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SPEECH

HON. JAMES R. DOOLITTLE,

Of Wisconsin,

AT

NATIONAL GUARD'S HALL,

Friday, September 28, 1866.

FELLOW CITIZENS: I am here, a thousand miles from my home, to address the men of Pennsylvania tonight. And why have I come here? Because I verily believe that upon the men of Pennsylvania there rests this day a greater responsibility than ever rested upon any men before. From your position as a great State, in the midst of these United States, whose commerce and whose influence reach North and South, and East and West, you have been most appropriately denominated the Keystone State in the arch of our Federal Republic. From your vast population, your varied interests and productions of your soil, your mines, I may appropriately say, and I may say represent, all sections of our common country, and therefore it is that "as goes Pennsylvania, so goes the Union." (Applause.)

We look to you from the far distant States of the West, with an intensity of interest which we have hardly ever felt before; and it is because we feel that the responsibility we have consented, as a citizen of a far distant State, to accept the invitation of your committee to be here tonight. (Applause.)

There is now presented for the consideration and action of the people of Pennsylvania, as well as of the people of the whole country, a question the most momentous which can be conceived, the most momentous which has ever been discussed or submitted to the American people—a question which rises above all other questions, which overshadows all others, which, like a great cloud, swallows up all other questions, and in which is involved the very existence of the political, civil, religious and constitutional liberty, and upon that question I come to speak tonight. That question I will state to you in the briefest and simplest language which it is possible for me to conceive.—Stripped of all verbiage, of all circumlocution, and reduced to a single point, that question is this: "Is Congress above the Constitution, (or No?) or is the Constitution above Congress? (Yes?)" ("Yes!")

Fellow-citizens, that is the question involved in the distinguishing The Constitution of the United States says in express terms that "every State in this Union shall be entitled to representation in the House of Representatives, and it also says that no State shall be deprived of its equal suffrage in the Senate of the United States; every each State is entitled to have two Senators; but Congress says that ten States of the Union shall have no Representatives whatever, and no Senators whatever. Now, fellow-citizens, the simple question is, whether the Constitution or the will of Congress shall be supreme; and that question is submitted to the American people for their decision.

I know that there are some who say, for the purpose of avoiding this direct issue, that these States at the South are not States in the Union, and, therefore, having ceased to be States in the Union, they have no right to representation; and in order to be logical there is no other ground which can possibly be assumed by those who oppose the restoration policy of Congress. (Laughter.)

Now, fellow-citizens, upon that direct point, first of all, I propose to confirm my position, and I propose to confirm it stand out its own mouth. (Applause.) First, that constitutional amendment, which I have proposed to be submit to the several States, and which it is assumed by many must be adopted as a condition precedent of the restoration of the States in Congress, assumes that they are States, and proposes to submit it to the Constitution of the United States. How can an amendment to the Constitution be submitted to the States of the Union, if they are not States? If there be any doubt of the Legislatures of all the States concur in the adoption of an amendment to the Constitution of the United States, it is adopted; otherwise it is not adopted and ratified. A State in its action upon the question of changing the Constitution of the United States, is performing the highest possible sovereign function. Why, fellow-citizens, when the Legislature of a State takes part in ratifying a constitutional amendment, it is legislating not for the people of that particular State, but it is legislating for the people of the other States. This higher act of legislative authority exercised by the Legislature that can possibly be exercised in an ordinary act of legislation. And yet these gentlemen tell us that the Legislatures of these States can join in changing the Constitution of the United States, and in the same breath they say that these Legislatures cannot elect a United States Senator! (Laughter.) Just think of that for one moment. How illogical, how absurd, how preposterous it is for these men to say that they are not States for the election of Senators, and then to say that they are States, and can adopt an amendment to the Constitution of the United States! Fellow-citizens, when we propose to them to come in with their Senators and members of the House of Representatives, they say that our guarantee is we must change the Constitution and put new provisions into the Constitution before we can admit them to join in. In other words, they propose to say that they will impose upon these States of the South, not that Constitution which our fathers made, and which we have sworn to support, but a new Constitution, an amended Constitution; and it shall be imposed upon them as a condition precedent to their having any rights of representation in the United States government at all.

They say, give us new guarantees. Guarantees for what? Why, first of all, that they will not rebel again, that they will not go into another rebellion. Fellow-citizens, is it possible that any man in his sober senses can believe that the people of the South can give "any paper guarantee" against the government of the United States, and in the course of that way have expended blood and treasure beyond all calculation. I suppose that ninety-nine-forth of the whole white male population of the South have perished in this conflict with the government. I suppose from the best authority which we have, that at least one-fourth of the whole colored population of the South have perished. Fellow-citizens, I have witnessed, I witnessed this terrible unleashing of society, and in the struggles of this civil war, and all the disorganization, the demoralization, the ruin and commotion. They have lost in consequence of this war the whole of their property in slaves, property which has been estimated variously at from three to four thousand millions of dollars. Their personal property has been lost in the war. Their country has been ravaged by invading armies. We, in Pennsylvania and the North-West, have paid, perhaps, scarcely of the sacrifices which have been felt and suffered at the South in consequence of this war. But all these sacrifices, by all the expenditure of this blood and treasure in a war against the government, have not been able to have completely overcome, in which the rebellion has been crushed, until they have no power to rebel again, have they not given a guarantee that they will never undertake it again?—("That's so.") Yes know that every man is likely to borrow figures and similes from his profession in which he is engaged; and a physician of my acquaintance told me that in his opinion, as he was illustrating this subject, this disease of secession was a disease of the mind, which, taken in the natural course of events, would spend itself, and utterly impossible for those who had once experienced it and gone through the disease, ever to take it again. (Laughter.) He said that he would no more desire to take a guarantee from those States of the South that they would never rebel again against the government of the United States, than he would ask for a guarantee from a man who had once had the small-pox in the natural way, would ever take the small-pox again. (Laughter.)

But, fellow-citizens, what other guarantees do these men require? They say we must make the Constitution so that the States shall not be assumed. Can any man in his sober senses think for one moment that any number of Congress from the Northern States would vote in favor of assuming the rebel debt of the South, amounting perhaps to one or two hundred millions of dollars, and to add that enormous sum of indebtedness to the already overwhelming debt of the North, upon our Federal government? Do you believe that any man can be found in any one of the twenty-six States now represented in Congress, who would give his vote in Congress in favor of assuming the rebel debt? ("No, no.") Suppose it were possible that any representative from the city of Philadelphia should vote for that, do you suppose that any man in Philadelphia (laughter and hisses) should be induced in any way to give a vote in the House of Representatives for the assumption of the rebel debt, and then that he would return to the city of Philadelphia; as much confidence as I have in the law-abiding people of Philadelphia, in this city of brotherly love, this city which was founded by the Quakers of old, I should believe at all events I should greatly fear, that the atmosphere would not be very healthy in Philadelphia for that man who should so returned. (Laughter.) If there should be a vote in Congress to put two thousand millions of rebel indebtedness on the top of the three or four thousand millions which now rests upon us, I think we would be in danger of the first impost. (Laughter.)

I do not speak of Judge Kelley with any disrespect when I say that I should not vote for that, but I only take that as an illustration. I do not believe a Republican could be found from any one of the five States who would dare to give such a vote. Now, fellow-citizens, let us suppose that these Southern States are there from these twenty-six States! I believe about one hundred and seventy-one, or one hundred and seventy-two Southern States who could be supposed ever to assume the rebel debt?—About seventy. Now, fellow-citizens, I want you to count one hundred and seventy-one? Can any man in his sober senses, by any kind of arithmetic and seventy-one? Besides, there is no danger of the seventy men coming from the southern States assuming that enormous indebtedness. The great mass of that rebel indebtedness, you will remember, if you have our history, was made in the form of bonds, is payable six months after the United States shall have acknowledged the independence of the South! I think they will not become due for some time yet. (Renewed laughter.) Besides all this, I ask, in all sober earnest, we have heard it said of some States of the South, that they often repudiate their obligations. I have heard it suppose that those States which have been slow in paying some of their indebtedness, are in danger of repudiating. I would desire to assume upon themselves a debt which is, until which is utterly worthless, which is worth not one cent? Why? To suppose that they would attempt to assume it is to assume an utter impossibility!

Fellow-citizens, this is the kind of appeal which is made to the apprehensions of the people of the North, that the country, to lead them to suppose that there is some danger somewhere, if we allow these ten States to come in on a footing of equality, and have their representation in the Senate and in the House like the other States.

Why, fellow-citizens, this asking of new guarantees by the men of the North now reminds me of what the rebel rebel when the secessionists declared that they must have new guarantees. I remember very well the last speech of Mr. Buchanan, as President of the United States, and we will not live with you in the Union, under the Constitution, unless you give us new guarantees for slavery; give us new guarantees, or we will go out of the Union. Fellow-citizens, we have the Constitution as it stands; the Constitution must be changed, or we will not consent to live in the Union. Well, I say, gentlemen, we have no disposition to trample on your rights, or to interfere with the institution of slavery in the United States. That belongs to yourselves: you are responsible for it; the United States government is not responsible for it. We have kept the institution of slavery if you determine to do so, but you must live under the Constitution as our fathers made it. (Great applause.) They said they would not, unless we would give them new guarantees. We said they must; and that was the precise issue—whether the Constitution as it stands, should be maintained in the United States, or whether it should be overthrown by the authority of the Constitution of the United States in all the States of the South. That remained to be settled. We knew, we foresaw, and what I read in the newspapers, as coming from the men who represent Pennsylvania, I know that it was coming out every where, on every platform, in every newspaper, all over the country, that we must have guarantees for our safety in the Union with those southern States. (Laughter.) Fellow-citizens, I say we will understand how a minority, living in a community of two hundred and seventy-two, can take a position of such a footing of equality with the States of the North, that they have some excuse for asking securities against a majority; but it is beyond my comprehension to understand how it is that a majority must demand any guarantees against a minority, when they are on a footing of equality under the same Constitution. (Applause.) Cannot the majority take care of themselves? You know that greater series is a Congress of Sovereignty. (Applause.) Cannot the majority overcome, in which the rebellion has been crushed, until they have no power to rebel again, have they not given a guarantee that they will never undertake it again?—("That's so.") Yes know that every man is likely to borrow figures and similes from his profession in which he is engaged; and a physician of my acquaintance told me that in his opinion, as he was illustrating this subject, this disease of secession was a disease of the mind, which, taken in the natural course of events, would spend itself, and utterly impossible for those who had once experienced it and gone through the disease, ever to take it again. (Laughter.) He said that he would no more desire to take a guarantee from those States of the South that they would never rebel again against the government of the United States, than he would ask for a guarantee from a man who had once had the small-pox in the natural way, would never take the small-pox again. (Laughter.)

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Now

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do you not see that this incradicable conflict of race will arise in any government where you undertake to put on a footing of equality two races so distinct as the black and the white, where they are anything like equal in numbers.

But again, fellow-citizens, let us see what our wisest statesmen have said most of recently arise, if you undertake to force negro suffrage upon the States of the South against the will of the people there. You remember what Mr. Jefferson says. He says that nothing in the book of fate is more clearly written than that these two races cannot live together on a footing of equality in the same government, where there is anything like equality of numbers between them. It inevitably produces a conflict, and a conflict which in the end leads to the extermination of the one or the other.

Now, my fellow-citizens, I will state to you another fact. You know that Mr. Johnson, in his conversations with persons who have called upon him, Mr. Stearns, of Massachusetts, among the number, gave it as his deliberate opinion, that if he had the government of the United States should undertake to force negro suffrage upon the Southern States, against the will of the white people, he would inevitably lead to conflict and bloodshed.—Why, here in Philadelphia, in this last Convention which was held of the representatives of the extreme radical men of the South, you know very well that Mr. Stuart, of Virginia, stated to that Convention, after the Northern part of it had withdrawn or seceded, on the subject of negro suffrage, that it would require a standing army to prevent the negroes, if you gave them the right of voting, from being shot down in the streets, and their houses burned over their heads. That was but a few weeks ago, and that was stated right in this radical or radical convention. Gentlemen talk in the air, talking the highest position in the army where they have the same thing again and again. Twenty believe that there is no general in the army, who ever won a victory, if don't mind the phrase, among rails (laughter and applause), I mean your real *bona fide* victorious generals. I doubt if one can be found, who will state as his deliberate opinion, that if the government of the United States undertakes to force negro suffrage upon these States of the South, against the will of the white people, it will produce no disturbance, no conflict, no bloodshed. Why, gentlemen, everything in that line is to be expected. Will no conflict take place if you undertake to force negro suffrage upon the people of the South? And what would follow? In such a war of races once begun? Who does not know that the white men of the South, by their superior intelligence, their superior power of endurance, their superior moral and experience, in such a conflict, would have all the advantage on their side: and that, in all human probability, should a war like that once begin, the poor, downtrodden colored people of the South would be exterminated? I tell you, fellow-citizens, that when Mr. Lincoln and Mr. Johnson and those who stand by them, plead against this rash, unwise, unstatesmanlike, fanatical attempt to force on that for which they are not yet prepared, they are pleading for the lives, and the existence of those poor, feeble people, whom I do not question the sincerity of many of these gentlemen who advocate negro suffrage as the basis of reconstruction in the South—I will not question their sincerity, because I am not in the habit of imputing wrong motives to other men—I will not question their sincerity, but I do question the wisdom, I question the humanity of such a course. (Applause.)

Fellow-citizens, I have spoken long enough. I have done. (Applause.) This constitutional amendment is utterly dead as to all hope of commending it to part its real purpose, and yet it is so drawn as to contain some provisions which are so diabolically wicked, that the South can not but feel that it is not to impose this amendment upon the people of those States. I do suppose that the people of those States will adopt it. I will state to you what I consider the disfranchising clause. In that clause it is provided that no man shall be a United States Senator, or member of Congress, or Elector of President or Vice President, he shall not even be a constable, nor a juror, nor a member of the State Legislature, nor a member of a State Convention—who has ever before held any office, State or Federal, which required him to take an oath to support the Constitution of the United States—he shall be disfranchised! It reaches all the men of the South who have ever been intrusted with the confidence of the people of the South. Can it be supposed that the people of the South will voluntarily confer the franchise and vote for a constitutional amendment which disfranchises over all these leading traders, and all the men in whom they have ever placed their public confidence? It is not in human nature to suppose that the soldiers of the South, who fought lightly but a bad cause, have bought as bravely as any soldiers on the face of the earth, will go to the ballot-box, and by their votes give the franchise their captains and their majors, and their colonels and their generals, who have led them in a hundred battles, and to suppose that the people of the South will disfranchise by their votes all the very men whom they have trusted: that they will disfranchise the least and best in the South. It is impossible! It is not in human nature. Why, fellow-citizens, I have sometimes felt ready to suppose that the men who so ably managed this rebellion, who led the people into the abominable something which the people of the South would regret, so as to furnish an excuse for adopting further legislation on of the Union. (Applause.)

I ask you, my fellow-citizens, is that the way to make peace, to undertake to disfranchise all the most able and distinguished men of all that people whom they have trusted, and make them the objects of the obscenest our eternal enemies? Is that the way to secure trust, society and to make peace? Good to Heaven! the Congress of Russia did not do that; for when he sold the affairs of Poland, he expressly declared in the treaty which settled the affairs of Poland, he expressly declared in the provisions of its provisions, that to the rebellious Poles should still be intrusted the right to hold legislative and exercise public functions according to their respective merits. Do we dream of such a thing? Is it proposed to do it? Is it in the South? England, to her great honor, upon their settlement, has never proposed that thought. I can remember that Lord Chief Justice Hale was the chief leader of the rebellion, and after the restoration, when the government restored, Chief Justice Hale became the Chief Justice of the kingdom. Are we to come to the conclusion that the people of the South are to be disfranchised, and that we are to be the only people who are to be trusted? Fellow-citizens, I tell you that the people of the South will not do that. They will not do that; for when he sold the affairs of Poland, he expressly declared in the provisions