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GEO. M. MATHES, Editor.

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G. M. MATHES, Editor and Proprietor.

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A CARD.

To the Public:

Since my election to the Senate of the United States in 1872 Gov. Vance and many of his zealous friends have waged an unjustifiable warfare upon me—sometimes openly—sometimes covertly—wholly unworthy of that gentleman and unwarred by myself. Unwilling to parade my wrongs before the public when I could avoid doing so, anxious for the harmony of the Democratic party, the quiet of the people and the promotion of the general welfare, I have silently submitted for more than five years to gross detraction, misrepresentation and insolent jeers and taunts, choosing to rely upon my character and conduct, both public and private, for my sure vindication. My silence has been misconstrued by my adversaries. They have taken advantage of it—in view of the approaching August election for members of the Legislature, and the election of my successor in the Senate in January next—and have of late renewed their assaults upon me with such violence as manifests the wicked purpose to destroy me, if possible, in the esteem of my fellow citizens. Forbearance in this respect on my part, long since ceased to be a virtue. I have submitted quietly long enough—perhaps too long—to such calumnies. In defence of myself, in justice to my friends and the people generally, I feel called upon to take some notice of the false and unfounded imputations made against me. I am averse to and deprecate such a controversy, but I venture to trust that, under the circumstances, I shall be pardoned for engaging in it now only in defence of myself.

During the time I have been in the Senate, matters and questions of the most complicated and embarrassing character, and many of them of grave moment to the whole country and particularly to the Southern States and people, have come before that body for consideration and action. I have voted upon all, and, as I have done, to a greater or less extent, most of the important ones. It could hardly be expected that I would make no mistakes. I am, however, gratified to know that no serious objection has been taken to my course of conduct as a Senator. I have endeavored to serve my State and people and the whole country faithfully, and I challenge the closest scrutiny of my conduct and record. I think I can truthfully say, that I have not neglected the business interests of any one, rich or poor, white or black, and without regard to party affiliations, when the same have been brought to my attention and I might be properly charged with them. And while I have paid due regard to the interests of the country and particularly those of the people whose immediate servant I am, I have been ever faithful to the Democratic party. In matters of substance there seems to be no complaint or ground of complaint against me.

The single charge against me, that I have heard of, is alleged subordination to the Democratic caucus in the Legislature in 1872, on the occasion of my election to the Senate of the United States; and in that connection, collusion with the Republican members in the Legislature to secure their votes for myself for Senator.

This charge I flatly deny. It is utterly false in substance and detail, and I challenge any one to produce aught in proof of it.

It has been said, and often repeated, that those Democratic gentlemen in the Legislature who supported me for Senator and myself "bolted" the Democratic caucus. This is not true, and those who say so, either do not know the facts, or they are unacquainted with party usage and practice; or they wilfully pervert the truth. In fact, I expressly refused to submit to or be bound by the action of the caucus, and the gentlemen referred to refused to go into or be bound by it, or its action, because it had been "packed" by Governor Vance—Governor Vance told me in plain terms, and did not deny it afterwards, that he had a majority of the caucus pledged to vote for his nomination for Senator before the caucus assembled. He stated in terms, that he had for months "electioneered" as hard as he could to secure such pledge. I complained then that I had been grossly misrepresented by himself and some of his friends in reference to the late war,

not only on that, but on former occasions as well, and by such undue means I was prejudiced greatly. I insisted then that he had by such pledging destroyed the freedom of the caucus as a nominating body. And so he had. The fundamental principle on which the caucus system rests is, that the members first consider the public good, and in respect to nominations, that they consider fairly and without prejudice, the fitness and claims of such persons as may go before them to share in the distribution of such honors and benefits as they may have power to bestow. The absolute fairness and freedom of the caucus is the single quality that gives it life and binding power—none may tamper with them. Caucuses are perverted by active, designing men, and this has been done so often as to cause Mr. Calhoun and other great political writers in this country the denunciation of them as instruments of intriguing men to defeat the popular will. They are essential to concerted party action, but unless true fairness prevails they do not and ought not to bind anybody. A majority of the caucus having been pledged in advance of its meeting to support Governor Vance for Senator, what a mockery for other gentlemen, including myself, to go into the caucus just to see his nomination recorded!

It had been procured, prearranged, pre-determined. Upon what considerations? Upon what representations? And it was so done in the absence of every other gentleman who aspired, and without such majority having heard or considered any other person's rights or claims, or any thing that might be said in favor of the public, the party, or any other person. The majority being so pledged, the minority were helpless—they had to submit to the dictation of a pledged majority, or another fair or unfair, in the absence of everybody save only the man pledged and the man who received the pledge! If such practice can be tolerated and upheld by a great party—it one member of the party can thus successfully prostitute the machinery of the party, then the caucus system is a cheat and a fraud. The man who can afford to go around in advance of the assembling of the caucus and intrigue with individuals, make his own *ex parte* statements, arguments and misrepresentations, with no one by to correct them, will almost invariably get a controlling advantage, which those who cannot and will not do such things can never have. Such practices are vicious, contrary every principle of true and just party discipline and destroy all fair and wise party action. Such practice makes the caucus and the convention a mere trap, a snare for the benefit of those who employ intrigue and cunning. In this case a friend or mine asked that I might be heard by the caucus in reference to certain methods of electioneering against me and misrepresentations of which I complained. Of course the pledged majority rejected and mocked at the respectful request—the nomination had already been decided and before the caucus met! I did not "bolt" the caucus—nor did my friends—for the reasons stated, we expressly refused to go into it or be bound by it.

The result was, that although a number of gentlemen aspired to the nomination for Senator, Gov. Vance had a clear field—no one cared to venture into a caucus the majority of which was pledged to one man—and without opposition in the caucus so pledged, he received, on the first ballot, forty nine votes, only a half a vote more than enough to nominate him. Then, as of course, the nomination was made unanimously as to those who went into it.

For the reasons stated, I did not submit myself to the caucus, although a number of gentlemen who desired my election did go into it and abided its action. I here declare my firm conviction that if there had been a free and fair vote of the caucus—all the Democrats being present—I would have been nominated, and I know this was the opinion of many other gentlemen. Eighteen Democrats friendly to me—some of them among the leading and ablest men in the Legislature, and all of them men of high integrity and respectability, absolutely refused to go into the caucus unless Gov. Vance and I both should be withdrawn from its consideration. I know that many others went into it and submitted to its action with

great reluctance, and on the ground that a majority of it was pledged, and it was not a free caucus on the subject of the Senatorship. I know that many gentlemen who were in it desired my election. They told me so, and some of the most cordial congratulations I received after my election were from gentlemen who under order of the caucus voted for Gov. Vance.

I was nevertheless sincerely anxious to preserve party harmony, and from the beginning of the contest between Gov. Vance and myself to the end, my friends and myself proposed to him and his friends, that I would abandon it if he would do likewise, and let the caucus nominate a third person. This they refused to do. It was then proposed by my friends to his that one free, unpledged ballot should be taken in the Legislature for Senator, leaving every Democrat to vote as he pleased, and allow the person who might receive the highest democratic vote, to be the nominee of the caucus. This too was rejected. He was bent on realizing the benefit of the pledged vote.

At last, after many unsuccessful ballots in the Legislature for Senator, Gov. Vance withdrew with a great flourish from the contest, making loud professions of sacrifice on his part. Immediately, thereupon, I withdrew, as I had all along proposed to do. I withdrew in all sincerity, and was entirely content to do so.

The caucus then assembled, all the democratic members of the Legislature being present, and as I have learned from many gentlemen of the caucus, with the distinct agreement, that neither my name, nor that of Gov. Vance should be brought before the caucus again for nomination. Entire harmony then seemed to prevail.

After my withdrawal, I gave myself no more concern about the movements of the caucus, and only know of what was done in it, and how I came to be elected Senator from others. I here give an account of what happened afterwards from the pen of Col. W. H. Ayers, a democrat who supported me. He is a gentleman well known, of high respectability and intelligence, and no one who knows him will for one moment question his veracity. I have always heard that the facts were substantially as he states them. He says in a recent number of his paper, *The Rocky Mount Mail*, among other things as follows:

"At the Monday morning caucus both the supporters of Judge Merrimon and Gov. Vance were present; not having sufficient time before the convening of the Legislature, to make a nomination. It was agreed to vote that day complimentary to various friends, guarding in the meanwhile the ballot, seeing to it that not enough support be given to any one to enable the Republicans to elect by concentrating their vote upon him. The vote of the Democrats before the Legislature Monday was therefore cast for various personal friends, scattered in all parts of the State, and of course resulted in no election; and at 4 o'clock that afternoon the caucus again assembled to nominate a candidate for Senator, when on third ballot Gen. A. M. Scales developed strength that indicated his nomination the next ballot. Filibustering set in, and the caucus adjourned in great confusion. The object of this adjournment just at the apparent point of the nomination of Gen. Scales was explained in the next morning's caucus when it met, by a motion made by Mr. Bryson, who had formerly supported Judge Merrimon, that the name of Gov. Vance be brought again before the caucus for nomination, which was called with the expressed understanding that neither the name of Gov. Vance or Judge Merrimon should be brought before it; this pledge having been made by the friends of Governor Vance, who had invited the friends of Mr. Merrimon to participate with them. This motion was carried, notwithstanding the protests made by Judge Merrimon's friends. (The writer among the number.) It is but candid, however, to state that there were two persons that had supported him, and did afterwards support him on the last ballot before the Legislature, when he was elected, who did in speeches before this caucus, favor the introduction of the name of Governor Vance again before the caucus. This action was taken and the caucus adjourned about fifty minutes before the election before the Legislature was to be gone into. The friends of Mr. Merrimon felt that they ought not to abide this action and leave their friend to be ruined in the house of his former supporters, they covering their heads from the violence of the political storm then raging and they again put his name in nomination before the Legislature. This action was taken without

the knowledge or consent of Judge Merrimon, as doubtless was the case with Gov. Vance, in regard to the action of his friends.

"In this way, and under these circumstances both Gov. Vance and Judge Merrimon were for the second time brought into this memorable and unfortunate contest before the Legislature, and a vote was taken. At the end of the roll-call it was found that 17 of the original Democratic supporters of Merrimon had voted for him with 18 Republicans, and while the tellers were casting up the vote the Republicans who had voted for Mr. Pool, upon roll call, began to change their votes to Merrimon, stating emphatically that they did it as a choice between what they considered two of the most objectionable Democrats to them to be found in the State; and that no overtures, promises or pledges of any kind had been made them by Judge Merrimon, or from his friends under these circumstances. He was elected to the United States Senate."

"We beg our readers to remember the following material points:—

"1st. The integrity of the caucus being destroyed, the friends of Merrimon did not join in its deliberations.

"2nd. That they, at all times, expressed a willingness to withdraw the name of Merrimon if the friends of Gov. Vance withdrew his name.

"3rd. They proposed that a vote before the Legislature might decide the contest; which was declined.

"4th. When Vance was withdrawn they withdrew Merrimon.

"5th. They met in joint caucus to aid in nominating the third man in good faith.

"6th. That they did not put the name of Merrimon in nomination before the Legislature the second time until after the friends of Gov. Vance had voted in caucus to re-nominate him; after they had called a caucus in which the friends of Merrimon were invited to participate, with assurance that neither Vance or Merrimon were to be brought before it.

"7th. That the charge that collusion, bargain, treachery of any kind was practised, or that personal honor was compromised with the Republicans, is absolutely false, and is a foul slander upon the Judge and his friends.

"I knew nothing of what was done in the caucus just before the Legislature met to elect the Senator, except that I heard that Gov. Vance had been re-nominated. I went to the Circuit Court of the United States then sitting in Metropolitan Hall where my business called me feeling indignant and supposing that Gov. Vance would be elected. I was entirely ignorant of my election at the time it took place and had nothing to do with it in any way. A friend hastened to the Court chamber where I was, beckoned me from the immediate presence of the Court and informed me of it. No one could have been more surprised at it than myself. As I turned to walk back to my seat, I met one of the first, purest and greatest men in North Carolina, a man whose name and judgment always commended the respect of the people—a Democrat whose sincerity could not be questioned, and informed him of my election—he congratulated me very cordially and expressed his gratification at the result. So anxious was I to do what I ought, I asked the gentleman just referred to and ten or fifteen other Democratic gentlemen—some of them members of the Legislature and some not—several of them gentlemen of much prominence and influence in the Democratic party, to meet together on the second evening after the election to consider what I ought to do in that respect. Upon consideration, they all, without exception, agreed that I ought to accept the election and that by doing so I would not compromise myself or the Democratic party. It was then mentioned that such contests had been frequent in the history of the past.

"It will be seen that I was cautious as to my action. It was my purpose to do right, and I insist that I did nothing wrong in a party or any other sense in accepting the election of Senator under the circumstances. My conscience and my judgment approve my action as just and proper.

"But let it be supposed that I erred, then I ask I am for one error, and a venial one, to be sacrificed, and rejected by my party? Do I thereby forfeit confidence and favor? I cannot believe that such disinterested men will think so. So harsh a rule as that has never prevailed in the past in any party in cases much more open to criticism than mine. There are many cases recorded in the history of the Democratic party, all parties, when gentlemen were elected to the Senate and other high stations as I was, and they were not therefore

rejected by their parties—on the contrary, their parties continued to honor them. Some of the greatest men this country has produced were elected, some of them more than once, under like circumstances. The Hon. Mr. Hunter, of Virginia, was twice so elected, so also was Mr. Mason, of the same State, so was Hon. John Ball, of Tennessee, over Mr. Polk, the regular nominee of the party; so was the late President Johnson—there were two other like cases in Tennessee—so was the late Mr. Ferry, of Connecticut—there are three or four Senators in the Senate now—some of them among the ablest men who were so elected. I might cite a score of cases. Great political parties cannot afford to allow their action and the success of great principles to be controlled by the personal rivalries and conflicts of their members, nor can they wisely embroil the cause of one member against another. If they should do so, the inevitable result would be, that they would at once degenerate into personal factions, and would cease to exist, or to serve any useful public purpose.

There have been repeated instances in North Carolina in the Democratic party, whose members of it, for cause, refused to submit and abide the action of the caucus. In 1852 I think it was, the late Mr. Dobbin was nominated for United States Senator by the Democratic caucus. The late Judge Saunders refused to go into caucus or abide its action—he and one other gentleman so refused, and they defeated the election entirely Judge Saunders was no therefore re-elected by his party; on the contrary, they continued to honor him while he lived as one of their great lights.

I am sensible of the importance of party organization. It ought to be observed and preserved—it is essential to success; but the simplest mind must understand that such organization can only be preserved by absolute fairness and freedom in all party transactions. The "packing" and pledging of names, caucuses and conventions, is the bane—the ruin of party organization—and the man who engages in it should merit the reprobation of every party. Those who sustain and encourage intrigues and those who seek to circumvent the popular will, are not entitled to public confidence, and will not enjoy it for a long period of time.

The imputation that I colluded with the Republicans in the Legislature or bargained for their votes is utterly false and scandalous, and the reckless mendacity of those who persist in making it has scarcely a parallel in the vilest type of political warfare. I denounced the suggestion of it in a published card in January, 1873, as utterly false—a whole course of conduct ever since proves that it was false—the democrats in the Legislature who voted for me have denounced it as false—the Republican newspapers likewise; and so many prominent Republicans from time to time—How last to every sense of truth, decency and honor must be the calumniator who can persist in making such imputation to advance the political fortunes of his favorite!

It may be that there are those who, measuring myself by their own narrow and corrupt notions, expected me to prove false to principle and faithless to my political associates. I do not doubt that there were in my own party those who would have rejoiced if I had done so, and are no happier that I have not. Such persons are capable of doing so themselves under like circumstances. They merit and have my contempt.

Those who thus assail me, affect to be oblivious of any possible shortcomings on the part of Gov. Vance in reference to the Senatorial election in 1872 and on former occasions. They and he cannot reasonably complain in self-defence, I refer to some of them.

After what has been said, can any fair man say that he was not reasonable for what happened in 1872? Did he pursue the course of a fair, true party man? Those who understand the legitimate character and purposes of a caucus and party discipline cannot say so.

But if in the opinion of some men I am subject to censure, ought Gov. Vance to be free from like censure? What he did to produce the strife in 1872 has been made manifest. On a former occasion (in 1870) he was a candidate for Senators. He was then ineligible to that place. Many of the wisest men in the Democratic party in and out of the Legislature thought it unwise to

elect him or any other ineligible man, because it was thought certain that such a man would not be admitted to the Senate. Nevertheless, he and his friends insisted on his nomination. After about twenty-five fruitless ballots in caucus, he and his friends gave the pledge to the caucus and the Democratic party, that if he should be elected Senator and should not be promptly admitted to the Senate he would resign, so that the Legislature then sitting might elect some eligible person in his stead. In view of this pledge and the persistency of his friends, he was nominated and elected. He was not promptly admitted to the Senate; but in the face of the pledge so made, he persisted in the fruitless efforts to be admitted for nearly twelve months. He was repeatedly urged to desert on the ground that he certainly would not be admitted. Still he kept the State without representation for all that time in violation of his pledge and for a long while in defiance of the wishes of the Democratic Senators then in the Senate. They at last drew up and signed a paper writing, telling him he would not be admitted and to desert and let the Legislature elect an eligible man. He still delayed to do so. The time he thus kept the State without representation, was one of the gravest moments to the State and the whole South. Measures affecting the South vitally—some almost universally passed, and others favorably failed to pass—some of them too, by one vote! The Democratic Senators thought this conduct indefensible, and it seems to me there was substantial ground for complaint. Now, can his most earnest friend make any reasonable apology for this conduct, and can he say that he did not put his private interests and his ambition to be a Senator against his State and the people who sought to honor him? And is it not surprising, seeing this, that he made the efforts he did in 1873, in the absence of everybody else, to secure by *hard electioneering* for months, a pledge from a majority of the caucus to vote for his nomination? Let candid men judge.

I advert to another incident in connection with his efforts to be admitted to the Senate in 1871.—Ex-Gov. Holden was then Governor of the State. He was impeached for transactions in 1870, with which the people are familiar.—Pending that impeachment, Gov. Vance favored the proposition that Gov. Holden's friends in the Legislature should vote for a State Convention to amend the Constitution, and in consideration of their support of the Convention proposition, the impeachment proceedings should be abandoned. At least one consideration in support of this proposition was, that it would help Gov. Vance to get into the Senate. The proposition was scouted and spurned. If Gov. Holden merited impeachment, how monstrous the proposition to barter right for wrong! Can the most obtuse fail to see at least one motive that Gov. Vance had in favoring this proposition? Can disinterested men even fail to see the ear-marks of ambition, if not unholty ambition? I will not censure. I leave others to judge of such conduct.

It is said that Gov. Vance labored hard to secure my election as Governor in 1872, and, therefore, I was censurable for being in his way to the Senate. I shall not undertake anything he said or did in my behalf then. But it is due to truth to say, that he was opposed to my nomination for Governor, and what he did, was quite as much in his own interests as mine. He spoke generally where he could best promote his own advancement—there were complaints made—I heard them—that in many instances he did not go where he might do much good. Besides, his expenses were paid by the Democratic party during the campaign. Mine were not. I was very sensible of the high honor conferred upon me by the nomination for Governor. It is well known, however, that I accepted it with great reluctance, because my circumstances were such that I could ill-afford to suspend my professional business, or undergo the expense incident to the undertaking a three months tour through the State. Nevertheless, I did so—closed my office and suspended my business for three months. I did the best I could for the people and my party, and the history of the time records how well or ill I did it.

But further in reply to the charge just referred to: In 1876, when Gov. Vance was a candidate for Governor, I did what I could to aid in his election, although he and many of his ardent supporters had malignancy for [Continued to 13th page.]