to the Battle of Pittsburg Landing and the evacuation of Corinth:

"HEADQUARTERS MITCHELL'S BRIGADE,
"ADVANCE COLUMN, FIRST BRIGADE, FIRST DIVISION,
"GENERAL ARMY OF THE MISSISSIPPI,
"CAMP ETHERIDGE, TENNESSEE, June 18, 1862.
"[General Orders No. 26.]

"1. The impudence--and impertinence of the open and armed Rebels, Traitors, Secessionists, and Southern-Rightsmen of this section of the State of Tennessee, in arrogantly demanding the right to search our camp for Fugitive Slaves, has become a nuisance, and will no longer be tolerated. "Officers will see that this class of men, who visit our camp for this purpose, are excluded from our lines.

"2. Should any such persons be found within our lines, they will be arrested and sent to headquarters.

"3. Any officer or soldier of this command who shall arrest and deliver to his master a Fugitive Slave, shall be summarily and severely punished, according to the laws relative to such crimes.

"4. The strong Union sentiment in this Section is most gratifying, and all officers and soldiers, in their intercourse with the loyal, and those favorably disposed, are requested to act in their usual kind and courteous manner and protect them to the fullest extent.

"By order of D. R. Anthony, Lieutenant-Colonel Seventh Kansas Volunteers, commanding:

"W. W. H. LAWRENCE,
"Captain and Assistant-Adjutant General."

Lieutenant-Colonel Anthony was subsequently placed under arrest for issuing the above order.

It was about this time, also, that General McClellan addressed to President Lincoln a letter on "forcible Abolition of Slavery," and "a Civil and Military policy"--in these terms:

"HEADQUARTERS ARMY OF THE POTOMAC,
"CAMP NEAR HARRISON'S LANDING, VA., July 7, 1862.

"MR. PRESIDENT:--You have been fully informed that the Rebel Army is in the front, with the purpose of overwhelming us by attacking our positions or reducing us by blocking our river communications. I cannot but regard our condition as critical, and I earnestly desire, in view of possible contingencies, to lay before your Excellency, for your private consideration, my general views concerning the existing state of the Rebellion, although they do not strictly relate to the situation of this Army, or strictly come within the scope of my official duties. These views amount to convictions, and are deeply impressed upon my mind and heart.

"Our cause must never be abandoned; it is the cause of Free institutions and Self-government. The Constitution and the Union must be preserved, whatever may be the cost in time, treasure, and blood.

"If Secession is successful, other dissolutions are clearly to be seen in the future. Let neither Military disaster, political faction, nor Foreign War shake your settled purpose to enforce the equal operation of the Laws of the United States upon the people of every State.

"The time has come when the Government must determine upon a Civil and Military policy, covering the whole ground of our National trouble.

"The responsibility of determining, declaring, and supporting such Civil and Military policy, and of directing the whole course of National affairs in regard to the Rebellion, must now be assumed and exercised by you, or our Cause will be lost. The Constitution gives you power, even for the present terrible exigency.

"This Rebellion has assumed the character of a War; as such it should be regarded, and it should be conducted upon the highest principles known to Christian civilization. It should not be a War looking to the subjugation of the people of any State, in any event. It should not be at all a war upon population, but against armed forces and political organizations. Neither Confiscation of property, political executions of persons, territorial organizations of States, or forcible Abolition of Slavery, should be contemplated for a moment.

"In prosecuting the War, all private property and unarmed persons should be strictly protected, subject only to the necessity of Military operations; all private property taken for Military use should be paid or receipted for; pillage and waste should be treated as high crimes; all unnecessary trespass sternly prohibited and offensive demeanor by the military towards citizens promptly rebuked.

"Military arrests should not be tolerated, except in places where active hostilities exist; and oaths, not required by enactments, Constitutionally made, should be neither demanded nor received.

"Military Government should be confined to the preservation of public order and the protection of political right. Military power should not be allowed to interfere with the relations of Servitude, either by supporting or impairing the authority of the master, except for repressing disorder, as in other cases. Slaves, contraband under the Act of Congress, seeking Military protection, should receive it.

"The right of the Government to appropriate permanently to its own service claims to Slave-labor should be asserted, and the right of the owner to compensation therefor should be recognized.

"This principle might be extended, upon grounds of Military necessity and security, to all the Slaves of a particular State, thus working manumission in such State; and in Missouri, perhaps in Western Virginia also, and possibly even in Maryland, the expediency of such a measure is only a question of time.

"A system of policy thus Constitutional, and pervaded by the influences of Christianity and Freedom, would receive the support of almost all truly Loyal men, would deeply impress the Rebel masses and all foreign nations, and it might be humbly hoped that it would commend itself to the favor of the Almighty.

"Unless the principles governing the future conduct of our Struggle shall be made known and approved, the effort to obtain requisite forces

will be almost hopeless. A declaration of radical views, especially upon Slavery, will rapidly disintegrate our present Armies.

"The policy of the Government must be supported by concentrations of Military power. The National Forces should not be dispersed in expeditions, posts of occupation, and numerous armies, but should be mainly collected into masses, and brought to bear upon the Armies of the Confederate States. Those Armies thoroughly defeated, the political structure which they support would soon cease to exist,

"In carrying out any system of policy which you may form, you will require a Commander-in-chief of the Army, one who possesses your confidence, understands your views, and who is competent to execute your orders, by directing the Military Forces of the Nation to the accomplishment of the objects by you proposed. I do not ask that place for myself, I am willing to serve you in such position as you may assign me, and I will do so as faithfully as ever subordinate served superior.

"I may be on the brink of Eternity; and as I hope forgiveness from my Maker, I have written this letter with sincerity towards you and from love for my Country.

"Very respectfully, your obedient servant,

"GEORGE B. MCCLELLAN,
"Major-General Commanding.

"His Excellency A. LINCOLN, President."

July 12, 1862, Senators and Representatives of the Border Slave-holding States, having been specially invited to the White House for the purpose, were addressed by President Lincoln, as follows:

"GENTLEMEN:--After the adjournment of Congress, now near, I shall have no opportunity of seeing you for several months. Believing that you of the Border States hold more power for good than any other equal number of members, I feel it a duty which I cannot justifiably waive, to make this appeal to you.

"I intend no reproach or complaint when I assure you that, in my opinion, if you all had voted for the Resolution in the Gradual Emancipation Message of last March, the War would now be substantially ended. And the plan therein proposed is yet one of the most potent and swift means of ending it. Let the States which are in Rebellion see definitely and certainly that in no event will the States you represent ever join their proposed Confederacy, and they cannot much longer maintain the contest.

"But you cannot divest them of their hope to ultimately have you with them so long as you show a determination to perpetuate the Institution within your own States. Beat them at elections, as you have overwhelmingly done, and nothing daunted, they still claim you as their own. You and I know what the lever of their power is. Break that lever before their faces, and they can shake you no more forever.

"Most of you have treated me with kindness and consideration, and I trust you will not now think I improperly touch what is exclusively your own, when, for the sake of the whole Country, I ask, 'Can you, for your

States, do better than to take the course I urge?' Discarding punctilio and maxims adapted to more manageable times, and looking only to the unprecedentedly stern facts of our case, can you do better in any possible event?

"You prefer that the Constitutional relations of the States to the Nation shall be practically restored without disturbance of the Institution; and, if this were done, my whole duty, in this respect, under the Constitution and my oath of office, would be performed. But it is not done, and we are trying to accomplish it by War.

"The incidents of the War cannot be avoided. If the War continues long, as it must, if the object be not sooner attained, the Institution in your States will be extinguished by mere friction and abrasion--by the mere incidents of the War. It will be gone, and you will have nothing valuable in lieu of it. Much of its value is gone already.

"How much better for you and for your people to take the step which at once shortens the War and secures substantial compensation for that which is sure to be wholly lost in any other event! How much better to thus save the money which else we sink forever in the War! How: much better to do it while we can, lest the War ere long render us pecuniarily unable to do it! How much better for you, as seller, and the Nation, as buyer, to sell out and buy out that without which the War could never have been, than to sink both the thing to be sold and the price of it in cutting one another's throats!

"I do not speak of Emancipation at once, but of a decision at once to Emancipate gradually. Room in South America for colonization can be obtained cheaply and in abundance, and when numbers shall be large enough to be company and encouragement for one another, the freed people will not be so reluctant to go.

"I am pressed with a difficulty not yet mentioned; one which threatens division among those who, united, are none too strong. An instance of it is known to you. General Hunter is an honest man. He was, and I hope still is, my friend. I value him none the less for his agreeing with me in the general wish that all men everywhere could be freed. He proclaimed all men Free within certain States, and I repudiated the proclamation. He expected more good and less harm from the measure than I could believe would follow.

"Yet, in repudiating it, I gave dissatisfaction, if not offense, to many whose support the Country cannot afford to lose. And this is not the end of it. The pressure in this direction is still upon me, and is increasing. By conceding what I now ask, you can relieve me, and, much more, can relieve the Country in this important point.

"Upon these considerations I have again begged your attention to the Message of March last. Before leaving the Capitol, consider and discuss it among yourselves. You are Patriots and Statesmen, and as such I pray you consider this proposition; and, at the least, commend it to the consideration of your States and people. As you would perpetuate popular Government for the best people in the World, I beseech you that you do in nowise omit this.

"Our common Country is in great peril, demanding the loftiest views and boldest action to bring a speedy relief. Once relieved, its form of Government is saved to the World, its beloved history and cherished

memories are vindicated, and its happy future fully assured and rendered inconceivable grand. To you, more than to any others, the privilege is given to assure that happiness and swell that grandeur, and to link your own names therewith forever."

The gentlemen representing in Congress the Border-States, to whom this address was made, subsequently met and discussed its subject matter, and made written reply in the shape of majority and minority replies, as follows:

THE MAJORITY REPLY:

"WASHINGTON, July 14, 1862.

"TO THE PRESIDENT:

"The undersigned, Representatives of Kentucky, Virginia, Missouri, and Maryland, in the two Houses of Congress, have listened to your address with the profound sensibility naturally inspired by the high source from which it emanates, the earnestness which marked its delivery, and the overwhelming importance of the subject of which it treats. We have given it a most respectful consideration, and now lay before you our response. We regret that want of time has not permitted us to make it more perfect.

"We have not been wanting, Mr. President, in respect to you, and in devotion to the Constitution and the Union. We have not been indifferent to the great difficulties surrounding you, compared with which all former National troubles have been but as the summer cloud; and we have freely given you our sympathy and support. Repudiating the dangerous heresies of the Secessionists, we believed, with you, that the War on their part is aggressive and wicked, and the objects for which it was to be prosecuted on ours, defined by your Message at the opening of the present Congress, to be such as all good men should approve.

"We have not hesitated to vote all supplies necessary to carry it on vigorously. We have voted all the men and money you have asked for, and even more; we have imposed onerous taxes on our people, and they are paying them with cheerfulness and alacrity; we have encouraged enlistments, and sent to the field many of our best men; and some of our number have offered their persons to the enemy as pledges of their sincerity and devotion to the Country.

"We have done all this under the most discouraging circumstances, and in the face of measures most distasteful to us and injurious to the interests we represent, and in the hearing of doctrines avowed by those who claim to be your friends, must be abhorrent to us and our constituents.

"But, for all this, we have never faltered, nor shall we as long as we have a Constitution to defend and a Government which protects us. And we are ready for renewed efforts, and even greater sacrifices, yea, any sacrifice, when we are satisfied it is required to preserve our admirable form of Government and the priceless blessings of Constitutional Liberty.

"A few of our number voted for the Resolution recommended by your Message of the 6th of March last, the greater portion of us did not, and we will briefly state the prominent reasons which influenced our action.

"In the first place, it proposed a radical change of our social system, and was hurried through both Houses with undue haste, without reasonable time for consideration and debate, and with no time at all for consultation with our constituents, whose interests it deeply involved. It seemed like an interference by this Government with a question which peculiarly and exclusively belonged to our respective States, on which they had not sought advice or solicited aid.

"Many of us doubted the Constitutional power of this Government to make appropriations of money for the object designated, and all of us thought our finances were in no condition to bear the immense outlay which its adoption and faithful execution would impose upon the National Treasury. If we pause but a moment to think of the debt its acceptance would have entailed, we are appalled by its magnitude. The proposition was addressed to all the States, and embraced the whole number of Slaves.

"According to the census of 1860 there were then nearly four million Slaves in the Country; from natural increase they exceed that number now. At even the low average of \$300, the price fixed by the Emancipation Act for the Slaves of this District, and greatly below their real worth, their value runs up to the enormous sum of \$1,200,000,000; and if to that we add the cost of deportation and colonization, at \$100 each, which is but a fraction more than is actually paid--by the Maryland Colonization Society, we have \$400,000,000 more.

"We were not willing to impose a tax on our people sufficient to pay the interest on that sum, in addition to the vast and daily increasing debt already fixed upon them by exigencies of the War, and if we had been willing, the Country could not bear it. Stated in this form the proposition is nothing less than the deportation from the Country of \$1,600,000,000 worth of producing labor, and the substitution, in its place, of an interest-bearing debt of the same amount.

"But, if we are told that it was expected that only the States we represent would accept the proposition, we respectfully submit that even then it involves a sum too great for the financial ability of this Government at this time. According to the census of 1860:

Slaves	
Kentucky had	225,490
Maryland	87,188
Virginia	490,887
Delaware	1,798
Missouri	114,965
Tennessee	275,784

Making in the whole .. 1,196,112

At the same rate of valuation these would amount to \$358,933,500

Add for deportation and colonization \$100 each 118,244,533

And we have the enormous sum of ... \$478,038,133

"We did not feel that we should be justified in voting for a measure which, if carried out, would add this vast amount to our public debt at a moment when the Treasury was reeling under the enormous expenditure of the War.

"Again, it seemed to us that this Resolution was but the annunciation of a sentiment which could not or was not likely to be reduced to an actual tangible proposition. No movement was then made to provide and appropriate the funds required to carry it into effect; and we were not encouraged to believe that funds would be provided. And our belief has been fully justified by subsequent events.

"Not to mention other circumstances, it is quite sufficient for our purpose to bring to your notice the fact that, while this resolution was under consideration in the Senate, our colleague, the Senator from Kentucky, moved an amendment appropriating \$500,000 to the object therein designated, and it was voted down with great unanimity.

"What confidence, then, could we reasonably feel that if we committed ourselves to the policy it proposed, our constituents would reap the fruits of the promise held out; and on what ground could we, as fair men, approach them and challenge their support?

"The right to hold Slaves, is a right appertaining to all the States of this Union. They have the right to cherish or abolish the Institution, as their tastes or their interests may prompt, and no one is authorized to question the right or limit the enjoyment. And no one has more clearly affirmed that right than you have. Your Inaugural Address does you great honor in this respect, and inspired the Country with confidence in your fairness and respect for the Law. Our States are in the enjoyment of that right.

"We do not feel called on to defend the Institution or to affirm it is one which ought to be cherished; perhaps, if we were to make the attempt, we might find that we differ even among ourselves. It is enough for our purpose to know that it is a right; and, so knowing, we did not see why we should now be expected to yield it.

"We had contributed our full share to relieve the Country at this terrible crisis; we had done as much as had been required of others in like circumstances; and we did not see why sacrifices should be expected of us from which others, no more loyal, were exempt. Nor could we see what good the Nation would derive from it.

"Such a sacrifice submitted to by us would not have strengthened the arm of this Government or weakened that of the Enemy. It was not necessary as a pledge of our Loyalty, for that had been manifested beyond a reasonable doubt, in every form, and at every place possible. There was not the remotest probability that the States we represent would join in the Rebellion, nor is there now, or of their electing to go with the Southern Section in the event of a recognition of the Independence of any part of the disaffected region.

"Our States are fixed unalterably in their resolution to adhere to and support the Union. They see no safety for themselves, and no hope for Constitutional Liberty, but by its preservation. They will, under no circumstances, consent to its dissolution; and we do them no more than justice when we assure you that, while the War is conducted to prevent

that deplorable catastrophe, they will sustain it as long as they can muster a man, or command a dollar.

"Nor will they ever consent, in any event, to unite with the Southern Confederacy. The bitter fruits of the peculiar doctrines of that region will forever prevent them from placing their security and happiness in the custody of an association which has incorporated in its Organic Law the seeds of its own destruction.

"We cannot admit, Mr. President, that if we had voted for the Resolution in the Emancipation Message of March last, the War would now be substantially ended. We are unable to see how our action in this particular has given, or could give, encouragement to the Rebellion. The Resolution has passed; and if there be virtue in it, it will be quite as efficacious as if we had voted for it.

"We have no power to bind our States in this respect by our votes here; and, whether we had voted the one way or the other, they are in the same condition of freedom to accept or reject its provisions.

"No, Sir, the War has not been prolonged or hindered by our action on this or any other measure. We must look for other causes for that lamented fact. We think there is not much difficulty, not much uncertainty, in pointing out others far more probable and potent in their agencies to that end.

"The Rebellion derives its strength from the Union of all classes in the Insurgent States; and while that Union lasts the War will never end until they are utterly exhausted. We know that, at the inception of these troubles, Southern society was divided, and that a large portion, perhaps a majority, were opposed to Secession. Now the great mass of Southern people are united.

"To discover why they are so, we must glance at Southern society, and notice the classes into which it has been divided, and which still distinguish it. They are in arms, but not for the same objects; they are moved to a common end, but by different and even inconsistent reasons.

"The leaders, which comprehend what was previously known as the State Rights Party, and is much the lesser class, seek to break down National Independence and set up State domination. With them it is a War against Nationality.

"The other class is fighting, as it supposes, to maintain and preserve its rights of Property and domestic safety, which it has been made to believe are assailed by this Government. This latter class are not Disunionists per se; they are so only because they have been made to believe that this Administration is inimical to their rights, and is making War on their domestic Institutions. As long as these two classes act together they will never assent to a Peace.

"The policy, then, to be pursued, is obvious. The former class will never be reconciled, but the latter may be. Remove their apprehensions; satisfy them that no harm is intended to them and their Institutions; that this Government is not making War on their rights of Property, but is simply defending its legitimate authority, and they will gladly return to their allegiance as soon as the pressure of Military dominion imposed by the Confederate authority is removed from them.

"Twelve months ago, both Houses of Congress, adopting the spirit of your Message, then but recently sent in, declared with singular unanimity the objects of the War, and the Country instantly bounded to your side to assist you in carrying it on. If the spirit of that Resolution had been adhered to, we are confident that we should before now have seen the end of this deplorable conflict. But what have we seen?

"In both Houses of Congress we have heard doctrines subversive of the principles of the Constitution, and seen measure after measure, founded in substance on those doctrines, proposed and carried through, which can have no other effect than to distract and divide loyal men, and exasperate and drive still further from us and their duty the people of the rebellious States.

"Military officers, following these bad examples, have stepped beyond the just limits of their authority in the same direction, until in several instances you have felt the necessity of interfering to arrest them. And even the passage of the Resolution to which you refer has been ostentatiously proclaimed as the triumph of a principle which the people of the Southern States regard as ruinous to them. The effect of these measures was foretold, and may now be seen in the indurated state of Southern feeling.

"To these causes, Mr. President, and not to our omission to vote for the Resolution recommended by you, we solemnly believe we are to attribute the terrible earnestness of those in arms against the Government, and the continuance of the War. Nor do we (permit us to say, Mr. President, with all respect to you) agree that the Institution of Slavery is 'the lever of their power,' but we are of the opinion that 'the lever of their power' is the apprehension that the powers of a common Government, created for common and equal protection to the interests of all, will be wielded against the Institutions of the Southern States.

"There is one other idea in your address we feel called on to notice. After stating the fact of your repudiation of General Hunter's Proclamation, you add:

"'Yet, in repudiating it, I gave dissatisfaction, if not offense, to many whose support the Country cannot afford to lose. And this is not the end of it. The pressure in this direction is still upon me and is increasing. By conceding what I now ask, you can relieve me, and, much more, can relieve the Country, in this important point,'

"We have anxiously looked into this passage to discover its true import, but we are yet in painful uncertainty. How can we, by conceding what you now ask, relieve you and the Country from the increasing pressure to which you refer? We will not allow ourselves to think that the proposition is, that we consent to give up Slavery, to the end that the Hunter proclamation may be let loose on the Southern people, for it is too well known that we would not be parties to any such measure, and we have too much respect for you to imagine you would propose it.

"Can it mean that by sacrificing our interest in Slavery we appease the spirit that controls that pressure, cause it to be withdrawn, and rid the Country of the pestilent agitation of the Slavery question? We are forbidden so to think, for that spirit would not be satisfied with the liberation of 100,000 Slaves, and cease its agitation while 3,000,000 remain in bondage. Can it mean that by abandoning Slavery in our States

we are removing the pressure from you and the Country, by preparing for a separation on the line of the Cotton States?

"We are forbidden so to think, because it is known that we are, and we believe that you are, unalterably opposed to any division at all. We would prefer to think that you desire this concession as a pledge of our support, and thus enable you to withstand a pressure which weighs heavily on you and the Country.

"Mr. President, no such sacrifice is necessary to secure our support. Confine yourself to your Constitutional authority; confine your subordinates within the same limits; conduct this War solely for the purpose of restoring the Constitution to its legitimate authority; concede to each State and its loyal citizens their just rights, and we are wedded to you by indissoluble ties. Do this, Mr. President, and you touch the American heart, and invigorate it with new hope. You will, as we solemnly believe, in due time restore Peace to your Country, lift it from despondency to a future of glory, and preserve to your countrymen, their posterity, and man, the inestimable treasure of a Constitutional Government.

"Mr. President, we have stated with frankness and candor the reasons on which we forbore to vote for the Resolution you have mentioned; but you have again presented this proposition, and appealed to us with an earnestness and eloquence which have not failed to impress us, to 'consider it, and at the least to commend it to the consideration of our States and people.'

"Thus appealed to by the Chief Magistrate of our beloved Country, in the hour of its greatest peril, we cannot wholly decline. We are willing to trust every question relating to their interest and happiness to the consideration and ultimate judgment of our own people.

"While differing from you as to the necessity of Emancipating the Slaves of our States as a means of putting down the Rebellion, and while protesting against the propriety of any extra-territorial interference to induce the people of our States to adopt any particular line of policy on a subject which peculiarly and exclusively belongs to them, yet, when you and our brethren of the Loyal States sincerely believe that the retention of Slavery by us is an obstacle to Peace and National harmony, and are willing to contribute pecuniary aid to compensate our States and people for the inconveniences produced by such a change of system, we are not unwilling that our people shall consider the propriety of putting it aside.

"But we have already said that we regard this Resolution as the utterance of a sentiment, and we had no confidence that it would assume the shape of a tangible practical proposition, which would yield the fruits of the sacrifice it required. Our people are influenced by the same want of confidence, and will not consider the proposition in its present impalpable form. The interest they are asked to give up is, to them, of immense importance, and they ought not to be expected even to entertain the proposal until they are assured that when they accept it their just expectations will not be frustrated.

"We regard your plan as a proposition from the Nation to the States to exercise an admitted Constitutional right in a particular manner, and yield up a valuable interest. Before they ought to consider the proposition, it should be presented in such a tangible, practical,

efficient shape, as to command their confidence that its fruits are contingent only upon their acceptance. We cannot trust anything to the contingencies of future legislation.

"If Congress, by proper and necessary legislation, shall provide sufficient funds and place them at your disposal to be applied by you to the payment of any of our States, or the citizens thereof, who shall adopt the Abolishment of Slavery, either gradual or immediate, as they may determine, and the expense of deportation and colonization of the liberated Slaves, then will our States and people take this proposition into careful consideration, for such decision as in their judgment is demanded by their interest, their honor, and their duty to the whole Country. We have the honor to be, with great respect,

"C. A. WICKLIFFE, Ch'man,
CHAS. B. CALVERT,
GARRETT DAVIS,
C. L. L. LEARY,
R. WILSON,
EDWIN H. WEBSTER,
J. J. CRITTENDEN,
R. MALLORY,
JOHN S. CARLILE,
AARON HARDING,
J. W. CRISFIELD,
JAMES S. ROLLINS,
J. S. JACKSON,
J. W. MENZIES,
H. GRIDER,
THOMAS L. PRICE,
JOHN S. PHELPS,
G. W. DUNLAP,
FRANCIS THOMAS,
WILLIAM A. HALL."

THE MINORITY REPLY.

"WASHINGTON, July 15, 1863.

"MR. PRESIDENT:--The undersigned, members of Congress from the Border States, in response to your address of Saturday last, beg leave to say that they attended a meeting, on the same day the address was delivered, for the purpose of considering the same. The meeting appointed a Committee to report a response to your address. That report was made on yesterday, and the action of the majority indicated clearly that the response, or one in substance the same, would be adopted and presented to you.

"Inasmuch as we cannot, consistently with our own sense of duty to the Country, under the existing perils which surround us, concur in that response, we feel it to be due to you and to ourselves to make to you a brief and candid answer over our own signatures.

"We believe that the whole power of the Government, upheld and sustained by all the influences and means of all loyal men in all Sections, and of all Parties, is essentially necessary to put down the Rebellion and preserve the Union and the Constitution. We understand your appeal to us to have been made for the purpose of securing this result.

"A very large portion of the People in the Northern States believe that Slavery is the 'lever-power of the Rebellion.' It matters not whether this belief be well-founded or not. The belief does exist, and we have to deal with things as they are, and not as we would have them be.

"In consequence of the existence of this belief, we understand that an immense pressure is brought to bear for the purpose of striking down this Institution through the exercise of Military authority. The Government cannot maintain this great struggle if the support and influence of the men who entertain these opinions be withdrawn. Neither can the Government hope for early success if the support of that element called "Conservative" be withdrawn.

"Such being the condition of things, the President appeals to the Border-State men to step forward and prove their patriotism by making the first sacrifice. No doubt, like appeals have been made to extreme men in the North to meet us half-way, in order that the whole moral, political, pecuniary, and physical force of the Nation may be firmly and earnestly united in one grand effort to save the Union and the Constitution.

"Believing that such were the motives that prompted your Address, and such the results to which it looked, we cannot reconcile it to our sense of duty, in this trying hour, to respond in a spirit of fault-finding or querulousness over the things that are past.

"We are not disposed to seek for the cause of present misfortunes in the errors and wrongs of others who now propose to unite with us in a common purpose.

"But, on the other hand, we meet your address in the spirit in which it was made, and, as loyal Americans, declare to you and to the World that there is no sacrifice that we are not ready to make to save the Government and institutions of our fathers. That we, few of us though there may be, will permit no man, from the North or from the South, to go further than we in the accomplishment of the great work before us. That, in order to carry out these views, we will, so far as may be in our power, ask the people of the Border States calmly, deliberately, and fairly to consider your recommendations.

"We are the more emboldened to assume this position from the fact, now become history, that the leaders of the Southern Rebellion have offered to abolish Slavery among them as a condition to foreign intervention in favor of their Independence as a Nation.

"If they can give up Slavery to destroy the Union, we can surely ask our people to consider the question of Emancipation to save the Union.

"With great respect, your obedient servants,

"JOHN W. NOELL,
"SAMUEL L. CASEY,
"GEORGE P. FISHER,
"A. J. CLEMENTS,
"WILLIAM G. BROWN,
"JACOB B. BLAIR,
"W. T. WILLEY."

[The following separate replies, subsequently made, by Representative Maynard of Tennessee, and Senator Henderson of Missouri, are necessarily given to complete this part of the Border State record.]

MR. MAYNARD'S REPLY.

"HOUSE OF REPRESENTATIVES, July 16, 1862.

"SIR:--The magnitude and gravity of the proposition submitted by you to Representatives from the Slave States would naturally occasion diversity, if not contrariety, of opinion. You will not, therefore, be surprised that I have not been able to concur in view with the majority of them.

"This is attributable, possibly, to the fact that my State is not a Border State, properly so called, and that my immediate constituents are not yet disenthralled from the hostile arms of the Rebellion. This fact is a physical obstacle in the way of my now submitting to their consideration this, or any other proposition looking to political action, especially such as, in this case, would require a change in the Organic Law of the State.

"But do not infer that I am insensible to your appeal. I am not; you are surrounded with difficulties far greater than have embarrassed any of your predecessors. You need the support of every American citizen, and you ought to have it--active, zealous and honest. The union of all Union men to aid you in preserving the Union, is the duty of the time. Differences as to policy and methods must be subordinated to the common purpose.

"In looking for the cause of this Rebellion, it is natural that each Section and each Party should ascribe as little blame as possible to itself, and as much as possible to its opponent Section and Party. Possibly you and I might not agree on a comparison of our views. That there should be differences of opinion as to the best mode of conducting our Military operations, and the best men to lead our Armies, is equally natural. Contests on such questions weaken ourselves and strengthen our enemies. They are unprofitable, and possibly unpatriotic. Somebody must yield, or we waste our strength in a contemptible struggle among ourselves.

"You appeal to the loyal men of the Slave States to sacrifice something of feeling and a great deal of interest. The sacrifices they have already made and the sufferings they have endured give the best assurance that the appeal will not have been made in vain. He who is not ready to yield all his material interests, and to forego his most cherished sentiments and opinions for the preservation of his Country, although he may have periled his life on the battle-field in her defense, is but half a Patriot. Among the loyal people that I represent, there are no half-patriots.

"Already the Rebellion has cost us much, even to our undoing; we are content, if need be, to give up the rest, to suppress it. We have stood by you from the beginning of this struggle, and we mean to stand by you, God willing, till the end of it.

"I did not vote for the Resolution to which you allude, solely for the

reason that I was absent at the Capital of my own State. It is right.

"Should any of the Slave States think proper to terminate that Institution, as several of them, I understand, or at least some of their citizens propose, justice and a generous comity require that the Country should interpose to aid in lessening the burden, public and private, occasioned by so radical a change in its social and industrial relations.

"I will not now speculate upon the effect, at home or abroad, of the adoption of your policy, nor inquire what action of the Rebel leaders has rendered something of the kind important. Your whole administration gives the highest assurance that you are moved, not so much from a desire to see all men everywhere made free, as from a higher desire to preserve free institutions for the benefit of men already free; not to make Slaves, Freemen, but to prevent Freemen from being made Slaves; not to destroy an Institution, which a portion of us only consider bad, but to save institutions which we all alike consider good. I am satisfied you would not ask from any of your fellow-citizens a sacrifice not, in your judgment, imperatively required by the safety of the Country.

"This is the spirit of your appeal, and I respond to it in the same spirit.

"I am, very respectfully, your obedient servant,

"HORACE MAYNARD.

"To the PRESIDENT."

SENATOR HENDERSON'S REPLY.

"WASHINGTON CITY, July 21, 1862.

"MR. PRESIDENT:--The pressure of business in the Senate during the last few days of the session prevented my attendance at the meeting of the Border-State members, called to consider your proposition in reference to gradual emancipation in our States.

"It is for this reason only, and not because I fail to appreciate their importance or properly respect your suggestions, that my name does not appear to any of the several papers submitted in response. I may also add that it was my intention, when the subject came up practically for consideration in the Senate, to express fully my views in regard to it. This of course would have rendered any other response unnecessary. But the want of time to consider the matter deprived me of that opportunity, and, lest now my silence be misconstrued, I deem it proper to say to you that I am by no means indifferent to the great questions so earnestly, and as I believe so honestly, urged by you upon our consideration.

"The Border States, so far, are the chief sufferers by this War, and the true Union men of those States have made the greatest sacrifices for the preservation of the Government. This fact does not proceed from mismanagement on the part of the Union authorities, or a want of regard for our people, but it is the necessary result of the War that is upon us.

"Our States are the battle-fields. Our people, divided among themselves, maddened by the struggle, and blinded by the smoke of battle, invited upon our soil contending armies--the one to destroy the Government, the other to maintain it. The consequence to us is plain. The shock of the contest upturns Society and desolates the Land. We have made sacrifices, but at last they were only the sacrifices demanded by duty, and unless we are willing to make others, indeed any that the good of the Country, involved in the overthrow of Treason, may expect at our hands, our title to patriotism is not complete.

"When you submitted your proposition to Congress, in March last, 'that the United States ought to co-operate with any State which may adopt a gradual abolishment of Slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public and private, produced by such change of system,' I gave it a most cheerful support, and I am satisfied it would have received the approbation of a large majority of the Border States delegations in both Branches of Congress, if, in the first place, they had believed the War, with its continued evils--the most prominent of which, in a material point of view, is its injurious effect on the Institution of Slavery in our States--could possibly have been protracted for another twelve months; and if, in the second place, they had felt assured that the party having the majority in Congress would, like yourself, be equally prompt in practical action as in the expression of a sentiment.

"While scarcely any one doubted your own sincerity in the premises, and your earnest wish speedily to terminate the War, you can readily conceive the grounds for difference of opinion where conclusions could only be based on conjecture.

"Believing, as I did, that the War was not so near its termination as some supposed, and feeling disposed to accord to others the same sincerity of purpose that I should claim for myself under similar circumstances, I voted for the proposition. I will suppose that others were actuated by no sinister motives.

"In doing so, Mr. President, I desire to be distinctly understood by you and by my constituents. I did not suppose at the time that I was personally making any sacrifice by supporting the Resolution, nor that the people of my State were called upon to make any sacrifices, either in considering or accepting the proposition, if they saw fit.

"I agreed with you in the remarks contained in the Message accompanying the Resolution, that 'the Union must be preserved, and hence all indispensable means must be employed. * * * War has been and continues to be an indispensable means to this end. A practical reacknowledgment of the National authority would render the War unnecessary, and it would at once cease. If, however, resistance continues, the War must also continue; and it is impossible to foresee all the incidents which may attend and all the ruin which may follow it.'

"It is truly 'impossible' to foresee all the evils resulting from a War so stupendous as the present. I shall be much rejoiced if something more dreadful than the sale of Freedom to a few Slaves in the Border States shall not result from it.

"If it closes with the Government of our Fathers secure, and Constitutional Liberty in all its purity guaranteed to the White man,

the result will be better than that having a place in the fears of many good men at present, and much better than the past history of such revolutions can justify us in expecting.

"In this period of the Nation's distress, I know of no human institution too sacred for discussion; no material interest belonging to the citizen that he should not willingly place upon the altar of his Country, if demanded by the public good.

"The man who cannot now sacrifice Party and put aside selfish considerations is more than half disloyal. Such a man does not deserve the blessings of good government. Pride of opinion, based upon Sectional jealousies, should not be permitted to control the decision of any political question. These remarks are general, but apply with peculiar force to the People of the Border States at present.

"Let us look at our condition. A desolating War is upon us. We cannot escape it if we would. If the Union Armies were to-day withdrawn from the Border States without first crushing the Rebellion in the South, no rational man can doubt for a moment that the adherents of the Union Cause in those States would soon be driven in exile from their homes by the exultant Rebels, who have so long hoped to return and take vengeance upon us.

"The People of the Border States understand very well the unfriendly and selfish spirit exercised toward them by the leaders of this Cotton-State Rebellion, beginning some time previous to its outbreak. They will not fail to remember their insolent refusal to counsel with us, and their haughty assumption of responsibility upon themselves for their misguided action.

"Our people will not soon forget that, while declaiming against Coercion, they closed their doors against the exportation of Slaves from the Border States into the South, with the avowed purpose of forcing us into Rebellion through fears of losing that species of Property. They knew very well the effect to be produced on Slavery by a Civil War, especially in those States into which hostile Armies might penetrate, and upon the soil of which the great contests for the success of Republican Government were to be decided.

"They wanted some intermediate ground for the conflict of arms-territory where the population would be divided. They knew, also, that by keeping Slavery in the Border States the mere 'friction and abrasion' to which you so appropriately allude, would keep up a constant irritation, resulting necessarily from the frequent losses to which the owners would be subjected.

"They also calculated largely, and not without reason, upon the repugnance of Non-Slaveholders in those States to a Free Negro population. In the meantime they intended persistently to charge the overthrow of Slavery to be the object of the Government, and hostility to this Institution the origin of the War. By this means the unavoidable incidents of the strife might easily be charged as the settled purposes of the Government.

"Again, it was well understood, by these men, that exemplary conduct on the part of every officer and soldier employed by the Government could not in the nature of things be expected, and the hope was entertained, upon the most reasonable grounds, that every commission of wrong and

every omission of duty would produce a new cause for excitement and a new incentive to Rebellion.

"By these means the War was to be kept in the Border States, regardless of our interests, until an exhausted Treasury should render it necessary to send the tax-gatherer among our people, to take the little that might be left them from the devastations of War.

"They then expected a clamor for Peace by us, resulting in the interference of France and England, whose operatives in the meantime would be driven to want, and whose aristocracy have ever been ready to welcome a dissolution of the American Union.

"This cunningly-devised plan for securing a Gulf-Confederacy, commanding the mouths of the great Western rivers, the Gulf of Mexico, and the Southern Atlantic ocean, with their own territory unscathed by the horrors of war, and surrounded by the Border States, half of whose population would be left in sympathy with them, for many years to come, owing to the irritations to which I have alluded, has, so far, succeeded too well.

"In Missouri they have already caused us to lose a third or more of the Slaves owned at the time of the last census. In addition to this, I can make no estimate of the vast amount of property of every character that has been destroyed by Military operations in the State. The loss from general depreciation of values, and the utter prostration of every business-interest of our people, is wholly beyond calculation.

"The experience of Missouri is but the experience of other Sections of the Country similarly situated. The question is therefore forced upon us, 'How long is this War to continue; and, if continued, as it has been, on our soil, aided by the Treason and folly of our own citizens, acting in concert with the Confederates, how long can Slavery, or, if you please, any other property-interest, survive in our States?'

"As things now are, the people of the Border-States yet divided, we cannot expect an immediate termination of the struggle, except upon condition of Southern Independence, losing thereby control of the lower Mississippi. For this, we in Missouri are not prepared, nor are we prepared to become one of the Confederate States, should the terrible calamity of Dissolution occur.

"This, I presume, the Union men of Missouri would resist to the death. And whether they should do so or not, I will not suppose for an instant, that the Government of the United States would, upon any condition, submit to the loss of territory so essential to its future commercial greatness as is the State of Missouri.

"But should all other reasons fail to prevent such a misfortune to our people of Missouri, there is one that cannot fail. The Confederates never wanted us, and would not have us. I assume, therefore, that the War will not cease, but will be continued until the Rebellion shall be overcome. It cannot and will not cease, so far as the people of Missouri are concerned, except upon condition of our remaining in the Union, and the whole West will demand the entire control of the Mississippi river to the Gulf.

"Our interest is therefore bound up with the interests of those States maintaining the Union, and especially with the great States of the West

that must be consulted in regard to the terms of any Peace that may be suggested, even by the Nations of Europe, should they at any time unfortunately depart from their former pacific policy and determine to intervene in our affairs.

"The War, then, will have to be continued until the Union shall be practically restored. In this alone consists the future safety of the Border-States themselves. A separation of the Union is ruinous to them. The preservation of the Union can only be secured by a continuation of the War. The consequences of that continuation may be judged of by the experience of the last twelve months. The people of my State are as competent to pass judgment in the premises as I am. I have every confidence in their intelligence, their honesty, and their patriotism.

"In your own language, the proposition you make 'sets up no claim of a right by Federal authority to interfere with Slavery within State limits,' referring, as it does, the absolute control of the subject in each case to the State and its people immediately interested. It is proposed as a matter of perfectly free choice with them.

"In this view of the subject I can frankly say to you that, personally, I never could appreciate the objections so frequently urged against the proposition. If I understood you properly, it was your opinion, not that Slavery should be removed in order to secure our loyalty to the Government, for every personal act of your administration precludes such an inference, but you believe that the peculiar species of Property was in imminent danger from the War in which we were engaged, and that common justice demanded remuneration for the loss of it.

"You then believe, and again express the opinion, that the peculiar nature of the contest is such that its loss is almost inevitable, and lest any pretext for a charge of injustice against the Government be given to its enemies, you propose to extend to the people of those States standing by the Union, the choice of payment for their Slaves or the responsibility of loss, should it occur, without complaint against the Government.

"Placing the matter in this light, (a mere remuneration for losses rendered inevitable by the casualties of War), the objection of a Constitutional character may be rendered much less formidable in the minds of Northern Representatives whose constituents will have to share in the payment of the money; and, so far as the Border States are concerned, this objection should be most sparingly urged, for it being a matter entirely of their 'own free choice,' in case of a desire to accept, no serious argument will likely be urged against the receipt of the money, or a fund for Colonization.

"But, aside from the power derived from the operations of war, there may be found numerous precedents in the legislation of the past, such as grants of land and money to the several States for specified objects deemed worthy by the Federal Congress. And in addition to this may be cited a deliberate opinion of Mr. Webster upon this very subject, in one of the ablest arguments of his life.

"I allude to this question of power merely in vindication of the position assumed by me in my vote for the Resolution of March last.

"In your last communication to us, you beg of us 'to commend this subject to the consideration of our States and people.' While I

entirely differ with you in the opinion expressed, that had the members from the Border States approved of your Resolution of March last 'the War would now be substantially ended,' and while I do not regard the suggestion 'as one of the most potent and swift means of ending' the War, I am yet free to say that I have the most unbounded confidence in your sincerity of purpose in calling our attention to the dangers surrounding us.

"I am satisfied that you appreciate the troubles of the Border States, and that your suggestions are intended for our good. I feel the force of your urgent appeal, and the logic of surrounding circumstances brings conviction even to an unwilling believer.

"Having said that, in my judgment, you attached too much importance to this measure as a means for suppressing the Rebellion, it is due to you that I shall explain.

"Whatever may be the status of the Border States in this respect, the War cannot be ended until the power of the Government is made manifest in the seceded States. They appealed to the sword; give them the sword. They asked for War; let them see its evils on their own soil.

"They have erected a Government, and they force obedience to its behests. This structure must be destroyed; this image, before which an unwilling People have been compelled to bow, must be broken. The authority of the Federal Government must be felt in the heart of the rebellious district. To do this, let armies be marched upon them at once, and let them feel what they have inflicted on us in the Border. Do not fear our States; we will stand by the Government in this work.

"I ought not to disguise from you or the people of my State, that personally I have fixed and unalterable opinions on the subject of your communication. Those opinions I shall communicate to the people in that spirit of frankness that should characterize the intercourse of the Representative with his constituents.

"If I were to-day the owner of the lands and Slaves of Missouri, your proposition, so far as that State is concerned, would be immediately accepted. Not a day would be lost. Aside from public considerations, which you suppose to be involved in the proposition, and which no Patriot, I agree, should disregard at present, my own personal interest would prompt favorable and immediate action.

"But having said this, it is proper that I say something more. The Representative is the servant and not the master of the People. He has no authority to bind them to any course of action, or even to indicate what they will, or will not, do when the subject is exclusively theirs and not his.

"I shall take occasion, I hope honestly, to give my views of existing troubles and impending dangers, and shall leave the rest to them, disposed, as I am, rather to trust their judgment upon the case stated than my own, and at the same time most cheerfully to acquiesce in their decision.

"For you, personally, Mr. President, I think I can pledge the kindest considerations of the people of Missouri, and I shall not hesitate to express the belief that your recommendation will be considered by them in the same spirit of kindness manifested by you in its presentation to

us, and that their decision will be such as is demanded 'by their interests, their honor, and their duty to the whole Country.'

"I am very respectfully, your obedient servant,

"J. B. HENDERSON.

"To his Excellency,
"A. LINCOLN, PRESIDENT."

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