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ART. 1.—EXTEMPORANEOUS PREACHING.

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THE discussion of the subject of Homiletics would be incomplete, if it did not include the topic of Extemporaneous Preaching.

This species of sacred eloquence has always existed in the church, and some of the best periods in the history of Christianity have been characterized by its wide prevalence and high excellence. The Apostolic age, the missionary periods in Patristic and Mediæval history, the age of the Reformation, the revival of evangelical religion in the English Church in the eighteenth century, in connection with the preaching of Wesley and Whitfield, and the "Great Awakening" in this country, were marked by the free utterance of the extemporaneous preacher. Being now too much neglected by the clergy of those denominations which both furnish and require the highest professional education,—a clergy, therefore, who have the best right to employ this species of sermonizing,—here is reason for directing attention to it. In discuss-

ART. II.—THE PRESIDENT AND CONGRESS.

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THE Elections of September, October and November last, in all embracing nineteen of the loyal States, have settled the question as to the ascendancy of the Republican party in the Fortieth Congress. To a large extent the Republican members of the Thirty-ninth Congress have been re-elected. In both Houses of the next Congress, the Republicans will have more than a two-thirds majority, and can therefore carry out their purposes of legislation in defiance of the Presidential veto. This is unquestionably a victory of Congress over the President. Both parties made an appeal to the popular judgment, and the result proves the appeal of the President to be a total failure, while that of Congress is a complete success.

The question which the people have determined by the late elections, is the great Problem of Reconstruction, submitted to the public judgment in a specific shape. The form of the question grew out of the conflict between the President and Congress, each having a specific plan for the reconstruction of the Rebel States, and neither being able to decide the point for the other. The discussion of the subject was thorough; the parties thereto did their best; ample time was given for consideration; probably no people ever voted with a better apprehension of the points at issue; on both sides it was claimed that the question to be decided was of the greatest importance; and in these circumstances of earnest effort and intense conflict, the sovereign people proceeded to express their will, indorsing the Thirty-ninth Congress, and condemning the President.

The great cause of this defeat on the one side, and victory on the other, is undoubtedly the difference between the policy of the President and that of Congress. The President's policy, though supported by the whole strength of the Demo-

cratic party, aided by the so called Johnson men, could not stand the test of the popular thought. It was not what the people expected at his hands. Probably no public man was ever more completely deserted, or severely condemned by those whose votes placed him in power. Congress, on the other hand, presented a plan of reconstruction which to the majority of the people seemed better suited to the exigence of the times and the future safety of the nation. As we doubt not, one of the serious obstacles greatly harming the cause of the President, consisted in the *man himself*. The disgraceful and mortifying circumstances connected with his inauguration as Vice-President; his speech in Washington on the 22nd of February, 1866; his singular tour through the country from Washington to Chicago and back again to Washington; the fact that he had abandoned the party that had chosen him to the Vice-Presidency, and was, moreover, wielding the patronage of the Government in favor of the Democratic party; the system of pardons by the wholesale granted to prominent Rebels—these, and the like circumstances were well calculated to bring the President into discredit with a large portion of the American people. They distrusted the man; and yet the chief cause of the President's failure must be sought in his policy of Reconstruction as compared with that of Congress. Here, mainly, the issue was joined; and here the verdict was rendered. Let us then for a moment look at the question as thus presented.

One of the elements in the case was the extreme *haste* of the President, amounting to absolute *rashness*. When the Rebellion was subdued, Congress was not in session, and if the President had acted wisely, he would have either convened this body, or waited till the regular session of Congress before committing himself to any policy of reconstruction. The former would have been the wiser course; yet either course would have given the Congress of the nation a full opportunity to act on the subject. There was no earthly reason why the President should take upon himself the whole responsibil-

ity of determining the method and principles of reconstruction. The position of things was novel. There were no precedents in our political history to guide him. The Constitution framed by the Fathers never contemplated such a terrible rebellion; and, moreover, Congress had not by legislation provided any plan for the re-adjustment of the Rebel States after their conquest. In such circumstances, the President ought not to have moved an inch towards reorganizing civil society in the conquered States, until the Congress of the nation had been fully heard. Such, we regret to say, was not his course. He proceeded at once to assume all the power of judgment and action in the case; issued his proclamation, created the office of Provisional Governors without authority of law, appointed the incumbents thereof, and fixed their salaries; provided for the calling of State Conventions; determined who should be voters for delegates to these Conventions; and required the Rebel States to comply with certain conditions as precedent to their rights of representation in Congress. All this the President did before Congress assembled, seemingly with the design of carrying the case as far as possible before it could be touched by any legislative action of the Government. And then when Congress convened, and showed a disposition not at once to accept the President's work as complete and final, the latter hastened to remove his Provisional Governors, and remit the Rebel States entirely to their local authorities. The whole movement from beginning to end has the appearance of great rashness. It looks like an effort to spring a *snap*-judgment upon Congress. It looks as if the President meant so to deal with the question, that Congress could do nothing but accept his action as final. This we think to be one of the reasons for the President's defeat at the bar of the popular judgment. His evident anxiety to make himself master of the occasion, and if possible blockade Congress, has justly secured his own failure. Such summary proceedings on the part of the Executive were not agreeable to the American people.

A *second* element in the case was supplied by the President's most unwarrantable *assumption of power*, not only with-

out authority of law, but against law. There is not a solitary clause of the Constitution which gives him even the shadow of a legal right to do what he was proposing to do. It does not belong to the office of the President to organize State governments out of any materials, loyal or disloyal, where none exists. This is the business of Congress, providing therefor by special legislation, and always judging whether such governments be Republican in their form or not. The President admitted that the governments of the Rebel States had, and could have, no valid existence under the Constitution of the United States; and if so, then the people had no constitutional State governments. Legally they were in the condition of chaos. They were conquered subjects, justly exposed to the penalty of law for their crimes. Was it then the province of the President to take these subjugated rebels in this state, reorganize civil society among them, restore them to their normal relations to the Government, and that too without any legislation of Congress either guiding or controlling his action? All this he assumes to have done; but where did he get the authority for so doing? This question of authority was before the public mind; it was thoroughly argued, and it was conclusively shown that the President's action was without any authority of law, and hence, legally considered, null and void. Those who defended the President in the late canvass instinctively shunned this question, while his opponents set it forth in glaring colors. The people in pronouncing their judgment upon this branch of the case, have said to the President, that he must hereafter learn to confine his action to the constitutional powers and duties of his office. The people are not prepared to indorse the usurpation of independent legislative powers by the executive officer of the Government; and they have told him so by the late elections. They are not prepared to have the President violate the laws of Congress, as he certainly did in creating the office of Provisional Governors without any legal warrant, and fixing their salaries, and ordering the payment of the same from the public treasury.

A *third* and equally formidable element in the case as it stood before the public mind, was the *result* of the presidential policy. This no candid man could conceal from his eye. It was as palpable as the sun in the heavens at midday. The fact was notorious, that the Senators and Representatives from the Rebel States, chosen under the President's policy, were for the most part, men who, within less than the period of a year, had occupied official positions, civil or military, in conducting a war of treason against the life of this nation,—men who could not take the test oath without perjury,—men who submitted to the national authority simply because they had no power to resist it,—men who would have been in their graves if the criminal laws of the country had been executed upon them. These are the men who appeared in Washington, under the President's plan, to take part in the legislative counsels of the nation. It is not surprising that Congress should hesitate, or that the people should doubt the wisdom and safety of such a process of reconciliation.

It was equally important that the States as reconstructed according to this plan were not in a fit condition to enjoy the right of representation in Congress. Infamous traitors were the men placed in power; they held the State offices and enacted and executed the State laws; and true Union men, who had never bowed the knee to Baal were persecuted, and in many instances, as at New Orleans and elsewhere, murdered for their loyalty. Treason was found to be the passport to favor, and loyalty during the war the badge of proscription and dishonor. Southern Unionists complained most bitterly of the President's policy. They declared it to be their curse and their ruin. This state of things was made known at the North, and doubtless had its powerful effect on the public mind. Indeed, the people could not see what had been gained by the so-called reconstruction of the President. He might as well have taken the State Governments just as they were when the Rebellion was overthrown, and declared them to be loyal, without any process of mere *sham* reconstruction. The reconstruction of the President seemed

very like a farce, since it left substantially the same men in power. No mark of dishonor was placed upon the traitor, and no disability of any kind imposed upon him for his crimes. This certainly was a very singular mode of making treason "odious."

A *fourth* element in the case, was the interest which the people felt in the welfare and safety of the *Freedmen*. For them the President's plan made no provision, and to them it secured no protection. It simply left them to the tender mercies of State legislation wholly managed by the white race. The fact was well known, that slavery had not been abolished with the good will of a majority of the people at the South. It was a matter of compulsion rather than of choice. Southern public sentiment had undergone no change on the subject of Negro slavery. State laws in relation to testimony, contracts, labor, property, vagrancy, and apprenticeship, enacted with special reference to the *Freedmen*, might virtually reproduce the system of slavery, not in name, but in substance. Such a state of things did not meet the views of a majority of the Northern people, who were determined to keep their pledge with the *Freedman*, to make his freedom a fact, and render it impossible to evade it by any system of partial and unjust legislation. The colored people at the South had abundantly proved their loyalty; in the hour of national peril they were sought and accepted as useful allies: large numbers of them had borne arms against the Rebellion: to them the nation had in the most sacred manner pledged its faith: even Mr. Johnson on one occasion promised to be their "Moses:" they were, moreover, disfranchised, and hence powerless to protect themselves: and surely it was not to be expected, that the country would look with indifference upon the condition and fate of this people. To have done so would have been an act of treachery and ingratitude well worthy of the curse of Heaven. We heartily thank God, that the *Freedman* is not to be left where he would have been left, if the policy of the President had been approved by the people.

A *fifth* element entering into the canvass, and affecting the

public judgment, grew out of the *contingent questions of the future*. It was readily seen, that the President's policy provided no guarantee for the national debt, and equally that it supplied no prohibition against the future payment of the rebel debt, or making compensation for the emancipation of slaves. Here were grave questions lying in the problem of the future, involving thousands of millions of dollars, and left open to any system of bargain and sale among those who make a trade of politics. It is quite certain, too, that on these points the Rebel States, if admitted to their seats in Congress, would have marched as a solid column in one direction, ready to ally themselves with any political party at the North that would favor their views. It would not have been long before some or all of these questions would have been launched upon Congress, greatly to the damage of the National credit. Thoughtful and reflecting men saw this peril, and judged it best, as we think very wisely, to place such grave interests entirely beyond the reach of party politics.

Still *another* branch of the case was drawn from the essential *falseness* of the main arguments urged in behalf of the President's policy. It was insisted by the President and his supporters, that the Rebel States had a constitutional right to be represented in Congress the moment the war ceased. The right at once sprang into being of itself, without any conditions, and without any legislative action on the part of the Government. Some went so far as to affirm, that the right was perfect and intact even during the war. It was simply not used.

Such a doctrine of State Rights struck the American people as being absolutely monstrous. It perfectly ignores the distinction that exists between things as wide apart as heaven and hell. A loyal State, and a State in rebellion against the National Government, are not parallel cases. They do not stand on the same basis of rights under the Constitution. The one is a political community in every way qualified to be represented in Congress: and the other, a political community without any State officers constitutionally competent to pro-

vide for this representation. True, the Rebel State is not out of the Union in the sense of being released from its obligations; but it is out in the sense of having *forfeited* its privileges, and in the further sense of its own incapacity to resume the relations of a loyal State except by some governmental action to define the method, and also to say when the thing is accomplished. This the President virtually conceded when he proceeded to reconstruct the Rebel States. Had he done the same things in a loyal State, he would have been impeached as an usurper. The argument against Congress, as drawn from the so-called rights of the Rebel States, fell therefore with very poor grace from the lips of those who indorsed the President. Though an utterly false argument, still it condemned everything that he had done from top to bottom. It was indeed said during the canvass, that by the action of the President, the status of this question had been essentially altered, and that although the Rebel States were not at first entitled to representation in the National Congress, still the right became perfect when they complied with the conditions of the President. Then they were loyal States. So said the President; and so said his supporters. To this it was replied, as we think conclusively, that the President had no authority to do what he professed to have done. Such was the judgment of the people, not only condemning the President for his assumption of power, but equally repudiating the main argument which was urged in behalf of the right of immediate and unconditional representation in Congress on the part of the Rebel States. The verdict of the people upon this question we think to be right.

The cause of the President was further embarrassed by his *party affiliations*. In this respect he presented a very singular spectacle before the public. Nothing was clearer than that he had deliberately forsaken the party to which he was indebted for his election to the Vice Presidency; and that he was doing all he could to secure its defeat. He left his old friends and went over to his old enemies. True, he was taken up by the Democratic party; yet this party was largely in

the minority in the loyal States. He was cordially welcomed and praised by the Rebels, and by all the sympathizers with the Rebellion. He had changed his position; and as the result, those who carried the country safely through the war, ceased to be his supporters, and became his political opponents. Many of them severely denounced him, not without much occasion for doing so; and the great mass of them entirely refused to trust him. The Philadelphia Convention, got up in the interests of the President, proved a total failure. The people saw that it was nothing but a heartless coalition for the purposes of political power. The expedient did not take with the popular mind; and the whole thing came to its deserved fate.

Such, as we judge, are some of the prominent causes to which the President owes his defeat. They are quite sufficient to explain the result. A more marked defeat has not occurred in the history of American politics. A sweeping and overwhelming majority has distinctly said, that the President's policy shall not go into effect. The public sentiment created by the war, has simply proved true to itself in demanding something more and something safer, as a final settlement of the questions growing out of the Rebellion.

Turning now for a moment to the *other* side of the issue, which has been equally determined by the people, we come to the Constitutional Amendment proposed by Congress. The principles contained in this amendment are unquestionably the principles which have carried the election so triumphantly in favor of the Republican party. What are these principles? This question deserves a brief notice.

The *first* section of the amendment declares, that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State in which they reside." It further declares, that "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to

any person within its jurisdiction the equal protection of the laws." The justice of this section lies upon its very face. It determines who is a citizen of the United States and also of the State in which he resides; and then, as to what are termed *civil* rights, it places *all* citizens on the same basis of equality before the laws, entirely ignoring the question of color or caste, and precluding the possibility of all class legislation in respect to these rights. This is as it should be. Whoever resists the principle affirmed in this section is the enemy of popular government. The security which it affords to the Freedman, is just the security which the nation is bound to afford to all men.

The *second* section provides, that "Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of Electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the Members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age and citizens of the United States, or in any way abridged except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."

It is readily seen, that this section bases representation in the lower House of Congress upon population, and also leaves the question of *political franchise*, where it has always been left, with the State. It, however, declares that if any State denies the right of voting to any class of its male inhabitants, being citizens of the United States, twenty-one years of age, and not guilty of rebellion or other crime, then the class so disfranchised, shall not be counted as a basis of political power in the Union. This is certainly just and fair as between the several States. In its moral effect it supplies a motive

against political oligarchies in the State. It fosters, and to some extent guarantees, the democratic principle. It makes it the political interest of the Southern States to enfranchise the colored population. It is perhaps the shortest and surest road to impartial suffrage. It adjusts the Constitution to the new condition of things, which has grown out of the Rebellion. It submits to the Southern States this alternative:—either to grant the right of suffrage to the colored people, or accept the consequence of not having them counted as an element of political power in the Union, to be wielded by white men. The abolition of slavery renders this section necessary, since without it the Rebel States will increase their political power in consequence of the war. This section may be unwelcome to the South; yet the North, as we think, will never consent to have a politically disfranchised class of American citizens used as the basis of power by the very men, who insist upon this state of things. The decree of the popular judgment has gone forth, and is not likely to be reversed.

The *third* section provides, that “no person shall be a Senator or Representative in Congress, or Elector of President or Vice-President, or hold any office, civil or military, under the United States or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an Executive or Judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid and comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.”

The disability imposed by this section, is confined to *perjured* traitors: and in respect to them it simply declares that they shall be ineligible to any office, whether State or Federal, unless Congress by the requisite vote shall judge it best to restore to them this privilege. The disability aims at the very men, upon whom rests the chief guilt of the Rebellion. Perjured traitors took advantage of their official position to commit treason against the United States. Such atrocious crimi-

nals ought to be ineligible to office, whether State or Federal. This is the very least that an outraged country can demand. It falls immensely short of the offence. The provision for removing this forfeiture places these offenders on their good behavior, and thus mingles mercy with justice. So far as we can judge, these gentlemen do not as yet give any signs of penitence for their treason. They have simply been defeated : and if there were any prospect of success, they would be likely at once to renew the war. Some of them are as treasonable in their feelings, and would, if they could, be as treasonable in their practice, as they were at any time during the Rebellion. Such men ought not to hold office. They ought to "take the back seats," and then stay there till an outraged Government shall at least have time to take a very good observation of them. This is required for the safety of the nation. Indeed, if there be any just objection to this section, it must consist in its extreme mildness. No such leniency would be practised in any other country. If the Southern people resist the principle contained in this section, the fact will furnish conclusive proof that they are not truly loyal to the Government, and hence not in a fit condition to be represented in Congress. To the Northern people this section seems not only necessary, but eminently mild and magnanimous. Less than this the South will not be likely to get at the hands of the victorious North. There is a deep feeling at the North on the subject of treason, which the Government has utterly failed to express in its treatment of the traitor : and this feeling will never consent that the men who have combined perjury with treason, shall walk into the halls of Congress, or any other halls of official power, with no legal mark of dishonor placed upon them. This would be too much for a loyal people to endure.

The *fourth* section provides, that " the validity of the public debt of the United States, authorised by law, including debts incurred for the payment of pensions and bounties for suppressing insurrection and rebellion, shall not be questioned. But neither the United States nor any State shall assume or

pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of slaves : but all such debts, obligations, or claims shall be held illegal and void."

This section proposes to make the national debt absolutely sacred, and at the same time render it constitutionally impossible for the General Government, or any of the States, to assume or pay any portion of the Rebel debt. It also forbids any compensation for the emancipation of slaves. The section is obviously just what ought to be incorporated in a plan of reconstruction, whose object is to restore to their political privileges and powers the very communities out of whose treasonable conduct have grown the questions referred to. These questions ought to be settled *when* we are restoring these communities, so as to put them beyond the reach of debate *after* they are restored. The settlement, too, ought to be placed in the fundamental law of the land. The bond-holders of the Rebel debt, and the ex-masters of slaves, will of course not favor this section ; it does not move in the line of their interests ; they would doubtless be glad to have these points left open for future consideration : and this is a very important reason why the section should be passed, so as to guard all parties against temptation on the one hand, and the nation against any dangerous agitation on the other.

The *fifth* and last section provides, that " Congress shall have power to enforce, by appropriate legislation, the provisions of this Article." If the amendment be passed, then Congress, as the legislative branch of the Government, ought to be invested with sufficient power to carry it into practical execution. Whatever legislation may be necessary to this end, it will be the duty of Congress to supply.

We have now looked at both sides of the issue between the President and Congress, as it was presented to the people in the recent elections. The result is just what might have reasonably been expected. The cause of the President was essentially weak, and that of Congress essentially strong : and this gave the latter great advantage over the former before

the people. Congress, without making any attack upon the President, or even nullifying what he had done without any legal authority, simply proposed to remedy, so far as possible, the defects of his policy. For this purpose it added the Constitutional Amendment, submitting it to the calm deliberation of the American people. This Amendment, though extremely mild in its character, is nevertheless sufficiently radical and effective to be a safe basis of settlement. So the people judged. In electing members to the Fortieth Congress they have virtually voted for this Amendment: and, as we doubt not, most of the Legislatures of the loyal States will in due season confirm this judgment.

The President in his unnecessary conflict with Congress, and especially in his language of violent and unjust denunciation, committed the greatest mistake ever committed by a President of these United States. He did not seem to understand the Northern people, or the proprieties of his own office. His speeches, during his political tour to Chicago, were any thing but fitting in one who was the Chief Magistrate of a great nation. The vanity, weakness, indiscretion, and bad temper of the man, no one could fail to perceive. That political tour doubtless cost him a great many thousand votes. The like was never seen before in this country: and we sincerely hope that it may never be witnessed again. One such spectacle is surely quite enough for the whole life-time of a nation.

Passing now to the problem of the *immediate future*, we meet three important questions. First, what ought the President to do? Secondly, what ought Congress to do, considered as the representative of the victorious party? Thirdly, what will be the course of the States not yet represented in Congress? On each of these questions we submit a brief comment.

First, what ought the President to do? The answer to this question we hold to be very simple. Nothing is plainer than that the President ought cheerfully to yield to the decision of the public judgment. To that judgment he made his appeal; and the verdict is against him, coming too from the court of

final jurisdiction. The President may have his own private opinions ; yet any official or factious opposition to the will of the people legally expressed, any proscription of men because not supporting his policy, any further denunciation of Congress, any efforts to defeat the Constitutional Amendment, will in him be both a blunder and a crime. The people have spoken ; their voice cannot be mistaken ; and the President must abide by it. To resist it will be useless. The logic of events is stronger than the will of any single man. During his whole term of service the President will have in both Houses of Congress more than a two-thirds majority against his policy, and this majority he cannot safely defy. It will hence be wise in him, as a public man, to accept the situation, and act accordingly.

Secondly, what should Congress do ? It will be well for the members of Congress to bear in mind, that their main business is not to fight the President, merely for the sake of the opposition, but rather to attend to the public interests. A good and sensible temper of mind will be a long step towards wise legislation. Mere passion seldom does the right thing. Large majorities sometimes fail to act wisely, simply because they are conscious of their strength. The Thirty-ninth Congress, as opposed to the policy of the President, is strong : and so will be the Fortieth. Both express and embody a public sentiment, which has throughly repudiated the President's policy.

As to the question of admitting Senators and Representatives from the excluded States, we think that the Thirty-ninth Congress ought firmly to maintain its present position. It has been instructed to do so by the people. It stands committed to the principles of the Constitutional Amendment ; and until sufficient time is given to determine whether the people will adopt or reject its provisions, Congress has no moral right to recede from these principles. We assume that the Constitutional Amendment was not an electioneering card merely to catch votes. We supported it as a genuine policy, believing Congress to be perfectly sincere in proposing it, and ready to

carry it into practical effect in the event of its approval by the people. It contains the principles upon which the people, by a decisive majority, have expressed their judgment ; and by this judgment Congress is morally bound. The introduction of new and different terms of reconstruction would, in the present stage of the case, be virtually a breach of faith. It would justly expose Congress to censure. No such effort ought to be made. If the Amendment shall be constitutionally passed, then Congress, whether it be the Thirty-ninth or the Fortieth, ought in good faith to apply its principles by appropriate legislation, and in conformity therewith admit Senators and Representatives from the Rebel States to their seats. If, however, the Amendment shall fail for want of the constitutional majority, then the whole question of reconstruction will be thrown open for future discussion. Till this point is ascertained, we hold that Congress is bound to reject all new propositions of every name and nature. How much time it will take to settle the point, we cannot tell. It obviously cannot be done in a moment. The public mind, both North and South, should not be hurried. Let it have time to think, and time to place its decision in a legal form. In due season, and that too at no distant day, we shall know the result.

During the canvass some of the speakers who were members of Congress, intimated that the President ought to be impeached for his misdemeanors in office. The intimation is not without many acts on the part of the President, giving it at least some color of plausibility. He certainly has been very unwise, even if he has committed no positive misdemeanors. It will, however, be well for Congress to remember that the impeachment of the President of these United States is a very serious business. It is true, that the Constitution provides for this resort in certain cases ; yet the remedy ought to be clearly demanded by the Constitution as well as by the public safety, before the thing is attempted, and certainly before it is done. Political considerations should not enter into the question. Whether a bill of impeachment would legally lie against the President or not, we do not

undertake to decide ; yet without some further developments, making it necessary, we are fully of the opinion that it should not be tried. It is highly *inexpedient*. It would probably do vastly more harm than good. It would throw the country into a state of confusion and angry excitement, and might involve us in civil war. As matters now stand, we should regard it as an exceedingly dangerous experiment, not called for by any imperative necessity. It is, we think, strongly probable that public sentiment in the loyal States would not sustain Congress in such a measure. It is true, that the people have rejected the policy of the President, and severely condemned his acts. As reasons governing their votes, they have listened to the discussions which have set forth the usurpations and unconstitutional procedures of the President ; but actual impeachment with removal from office is a very different question. This involves first, a bill of impeachment framed by the House of Representatives, and then a formal trial by the Senate. If the President were found guilty, it would involve his removal from office, and the election of a new President to fill the vacancy. We have no idea that the country would judge this to be wise under the present circumstances. We are quite sure, that it would be the worst possible policy for Congress. With more than a two-thirds majority against him in both Houses, Congress can better afford to let the President live out his Constitutional days ; and then he will die without any excitement, trouble, or expense to the people. The effort to shorten his official life might make him a martyr. For the credit of American institutions as well as the general peace and safety of society, we want to see no such efforts, certainly not until the occasion becomes much more pressing and imperative.

Thirdly, what course will be pursued by the Rebel States not yet represented in Congress ? This is a very important question to them, and not unimportant to the whole nation. There is nothing in the Amendment itself, or in the legislation of Congress, to exclude these States from voting on the subject. We presume that their votes will be counted in de-

termining the result. This may seem inconsistent with the denial of their right of immediate representation in Congress. Under ordinary circumstances it would be so ; yet whatever inconsistency there may be between these two things, is due to the course pursued by the President. If he had waited for the action of Congress, there would have been no trouble in the case. He did not wait ; and hence Congress was compelled, either to declare his action null and void, or to *arrest* his policy by refusing to admit Senators and Representatives from the States re-constructed under this policy, and adding thereto a supplement to remedy, as far as possible, its main defects. The latter expedient was chosen by Congress. In choosing it Congress, as we suppose, meant to leave the Amendment open to the vote of all the States.

It will require the affirmative vote of at least twenty-seven States to pass this Amendment ; and as there are but thirty-six States now in the Union, at least one of the ten excluded States must vote for it, even if all the States now represented in Congress should give an affirmative vote. It is probable that the legislatures of Kentucky, Delaware, and Maryland will vote against the Amendment : and hence its ratification, in this event, will need the approving vote of at least four of the non-represented States. Some of these States have already rejected the Amendment : at present it seems quite likely that the others will follow in the same line. We doubt not that a favorable word from the President would greatly help the matter : but this word he is not likely to utter. He may change his mind, having already done so several times : yet we see no present indications of any such change.

Will it then be best for the non-represented States to set themselves against the Amendment, and attempt to tire out the North by the mere force of resistance and delay ? What are their prospects of success, and what will they gain by it ? We predict their total failure in the effort. The Northern people are in earnest upon this question. Having conquered the Rebellion, they mean to prescribe the terms upon which the Rebel States shall be brought into their normal relations

to the Government. Such terms, at once fair, mild and reasonable, have already been offered, and if these terms are not accepted by the South, then it will doubtless be some time before any others more agreeable will be offered. The loyal States carried on the Government during the war without the aid of the revolted States : and they can carry it on, and they will do so, until these States shall conclude to accept the terms which their conquerors deem just and right. The Rebel States will not be permitted to be dictators in respect to these terms. They must accept the terms, and make the best of their own situation. If they decline to do so, then they will not be represented in Congress, nor will they participate in the next Presidential election : and besides this, they will have upon them all the evils affecting industry and commerce, incident to such an unsettled state of Southern society. As a simple question of endurance, the loyal States can stand this condition of things much better than the South. As a question of purpose, we see no prospect that the Northern majority will recede from its ground, and offer terms more agreeable to the South. The Democratic party does not control the Government, and there is no hope that it ever will do so without the aid of the South ; and this aid it cannot have so long as the Rebel States are not represented in Congress. The Democratic party cannot therefore help these States : it may advocate their cause : but the Republican Union party, as represented in Congress, is the party that must settle the question. The President cannot help them against a two-thirds majority in both Houses of Congress. They must help themselves by accepting the proffered terms. Easier and better terms they will not be likely to get.

If the same terms had been proposed immediately after the conquest of the Rebellion, the Southern people, as we doubt not, would have accepted them very gladly. Then they were prepared to accept almost anything. They felt themselves to be a conquered people, subject to the will of their conquerors : and such they were, and such they are to-day. The facts of their condition are not essentially altered. They are a people

that must make terms with the Government by accepting its terms. They have no other alternative unless they propose to fight again. The sooner they understand this, the sooner they will appreciate the demands of their own situation.

We have no spite to gratify against the Southern people ; we do not wish to protract the ordeal of their sufferings, or unnecessarily delay their representation in Congress ; yet we have no idea of submitting to their dictation in fixing the terms of final settlement. They are the offenders and the vanquished ; and if the principles so overwhelmingly approved at the recent elections, be rejected by the South, then the North, acting through the Government, will try again. The next trial, if there be one, will, as we predict, be very much more radical. If mild means will not answer, then stronger ones must and will be used.

What will be the moral effect of the recent elections, we cannot tell ; yet the Southern people ought to be instructed thereby. We sincerely hope they will be. We advise them to take counsel of their sober, second thoughts. They had better lay their bluster aside, and dismiss from public confidence those prejured traitors who are the chief cause of their calamities. Things are not by any means as they were. The people at the South are not where they were before the Rebellion. Slavery is legally dead. The South is terribly prostrated in its industry and its resources. The people greatly need that quietude and regular movement of civil society, which would grow out of their representation in Congress. By delay they simply afflict themselves, and make their condition worse. They gain nothing, and can gain nothing, by resisting the deliberately expressed will of those who have rescued this nation from the traitor's grasp. That will is strong ; it rests on good reasons ; and it must at last prevail. The public sentiment of the loyal States must and will settle the questions at issue ; and the South must abide by the settlement as thus determined.

There is a question which has not as yet been considered in this article, because it was not directly involved in the issue

between the President and Congress. We allude to the question of Negro Suffrage. So far as the Constitutional Amendment is concerned, this point is left to the decision of the respective States. Many, possibly a majority of the Northern people, would have been glad to vote in favor of *impartial* suffrage irrespective of color or caste; yet Congress did not think it best to submit this question in the proposed Amendment. It was consequently no part of the issue before the people. It cannot with propriety now be added, as a new plank in the basis of reconstruction, by the Republican party, unless the Constitutional Amendment shall fail of adoption. That party is honorably committed to the Amendment till its fate is determined. If it shall fail, then of course the whole subject will be again opened for discussion.

Expressing an individual opinion, we should be glad to see in the Constitution of the United States, an article that would define citizenship in the *political* sense, and *make it uniform* throughout all the states, and that too in respect to all the officers of government whether State or Federal, for whom the people vote. We should be glad also to have such a definition as would entirely ignore the question of color or caste, and thus make suffrage *impartial*. We should be glad still further to have the test of *intelligence* applied to the right of suffrage, as indicated by the capacity to read and write. This we think to be the true doctrine, just to all parties, and safe for society. At present there is a very strong prejudice at the South, and to some extent at the North, against putting the ballot into the hands of the Negro on equal terms with white men; yet we have never been able to see any good reason for this prejudice. If the Negro, as a citizen, may be taxed to support the Government, and compelled to fight for it, we do not see why he should not have the right of voting like all other men. Why exclude him on the ground of his color, or apply to him a test not applied to others in similar circumstances. The whole thing is wrong upon its very face. The day is not distant when, as we hope, the American people will correct this wrong. The colored population at the South is

so numerous, being the majority in some of the States, that the white people will in the end have to concede to it the right of suffrage upon some fair and equal basis. The Constitutional Amendment, if adopted, would furnish a very powerful argument for so doing; yet the obvious justice of the thing is after all the best reason for it. It is always expedient to do right. The question will never be finally settled until it is settled in this way.

Moreover, that which is thus right in itself, and which ought therefore to be the choice of the white people at the South, yea, of all people everywhere, *may* become an absolute necessity to the General Government. It was so with the abolition of slavery; and it may be so with the question of political franchise. If the Rebel States as reconstructed by the President, will not accept the terms as now proposed, then it may become the duty of Congress to declare the reconstruction of the President to be null and void because without authority or force of law, and provide for the organization of State governments, on the basis of *loyal* and *impartial* suffrage irrespective of color. Congress, in proposing the Constitutional Amendment, attempted to patch up and supplement the President's work without essentially disturbing it; but if this will not answer, then there remains a more radical method of cure. The final disposal of the Southern States is not yet an accomplished fact. Congress has not yet recognized their right of representation; and it will not do so, until the proposed Amendment is adopted, or, in the event of its failure, something else substituted therefor quite as effective. At present, Congress is very properly restrained by its own action, and by the voice of the people in approving that action; but this status of the case will not last a moment beyond the rejection of the Constitutional Amendment. This point being ascertained by the refusal of the Rebel States to accept the terms proposed, then the whole question is open, *de novo*, from beginning to end. This time, too, the Congress of the United States, and not the President, will provide for organizing State governments, and see to it that the materials are such,

both in officers and constituences, that these governments will cheerfully act in harmony with the Government of the United States. Out of this governmental necessity may grow Negro Suffrage, with the disfranchisement of Rebels. Things may come to this pass.

The rejection of the Amendment by the Rebel States, as now organized, will furnish very strong proof that the colored people, and the unquestionably loyal white people, form the proper basis with which to begin civil society in these States. Hence, if the leaders of Southern opinion want the mildest measure to which the North will consent, let them take the Amendment, and thank God for so good a fortune. If, on the other hand, they want something stronger, something that will more emphatically place its mark on treason, then let them reject the Amendment. While the Northern people mean to be magnanimous, they nevertheless understand their strength of numbers and their strength of resources. Having conquered treason with the sword, they have now conquered the President with the ballot. They have the Government in their hands: and hence they can, and in the last resort *will*, compel the South practically to acquiesce in their views of reconstruction. It will not be wise for those who manage matters in the South, to carry their defiance of Northern opinions too far. They have already done this thing once; and they may do it again. A lenient Government and a generous people are now waiting for their action; and now is eminently the time for them to act wisely.

The Southern people should not forget, that we have had a war,—a desperate and desolating war, costing immense sums of money, and involving vast sacrifices of life,—a war of the Government against those who defied its authority. This is the sober fact in the case. Moreover, in this contest the Government is the winner, and the Southern people are the losers. They claimed the right to secede from the Union; and this the Government denied. The question was fought out to absolute victory on the one side, and absolute defeat on the other. The Government being the victorious party, possesses

both the right and the power of prescribing the terms of peace, limited only by the Constitution and the general laws of humanity. As a conquered people, the South would do well to keep these things in mind. They are not, by any means, the sovereign and independent masters of their own situation. When, and in what way, with what conditions and guarantees, they shall again be represented in Congress, is a question for those to decide who are the conquerors of the Rebellion. This right as the victors, they claim ; and this right, we believe, they will exercise. Southern society must be organized upon a loyal basis ; its State Governments must be loyal ; and if Negro suffrage be necessary to this end, then the rejection of the Constitutional Amendment, by the South, will simply turn all loyal eyes at the North in the direction of such suffrage.

There is a sentiment quite prevalent at the North, which finds its expression in the motto of *Universal Amnesty and Impartial Suffrage*. Its advocates claim that this motto contains the true solution of the national problem. We confess, however, that we see no necessary connection between these two things. They may both be right ; or they may both be wrong ; or the one may be right, and the other wrong. We are in favor of impartial suffrage upon its own merits ; it is just and right ; but whether we shall pay universal amnesty to all traitors as the price of this suffrage, is a very different question. We should be truly sorry to see the Government, or the loyal people acting through the Government, engaged in the work of making a bargain with the Rebel States,—one of the contracting parties conceding universal amnesty in exchange for impartial suffrage ; and the other conceding impartial suffrage in exchange for universal amnesty. We are not quite ready for such a trade as a method of settling the whole account. The plain truth is, we do not propose to make any bargains, and certainly not this one, with those who have rebelled against the Government of the United States. Having conquered them by force of arms, we propose to designate the terms on which they may recover their lost status in the Union, and then insist upon their compliance with these terms. This

is the proper way of closing up the accounts of an unsuccessful rebellion. This is what Congress has attempted to secure in the Constitutional Amendment, already ratified by several of the States, and only waiting for the requisite vote to make it a complete success. Those who advocated this Amendment *before* the election, should not, as we think, change their ground immediately *after* the election. They should wait till the fate of this specific measure is decided. It will then be time enough for a new programme, provided one be necessary. This is not the time to distract and divide the public mind with a new basis of settlement.

We have, moreover, no evidence that the Southern States would accept universal amnesty in exchange for impartial suffrage. Suppose that the loyal States were all ripe for such a bargain, what then? Are the Rebel States equally ready? They may come to it at last; yet at present they are not prepared for it, and they will not be without further discipline. If there is any one thing upon which they are more set than another, it is that the Negro shall not be made *politically* equal to white men. Even loyal Southerners are not yet at all unanimous in accepting Negro Suffrage. The public mind of the South must be greatly changed before a majority of the people will favor this view. We cannot, therefore, see any probable gain in the way of time, by an effort to trade off universal amnesty in exchange for impartial suffrage. In obviating one objection we simply run against another quite as formidable. Universal amnesty would of course be acceptable to the South; but it would not be so with impartial suffrage. Each of these ideas would be advocated, and each opposed, on its own respective grounds. There is no prospect, that, taken in their combination, they would be more acceptable, either North or South, than the Constitutional Amendment now before the people.

How, we beg to inquire, shall the contracting parties make the proposed exchange? Shall it be done by State legislation? State legislation is a thing that may very easily be altered. It has no necessary permanency. The Rebel States be-

ing restored by conceding impartial suffrage, might the very next day after the restoration withdraw the concession. There would be nothing to prevent them from doing it. State legislation evidently will not answer.

Shall the bargain be guaranteed by being placed in the fundamental law of the land? This would require another Constitutional Amendment, defining the doctrine of suffrage in respect to all the States, involving the question whether the States would surrender their long conceded right of deciding upon this point, and also involving the still further question, whether they would agree, by the requisite majority, to make the proposed bargain. We are in favor of impartial suffrage, and always have been; yet we do not see that such an Amendment, if now submitted as a substitute for the one already before the people, would be likely to hasten the process of reconstruction. It would be much more likely to postpone it. It would open an entirely new subject, upon which the public mind has not yet indicated its position.

There are some points, too, in the Constitutional Amendment as proposed by Congress, that we would not surrender even for impartial suffrage. The second section would of course be rendered useless by such suffrage; but the other sections would not lose their importance or value. The first section, which defines citizenship in the United States and in all the States, and guarantees the civil rights of all men against all interference by State legislation; the third, which makes perjured traitors ineligible to office, unless Congress shall remove the disability: the fourth, which guarantees the national debt, and prohibits the payment of the rebel debt, and also any compensation for the loss or emancipation of slaves; the fifth, which gives Congress the power to execute these provisions by appropriate legislation:— these sections contain principles and guarantees for the nation's safety, that would not be rendered improper and unnecessary, even if impartial suffrage were conceded. They stand upon their own basis, and are not essentially affected, one way or the other, by such suffrage. The granting of suffrage to the

Negro is surely no reason why the Constitution should not guarantee the civil rights of all men ; nor is it a reason why universal amnesty should be extended to traitors ; nor again is it a reason for leaving the questions pertaining to the national debt, the rebel debt, and compensation for the loss of slaves, open to future agitation. It really has but very little, if anything, to do with these questions. These questions stand upon their own merits, and should be decided accordingly. Those who seem willing to sell out the Constitutional Amendment, and take impartial suffrage as the equivalent, lack, as we think, what Locke terms "the round-about common-sense view" of the subject. They are so much occupied with a single idea, that they lose sight of other very important matters. They assume, as we think, without sufficient data, that impartial suffrage, so excellent in itself, would at once solve the whole problem. This we do not see. It may be so ; yet we do not see this mighty power of adjustment and cure in simply granting the ballot to the Negro, especially if we must pay universal amnesty as the price of the boon. The remedy costs a good deal, to begin with ; and then when we have it, we are far from being certain that it would cure the disease. There is nothing in the history of political therapeutics to show, that impartial suffrage is the sure cure for all the wounds and bruises inflicted by a great rebellion.

Indeed, this whole method of dealing with the question, virtually puts the government into the attitude of a *trader* coming down from its high position gained by victory, and asking the conquered States to unite with it as equals in an effort to adjust the terms of settlement. They are solicited to concede as much as they can, upon the pledge that they shall be met with corresponding concessions. The Government graciously moves towards them with universal amnesty for a bribe, and they as graciously move towards the Government with impartial suffrage for the equivalent ; and thus the two parties finally come together, provided they have the good fortune to agree upon the terms. This, we confess, looks like a very queer sequel to a defeated rebellion. During the

progress of the war we expected, in the event of victory, to dictate the terms of settlement ; and we still expect to do so. Those who fight against a just Government must take the consequences of fighting, from which they may perhaps learn not to fight a second time. We are quite willing to hear what they have to say, and give it all due weight ; but further than this we do not propose to go. From this position we do not recede to the breadth of a hair. We do not believe, that the loyal people, whose valor has saved the country, are just now in a mood to *ask* for terms. As to these terms they have acquired the supreme right of being *judges*. It will be best for conquered rebels to be modest, and wait in patience while patriots, robed in victory, take counsel upon the national problem.

We cannot forbear, in now closing this article, to express our profound regret that the President should have so seriously complicated and embarrassed this whole subject by what seems to us a series of remarkable blunders. Had he waited for the action of Congress, and then had the good sense to co-operate with Congress, we believe that the problem of reconstruction would ere this have been solved. In his anxiety to do the thing rapidly, and upon his own authority, he has greatly delayed the work, and made the task increasingly difficult. Sincerely do we hope, that the lesson taught by the recent elections, may find in the President a willing pupil, and in the Southern States profited observers.

ART. III.—THE GREETINGS OF PAUL.

BY REV. J. B. BITTINGER, Sewickley, Penn.

The simplest form of greeting, when both parties are present, is *χαρὶς*, II. John, 10, 11. Sometimes the presence of the person addressed is recognized by his title, e. g. "Hail