The Nebraska Herald.

PLATTSMOUTH, NEBRASKA.

THURSDAY,.....FEB. 17 1870

ADMISSION OF VIRGINIA.

Speech of Hon J. M. Thayer,

OF NEBRASKA,

IN THE SENATE OF THE UNITED STATES,

January 17 *and* 18, 1870.

The Senate having under consideration the bill (H. R. No. 783) to admit the State of Virginia to representation in the Congress of the Uunited States—

Mr. Thayer said:

Mr. PRESIDENT: It is difficult for me to believe that the Senator from Nevada who has charge of this bill [Mr. Stewart] is anxious to bring it to a vote. He has on several occasions entreated the Senate to pass it, and then when we were about to vote on important amendments pending he has interposed a speech, and when we were coming to a vote, according to agreement, then again he has substituted the House bill and interposed another speech. By doing that he is drawing a speech from me which I should not have made.

The very tenor of the remarks of the Senator from Nevada evinced to my mind the extreme distrust which he entertains of the State of Virginia after this bill shall pass, if that is to be the decision of Congress. He wants the finishing stroke put upon the ratification of the fifteenth amendment within a week. Why have he and other Senators urged the Governor of Nebraska, who happens to be sitting in the Chamber, to convene the Legislature of that State within ten days from to-day in order that she may ratify it? Why this urgent haste? Because they fear, and almost, I would say, believe that Virginia will attempt to undo the ratification of the fifteenth amendment; that Virginia may trample under foot the laws of Congress which have been passed for the protection of the loyal people of Virginia.

The Legislature of Nebraska I can say, and I do it by authority, will be convened during the month of February, and that she will ratify the fifteenth amendment is beyond a doubt; for there is but one Democratic State Senator in the Senate and but four Democratic members in the House. That is the way we make Republican States in the West.

I need hardly recall the attention of the Senate to the fact that Nebraska applied here for admission, and that conditions were imposed upon her to the effect that there should be universal suffrage in the State of Nebraska. We did not regard it as a degradation upon that State, but accepted the condition in good faith. I do not propose to vote for the admission of Virginia upon the naked bill of the House of Representatives after having submitted to the imposition of conditions upon the State of Nebraska. How is it that the Congress of the United States, after three years more of progress, can now propose to admit this State without conditions or guarantees? Mother of States, was she!—One of the mothers of secession and treason; for the abominable monster of treason required more than one mother. She, with her record red with human blood, is now to pass through Congress without a condition and without a guarantee. Why is this? I have heard the question asked repeatedly during the progress of this debate, why is it that conditions were required of a loyal people when assuming the obligations of statehood and which are not required of a State which swung from her moorings in the Union, joined the southern confederacy, raised armies, and fought through four years to destroy the Union?

This bill has been pushed forward with most extraordinary energy, most extraordinary determination, and with most unprecedented haste. Virginia has been eight years out of the Union. Where is the extreme necessity for the haste which has been manifested in pressing forward this bill? Not a day nor an hour could be given for investigation, for examination into the facts, or an examination into the allegations which were made here by citizens of Virginia over their own signatures. I know not who they are or what they are; but the memorial came in a form which entitled it to respect and consideration. Not an hour could be given, and they, professing to be the loyal people of Virginia, were met in the Senate of the United States with contumely, denunciation, and abuse from Republican Senators. I know not what illusion may have come upon honorable Senators; whether they are at fault or whether I am at fault and those who vote with me; whether I am laboring under a delusion or are they; but I do say that these scenes are most extraordinary. We have heard denunciations in this Chamber from Senators which have created a feeling of surprise. We had been accustomed to hear such denunciations during the last three years from Senators of an opposite political faith on this floor; but during the progress of this debate those Senators have been silent; others have done their work; others have fought their battle.

Now, Mr. President, let me call your attention to another fact. More than one, two, three, four, or half a dozen, or a dozen Senators who favor the passage of the bill for the admission of Virginia have frankly confessed that they do it with extreme reluctance and extreme distrust. They frankly admit that they fear the consequences; that they fear Congress will within a twelvemonth be called upon to take action in regard to Virginia for the violation of the conditions of her admission or for the violation of the fifteenth amendment. Seeing the danger, they rush madly on; seeing the blunder, they make haste to repeat it. A vessel strikes upon a sunken rock and sinks beneath the waves; the master of another in full view puts on all steam, crowds all sail, and drives his ship upon the same sunken rock and sinks beneath the waves. Where is the prudence, the common judgement, which would influence Senators in the ordinary affairs of life, that, confessing the danger, this bill is thus pushed forward through the two Houses of Congress? Where is the statesmanship of this policy?

I read in the public prints that on the announcement of the vote in the other House on the passage of the bill admitting Virginia it was received with rapturous applause. It recalled to my mind the fact that on the passage of the ordinance of secession there was one shout of joy that went up through all Virginia at the severance of her relations with the Union. The measure may meet with the same applause in this Chamber if it is to go through; but I call to mind the fact that there are thousands and thousands of men and women in Virginia whose hearts to-day are full of the gravest apprehensions at the gloomy prospect that is before them. There are thousands and hundreds of thousands of people in the State of Virginia every sentiment of whose soul has beat in unison with love for their country since that ordinance of secession, passed until this hour, who dread the passage in its present form of the bill to restore Virginia to the Union; and yet their appeal in this Chamber is met with ridicule and derison.

I question no Senator's motives; I concede to every one the same sincerity of purpose, the same honesty of intention which I claim for myself; but I must be permitted to say that after the experience of the past eight years, after the experience of the last three years in the work of reconstruction, I have been amazed at what has transpired in Congress during the last week, and I am amazed at the exceeding hot haste with which Senators have attempted to crowd this measure through Congress.

There is another feature of this debate to which I desire to call attention and which has been exceedingly interesting to me. I have remarked that a portion of the members of this body, those who belong to the opposite political faith, have remained entirely silent. I could not but notice the satisfaction which seemed to settle upon their countenances as this debate progressed. They seem to be as serene and composed as a summer's morning; or, to be still more poetic, as calm and unruffled as the waters of a moon-lit lake. There has been nothing except an incidental allusion to the record of the Democratic party to call forth the impetuous eloquence of my honorable friend from Delaware, [Mr. Saulsbury;] nothing to invite constitutional dissertations from my honorable friend from Kentucky, [Mr. Davis;] nothing to invite a speech from any Democratic Senator till to-day.

I wish to call attention to the fact, within the remembrance of every Senator, that from the day when the first reconstruction bill passed Congress down to the first day of January, 1870, whenever a measure came up touching reconstruction in the southern States this Chamber has rung with the denunciations of Democratic Senators against the usurpations and the violations of the Constitution which the Republican party were perpetrating. They have argued from first to last that no State was ever out of the Union when she had once been in; and in every Democratic convention, from the national convention down to a county convention, in all the States it has been set forth that no State was ever out of the Union. What do we see to-day?—This same Democratic party voting a State into the Union which has never been out. My honorable friends from Kentucky, from Delaware, from California, and from Ohio, and others are now all committed to the admission of a State into the Union which according to their own declarations from year to year has never been out of the Union. Mr. President, the world moves. The Democratic party have come up to the doctrine of reconstruction and have indorsed it. They are now committed to the provisions of our reconstruction laws, for they are voting unitedly in favor of the admission of Virginia. I congratulate them—

Mr. Saulsbury. Will the Senator allow me to ask him a question?

Mr. Thayer. Yes, sir.

Mr. Saulsbury. Does the Senator understand the bill now before the body as admitting Virginia into the Union or simply declaring that Virginia is entitled to representation in Congress?

Mr. Thayer. Has she been entitled to it before?

Mr. Saulsbury. I asked you a question.

Mr. Thayer. I understand very well the purport of the bill which is now under discussion. It is restoring Virginia to representation in the Union. Now, I ask my friend from Delaware if she has never been deprived of it?

Mr. Saulsbury. Never at any time that she chose to avail herself of it.

Mr. Thayer. The honorable Senator admits the correctness of my position.—He is now voting a State to be entitled to representation of which she has been deprived.

Mr. Saulsbury. No; I say she never has been deprived unless she chose voluntarily to deny herself the privilege; she always had the right.

Mr. Thayer. The Senator from Delaware, then, claims that Virginia has been entitled to representation from the time she seceded until now; that she was entitled to vote for presidential electors in 1864, according to his own reasoning, though waging a flagrant war against the Government. He must take one conclusion or the other. If he is now voting her to be entitled to representation, then she has been deprived of it; if he is now voting her back into the Union, then she has been out of the Union.

The honorable Senator from Delaware [Mr. Saulsbury] thought proper to present a vindication, as did also the honorable Senator from California, [Mr. Casserly,] of the record of the Democratic party. I have heard before during this session similar references to the Democratic party. I have noticed the taunt thrown out before to-day during this session that the Republican party were responsible for the debt which accrued in the suppression of the rebellion. Senators may yet come to claim that the Democratic party was the party which suppressed the rebellion, and that the Republican party was the party which inaugurated treason. It is said that history repeats itself. According to what is transpiring to-day it would seem as if history was reversing itself.

Sir, let me call attention—and I shall occupy but a few moments of the time of the Senate on this point—to the record of the Democratic party. Let me ask the honorable Senator from Delaware what party had possession of the Government for thirty years prior to the inauguration of the rebellion? It was the Democratic party. That party had directed and shaped the policy of the country, and was in possession of the Government when the war commenced. It had possesion of the executive, legislative and judicial departments of the Government. It was under the policy of the Democratic party that the war commenced. It was by the teachings and the doctrines of the Democratic party that the South were taught to rebel. It was the Democratic party which broke faith with the nation in repealing the Missouri compromise which had been a sacred compact for thirty years between slavery and freedom. That great compact, which consecrated forever to human freedom all the territory north of the line of 36° 30′, the Democratic party violated or set aside at the demand of the slave-masters of the South in order to force slavery on the free soil of Kansas. Such is the record of history.

It was by a series of aggressions and outrages on the part of the Democratic party that the Republican party was called into being, founded on the great principles that all the territory of the United States was free and that slavery was only a local institution. It was by the teachings and by the doctrines that were proclaimed by the leaders of the Democratic party that the war came. What Republican ever raised his hand against the flag of his country? What Republican who voted for Mr. Lincoln ever aided in planning treason and rebellion? Who did it but the leaders of the Democratic party in this Chamber and in the other Hall, who sat in their seats making laws for the United States during the day and then met in secret conclave all through the winter of 1860–61 hatching treason? Tell me not that the Republican party brought on the war and are responsible for the national debt.

Sir, when the war came, had the Democratic party of the North been true to the Government, it would not have lasted six months. Having taught the South to rebel, as the northern Democracy did, by telling the South that they would stand by and sustain them, when the war went on it was by the aid and encouragement given by the northern Democracy to the South that prolonged the war year after year. I make not this accusation against all the Democratic party. That there were loyal men in it, I gladly admit; but I speak of it as an organization. It was disloyal from the beginning to the end of the war. When that convention met in the city of Chicago and declared the war a failure, and demanded a cessation of hostilities in order that peace might be made with the rebels in arms, that resolution was equal to an additional one hundred thousand men, fresh recruits, to the rebel lines, and a corresponding draft was made upon the industry and the bone and the sinew, and the life of the North to carry on the struggle thus made the more desperate by the aid thus given to the rebels by their allies of the North. The soldier of the Union never went into battle without feeling conscious that he was fighting two armies, the rebels in the front and the northern Democracy in the rear.

Sir, it is not pleasant to review these facts of history. I should not have done it but for the declarations made by the honorable Senators from Delaware and California that we have brought upon the country the war, and that we created this immense debt. Sir, it was a Democratic rebellion, and this is a Democratic debt, the legitimate offspring of Democratic rule and Democratic teaching, and as such history will write down as facts, in my judgment, because they cannot be denied.

Now, in reference to the bill before the Senate let me remark that I am not prepared to vote for the admission of Virginia with her present surroundings and in her present condition, because I have not confidence that she will be true to the amendments of the Constitution of the United States which she has ratified, and because I am compelled to believe by concurrent testimony that there will not be protection for the loyal people of Virginia. Therefore I prefer if I err to err on the safe side, to hold her back until we do have sufficient guarantees—guarantees which shall not be patchwork, which shall not be like heaps of sand, to be blown to the winds. I want those guarantees under which all the people of Virginia, Democrats and Republicans, white and black, who obey the laws shall enjoy the equal protection of the laws. When I am satisfied that such condition of things exists in Virginia then I am ready to vote for her admission, but not until then.

The honorable Senator from Nevada [Mr. Nye], who has always been so true to the cause of reconstruction and to the cause of freedom, made some remarks the other day which fell upon my ears causing sincere regret on my part. I regretted to find the shaft of his severe sarcasm turned against those who thought it proper to send here a respectful remonstrance against the admission of Virginia. I regretted to hear him say that Virginia, oppressed Virginia, long-suffering Virginia, her very locks wet with the dews of the night—

Mr. Stewart. I never could have said any pretty things of that sort. [Laughter.]

Mr. Thayer. I am aware of that. My friend from Nevada is not so poetical as his colleague. He must not think that he gives utterance to all the pretty things that come from the State of Nevada. [Laughter.]

He [Mr. Nye] described with affecting pathos the hardships inflicted upon this long-suffering, patiently-waiting State of Virginia! She has waited till her very locks are wet with the dews of night!

Sir, let me say to that honorable Senator whose impulses and whose intentions are so just that there are people in Virginia to-day who are tired of waiting, waiting, waiting for that protection which this great Government of the United States has vouchsafed to every citizen who respects its authority and obeys its commands. They have waited in vain, and they wait to-day for those guarantees and for those assurances of equal protection which he and I enjoy; and in my opinion if this bill passes they will wait in vain, and you will see hundreds and thousands of them leaving Virginia, as I have seen some within the last three months, and seeking homes in Indiana and Illinois, and seeking that protection of the law which they cannot find in Virginia.

The Senator from Nevada also remarked that he was tired of this work of reconstruction. I am not tired of the work of reconstruction, but I am tired of being beaten in the work of reconstruction by those who could not beat us in the field Sir, we have struggled with the rebellion from the very day Andrew Johnson betrayed his party and his country; we have been struggling with rebellion in trying to carry out reconstruction during the last three years, and we are struggling with it to-day in some of the late insurgent States.

Senators have told us that we must not judge Virginia by Georgia and Tennessee. I say it is proper and reasonable to judge of Virginia by what has taken place in Georgia and Tennessee. It is proper for us to avail ourselves of all the lights of experience, of all the facts in the late insurgent States which bear upon the question. If Georgia has trampled the fourteenth amendment under foot it is but reasonable to infer that the same elements may accomplish the same results in other States.

Mr. President, I embarked in this work of reconstruction with the determination to make it sure and permanent. It was the declared will of the American people speaking at the ballot-box and through Congress, that the reconstruction laws should be executed for the salvation of the nation and for the guarantee of equal rights and the maintenance of peace throughout the revolted States. For one I propose not to yield until the battle is fully fought and the victory fully won. For one I propose to fight it out on this line if it takes all summer and all winter, and each succeeding summer and winter till the Union is completely triumphant and the rebellion completely conquered.

Mr. Thayer. Mr. President, I shall not occupy much of the time of the Senate this morning; in fact I had nearly concluded the remarks I intended to make yesterday, when my friend from Minnesota, [Mr. Ramsey,] desired me to yield the floor for a motion to adjourn. The hour being so late, and recollecting that Senator had with great uniformity voted against all motions to adjourn, I felt bound to oblige him. [Laughter.]

On Friday last an understanding was entered into by which it was agreed that a vote on the Senate Judiciary bill for the admission of Virginia should be reached yesterday at 4 o'clock. All assented to that arrangement, and supposed from the extraordinary haste with which the bill was being pressed, and the zeal which had been manifested by its friends and the anxiety which they have shown for an early vote, that we should have reached it yesterday. To our surprise, however, a motion was interposed to lay that bill aside and substitute the House bill, and the spectacle was presented of my friend from Nevada, representing the Judiciary Committee and having this bill in charge, throwing aside his own offspring and adopting that of another. I can inform him that this child of his adoption is launched upon a stormy sea and has the prospect of a rough passage.

Why the bill of the Senate, which had been under discussion for a week, and for a vote on which a time had been agreed upon, should be thus summarily thrust aside, I can only divine. An amendment had been made to it which, in the judgment of some who are anxious to have some security from Virginia, might accomplish the purpose which they had in view. But, sir, that is trampled under foot for fear it might prevail, and the bill of the House, naked and simple, is pressed upon the Senate. I would suggest to those who are anxious thus to bring Virginia back without conditions and without guarantees to cast that bill aside and to introduce another which shall declare that whereas the Congress of the United States has been guilty of oppression and wrong and outrage upon the State of Virginia, the grand old mother of States and of Presidents, the noble Old Dominion, the school wherein were taught for so many long years the sacred doctrines of the sublime resolutions of 1798, and beneath whose soil sleep the bones of so many of our heroic dead who perished in saving the Government which Virginia was attempting to destroy, therefore we invite her to favor us with the light of her restored wisdom and to send up her Senators and Representatives, promising that they shall be admitted at once and to the chiefest places in both Houses of Congress, and declare to her that we express our heartfelt regret for the treatment which she has received at our hands! In that way you will reach more directly the end to which, it seems to me, you are now tending by the legislation which is pressed upon Congress.

Sir, less than twenty days ago Congress enacted a law remanding Georgia to her former provisional condition.—Why? Because the members of the Legislature of Georgia had refused to take the oath prescribed by the reconstruction laws, and because a portion of the members of that Legislature were disqualified from holding office under the third section of the fourteenth amendment to the Constitution of the United States; and further, because a portion of the members legally elected were ousted and their places filled by those illegally elected. To-day you are forcing Virginia into the Union, and you refuse to prescribe the same condition to her which you prescribed to Georgia. Why this difference? Does Virginia present herself with a purer record than Georgia? Has she any more claims to admission than Georgia? If Georgia had her Andersonville, Virginia had her Belle Isle and Libby. If the voice of oppressed loyal people in Georgia came to the Halls of Congress demanding that protection which you have guaranteed to all who obey the law the same voice has come up from the plains, the valleys, and the mountains of Virginia, demanding the interposition of Federal power to give to her loyal people that same protection of Government and of law. With one hand we remanded Georgia to military power for violated conditions; with the other you restore Virginia without conditions! Honorable gentlemen may have an explanation, but of its wisdom the future will determine.

It will be recollected that in the act which was passed declaring certain of the lately insurgent States restored to the Union certain conditions were prescribed. I refer to the act of June 25, 1868, wherein it is expressly declared as follows:

"That each of the States of North Carolina, South Carolina, Georgia, Louisiana, Alabama, Arkansas and Florida shall be entitled and admitted to representation in Congress as a State in the Union when the Legislature of said State shall have duly ratified the amendment to the Constitution of the United States proposed by the Thirty-Ninth Congress and known as article fourteen, upon the following fundamental condition: that the constitution of neither of said States shall ever be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote in said State who are entitled to vote by the constitution thereof herein recognized, except as a punishment for crime," &c.

The Congress of the United States expressly declared that the Legislatures of those States should ratify and agree and pledge their sacred honor to that fundamental condition, that the right of suffrage should never be abridged or taken away from any portion of their citizens who were entitled to vote except for crime. Why, I ask the senator from Nevada and those who are acting with him, do you refuse now, two years later, to apply the same condition and require the same pledge from the State of Virginia? What has she done to entitle her to this immunity? What will be the inference to be drawn by Virginia on the refusal of Congress to require this same pledge? It must inevitably be that she may do with impunity that which you required Georgia to pledge herself she would not do, because you do not require the same pledge from Virginia; and, judging by the past, we may have abundant reason for believing that she will make use of the privilege that we thus give to her.

Now, Mr. President, let me refer to the statement which has been repeatedly made in this Chamber that we have committed ourselves to the reception of Virginia back into the Union by our previous legislation. That statement or charge has been iterated and reiterated again and again, and yet not a Senator has pointed to one single line in these acts of reconstruction which committed us to the admission or the restoration of Virginia when she might apply. Section six of the act of March 2, 1867, provides—

"That until the people of the said rebel States shall be by law admitted to representation in the Congress of the United States any civil governments which may exist therein shall be deemed provisional only, and in all respects subject to the paramount authority of the United States at any time to abolish, modify, control, or supersede the same."

The act of April 10, 1869, has this further provision on this subject in reference to Virginia, Mississippi, and Texas:

"*And be it further enacted*, That the proceedings in any of said States shall not be deemed final or operate as a complete restoration thereof until their action respectively shall be approved by Congress."

Can language be any plainer than that? I challenge my friend from Nevada or any other Senator who has made this statement to show one line or one word in these acts which binds us to the unconditional restoration of Virginia. On the contrary, the section which I have just read expressly admits and places it in the power of Congress to review and revise the action of Virginia, and we are not in any particular committed to receive her on her application. So much for the charge of violated pledges and violated faith.

But, sir, in admitting Virginia to-day there is a violated pledge and violated faith. We have solemnly promised to the faithful people of Virginia that they shall have the equal protection of the law and the blessings of good government. I appeal to every Republican Senator in this presence to-day if he is sure he is making that pledge good to that oppressed people? No, sir; the declarations of too many of those who avow themselves in favor of the passage of the bill show what universal distrust there is in regard to this legislation; and yet we are urged to put it right through without let or hindrance. We are urged to turn the true people of Virginia over to the rule of those who still love treason and hate the Union.

Mr. President, you and I and all others holding positions of honor and trust under the authority and Government of the United States are required to subscribe to a certain oath, sometimes called the iron-clad oath, the oath of 1862. The Legislature of Virginia met in a provisional capacity. Could its members be required to take an oath less binding and less restrictive than we? They met as members of the Legislature of Virginia under the authority of the laws of Congress as a provisional body. How can they escape taking that oath which is required of all who hold office under the authority of the Government of the United States? There is statutory authority for the position which I am presenting, for the concluding portion of section six of the act of March 2, 1867, an act to provide for the more efficient government of the rebel States, is as follows:

"And no person shall be eligible to any office under such provisional governments who would be disqualified from holding office under the provisions of the third section of said constitutional amendment."

If that oath is not applied to the members of the Virginia Legislature, how, pray, are you to ascertain whether they are disqualified under the third section of the fourteenth amendment? Sir, it was the spirit and intent, expressed and implied, running all through the reconstruction enactments, that the oath should be required, which would purge the Legislature of those who are disqualified. How does Congress know whether there are or are not members in that Legislature who are disqualified by the provision to which I have referred? Did Congress intend to perpetrate the farce of passing a constitutional amendment which should disqualify certain persons for reasons therein set forth, and yet permit those same persons to become members of the very Legislature which were to ratify or reject that constitutional amendment?—Did you intend to perpetrate the inconsistency? Did you intend to place it in the power of those who have been warring upon the Government, and would be disqualified under the proposed amendment to have the power to reject that very amendment which Congress and the country had declared to be necessary to guard against future rebellion and as a guarantee for future peace?—The very statement of the case shows the inconsistency of the course. Sir, it was but just and right at least that they should be required to take the same oath which all others are required to take who enter upon offices of honor or trust under the Government of the United States.

Mr. President, if any measures have ever received the sanction and approval of the American people the reconstruction measures have received that sanction and approval. They were submitted to the people in the canvass of 1868, and after a canvass unsurpassed for exhaustlessness of argument and thoroughness of discussion these measures did receive the sanction and approval of the American people; and if there is one principle running through those measures which received their sanction more than another it is that one which guarantees to all the people of the Union who are law-obedient and law-abiding equality of justice, equality of law; it is that one which recognizes citizenship in those once enslaved and guarantees to them the nation's protection. And if there is one course which they will approve above another on the part of their national legislators it is that one which those shall follow out to the end who are determined to see the provisions of the reconstruction laws finally triumphant in all the States of the South.

We have gone through struggles in the field and struggles in the civil departments of the Government; we are struggling to-day with the rebellion, not in the field but in another form, and the question is not yet settled which is triumphant. I propose to follow out the course which I have indicated and vote against the admission of Virginia, because we have not, in my judgment, the proper guarantees for present and future security.

Do you ask whence comes the power to secure these guarantees? I answer, the power is inherent in the Government itself to preserve its existence, to maintain its own authority, to execute its provisions. It not expressed, it is there—is self-evident, is self-existing. It is the God given right of self-preservation which is in all Governments. The power exists within this Government to preserve itself; if not expressed it is implied. It is there. The right to exist implies the power to preserve. The end to be attained implies the right to do that which is necessary to attain it. It is lawful to execute all the provisions of the Constitution to save the Government; it is the sovereignty of government; and if it is not set forth in statutory or constitutional form it exists in this higher ground, that there is power within the Government to secure its own self-protection and self-perpetuation, which is to the Government as the right of self-defense to the individual. England has no written constitution, but she has a strong Government. This principle lies at the foundation of all government, the right to preserve its own existence, and in the absence of it all governments must fail. It is the common law of government. That Government which cannot sustain itself is a failure.—That Government which cannot protect the rights of its citizens is a mockery.

If the State fails to do this, then the United States must enable her to do it, if the failure results from want of power, or compel her if it is a voluntary failure, for the United States are sovereign and the State but a constituent part. In the absence of this principle the Government of the Union falls. But we are not left to inferential grants of powers. Section eight of the first article of the Constitution of the United States declares that—

"The Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by the Constitution in the Government of the United States, or any Department or officer thereof."

The foregoing powers and all other powers vested in the government must be executed in order to form a perfect union in Virginia; in order to establish justice in Virginia; in order to insure domestic tranquility in Virginia; in order to provide for the common defence in Virginia; in order to promote the general welfare in Virginia; in order to secure the blessing of liberty to the people of Virginia, and to their posterity forever.

If Virginia has not secured these objects for her people then the powers necessary to secure them must be executed and Congress must make the law requisite for their execution. The day of State rights dogmas has come to an end. There is a national government, a central government, to which States must yield the supremacy. I claim for the government the exercise of this power in the case of a State which has not rebelled.—How much stronger and more substantial is the claim for its exercise in the case of a State which has severed its relations with the Union and destroyed all civil government.

But there is further authority in the Constitution for this intervention, this interposition of Federal power. Section four, article four, declares that—

"The United States shall guarantee to every State in this Union a republican form of government."

There can be no dispute on this proposition namely, that congress is the power to execute this trust, this guarantee; and it is equally clear that Congress must determine the mode and manner of its execution, what is to be done, how it is to be done, and when it is to be done. It may be by legislation and it may be by refusing representation. It is of course left to Congress to determine what is a republican form of government; that being determined, its duty is binding to see that such a government is enforced in all the States. Under this constitutional trust the obligation rests upon Congress to make sure that such a government is established in Virginia. A failure to accomplish this result is a failure of the war for the Union. We are charged with high and responsible trusts; we must see that they are faithfully executed. No clamor for immediate admission should shut our eyes to the danger of such admission. It is the command of the American people that the reconstruction laws should be completely and effectually executed to secure the rights and the liberties of all citizens of the Republic. Let reconstruction be radical, sure, complete, perpetual; then the war for the Union will indeed be triumphant.

Mr. President, I harbor no bitterness toward the people of Virginia or the people of the South who have been in rebellion. I am actuated by no vindictive feeling toward them. I only ask for equal laws and equal justice and equal protection. We have shown to the people of the south that we are ready to take them by the hand when they meet us with a corresponding spirit; when they evince a disposition to carry out the reconstruction acts and sustain them in good faith we would receive them with generous hearts and forget the past.—But until I can see that spirit in the people of Virginia I shall withhold my vote for her admission.

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I am Agent for the best Musical Instrument made. Persons wishing to buy Pianos, Cabinet, Metropolitan or Porfable Organs, or Melodeons can purchase through my Agency on as liberal terms as they can from the manufacturers themselves. Al Instruments fully warranted.
apr1tf. J. N. WISE.

PLOWS! PLOWS!

C. E. FORGY

Manufacturer of all kinds of

Farming Implements.

Such as the celebrated Rod Breaking Plows, Mould Board Breakers, Stirring Plows, Single and Double Shovels, Cultivators and Harrows. Repairing done on short notice. All work warranted.

Having had much experience in the business, I feel assured that I can give general satisfaction. Please give me a call before purchasing elsewhere. C. E. FORGY.

Plattsmouth, Neb., May 6, 1867.

N. J. BOND, C. W. ROSAN, J. H. D. ROSAN

N. J. BOND & CO.,

COMMISSION MERCHANTS,

AND WHOLESALE DEALERS IN

Flour, Grain Provisions, and Canned Goods,

HIDES, WOOL, etc.,

Corner Pearl and Court Streets,
Council Bluff, Iowa
—AND—
Cor Main and Second Sts.,
PLATTSMOUTH, NEB

REFERENCES.—First National Bank, Council Bluffs; Officer & Pusey, Bankers, Council Bluffs; First National Bank, Omaha; Omaha National Bank, Omaha; Rogers & Co., Cheyenne; Boughton & Barthelow, Bryan; Gilbert & Field, Chicago. Barthelow, Lewis & Co., St. Louis, Mo. july15tf.

J. M. HINCHMAN & CO.,

(Successors to J. M. Hinchman.)

Druggists & Apothecaries.

—DEALERS IN—

Drugs and Medicines,

PAINTS, OILS, DYES, NOTIONS,

Toilet Goods

PERFUMERY, FANCY SOAPS,

PURE WINES AND LIQUORS

For Mechanical and Medicinal purposes.

Keep constantly on hand a full and well assorted stock of

PATENT MEDICINES.

Physicians' prescriptions carefully compounded by an experienced Druggist. None but the purest medicines used. All goods warranted as represented. Call and see.

Main Street, South Side.

TERMS CASH.

THE

MISSOURI VALLEY

LIFE

INSURANCE COMPANY.

CAPITAL, - - - - $500,000.00

GENERAL OFFICE:

No. 70 DELAWARE STREET, LEAVENWORTH, KANSAS

BRANCH OFFICES:

St. Louis, Mo.,
Chicago, Ill.,
Memphis, Tenn.,
Indianapolis, Ind.,
San Francisco, Cal.

ALL POLICIES NON-FORFEITING.

Dividends on the Contribution Plan,

Securing the Greatest Pecuniary Advantage to the Policy Holders.

REASONS FOR INSURING IN THIS COMPANY:

1st. This is a Western Company, managed by Western men, whose known finananecial character, ability and position, afford ample guaranty for its careful and successful management.
2d. Its Polices are all **non-forfeiting.**
3d. Premium all **cash.** It receives no notes and gives none. Policy holders have no interest to pay, and no outstanding notes as liens upon their policies.
4th. Dividends and losses are paid in cash.
5th. It insures at lower rates than any Eastern company.
6th. Its risks are in the West, where the rate of mortality is lower and the rate of interest higher than in the East; hence the accumulation of dividends to the policy holder is greater than in any Eastern Company.
7th. It has no restriction upon travel.
8th. Its dividends are made upon the contribution plan.
9th. Its business is exclusively life insurance.

DIVIDENDS

Are the accumulations of interest upon premiums paid, hence the Company that loans its assets at the highest rate of interest can give you the largest dividends. Eastern companies invest their moneys at 6 per cent., while this makes its investments at twelve per cent. or more.

The advantage of Western investments to the policy holder appears in the following startling figures: The amount of $1,000, invested for fifty years at

6	per cent.	compound	interest, is	$ 18,420.14
8	"	"	" "	46,901.61
	"	"	" "	117,390.85
12	"	"	" "	318,068.06

OFFICERS:

H. D. Mackay, President,
E. Henseley, Vice-President,
Geo. A. Moore, Secretary,
E. W. Eaves, Treasurer,
D. M. Swan, General Agent.
J. L. Wever, M. D., Consulting Physician.

EXECUTIVE COMMITTEE:

H. D. Mackay, George R. Hines, E. Henseley, H. Edgerton, D. W. Eaves.

This Company Insures at lower rates than any Eastern Company.

AUDITOR OF STATE OFFICE,
TOPEKA, KANSAS, February 26th, 1869.

KNOW ALL MEN BY THESE PRESENCE: That I, A. THOMAN, Auditor of the State of Kansas, do hereby certify that the

Missouri Valley Life Insurance Company,

organized and doing business under the laws of the State of Kansas and Missouri, has furnished the undersighed satisfactory evidence that it has invested One Hundred and Fifty Thousand Dollars of its capital in United States Government Bonds, of the denomination of Five-Twenties (b-20) and are possessed of the same. And I do further certify that said Company has set apart One Hundred Thousand Dollars of said United States Bonds for the benefit of ALL POLICY HOLDERS of said Company; and that I hold in trust and on deposit for the benefit of said policy holders the security above mentioned, and I am satisfied that such securities are worth One Hundred Thousand Dollars lawful money of the United States of America.

In witness where I have hereunto subscribed my name, and caused the seal of my office to be affixed, the day and year above written.

{Seal of Auditor of State.} A. THOMAN, Auditor of State of Kansas.

CERTIFICATE OF AUTHORITY TO DO BUSINESS.

OFFICE OF SUPERINTENDENT OF THE INSURANCE DEPARTMENT OF MISSOURI.

IT IS HEREBY CERTIFIED, That the Missouri Valley Life Insurance Company, a Life Assurance Company, organized under the laws of the State of the State of Kansas, and its principal office located at the city of Leavenworth, has complied with the requirements of the thirtieth, thirty-first, thirty-second, thirty-third and thirty-fourth sections of an Act of the General Assembly of the State of Missouri, entitled "An act for the incorporation and regulation of Life Assurance Companies," approved March 10th, A. D. 1869, so far as the said requirements are applicable thereto. And pursuant to the thirty-sixth section of said Act, the said Missouri Valley Life Insurance Company is hereby authorized to do business as a Life Assurance Company within the said State of Missouri, subject to the several provisions and requirements of the Act aforesaid, until the first day of February, in the year of our Lord eighteen hundred and seventy.

In testimony whereof, I, WYLLYS KING, undersigned, Superintendent of the Insurance Department of State of Missouri, have hereto set my hand and affixed {Seal of Insurance Department of State of Missouri.} my seal of office, at the city of St. Louis, Missouri, this 29th day of July, A. D. 1869. (Signed), WYLLYS KING,
Superintendent of the Insurance Department of the State of Missouri.

CERTIFICATE OF AUTHORITY.

(To expire on the 31st day of January, 1870.)

INSURANCE DEPARTMENT, OFFICE OF STATE AUDITOR,
LINCOLN, Nebraska, April 1, 1869.

WHEREAS, Abram B. Covalt, State Agent for the Missouri Valley Life Insurance Company, located at Leavenworth, Kansas, has filed in this office a copy of the Act of Incorporation of said Company, and a statement under oath, showing its condition, as required by the fifth section of a law of the State of Nebraska, entitled "An Act in Relation to Insurance Companies," approved February 15th, 1864; approved February 12th, 1866; and whereas, said Company has furnished the undersigned satisfactory evidence that it is possessed of

Five Hundred Thousand Dollars

of actual capital, invested in the stocks of at least par value, or in bonds or mortgages on real estate worth double the amount for which the same is mortgaged; and whereas, said Company has filed in this office a written instrument, under the seal of the Company, signed by the President and Secretary thereof, authorizing the said Abram B. Covalt to acknowledge service of process for and in behalf of said Company, consenting that service of process upon him shall be taken and held to be as valid as if served upon the Company, according to the laws of this State or any other State, and waiving all claims of error by reason of such service; and whereas, Abram B. Covalt has furnished satisfactory evidence that he is the authorized Agent of said Company.

Therefore be it known by these presents, that in pursuance of the aforesaid Act, I, John Gillespie, Auditor of the State of Nebraska, do hereby certify that Abram B. Covalt, Esq., has full authority to act as State Agent for the said Missouri Valley Life Insurance Company, in the State of Nebraska, and to do and perform all acts for and in behalf of said Company authorized by his appointment as such agent, and by the laws of this State, until the 31st day of January, A. D. 1870.

In witness whereof, I have subscribed my company, and caused to be affixed the seal of the Auditor's office to be affixed this 1st day of April, A. D. 1869. JOHN GILLESPIE, State Auditor.

[L. S.]

GOOD TRAVELING SOLICITORS WANTED.

A. B. COVALT,

State Agent for Nebraska and Northern Kansas.

J. W. MARSHALL, Agent,
R. R. LIVINGSTON, Med. Examiner, } *PLATTSMOUTH.*