PRESIDENT'S MESSAGE

Vetoing the Bill entitled "An Act to Provide for the More Efficient Government of the Rebel States."

To the House of Representatives:

I have examined the bill "to provide for the more efficient government of the rebel States" with the care and anxiety which its transcendent importance is calculated to awaken. I am unable to give it my assent for reasons so grave, that I hope a statement of them may have some influence on the minds of the patriotic and enlightened men with whom the decision must ultimately rest

The bill places all the people of the ten States therein named under the absolute domination of military rulers; and the preamble undertakes to give the reasons upon which the measure is based, and the ground upon which it is justified. It declares that there exists in those States no legal governments, and no adequate protection for life or property, and asserts the necessity of enforcing peace and good order within their limits. Is this true as matter of fact?

It is not denied that the States in question have each of them an actual government, with all the powers, executive, judicial and legislative, which properly belong to a free State. They are organized like other States of the Union, and, like them, they make, administer and execute the laws which concern their domestic affairs. An existing de facto government, exercising such functions as these, is it self the law of the State upon all matters within its jurisdiction. To pronounce the supreme law-making power of an established State illegal, is to say that law itself is unlawful.

The provisions which these Governments have made for the preservation of order, the suppression of crime, and the redress of private injuries, are in substance and principle the same as those that prevail in the Northern States and in other civilized countries. They certainly have not succeeded in preventing the commission of all crime, nor has this been accomplished anywhere in the world. There, as well as elsewhere, offenders sometimes escape for want of vigorous prosecution, and occasionally, perhaps, by the inefficiency of courts or the prejudice of jurors. It is undoubtedly true that these evils have been much increased and aggravated, North and South, by the demoralizing influences of civil war, and the rancorous passions which the contest has engendered. But that these people are maintaining local Governments for themselves which habitually defeat the object of all government and render their own lives and property insecure, is in itself utterly improbable, and the avertment of the bill to that effect is not supported by any evidence which has come to my knowledge. All the information I have on the subject convinces me that the masses of the Southern people and those who control their public acts, while they entertain diverse opinions on questions of Federal policy, are completely united in the effort to re-organize their society on the basis of peace, and to restore their mutual prosperity as rapidly and as completely as their circumstances will

The bill, however, would seem to show upon its face that the establishment of peace and good order is not its real object. The fifth section declares that the preceding sections shall cease to operate in any State when certain events shall have happened. These events are -First, the selection of delegates to a State Convention by an election at which negroes shall be allowed to vote. Second, the formation of a State Constitution by the Convention so chosen. Third, the insertion into the State Constitution of a provision which will secure the right of voting at all elections to negroes, and to such white men as may not be disfranchised for rebellion or felony. Fourth, the submission of the Constitution for ratification to negroes and white men not disfranchised, and its actual ratification by their vote. Fifth, the submission of the State Constitution to Congress for examination and approval, and the actual approval of it by that body. Sixth, the adoption of a certain amendment to the Federal Constitution by a vote of the Legislature elected under the new Constitution. Seventh, the adoption of said amendment by a sufficient number of other States to make it a part of the Constitution of the United States. All these conditions must be fulfilled before the people of any of these States can be relieved from the bondage of military domination; but when they are fulfilled, then immediately the pains and penalties of the bill are to cease, no matter whether there be peace and order or not, and without any reference to the security of life or property. The excuse given for the bill in the preamble is admitted by the bill itself not to be real. The military rule which it establishes is plainly to be used-not for any purpose of order or for the prevention of crime, but solely as a means of coercing the people into the adoption of principles and measures, to which it is known that they are opposed, and upon which they have an undeniable right to exercise their

I submit to Congress whether this measure is not, in its whole character, scope and object. without precedent and without authority, in palpable conflict with the plainest provisions of the Constitution, and utterly destructive of those great principles of liberty and humanity for which our ancestors on both sides of the Atlantic have shed so much blood and expended

nto five districts. For each district an officer General, is to be appointed to rule over the people; and he is to be supported with an efficient public peace or criminals." The power thus for their servility. given to the commanding officer over all the people of each district is that of an absolute monarch. His mere will is to take the place of all law. The law of the States is now the only rule applicable to the subjects placed under his control, and that is completely displaced by the clause which declares all interference of State authority to be null and void. He alone is permitted to determine what are rights of persons or property, and he may protect them in such way as in his discretion may seem proper. It

indeed no provision by which he is authorized to be guilty. He is not bound to keep any record, or make any report of his proceedings. He may arrest his victims wherever he finds them without warrant, accusation or proof of probable cause. If he gives them a trial before grace and mercy, not because he is commanded

so to do. To a casual reader of the bill, it might seem that some kind of trial was secured by it to persons accused of crime; but such is not the case. The officer "may allow local civil tribunals to try offenders," but of course this does not require that he shall do so. If any State or Federal Court presumes to exercise its legal jurisdiction by the trial of a malefactor without his malefactors. He can save his friends from justice, and despoil his enemies contrary to justice.

It is also provided that "he shall have power to organize military commissions or tribunals;" "when in his judgment it may be necessary for a commission were made a prerequisite to the punishment of a party, it would be scarcely the lightest check upon the officer, who has aumode of proceeding, appoint its members from among his own subordinates, and revise all its decisions. Instead of mitigating the harshness of his single rule, such a tribunal would be used much more probably to divide the responsibility of making it more cruel and unjust.

Several provisions, dictated by the humanity of Congress, have been inserted in the bill, apparently to restrain the power of the commanding officer; but it seems to me that they are of and if so, this provision is practically inoperative. 2d. Cruel or unusual punishment is not to be inflicted; but who is to decide what is cruel and what is unusual? The words have acquired a legal meaning by long use in the courts. Can it be expected that military offiin language so purely technical, and not pertaining in the least degree to their profession? If not, then each officer may define cruelty according to his own temper, and if it is not usual he will make it usual. Corporeal punishment, imprisonment, the gag, the ball and chain, and the almost insupportable forms of torture invented for military punishment, lie within the range of choice. 3d, The sentence of a commission is not to be executed without being approved by the commander, if it affects life or proved by the President. This applies to cases in which there has been a trial and sentence. I take it to be clear, under this bill, that the of the Government. military commander may condemn to death without even the form of a trial by a military commission, so that the life of the condemned

It is plain that the authority here given to the military officer amounts to absolute despotism. But to make it still more unendurable the bill provides that it may be delegated to as many subordinates as he chooses to appoint; for it declares that he shall "punish or cause to be punished." Such a power has not been wielded by any monarch in England for more than five hundred years. In all that time, no people who speak the English language have borne such servitude. It reduces the whole population of the ten States-all persons, of every color, sex and condition, and every stranger within their limits-to the most abject and degrading slavery. No master ever had a control so absolute over his slaves as this bill gives to the military officers over both white and colored law, is this—that the only foundation upon less, here is a bill of attainder against nine millions

It may be answered to this that the officers of the army are two magnanimous, just, and humane to oppress and trample upon a subjugated people. I do not doubt that army officers are as well entitled to this kind of confidence as any other class of men. But the history of the world has been written in vain, if it does not teach us that unrestraining authority can never be safely trusted in human hands. It is almost sure to be more or less abused under any circumstances, and it has always resulted in gross tyranny where the rulers who exercise it are strangers to their subjects, and come among them as the representatives of a distant power, and more especially when the power that sends them is unfriendly.-Governments closely resembling that here proposed have been fairly tried in Hungary and Poland, and the suffering endured by those people roused the sympathics of the entire world. It was tried in Ireland, and, though tempered at first by principles of English law, it gave birth to cruelties so atrocious that they are never recounted without just indignation. The French Convention armed its deputies with this power, and sent them to the Southern departments of the Republic. The massacres, murders, and other atrocities which they committed, show what the passions of the ablest men in the most civilized society will tempt them to do, when wholly unre-

The ten States named in the bill are divided and keep them within the law; because their by no means assert that Congress can establish his troops can be put in place. The dread alternative by no means assert that Congress can establish his troops can be put in place. The dread alternative by no means assert that Congress can establish his troops can be put in place. own experience of all mankind taught them that and apply the laws of war where no war has been of the army, not below the rank of Brigadier rulers could not be relied on to concede those declared or exists. Where peace exists, the laws rights which they were not legally bound to of peace must prevail." This is sufficiently exrespect. The head of a great empire has somemilitary force to enable him to perform his du- times governed it with a mild and paternal sway; ties and enforce his authority. Those duties but the kindness of an irresponsible deputy never and to substitute the laws of war. The minority, yields what the law does not extort from him. tion of the bill, are, "to protect al! persons in Between such a master and the people subjected their rights of person and property, to suppress to his domination, there can be nothing but eninsurrection, disorder and violence, and to pun- mity; he punishes them if they resist his au- with remarkable clearness and condensation sums ish or cause to be punished all disturbers of the thority, and, if they submit to it, he hates them up the whole matter as follows:

I come now to a question which is, if possible, of military jurisdiction—one to be exercised both still more important. Have we the power to in peace and war; another to be exercised in time establish and carry into execution a meas- of foreign war without the boundaries of the Uniure like this? I answer, certainly not, if we ted States, or in time of rebellion and civil war of ten of the States which participated in the ratifiderive our authority from the Constitution, and within States or districts occupied by rebels cation of the amendment to the Federal Constitution if we are bound by the limitations which it im-

legislative, or judicial, can have any just powers, called jurisdiction under Military Law, and is made to appear that the consent of three-fourths of reasonable. except those which it derives through and exer- founded in acts of Congress prescribing rules and places at his free disposal all the lands and goods cises under the organic law of the Union. Out- articles of war, or otherwise, providing for the in his district, and he may distribute them with- side of the Constitution, we have no legal au- government of the national forces; the second out let or hindrance to whom he pleases. Be- thority more than private citizens, and within it may be distinguished as Military Government, ing bound by no State law, and there being no we have only so much as that instrument gives the local law, and exercised by the military comother law to regulate the subject, he may make us. This broad principle limits all our functions, mander under the direction of the President, with

all persons are condemned whom he pronounces people in a way which the fundamental law for-

Some persons assume that the success of our arms in crushing the opposition which was made in some of the States to the execution of the Federal laws, reduced those States and all their he inflicts the punishment, he gives it of his people—the innocent as well as the guilty—to the condition of vassalage, and gave us a power over them which the Constitution does not bestow. transparent than this. Our victories subjected the insurgents to legal obedience, not to the voke of an arbitrary despotism. When an absolute sovereign reduces his rebellious subjects he may deal with them according to his pleasure, because he had that power before. But when a limited monarch puts down an insurrection, he must special permission, he can break it up, and pun- still govern according to law. If an insurrection ish the judges and jurors as being themselves should take place in one of our States against a trial by jury is made indispensable by the exthe authority of the State government, and end in the overthrow of those who planned it, would that take away the rights of all the people of the counties where it was favored by a part or a but this power he is not commanded to exercise. majority of the population? Could they, for It is merely permissive and is to be used only such a reason, be wholly outlawed and deprived of their representation in the Legislature? I the trial of offenders. Even if the sentence of have always contended that the Government of great privilege so clearly that nothing more is as administered by us. If we now verify their asthe United States was sovereign within its constitutional sphere; that it executed its laws, like be excused in time of war or public danger may the States themselves, by applying its coercive thority to organize it as he pleases, prescribe its power directly to individuals; and that it could put down insurrection with the same effect as a State, and no other. The opposite doctrine is the worst heresy of those who advocated secession, and cannot be agreed to without admitting that | deny a trial by the lawful courts and juries to heresy to be right.

Invasion, insurrection, rebellion, and domestic violence were anticipated when the Government was framed, and the means of repelling and sup-Pressing them were wisely provided for in the Constitution; but it was not thought necessary to no avail for that purpose. The fourth section | declare that the States in which they might occur provides:-1st, That trials shall not be unne- should be expelled from the Union. Rebellions, cessarily delayed; but I think I have shown which were invariably suppressed, occurred prior that the power is given to punish without trial, to that out of which these questions grow; but the States continued to exist and the Union remained unbroken. In Massachusetts, in Pennsylvania, in Rhode Island, and in New York, at different periods in our history, violent and armed opposition to the United States was carried on; but the relations of those States with the Federal cers will understand or follow a rule expressed Government were not supposed to be interrupted from the Union, but it is also true that in the Southern States the ordinances of secession were treated by all the friends of the Union as mere nullities, and are now acknowledged to be so by tial law (which of itself suspends this great writ) liberty; and a sentence of death must be ap. of the Union, we sweep from under our feet all essary delay." He has no hope of release from the grounds upon which we stand in justifying custody, except the hope, such as it is, of release the use of Federal force to maintain the integrity

> This is a bill passed by Congress in time of harmonious operation. The courts, State and Federal, are open, and in the full exercise of their person clothed with unlimited authority? proper authority. Over every State comprised in these five military districts, life liberty and property are secured by State laws and Federal laws, vict men of treason and other crimes by legislative force and everywhere obeyed. What, then, is sometimes a patient and fair one; but generally the ground on which this bill proceeds? The title of the bill announces that it is intended "for the more efficient government" of these ten States. peace and good order should be thus enforced.-The first thing which arrests attention upon Government is not stated or so much as pretended. Actual war, foreign invasion, domestic insurrection-none of these appear; and none of any sort of war or insurrection is threatened .-Let us pause here to consider, upon this question of constitutional law and the power of Congress, a recent decision of the Supreme Court of the

United States in ex parte Milligan. I will first quote from the opinion of the majorty of the Court: "Martial law cannot arise from a threatened invasion. The necessity must be actual and present, the invasion real, such as civil administration." We see that martial law comes in only when actual war closes the courts and deposes the civil authority; but this bill, in time of peace, makes martial law operate as though we were in actual war, and become the cause instead of the consequence of the abrogation of civil authority. One more quotation: "It follows, from what has been said on this subject, that there are occasions when martial law can be possible to administer criminal justice according to law, then, on the theatre of active military operations, where war really prevails, there is a necessity to furnish a substitute for the civil authority, thus overthrown; to preserve the safety of the army and society, and as no power is left but rule until the laws can have their free course."

plicit. Peace exists in all the territory to which this bill applies. It asserts a power in Congress,

"There are, under the Constitution, three kinds treated as belligerents; and a third to be exercised abolishing slavery forever within the jurisdiction of a criminal code of his own; and he can make it and applies to all subjects. It protects not only the express or implied sanction of Congress; ate, is too clear to admit of the least doubt. It only as bloody as any recorded in history, or he can the citizens of States which are within the Union, while the third may be denominated Martial Law remains to consider whether the injunctions of that reserve the privilege of acting upon the impulse but it shields every human being who comes or proper, and is called into action by Congress, or instrument ought to be obeyed or not. I think they

that which the Constitution says we shall not do cosing peril by the President, in times of insurthing is a crime which he chooses to call so, and truth out of the Union, we could not treat their within districts or localities where ordinary law no longer adequately secures public safety and private rights.

> It will be observed that of the three kinds of military jurisdiction which can be exercised or created under our Constitution, there is but one that can prevail in time of peace, and that is the code of laws enacted by Congress for the government of the national forces. That body of military law has no application to the citizen, nor even to the citizen soldier enrolled in the militia or define, or limit. No fallacy can be more in time of peace. But this bill is not a part of that sort of military law, for that applies only to the soldier and not to the citizen, whilst, contrariwise, the military law provided by this bill applies only to the citizen and not to the soldier. I need not say to the Representatives of the

> American people that their Constitution forbids the exercise of judicial power in any way but one -that is by the ordained and established courts. It is equally well known that in all criminal cases pressed words of that instrument. I will not enlarge on the inestimable value of the right thus secured to every freeman, or speak of the danger to public liberty in all parts of the country which must ensue from a denial of it anywhere or upon any pretense. A very recent decision of the Supreme Court has traced the history, vindicated needed. To what extent a violation of it might admit of discussion, but we are providing now for a time of profound peace, where there is not an armed soldier within our borders except those who are in the service of the government. It is in such a condition of things that an act of Congress is proposed which, if carried out, would nine millions of American citizens, and to their posterity for an indefinite period. It seems to be scarcely possible that any one should seriously believe this consistent with a Constitution which declares in simple, plain and unambiguous language, that all persons shall have that right, and that no person shall ever in any case be deprived without warrant, at the pleasure of a military commander. The Constitution declares that "no person shall be held to answer for a capital or otherwise infamous crime, unless on presentment by a grand jury." This bill holds every person. not a soldier, answerable for all crimes and all charges without any presentment. The Constiformal expression of a determination to withdraw life to the will of two. Finally, the Constitution declares that "the privilege of the writ of habeas corpus shall not be suspended unless when, in case of rebellion or invasion, the public safety may require it;" whereas this bill declares marthe States themselves. If we admit that they in time of peace, and authorizes the military to had any force or validity, or that they did in fact | make the arrest, and gives to the prisoner only take the States, in which they were passed, out one privilege, and that is a trial "without unnecby acquittal before a military commission.

The United States are bound to guarantee to each State a republican form of government .-Can it be pretended that this obligation is not peace. There is not in any one of the States palpably broken if we carry out a measure like brought under its operation either war or in- this, which wipes away every vestige of republimay depend upon the will of two men, instead surrection. The laws of the States and of the can government in ten States and puts the life, Federal Government are all in undisturbed and property. liberty and honor of all the people in each of them under the domination of a single

The Parliament of England, exercising the omni potent power which it claimed, was accustomed to pass bills of attainder; that is to say, it would conand the National Constitution is everywhere in enactment. The person accused had a hearing, party prejudice prevailed instead of justice. It often became necessary for Parliament to acknowledge its error and reverse its own action. The fathers of our country determined that no such thing should It is recited by way of preamble that no legal occur here. They withheld the power from Con-State Governments, "nor adequate protection for gress, and thus forbade its exercise by that body; life or property," exist in those States, and that and they provided in the Constitution that no State should pass any bill of attainder. It is, therefore, constitutionally convicted or punished for any crime for this could not happen when the constitution and these recitals, which prepare the way for martial by a legislative proceeding of any sort. Neverthe- the laws are enforced by a vigilant and faithful Conwhich martial law can exist under our form of of people at once. It is based upon an accusation so vague as to be scarcely intelligible, and found to be true upon no credible evidence. Not one of the these in fact exist. It is not even recited that from all participation in the trial. The conviction is to be followed by the most ignominious pun- a member, that he possesses the requisite constituishment ever inflicted on large masses of men. It disfranchises them by hundreds of thousands, and degrades them all-even those who are admitted to be guiltless-from the rank of freemen to the con-

effectually closes the courts and deposes the the adoption of organic laws and regulations which The negro have not asked for the privilege of voting tain measures in a prescribed way, neither blacks properly applied. If, in foreign invasion or civil the bill imposes upon them. Without pausing here stitutionally elected and loyal to the General Government, war, the courts are actually closed, and it is im- to consider the policy or impolicy of Africanizing | would be admitted to seats in Congress, while all others the Southern part of our territory, I would simply ask the attention of Congress to that manifest, well known and universally acknowledged rule of congovernment has no jurisdiction, authority or power to regulate such subjects for any State. To force system which must speedily bring tranquility to the public the right of suffrage out of the hands of the white | mind. people and into the hands of the negroes is an arbi-

terms of this measure is not suspended, nor are the people afforded any time for free deliberation. The bill says to them, take martial law first, then deliberate. And when they have done all that this measure requires them to do, other conditions and contingencies, over which they have no control, yet remain to be fulfilled before they can be relieved or the institution which it imperils from martial law. Another Congress must first apentitled to representation in both Houses. The whole question thus remains open and unsettled, and must again occupy the attention of Congress, and in the meantime the agitation which now prevails will continue to disturb all portions of the

limits of the States maintaining adhesion to the from the Union. If this assumption of the bill be the States-the requisite number-has not been constitutionally obtained to the ratification of that amendment, thus leaving the question of slavery where it stood before the amendment was officially declared to have become a part of the constitution.

That the measure proposed by this bill does vioof his private passions in each case that arises. is brought under our jurisdiction. We have no temporarily, when the action of Congress cannot ought to be obeyed, for reasons which I will proceed He is bound by no rules of evidence; there is right to do in one place, more than in another, be invited, and in the case of justifying or ex- to give as briefly as possible.

In the first place, it is the only system of free or required to take any evidence at all. Every- at all. If therefore, the Southern States were in rection or invasion, or of civil or foreign war. government which we can hope to have as a nation. When it ceases to be the rule of our conduct, we may perhaps take our choice between complete anarchy, a consolidated despotism, and a total dissolution of the Union; but national liberty, regulated

by law, will have passed beyond our reach. It is the best frame of government the world ever saw. No other is, or can be so well adapted to the genius, habits or wants of the American people .-Combining the strength of a great empire with unspeakable blessings of local self-governmenthaving a central power to defend the general interests, and recognizing the authority of the State as the guardians of industrial rights, is "the sheetanchor of our safety abroad and our peace at home." It was ordained "to form a more perfect union, establish justice, insure domestic tranquility, promote the general welfare, provide for the common defense, and secure the blessings of liberty to ourselves and to our posterity." These great ends have been attained heretofore, and will be again, by faithful obedience to it, but they are certain to be lost if we treat with disregard its several obligations.

It was to punish the gross crime of defying the constitution, and to vindicate its supreme authority, that we carried on a bloody war of four years' duration. Shall we now acknowledge that we sacrificed a million of lives and expended billions of treasure to enforce a constitution which is not worthy of respect and preservation?

Those who advocated the right of secession alleged in their own justification that we had no regard for law, and that their rights of property, life the dignity, and made known the value of this and liberty would not be safe under the constitution, sertion, we prove that they were in truth and in fact fighting for their liberty, and instead of brand. ing their leaders with the dishonoring name of traitors against a righteous and legal- government, we elevate them in history to the rank of self-sacrificing patriots, consecrate them to the admiration of the world, and place them by the side of Washington, Hampden and Sydney. No let us leave them to the infamy they deserve, punish them as they should be punished, according to law, and take upon ourselves no share of the odium which they should bear alone.

It is a part of our public history which can never be forgotten that both Houses of Congress, in July 1861, declared in the form of a solemn resolution that the war was and should be carried on for no purpose of subjugation, but solely to enforce the of it. The Constitution also forbids the arrest of constitution and laws; and that when this was yieldthe citizen without judicial warrant, founded on ed by the parties in rebellion, the contest should probable cause. This bill authorizes an arrest | cease, with the constitutional rights of the States and of individuals unimpaired. This resolution was adopted and sent forth to the world unanimously by the Senate and with only two dissenting voices in the House. It was accepted by the friends of the Union in the South, as well as in the North, as expressing honestly and truly the object of the war .-On the faith of it, many thousands of persons in both sections gave their lives and their fortunes to tution declares that "no person shall be deprived the cause. To repudiate it now by refusing to the of life, liberty, or property without due process States and to the individuals within them the rights of their population were defeated and put down .- and makes the citizen answerable in his person secure to them, is a breach of our plighted honor for It is true that in these earlier cases there was no and property to the will of one man, and as to his which I can imagine no excuse, and to which I can not voluntarily become a party.

The evils which spring from the unsettled state of our Government will be acknowledged by all .-Commercial intercourse is impeded, capital is in constant peril, public securities fluctuate in value, peace itself is not secure, and the sense of moral and political duty is impaired. To avert these quired that we should immediately decide upon some | Depot. course of administration which can be steadfastly adhered to. I am thoroughly convinced that any settlement, or compromise, or plan of action which will not only be unavailing, but mischievous; that it will but multiply the present evils instead of removing them. The constitution in its whole integrity and vigor, throughout the length and breadth of the land, is the best of all compromises. Besides, our duty does not, in my judgment, leave us s choice between that and any other. I believe that it contains the remedy that is so much needed, and that if the co-ordinate branches of the Government would unite upon its provisions they would be found broad enough and strong enough to sustain in time of peace the nation which they bore safely through the ordeal of a protracted civil war. Among the most sacred guarantees of that instrument are those which declare that "each State shall have at least one Representative," and that "no State, without its consent, shall be deprived of its equal suffrage in the Senate." Each House is made the "judge of the elections, returns, and qualifications of its own members," and may, "with the concurrence of twofrom any and all of the States, there can be no just loval will be clothed with the powers of legislation; sents his certificate of election, he may at once be admitted or rejected; or, should there be any question as to his eligibility, his credentials may be reexerted in the interests of loyalty to the Government that the work of restoration should be accomplished policy would be continued until all the States were repre-

While we are legislating upon subjects which are of The men of our race in every age have struggled to tie up the hands of their Governments

I now quote from the opinion of the minority of the Court, delivered by Chief Justice Chase: "We operations will begin so soon as the General and the Court, delivered by Chief Justice Chase: "We operations will begin so soon as the General and the country, not only during the life of the present generation, but for ages to come, we should operations will begin so soon as the General and the court, delivered by Chief Justice Chase: "We operations will begin so soon as the General and the country of the country great importance to the whole people, and which must the council which decide upon the destiny of themselves tive between it's harsh rule and compliance with the and their children. At present ten States are denied representation, and when the Fortieth Congress assembles on the fourth day of the present month, sixteen States will be without a voice in the House of Representatives. This grave fact, with the important questions before us, should nduce us to pause in a course of legislation which, looking solely to the attainment of political ends, fails to consider the rights it transgresses, the law which it violates,

ANDREW JOHNSON. Washington, March 2, 1867. [Notwithstanding the objections of the President,

the Bill passed the Senate by 38 to 10-and the

House by 135 to 48. It is, therefore, a law of the

PICTURES! PICTURES!! The undersigned, Photographic Artist of Balti-

more, Md., begs leave to inform the public in general, that he has opened a No. 1 Ambrotype, Daguerotype and Photograph Gallery, over Mr. J. Harty's State of N. Carolina, Mecklemburg Co. in time of invasion or insurrection within the the United States, and practically excludes them Store, next door to the court house. Parties de-This proposition is perfectly clear—that no National Government, when the public danger correct, their concurrence cannot be considered as well to give him a call. Copies taken from the branch of the Federal Government, executive, requires its exercise. The first of these may be having been legally given, and the important fact is smallest picture into large life-size Portraits. Prices HENRY BAUMGARTEN. Feb 18, 1867

Just Received, 500 Bushels white bread Corn,

500 " prime Seed Oats, 500 Lbs Durham's Smoking Tobacco. 100 Bunches Cotton Yarn,

25 Boxes Adamantine Candles. 3 Barrels Molasses, Bacon Sides, Hams and Lard; a new lot of that su- perty levied upon condemned to plaintiff's use. perior Coffee; saperior gunpowder and Imperial Tea. Send for your supplies to

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We also keep a large suppy of Bacon, Corn and Seed Oats, at wholesale.

J. Y. BRYCE & CO. Charlotte, Feb. 25, 1867.

CITY TAXES.

All persons residing in the City of Charlotte, or owning taxable property, or doing business thereis on the first day of February, 1867, are hereby notified to make return of their taxable property, polls, merchandize or other subjects made taxable by the city, on or before the last day of March, 1867. Parties failing to make returns within the time specified will be liable to double tax. Returns will be received at the First National Bank of Charlotte, up to the last day of March, 1867, between the hours of 10 a. m. and 5 p. m.

THOS. W. DEWEY. March 4, 1867 City Clerk.

Bacon and Corn. 10,000 LBS. BACON (Middlings) and a large quantity of Corn and Flour, for sale by

HAMMOND & McLAUGHLIN. March 4, 1867.

SPRING IMPORTATION, 1867 Ribbons, Millinery and Straw Goods, ARMSTRONG, CATOR & CO.,

Importers and Jobbers of

RIBBONS, BONNET SILKS and SATINS, BLONDS.

Netts, Crapes, Velvets, Ruches, Flowers, Feathers, STRAW BONNETS AND LADIES' HATS Trimmed and Untrimmed, SHAKER HOODS, &c.

237 and 239 Baltimore Street. BALTIMORE, MD., Offer the largest Stock to be found in this Country. and unequalled in choice variety and cheapness. Orders solicited and prompt attention given.

March 4, 1867. BUSHELS of CORN FOR SALE. Apply to R. L. PATTERSON & CO.,

Patterson P. O., Caldwell county, N. C. March 4th, 1867. lmpd 30 Sacks of Family Flour,

400 Bushels of Spring OATS,

For sale by HUTCHISON, BURROUGHS & CO. Lime, Corn, &c.

Thomastown Lime, Corn and Flour, for sale at the lowest price at the Charlotte & S. C. Railroad W. W. PEGRAM.

20.000 Pounds Iron. Iron of the best quality, from the King's Mounain Iron Works. I keep all kinds of Iron for farm-

S. B. MEACHAM, Agent. Just Received,

5000 Bacon Sides, 20 Bbls. Superior Irish Potatoes, 2 Tierces New Rice, S. C.,

ing purposes and for Gold Mining.

50 Bags No. 1 Family Flour, 100 Bushels of Bolted Meal, 200 Bags Seed Oats, for Spring,

500 Choice Hams, New, 100 Sacks Liverpool Salt,

500 Sides Superior Sole Leather, 20 Boxes Cheese. Feb 25, 1867.

HIDES FOR SALE.

5000 POUNDS of DRY HIDES now on hand and for sale by S. M. HOWELL.

AUCTIONEER and AGENT.

S A. STUART respectfully informs the citizens

of Charlotte and the public generally that he will give his personal attention to Auction Sales and he settlement of Accounts, or any business of that kind that may require his services. He will visit attend to any business in the city as an Agent. He can be found at the Corner Drug Store of Dr. McAden, or at the residence of Mr Rabe.

COFFINS.

Salisbury road, Coffins of all kinds may be obtained at short notice. A good supply is always kept on hand ready-made.

State of N. Carolina, Mecklenburg Co. Court of Pleas & Quarter Sessions - Jan'y Term, 1867. Wittkowsky & Rintells vs. Charles Beckham.

Attachment Levied on 2 boxes Goods, 1 bale of Bagging, 1 Cheese, 5 barrels of Flour, 1 barrel of

It appearing to the satisfaction of the court, that the defendant, Charles Beckham, resides beyond the limits of this State, it is ordered by the court that publication be made, for six weeks, in the Western Democrat, notifying the said defendant to be and appear at the next Court of Pleas and Quarter Sessions to be held for the county of Mecklenburg, at the court house in Charlotte, on the 2d Monday in April next, then and there to answer, plead or replevy, or judgment final will be taken against him, and the property levied upon condemned to plain-

Witness, Wm. Maxwell, Clerk of our said Court at office, the 2d Monday in January, A. D, 1867. WM. MAXWELL, Clerk.

State of N. Carolina, Mecklenburg Co. Court of Pleas & Quarter Sessions-Jun'y Term, 1861. Thomas M Kerns and Jane Wallace, Administrator of William Wallace, deceased, vs. James Wallace and others.

Petition to Sell Real Estate. It appearing to the satisfaction of the court, that Wm J Kelough and wife Mary, one of the defendants in this case, reside beyond the limits of this State. it is therefore ordered by the court that publication be made, for six successive weeks, in the Western Democrat, a newspaper printed in the city of Charlotte, notifying said W J Kelough and wife Mary to be and appear at the next Court of Pleas and Quarter Sessions to be held for the county of Mecklenburg, at the court house in Charlotte, on the 2d Monday in April next, then and there to plead, answer or demur to the petition, or judgment, pro confesso,

will be taken and heard exparte as to them. Witness, Wm Maxwell, Clerk of our said Court at office, the 2d Monday of January, A. D., 1867. WM. MAXWELL, Clerk.

Court of Pleas & Quarter Sessions-Jan'y Term, 1867. James T Kell vs. B A Culp.

Two Attachments Levied on 1 Horse and 1 Mule. It appearing to the satisfaction of the court, that the defendant, B A Culp, resides beyond the limits of this State, it is ordered by the court that publication be made, for six weeks, in the Western Democrat, notifying the said defendant to be and appear at the next Court of Pleas and Quarter Sessions to be held for the county of Mecklenburg, at the court house in Charlotte, on the 2d Monday in April next, then and there to answer, plead or replevy, or judgment final will be taken against him, and the pro-

Witness, Wm. Maxwell, Clerk of our said Court at

office, the 2d Monday in January, A. D., 1867. WM. MAXWELL, Clerk