

# Hillsborough Recorder

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## Freedom of the Press in New York State.

An Important Letter from Gov. Seymour.

State of New York, Executive Department,  
Albany, May 23, 1864.

To A. Oakley Hall, Esq., District Attorney of New York.

SIR:—I am advised that on the 12th instant, the office of the Journal of Commerce and that of the New York World were entered by armed men, the property of the owners seized, and the premises held by force for several days. It is charged that these acts of violence were done without the sanction of the State or national law.

If this be true, the offenders must be punished.

In the month of July last, when New York was a scene of violence, I gave warning that "the laws of the State must be enforced, its peace and order maintained, and the property of its citizens protected at every hazard." The laws were enforced at a fearful cost of blood and life.

The declaration then made was not intended merely for that occasion, or against any class of men. It is one of an enduring character, to be asserted at all times and against all conditions of citizens, without favor or distinction. Unless all are made to bow to the law, it will be respected by none; unless all are made secure in their rights of person and property, none can be protected. If the owners of the above journals have violated State or national laws, they must be proceeded against and punished by these laws. Any action against them, outside of legal procedure, is criminal.

At this time of civil war and disorder the majesty of the law must be upheld or society will sink into anarchy. Our soldiers in the field will battle in vain for constitutional liberty, if persons, or property, or opinions are trampled upon at home. We must not give up home freedom, and thus disgrace the American character, while our citizens in the army are pouring out their lifeblood to maintain the national honor. They must not find, when they come back, that their personal and fireside rights have been despoiled.

In addition to the general obligation to enforce the laws of the land, there are local reasons why they must be upheld in the city of New York. If they are not its commerce and greatness will be broken down. If the great centre of wealth, business, and enterprise is thrown into disorder and bankruptcy, the national government will be paralyzed. What makes New York the heart of our country? Why are its pulsations felt at the extremities of our land? Not through its position alone, but because of the world-wide belief that property is safe within its limits from waste by mobs and spoliation by Government. The laborers in the workshop, the mine and in the field, on this continent and in every part of the globe, send to its merchants, for sale or exchange, the products of their toil. These merchants are made the trustees of the wealth of millions living in every land, because it is believed that in their hands, property is safe under the shield of law administered upon principle, and according to known usages.

This great confidence has grown up in the course of many years by virtue of a painstaking, honest performance of duty by the business men of your city. In this they have been aided by the enforcement of laws based upon the solemnly recorded pledges that "the right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, shall not be violated, and that no one shall be deprived of liberty or property without due process of law." For more than eighty years have we as a people been building up this universal faith in the sanctity of our jurisprudence. It is this which carries our commerce upon every ocean, and brings back to our merchants the wealth of every clime. It is now charged that, in utter disregard of the sensitiveness of that faith, at a moment when the national credit is undergoing a fearful trial, the organs of commerce are seized and held in violation of constitutional pledges; that

this act was done in a public part of your great city, and was thus forced upon the notice of the commercial agents of the world, and they were shown in an offensive way, that property is seized by military force and arbitrary orders.

These things are more hurtful to the national honor and strength than the loss of battles. The world will confound such acts with the principles of our Government, and the folly and crimes of officials will be looked upon as the natural results of the spirit of our institutions. Our State and local authorities must repel this ruinous interference. If the merchants of New York are not willing to have their harbor sealed up and their commerce paralyzed, they must unite in this demand for the security of persons and property. If this is not done, the world will withdraw from their keeping its treasures and its commerce. History has taught that all official violation of law in times of civil war and disorder goes before acts of spoliation and other measures which destroy the safeguards of commerce.

I call upon you to look into the facts connected with the seizure of the Journal of Commerce and of the New York World. If these acts were illegal, the offenders must be punished. In making your inquiries and in prosecuting the parties indicated, you will call upon the sheriff of the county and the heads of the police department for any needed force or assistance. The failure to give this by any official under my control will be deemed a sufficient cause for his removal.

Very respectfully, yours, &c.,  
HORATIO SEYMOUR.

## VALLANDIGHAM'S SPEECH.

Annexed we give Vallandigham's speech, delivered by him on his return to Ohio from Canada:

MEN OF OHIO:—To-day I am again in your midst and upon the soil of my native State. To-day I am once more in the district, which for ten years extended to me the highest confidence, and three times honored me as its representative to the Congress of the United States. I was accused of no crime against the Constitution or laws, and guilty of none. But whenever and wherever thus charged upon due process of law, I am now here, ready to answer before any civil court of competent jurisdiction, to a jury of my countrymen; and meantime, to give bail in any sum which any judge or court, State or Federal, may affix; and you, the hundred and eighty-six thousand Democrats of Ohio, I offer as my sureties. Never for one hour have I remained in exile because I recognized any obligation of obedience to the unconstitutional and arbitrary edict. Neither did personal fear ever restrain me. And to-day I return, of my own act and pleasure because it is my constitutional and legal right to return.

Only by an exertion of an arbitrary power, itself against Constitution and law, and consummated by military force, I was abducted from my home and forced into banishment. The assertion or insinuation of the President that I was arrested "because laboring with some effect to prevent the raising of troops and to encourage desertions from the army, and was responsible for numerous acts of resistance to the draft and to the arrest of deserters, causing assassination, maiming and murder;" or that at any time, in any way, I had disobeyed or failed to counsel obedience to lawful authority, or even to the semblance of law, is absolutely false. I appeal for the proof in every speech I ever made upon these questions, and to the very record of the mock military commission, by the trial and sentence of which I was outraged.

No, the sole offence then laid to my charge was words of criticism of the public policy of the Administration, addressed to an open and public political meeting of my fellow-citizens of Ohio, lawfully and peaceably assembled. And to-day, my only "crime" is that, in the way which they call treason, worship I the Constitution of my fathers. But for now more than one

year no public man has been arrested, and no newspaper suppressed within the State, adhering still to the Union, for the expression of political opinion; while hundreds in public assembly and through the press, have with a license and violence in which I never indulged criticised and condemned the acts and policies of the administration, and denounced the war, maintaining even the propriety and necessity of the recognition of Southern independence.

Indorsed by nearly two hundred thousand freemen of the Democratic party of my native State, at the late election, and still with the sympathy and support of millions more, I do not mean any longer to be the only man of that party who is to be the victim of arbitrary power. If Abraham Lincoln seeks my life, let him so declare; but he shall not restrain me of my personal liberty, except upon "due process of law." The unconstitutional and monstrous "Order Thirty-eight," under which alone I was arrested thirteen months ago, was defied and spit upon at your State convention of 1863, by the gallant gentleman who bore the standard as your candidate for lieutenant governor, and by every Democratic press and public speaker ever since. It is dead. From the first it was against the Constitution and laws, and without validity; and all proceedings under it were and are utterly null and void, and of no effect.

The indignant voice of condemnation long since went forth from the vast majority of the people and press of America, and from all free countries in Europe with entire unanimity. And more recently, too, the "platform" of an earnest, numerous and most formidable convention of the sincere republicans, and still further, the emphatic letter of the acceptance by the candidate of that convention, Gen. John C. Fremont—the first candidate also of the Republican party for the presidency eight years ago, upon the rallying cry of free speech, and a free press—give renewed hope that, at last, the reign of arbitrary power is about to be brought to an end in the United States.

It is neither just nor fit, therefore, that the wrongs inflicted under "Order thirty-eight," and the other edicts and acts of such power, should any longer be endured—certainly not by me alone. But every ordinary means of redress has first been exhausted; yet either by the direct agency of the Administration and its subordinates, or because of want of jurisdiction in the civil courts to meet a case which no American ever in former times conceived to be possible here, all have failed. Counsel applied in my behalf to an unjust judge for a writ of *habeas corpus*. It was denied; and now the privilege of that writ is suspended by act of Congress and Executive order, in every State. The Democratic convention of Ohio, one year ago, by a resolution formally presented through a committee of your best and ablest men, in person at Washington, demanded of the President in behalf of a very large minority of the people, a revocation of the edict of banishment. Pretending that the public safety then required it, he refused, saying, at the same time, that it would afford him pleasure to comply as soon as he could by any means be made to believe that the public safety would not suffer by it.

One year has elapsed: yet this hollow pretence is still tacitly asserted, and to-day I am here to prove it unfounded in fact. I appeal to the Supreme Court of the United States, and because Congress had never conferred jurisdiction in behalf of a citizen tried by a tribunal unknown for such purposes to the laws, and expressly forbidden by the Constitution, it were powerless to redress the wrong. The time has therefore arrived when it becomes me as a citizen of Ohio and of the United States, to demand, and by my own act to vindicate, the rites, liberties and privileges which I never forfeited, but of which for so many months I have been deprived.

Wherefore, men of Ohio, I am again in your midst to-day. I owe duties to the State, and am here to discharge them; I have rights as a citizen, and am here to assert them; a wife and child and home,

and would enjoy all the pleasures which are implied in these cherished words. But I am here for peace and not turbulence; for quiet, not for convulsion; for order and law, not anarchy. Let no man of the Democratic party, begin any act of violence or disorder; but let none shrink from any responsibility, however urgent, if forced upon him. Careful of the rights of others, let him see to it that he fully and fearlessly exact his own. Subject to rightful authority in all things, let him not submit to excess or usurpation in holding. Obedient to constitution and law, let him demand and have the full measure of the protection which law and constitution secure to him.

Men of Ohio! You have already vindicated your right to hear; it is now my duty to assert my right to speak. Wherefore as to the sole of offense for which I was arrested, imprisoned and banished—free speech in criticism and condemnation of the Administration—an Administration fitly described in a recent public paper by one of its early supporters, as "marked at home by its disregard of constitutional rights, by its violations of personal liberty and the liberty of the press; and as its crowning shame, by its abandonment of the right of asylum, a right especially dear to all nations abroad." I repeat it here to-day, and will, again, and yet again, so long as I live, or the Constitution and our present form of government shall survive. The words then spoken and the appeal at that time made and now enforced by one year more of taxation and debt, and of blood and disaster, entreating the people to change the public servants and their policy, not by force, but peaceably, through the ballot-box. I now, and here, reiterate in their utmost extent, and with all their significance, I repeat them, one and all, in no spirit of challenge or bravado, but as earnest, sober, solemn truth and warning to the people.

## NORTHERN DEMOCRATIC CONVENTION.

This Convention, (to nominate a candidate for President and Vice President of the so-called United States,) will not assemble at Chicago until the 26th August next. It is thought that through the influence of Vallandigham, the postponement of the meeting of that body till so late a day, has been effected. His return to Ohio has certainly caused great commotion, and that he will exercise great influence over the deliberations of that body, no one can doubt. The policy that dictates a postponement of the meeting of the Convention until so late a day in August next, is, in our judgment, if we do not mistake it, a wise one. The Democratic, peace party of the North and West, are well aware that Lincoln's defeat depends upon the defeat of his butcher, Grant. Upon this they look as confidently as we do, time only being all that is required for bringing about so important a result. The defeat, in fact, of either Grant or Sherman, will suffice to defeat Lincoln. Either event will give double strength to the Democratic Peace Party, and they will proceed to nominate their candidates with a boldness in the assertion of their principles, and a confidence in their success, such as have not been manifested since the war commenced. Daily the confidence of the Lincolnites is declining. Wall street has become alarmed. Capitalists have become frightened. Gold is rising, and greenbacks are fast becoming mere trash. The only salvation of the North from general bankruptcy, is in peace. The only salvation for Lincoln and his statelites, is in a continuance of the war. The contest will be a fearful one. We predict that great civil commotion will attend, if blood do not flow from it. The leaders of the Democracy, or peace party, are and will be defiant. They will not be put down by force of arms, or they will prove themselves cowards. They will not permit their presence to be suppressed, or they will belie their pledges. They will not permit Vallandigham to be imprisoned, or they will falsify their words. Governor Seymour of New York has already proclaimed that he will not permit the press