THE DAILY SENTINEL.

WM. E. PELL, State Printer.

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To the Soute of the United States :

VOL L

I have examined with care, the bill which originated in the Senate, and has been passed by the two Houses of Congress, to amend an act entitled "An act to establish a Bureau for the Relief of Freedmen and Refugees," and for other purposes. Having, with much regret, come to the conclusion that it would not be consistent with the public welfare to give my approval to the measure, I return the bill to the Senate, with my objections to its becoming a

I might call to mind, in advance of these ob partions, that there is no immediate necessity for the proposeds measure. The act to estab-tish a Bareau for the relief of freedmen and ref ugees, which was approved in the month o March last, has not yet expired. It was thought stringent and extensive enough for the purpose in view in time of war. Before it ceases to have effect further experience may assist to guide us toan wise conclusion as to the policy to be a dopted in time of prace.

I share with Congress the strongest, desire to cure to the freedmen the full enjoyment of their freedom and their entire independence and equality in making contracts for their labor but the fall before are contains provisions which in my opinion are not warranted by the Canstitution, and are not well suited to accomplish the end in view.

The full proposes to establish by authority of ongress, a military jurisdiction over all parts of the United States containing refugees and freedmen. It would, by its very nature, apply with most force to those parts of the United States in which the freedman most abound; and it expressly extends the existing temporary jurisdiction of the Freedman's Bureau, with greatly enlarged powers, over those States win which the ordinary course of judicial proceedings has been interrupted by the rebellion "-The sources from which this military jurisdic tion is to emanate, is none other than the Presi lent of the United States, acting through the War Department and the Commissioner of the Freedmen's Bureau. The agents to carry out this military jurisdiction are to be selected either from the army or from civil life; the ountry is to be divided into districts and subdistricts, and the number of salaried agents to be employed may be equal to the number of counties or parishes in all the United States where freedmen and refugees are to be found. The subjects over which this military juris-diction is to extend in every part of the United States, include protection to "all employees agents and officers of this Burcau in the exercise of the duties imposed" upon them by the In eleven States it is further to extend bill. over all cases affleting freedmen and refugees discriminated against "by local law, custom or In those eleven States, the bill subprejudity.

imprisonment or fine, or both-without, howions that

extendence all q

and passion.

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States is disputed. Offences that may be com- labor cannot well be spared. Competition for his another large section of the country, however mitted by individuals should not work a forfei- services from planters, from those who are conture of the rights of whole communities. The structing or repairing railroads, and from capi-talists in his vicinage or from other States, will country has returned, or is returning, to a state of peace and industry, and the rebellion is, in enable him to command almost his own terms. He also possesses a perfect right to change his fact, at an end. The measure, therefore, seems to be as inconsistent with the actual condition place of abode, and if, therefore, he does not find in one community or State a mode of life suited to his desires, or proper remuneration for r the country us it is at variance with the Con-B, passing from general considerations, we xamine the bill in detail, it is open to weighty his labor, he can move to labor is more esteemed and better rewarded -

the state of the s

bjections. In time of war it was eminently proper that we should provide for those who were passing suddenly from a condition of bondage to a state of freedom. But this bill proposes to make the Freedmen's Bureau, established by the act of 1865, as one of the many great and extraordinary military measures to suppress a formidable tebellion, a permanent branch of the public adninistration, with its powers greatly enlarged the laborer.

DAILY SENTINI

RALEIGH, FRIDAY, FEBRUARY 23, 1866.

I have no reason to suppose, and I do not un-derstand it to be alledged, that the act of March, 1865, has proved deficient for the purpose for which it was passed, altho' af that time, and for considerable period thereafter, the government of the United States remained unacknowledged in most of the States, whose inhabitants had been involved in the rebellion. The institution of slavery, for the military destruction of which the Freedmen's Bureau was called into existence as an auxiliary, has been already effectually and finally abrogated throughout the whole country by an amendment to the Constitution of th United States, and practically its cradication has received the consent and concurrence of nost of those States in which it any time had in existence - I am not Alcostory, able to dia ern, in the condition of the country, anything o justify an apprehension that the powers and ncies of the Freedmen's Bureau, which were effective for the protection of freedmen and ref ugces during the actual continuance of hostili-tics and of African servitude, will now, in a time of peace and after the abolition of slavery, prove inadequate to the same proper ends. If I am orrect in these views, there can be no necessity

for the enlargement of the powers of the Bu reau for which provision is made in the bill. The third section of the bill authorizes a ger eral and unlimited grant of support to the des-titute and suffering refugees and freedmen, their wives and children. Succeeding sections make provision for the rent or purchase of landed esates for freedmen, and for the erection, for heir benefit, of suitable buildings for asylums and schools-the expenses to be defrayed from the treasury of the whole people. The Con-gress of the United States has never heretofore thought itself empowered to establish asylums beyond the limits of the District of Columbia except for the benefit of our disabled soldier and sailors. It has never founded schools for any class of our own people-not even for the orphans of those who have fallen in the defence of the Union, but has left the care of education to the much more competent and efficient control of the States, of communities, of private as-sociations, and of individuals. It has never deemed itself authorized to expend the public money for the rent or purchase of homes for the thousands, not to say millions, of the white race, who are honestly toiling, from day to day,

jects any white person who may be charged for their subsistence. A system for the support with depriving a freedman of "any civil rights of indigent persons in the United States was or immunities belonging to white persons," to never contemplated by the authors of the Constitution; nor can any good reason be advanced ever, defining "the civil rights and immunities" why, as a permanent establishment, it should which are thus to be secured to the freedman he founded for one class or color of our people why, as a permanent establishment, it should by military law. This military jurisdiction also more than another. Pending the war many refwroes and freedmen received support of the arise respect Government, but it was never intended that ing contracts. The agent who is thus to exercise the office of a military judge may be a they should thenceforth be fed, clothed, educa-stranger, entirely ignorant of the laws of the place, and exposed to the errors of judgment idea on which the slavos were assisted to freeto which all men are liable. The exercise of dom was, that, on becoming free, they would be a self-sustaining population. Any legisla-by so vast a number of agenta as is contemplated by the bill, must, by the very nature of to attain a self-sustaining condition, must have man, be attended by acts of caprice, injustice a tendency injurious alike to their character and their prospects. The trials having their origin under this bill are to take place without the intervention of a The appointment of an agent for every county and parish will create an immense patronage, and the expense of the numerous officers and jury, and without any fixed rules of law or evitheir clerks, to be appointed by the President, dence. The rules on which offences are to be will be great in the beginning, with a tendency steadily to increase. The appropriations asked "heard and didormined" by the numerous agents, are such rules and regulations as the President, through the War Department, shall prescribe, No previous presentment is required, nor any by the Freedmen's Bureau, as now established, for the year 1866, amount to \$11,745,000. It may be safely estimated that the cost to be inindictment charging the commission of a crime against the laws; but the trial must proceed on charges and specifications. The punishment, will be not what the law declares, but such as curred under the pending bill will require double that amount-more than the entire sum expended in any one year under the adminis-tration of the second Adams. If the presence of spents in every parish and county is to be considered a war measure, opposition or even a coort mastial may think, proper, and from these arbitrary tribunals there lies no appear, no writ of error to any of the courts in which the resistance, night be provoked ; so, that to give constitution of the United States vests exclueffect to their jurisdiction, troops would have sively, the judicial powers of the country. to be stationed within reach of every one of them, and thus a large standing force be ren-While the territory and the classes of action and offences that are made subject to this measure are so extensive, the bill itself, should it bedered necessary. Large spatialing roles of the therefore, be required to snatain and enforce military jurisdiction in every county and parish from the Potomac to the Rio Grande. The cancome a law; will have no limitation in point of time, but will form a part of the permanent legislation of the country. I cannot reconcile a system of military jurisdiction of this kind with the words of the Constitution, which defrom the Potomac to the Rio Grande. The can-dition of our fiscal affairs is encouraging; but in order to sustain the present measure of clare that "no person shall be held to answer for a capital or otherwise infamous crime unless public confidence, it is necessary that we prac-tice not merely customary economy, but as far possible, severe retrenchment. on a presentment or indictment of a grand jury, In addition to the objections already stated, except in cases arising in the land and naval forces or in the militia when in actual service in In addition to the objections arready stated, the fifth section of the bill proposes to take away land from its former owners without legal proceedings being first had, contrary to the provisions of the Constitution which declares time of war or public danger;" and that, "in all criminal prosecutions, the accused shall emby the right to a speedy and public trial, by an impartial jury of the State or district wherein the grime shall have been committed." The safeguards which the experience and wisdom of ages taught our fathers to establish as securities or persons of unsound mind, or by those who have been faithful to all their obligations as cilizens of the United States. If any portion of the land is held by such persons, it is not competent for any anthority to deprive them of if. If, on the other hand, it be found that the property is liable to configuration, even there is for the protection of the innocent, the punishment of the guilty, and the equal administra-tion of justice, are to be set aside, and, for the sake of a more vigorous interposition in behalf of justice, we are to take the risk of the many acts of injustice that would necessarily follow from almost a countless number of agonta, established in every parish or county in nearly a third of the States of the Union, over whose til, by due process of haw, it shall have been declared forieited by the Government. There is still further objections to the bill, on grounds seriously affecting the class of persons to whom it is designed to bring reliet. It will bend to keep the mind of the freedman in a state of uncertain expectation and restlessnes, while to those among whom he lives it will be a softree of constant, and vague apprehension. Indoubtedly the freedman should be pro-tected, but he should's protected by the civil anthorities, especially by the exercise of all the constitutional powers of the scouts of the Upited States and of the States. His condition is not so exposed as may af first be imagined. decisions there is to be no supervision or con trol by the Federal courts. The power that would be thus placed in the hands of the President is such as in time of peace certainly ought never to be entrusted to any one man. If it be asked whether the creation of such a tabunal within a State is warranted as a measwhile to those among whom he trives it will be a source of constant, and vague apprehension. . Undoubtedly the freedman should be pro-tented, but he should be protected by the civil anthorifies, especially by the exercise of all the constitutional powers of the courts of the United States and of the States. His nondition is not so exposed as may at first be imagined. He is in a portion of the country where his ure of war, the question immediately presents iterif whether we are still engaged in war. Let us not unnecessarily disturb the commerce and credit and industry of the country by declaring to the American propie and to the world that the United Stoles are still in a condition of civil was. At present there is no part of our country in which the authority of the United

another, where that In truth, however, each State induced by its own wants and interests, will do what is necessary and proper to retain within its borders all the labor that is needed for the development of its resources. The laws that regulate supply and demand will maintain their force, and the wages of the inhorer will be regulated, thereby,

There is no danger that the, exceedingly great demand for labor will not operate in favor of Neither is there sufficient consideration given to the ability of the freedmen to protect and take eare of themselves. It is no more than justice to them to believe that, as they have received their freedom with moderation and forbearance, so they will distinguish themselves by their in dustry and thrift, and soon show the world that in a condition of freedom they are self-sus taining, capable of selecting their own employ ment and their own places of abode, of insist ing for themselves on a proper renumeration, and of establishing and maintaining their own asylums and schools. It is earnestly hoped that instead of wasting away they will, by their own efforts, establish for themselves a con-dition of respectability and prosperity. It is

contain that they can attain to that condition only through they own merits and exertions – In this connection the query presents itself whether the system proposed by the bill will not, when put in complete operation, practically transfer the entire care, support and control of four millions of emancipated slaves to agents, overseers, or taskmasters, who, appointed in Washington, are to be located in every county, and parish throughout the United States, con taining freedmen and retugues. Such a system would inevitably tend to a concentration of power in the Executive, which would enable hum, if so disposed, to control the action of this numerous class, and use them for the attainment

of his own political ends. ... I cannot but add another very grave objection to this bill. The Constitution imperatively de clares, in connection with taxation, that each State shall have at least one representative, and fixes the rule for the number to which, in future times, each State shall be entitled. It also pro vides that the Senate of the United States shall be composed of two Senators from each State, and adds, with peculiar force, that no State, without its consent, shall be deprived of its equal suffrage in the Senate. The original act was necessarily passed in the absence of the States chiefly to be affected, because their people were contumaciously engaged in the rebel-lion. Now, the case is changed, and some, at least, of those States are attending Congress by loyal representatives, soliciting the allowance of the constitutional right of representation. At the time, however, of the consideration and the passing of this bill, there was no Senator or Representative in Congress from the eleven States which are to be mainly affected by its provisions. The very fact that reports were and are made against the good disposition of the people of that portion of the country, is an ad-ditional reason why they need and should have representatives of their own in Congress, to ex-

much the latter may preponderate. The course of emigration, the developments of industry and business, and datural causes, will raise up at the South mon as devoted to the Union as those of any other part of the land. But if they ate all excluded from Congress -if. In a permi-nent statute, they are declared not to be in full constitutional relations to the country, they may think they have cause to become a unit in in feeling and sentiment against the Govern ment. Under the political education of the American people, the idea is inherent and inradicable that the consent of the majority of the whole people is necessary to secure a will ng acquiescence in legislation.

All a fundation of the state

NO. 166.

The bill under consideration refers to certain of the States as through they had not "been fulrestored in all their Constitutional relations to the United States." If they have not, let us at once act together to secure that desirable end at the earliest moment. It is hardly neces, sary for me to inform Congress that in my own udgment most of those States, so far at least as depends upon their own action, have already been fully restored, and are to be deemed as entitled to enjoy their constitutional_rights as nembers of the Union. Reasoning from the constitution itself, and from the actual situation of the country, I fiel not only entitled, but ound to assume that with the Federal courts estored, and those of the several States in the full exercise of their functions, the rights and nterests of all classes of the people will, with the aid of the military in cases of resistance to the law, be essentially protected against unconstitutional infringement and yiolation.

Should this expectation unhappily fail, which Like not anticipate, then, the Executive is al-readly fully article with the power conferred by the act of March, 1865, establishing the Freedmen's Bureau, and hereafter, as heretofore, he can employ the land and inaval forces of the country to suppress insurrection and to over-

In accordance with the Constitution, Trefum the bill to the Senate, in the carnest hope that a seasure involving questions and interests to important to the country, will not become a law sss, upon deliberate consideration by the people, it shall neerive the sanction of an en-lightened public judgment. ANDREW JOHNSON

Washington, Feb. 19, 1868.



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n their condition, reply to accur assist by their local knowledge, in the perfecting of measures immediately affecting themselves While the liberty of deliberation would then be free, and Congress would have full power to decide according to its judgment, there could he no objection urged that the States most in-terested had not been permitted to be heard. The principle is firmly fixed in the minds of the American people, that there should be n

taxation without representation. Great buy dens have now to be borne by all the country and we may best demand that they shall borne without murmur when they are voted I a majority of the representatives of the people I would not interfere with the unquestionable right of Congress to judge, each House for it self, "of the elections, returns, and qualification of its own members." Butshat authority can not be construed as including the right to shu out, in time of peace, any State from the repre-sentation to which it is entitled by the constitu tion. At present, all the people of eleven State are excluded—those who were most faithin during the war, not less than the others. The State of Tennessee, for instance, whose authors ties engaged in rebellion, was restored to all her constitutional relations to the Union by the patriotism and energy of her injured and h trayed people. Before the war was brought to a termination, they had placed themselves in re-lations with the General Government, had established a litate government of their own, an as they were not included in the Emancipatio proclamation, they, by their own act, ha amended their constitution so as to abolis alayery within the limits of their State. I kno no reason why the State of Tennessee, for example, should not fully enjoy "all her constitution al relations to the United States." The Prosident of the United States states

towards the country in a somewhat different a titude from that of any member of Congress Each member of Congress is chosen from a sit that no person shall "be deprived of life, liber-ty or property without due process of Jaw." It does not appear that a part of the land to which are not at this time represented in either lumin this section refers may not be owned by minors of Congress, it would seem to be his duty on or persons of unsound mind, or by those who proper occasions to present their just claim 15. If, on the other hand, it be found that the property is hable to confiscation, even then it cannot be appropriated to public purposes until, by due process of law, it shall have been decired fortietted by the Covernment.
There is still further objections to the bit

ous to pursue a course of measures, which will unite a very large section of the country against

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