

LINCOLN ABRAHAM

THE PAPERS AND
WRITINGS OF ABRAHAM
LINCOLN — VOLUME 2:
1843-1858

Abraham Lincoln

**The Papers And Writings
Of Abraham Lincoln
— Volume 2: 1843-1858**

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Lincoln A.

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Abraham Lincoln

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1843

FIRST CHILD

TO JOSHUA F. SPEED. SPRINGFIELD, May 18, 1843

DEAR SPEED: — Yours of the 9th instant is duly received, which I do not meet as a "bore," but as a most welcome visitor. I will answer the business part of it first.

In relation to our Congress matter here, you were right in supposing I would support the nominee. Neither Baker nor I, however, is the man, but Hardin, so far as I can judge from present appearances. We shall have no split or trouble about the matter; all will be harmony. In relation to the "coming events" about which Butler wrote you, I had not heard one word before I got your letter; but I have so much confidence in the judgment of Butler on such a subject that I incline to think there may be some reality in it. What day does Butler appoint? By the way, how do "events" of the same sort come on in your family? Are you possessing houses and lands, and oxen and asses, and men-servants and maid-servants, and begetting sons and daughters? We are not keeping house, but boarding at the Globe Tavern, which is very well kept now by a widow lady of the name of Beck. Our room (the same that Dr. Wallace occupied there) and boarding only costs us four dollars a week. Ann Todd was married something more than a year since to a fellow by the name of Campbell, and who, Mary says, is pretty much of a "dunce," though he has a little money and property. They live in Boonville, Missouri, and have not been heard from lately enough for me to say anything about her health. I reckon it will scarcely be in our power to visit Kentucky this year. Besides poverty and the necessity of attending to business, those "coming events," I suspect, would be somewhat in the way. I most heartily wish you and your Fanny would not fail to come. Just let us know the time, and we will have a room provided for you at our house, and all be merry together for a while. Be sure to give my respects to your mother and family; assure her that if ever I come near her, I will not fail to call and see her. Mary joins in sending love to your Fanny and you.

Yours as ever,

A. LINCOLN.

1844

TO Gen. J. J. HARDIN

SPRINGFIELD, May 21, 1844

DEAR HARDIN: Knowing that you have correspondents enough, I have forborne to trouble you heretofore; and I now only do so to get you to set a matter right which has got wrong with one of our best friends. It is old Uncle Thomas Campbell of Spring Creek — (Berlin P.O.). He has received several documents from you, and he says they are old newspapers and documents, having no sort of interest in them. He is, therefore, getting a strong impression that you treat him with disrespect. This, I know, is a mistaken impression; and you must correct it. The way, I leave to yourself. Rob't W. Canfield says he would like to have a document or two from you.

The Locos (Democrats) here are in considerable trouble about Van Buren's letter on Texas, and the Virginia electors. They are growing sick of the Tariff question; and consequently are much confounded at V.B.'s cutting them off from the new Texas question. Nearly half the leaders swear they won't stand it. Of those are Ford, T. Campbell, Ewing, Calhoun and others. They don't exactly say they won't vote for V.B., but they say he will not be the candidate, and that they are for Texas anyhow.

As ever yours,

A. LINCOLN.

1845

SELECTION OF CONGRESSIONAL CANDIDATES

TO Gen. J. J. HARDIN, SPRINGFIELD, Jany. 19, 1845

DEAR GENERAL:

I do not wish to join in your proposal of a new plan for the selection of a Whig candidate for Congress because:

1st. I am entirely satisfied with the old system under which you and Baker were successively nominated and elected to Congress; and because the Whigs of the district are well acquainted with the system, and, so far as I know or believe, are well satisfied with it. If the old system be thought to be vague, as to all the delegates of the county voting the same way, or as to instructions to them as to whom they are to vote for, or as to filling vacancies, I am willing to join in a provision to make these matters certain.

2d. As to your proposals that a poll shall be opened in every precinct, and that the whole shall take place on the same day, I do not personally object. They seem to me to be not unfair; and I forbear to join in proposing them only because I choose to leave the decision in each county to the Whigs of the county, to be made as their own judgment and convenience may dictate.

3d. As to your proposed stipulation that all the candidates shall remain in their own counties, and restrain their friends in the same it seems to me that on reflection you will see the fact of your having been in Congress has, in various ways, so spread your name in the district as to give you a decided advantage in such a stipulation. I appreciate your desire to keep down excitement; and I promise you to "keep cool" under all circumstances.

4th. I have already said I am satisfied with the old system under which such good men have triumphed and that I desire no departure from its principles. But if there must be a departure from it, I shall insist upon a more accurate and just apportionment of delegates, or representative votes, to the constituent body, than exists by the old, and which you propose to retain in your new plan. If we take the entire population of the counties as shown by the late census, we shall see by the old plan, and by your proposed new plan,

Morgan County, with a population 16,541, has but ... 8 votes
While Sangamon with 18,697 — 2156 greater has but ... 8 "
So Scott with 6553 has 4 "
While Tazewell with 7615 1062 greater has but 4 "
So Mason with 3135 has 1 vote
While Logan with 3907, 772 greater, has but 1 "

And so on in a less degree the matter runs through all the counties, being not only wrong in principle, but the advantage of it being all manifestly in your favor with one slight exception, in the comparison of two counties not here mentioned.

Again, if we take the Whig votes of the counties as shown by the late Presidential election as a basis, the thing is still worse.

It seems to me most obvious that the old system needs adjustment in nothing so much as in this; and still, by your proposal, no notice is taken of it. I have always been in the habit of acceding to almost any proposal that a friend would make and I am truly sorry that I cannot in this. I perhaps ought to mention that some friends at different places are endeavoring to secure the honor of the sitting of

the convention at their towns respectively, and I fear that they would not feel much complimented if we shall make a bargain that it should sit nowhere.

Yours as ever,

A. LINCOLN.

TO — WILLIAMS,

SPRINGFIELD, March 1, 1845

FRIEND WILLIAMS:

The Supreme Court adjourned this morning for the term. Your cases of Reinhardt vs. Schuyler, Bunce vs. Schuyler, Dickhut vs. Dunell, and Sullivan vs. Andrews are continued. Hinman vs. Pope I wrote you concerning some time ago. McNutt et al. vs. Bean and Thompson is reversed and remanded.

Fitzpatrick vs. Brady et al. is reversed and remanded with leave to complainant to amend his bill so as to show the real consideration given for the land.

Bunce against Graves the court confirmed, wherefore, in accordance with your directions, I moved to have the case remanded to enable you to take a new trial in the court below. The court allowed the motion; of which I am glad, and I guess you are.

This, I believe, is all as to court business. The canal men have got their measure through the Legislature pretty much or quite in the shape they desired. Nothing else now.

Yours as ever,

A. LINCOLN.

ABOLITION MOVEMENT

TO WILLIAMSON DURLEY

SPRINGFIELD, October 3, 1845

When I saw you at home, it was agreed that I should write to you and your brother Madison. Until I then saw you I was not aware of your being what is generally called an abolitionist, or, as you call yourself, a Liberty man, though I well knew there were many such in your country.

I was glad to hear that you intended to attempt to bring about, at the next election in Putnam, a Union of the Whigs proper and such of the Liberty men as are Whigs in principle on all questions save only that of slavery. So far as I can perceive, by such union neither party need yield anything on the point in difference between them. If the Whig abolitionists of New York had voted with us last fall, Mr. Clay would now be President, Whig principles in the ascendant, and Texas not annexed; whereas, by the division, all that either had at stake in the contest was lost. And, indeed, it was extremely probable, beforehand, that such would be the result. As I always understood, the Liberty men deprecated the annexation of Texas extremely; and this being so, why they should refuse to cast their votes [so] as to prevent it, even to me seemed wonderful. What was their process of reasoning, I can only judge from what a single one of them told me. It was this: "We are not to do evil that good may come." This general proposition is doubtless correct; but did it apply? If by your votes you could have prevented the extension, etc., of slavery would it not have been good, and not evil, so to have used your votes, even though it involved the casting of them for a slaveholder? By the fruit the tree is to be known. An evil tree cannot bring forth good fruit. If the fruit of electing Mr. Clay would have been to prevent the extension of slavery, could the act of electing have been evil?

But I will not argue further. I perhaps ought to say that individually I never was much interested in the Texas question. I never could see much good to come of annexation, inasmuch as they were already a free republican people on our own model. On the other hand, I never could very clearly see how the annexation would augment the evil of slavery. It always seemed to me that slaves would be taken there in about equal numbers, with or without annexation. And if more were taken because of annexation, still there would be just so many the fewer left where they were taken from. It is possibly true, to some extent, that, with annexation, some slaves may be sent to Texas and continued in slavery that otherwise might have been liberated. To whatever extent this may be true, I think annexation an evil. I hold it to be a paramount duty of us in the free States, due to the Union of the States, and perhaps to liberty itself (paradox though it may seem), to let the slavery of the other States alone; while, on the other hand, I hold it to be equally clear that we should never knowingly lend ourselves, directly or indirectly, to prevent that slavery from dying a natural death — to find new places for it to live in when it can no longer exist in the old. Of course I am not now considering what would be our duty in cases of insurrection among the slaves. To recur to the Texas question, I understand the Liberty men to have viewed annexation as a much greater evil than ever I did; and I would like to convince you, if I could, that they could have prevented it, if they had chosen. I intend this letter for you and Madison together; and if you and he or either shall think fit to drop me a line, I shall be pleased.

Yours with respect,
A. LINCOLN.

1846

REQUEST FOR POLITICAL SUPPORT

TO Dr. ROBERT BOAL. SPRINGFIELD, January 7, 1846

Dr. ROBERT BOAL, Lacon, Ill.

DEAR DOCTOR: — Since I saw you last fall, I have often thought of writing to you, as it was then understood I would, but, on reflection, I have always found that I had nothing new to tell you. All has happened as I then told you I expected it would — Baker's declining, Hardin's taking the track, and so on.

If Hardin and I stood precisely equal, if neither of us had been to Congress, or if we both had, it would only accord with what I have always done, for the sake of peace, to give way to him; and I expect I should do it. That I can voluntarily postpone my pretensions, when they are no more than equal to those to which they are postponed, you have yourself seen. But to yield to Hardin under present circumstances seems to me as nothing else than yielding to one who would gladly sacrifice me altogether. This I would rather not submit to. That Hardin is talented, energetic, usually generous and magnanimous, I have before this affirmed to you and do not deny. You know that my only argument is that "turn about is fair play." This he, practically at least, denies.

If it would not be taxing you too much, I wish you would write me, telling the aspect of things in your country, or rather your district; and also, send the names of some of your Whig neighbors, to whom I might, with propriety, write. Unless I can get some one to do this, Hardin, with his old franking list, will have the advantage of me. My reliance for a fair shake (and I want nothing more) in your country is chiefly on you, because of your position and standing, and because I am acquainted with so few others. Let me hear from you soon.

Yours truly,

A. LINCOLN.

TO JOHN BENNETT

SPRINGFIELD, Jan. 15, 1846

JOHN BENNETT. FRIEND JOHN:

Nathan Dresser is here, and speaks as though the contest between Hardin and me is to be doubtful in Menard County. I know he is candid and this alarms me some. I asked him to tell me the names of the men that were going strong for Hardin, he said Morris was about as strong as any-now tell me, is Morris going it openly? You remember you wrote me that he would be neutral. Nathan also said that some man, whom he could not remember, had said lately that Menard County was going to decide the contest and that made the contest very doubtful. Do you know who that was? Don't fail to write me instantly on receiving this, telling me all — particularly the names of those who are going strong against me.

Yours as ever,

A. LINCOLN.

TO N. J. ROCKWELL

SPRINGFIELD, January 21, 1846

DEAR SIR: — You perhaps know that General Hardin and I have a contest for the Whig nomination for Congress for this district.

He has had a turn and my argument is "turn about is fair play."

I shall be pleased if this strikes you as a sufficient argument.

Yours truly,

A. LINCOLN.

TO JAMES BERDAN

SPRINGFIELD, April 26, 1846

DEAR SIR: — I thank you for the promptness with which you answered my letter from Bloomington. I also thank you for the frankness with which you comment upon a certain part of my letter; because that comment affords me an opportunity of trying to express myself better than I did before, seeing, as I do, that in that part of my letter, you have not understood me as I intended to be understood.

In speaking of the "dissatisfaction" of men who yet mean to do no wrong, etc., I mean no special application of what I said to the Whigs of Morgan, or of Morgan & Scott. I only had in my mind the fact that previous to General Hardin's withdrawal some of his friends and some of mine had become a little warm; and I felt, and meant to say, that for them now to meet face to face and converse together was the best way to efface any remnant of unpleasant feeling, if any such existed.

I did not suppose that General Hardin's friends were in any greater need of having their feelings corrected than mine were. Since I saw you at Jacksonville, I have had no more suspicion of the Whigs of Morgan than of those of any other part of the district. I write this only to try to remove any impression that I distrust you and the other Whigs of your country.

Yours truly,

A. LINCOLN.

TO JAMES BERDAN

SPRINGFIELD, May 7, 1866

DEAR SIR: — It is a matter of high moral obligation, if not of necessity, for me to attend the Coles and Edwards courts. I have some cases in both of them, in which the parties have my promise, and are depending upon me. The court commences in Coles on the second Monday, and in Edgar on the third. Your court in Morgan commences on the fourth Monday; and it is my purpose to be with you then, and make a speech. I mention the Coles and Edgar courts in order that if I should not reach Jacksonville at the time named you may understand the reason why. I do not, however, think there is much danger of my being detained; as I shall go with a purpose not to be, and consequently shall engage in no new cases that might delay me.

Yours truly,
A. LINCOLN.

VERSES WRITTEN BY LINCOLN AFTER A VISIT TO HIS OLD HOME IN INDIANA

(A FRAGMENT)

[In December, 1847, when Lincoln was stumping for Clay, he crossed into Indiana and revisited his old home. He writes: "That part of the country is within itself as unpoetical as any spot on earth; but still seeing it and its objects and inhabitants aroused feelings in me which were certainly poetry; though whether my expression of these feelings is poetry, is quite another question."]

Near twenty years have passed away
Since here I bid farewell
To woods and fields, and scenes of play,
And playmates loved so well.

Where many were, but few remain
Of old familiar things;
But seeing them to mind again
The lost and absent brings.

The friends I left that parting day,
How changed, as time has sped!
Young childhood grown, strong manhood gray,
And half of all are dead.

I hear the loved survivors tell
How naught from death could save,
Till every sound appears a knell,
And every spot a grave.

I range the fields with pensive tread,
And pace the hollow rooms,
And feel (companion of the dead)
I 'm living in the tombs.

VERSES WRITTEN BY LINCOLN CONCERNING A SCHOOL-FELLOW

WHO BECAME INSANE — (A FRAGMENT)

And when at length the drear and long
Time soothed thy fiercer woes,
How plaintively thy mournful song
Upon the still night rose

I've heard it oft as if I dreamed,
Far distant, sweet and lone;
The funeral dirge it ever seemed
Of reason dead and gone.

Air held her breath; trees with the spell
Seemed sorrowing angels round,
Whose swelling tears in dewdrops fell
Upon the listening ground.

But this is past, and naught remains
That raised thee o'er the brute;
Thy piercing shrieks and soothing strains
Are like, forever mute.

Now fare thee well! More thou the cause
Than subject now of woe.
All mental pangs by time's kind laws
Hast lost the power to know.

O Death! thou awe-inspiring prince
That keepst the world in fear,
Why dost thou tear more blest ones hence,
And leave him lingering here?

SECOND CHILD

TO JOSHUA P. SPEED

SPRINGFIELD, October 22, 1846.

DEAR SPEED: — You, no doubt, assign the suspension of our correspondence to the true philosophic cause; though it must be confessed by both of us that this is rather a cold reason for allowing a friendship such as ours to die out by degrees. I propose now that, upon receipt of this, you shall be considered in my debt, and under obligations to pay soon, and that neither shall remain long in arrears hereafter. Are you agreed?

Being elected to Congress, though I am very grateful to our friends for having done it, has not pleased me as much as I expected.

We have another boy, born the 10th of March. He is very much such a child as Bob was at his age, rather of a longer order. Bob is "short and low," and I expect always will be. He talks very plainly, — almost as plainly as anybody. He is quite smart enough. I sometimes fear that he is one of the little rare-ripe sort that are smarter at about five than ever after. He has a great deal of that sort of mischief that is the offspring of such animal spirits. Since I began this letter, a messenger came to tell me Bob was lost; but by the time I reached the house his mother had found him and had him whipped, and by now, very likely, he is run away again. Mary has read your letter, and wishes to be remembered to Mrs. Speed and you, in which I most sincerely join her.

As ever yours,

A. LINCOLN.

TO MORRIS AND BROWN

SPRINGFIELD, October 21, 1847

MESSRS. MORRIS AND BROWN.

GENTLEMEN: — Your second letter on the matter of Thornton and others, came to hand this morning. I went at once to see Logan, and found that he is not engaged against you, and that he has so sent you word by Mr. Butterfield, as he says. He says that some time ago, a young man (who he knows not) came to him, with a copy of the affidavit, to engage him to aid in getting the Governor to grant the warrant; and that he, Logan, told the man, that in his opinion, the affidavit was clearly insufficient, upon which the young man left, without making any engagement with him. If the Governor shall arrive before I leave, Logan and I will both attend to the matter, and he will attend to it, if he does not come till after I leave; all upon the condition that the Governor shall not have acted upon the matter, before his arrival here. I mention this condition because, I learned this morning from the Secretary of State, that he is forwarding to the Governor, at Palestine, all papers he receives in the case, as fast as he receives them. Among the papers forwarded will be your letter to the Governor or Secretary of, I believe, the same date and about the same contents of your last letter to me; so that the Governor will, at all events have your points and authorities. The case is a clear one on our side; but whether the Governor will view it so is another thing.

Yours as ever,

A. LINCOLN.

TO WILLIAM H. HERNDON

WASHINGTON, December 5, 1847

DEAR WILLIAM: — You may remember that about a year ago a man by the name of Wilson (James Wilson, I think) paid us twenty dollars as an advance fee to attend to a case in the Supreme Court for him, against a Mr. Campbell, the record of which case was in the hands of Mr. Dixon of St. Louis, who never furnished it to us. When I was at Bloomington last fall I met a friend of Wilson, who mentioned the subject to me, and induced me to write to Wilson, telling him I would leave the ten dollars with you which had been left with me to pay for making abstracts in the case, so that the case may go on this winter; but I came away, and forgot to do it. What I want now is to send you the money, to be used accordingly, if any one comes on to start the case, or to be retained by you if no one does.

There is nothing of consequence new here. Congress is to organize to-morrow. Last night we held a Whig caucus for the House, and nominated Winthrop of Massachusetts for speaker, Sargent of Pennsylvania for sergeant-at-arms, Homer of New Jersey door-keeper, and McCormick of District of Columbia postmaster. The Whig majority in the House is so small that, together with some little dissatisfaction, [it] leaves it doubtful whether we will elect them all.

This paper is too thick to fold, which is the reason I send only a half-sheet.

Yours as ever, A. LINCOLN.

TO WILLIAM H. HERNDON

WASHINGTON, December 13, 1847

DEAR WILLIAM: — Your letter, advising me of the receipt of our fee in the bank case, is just received, and I don't expect to hear another as good a piece of news from Springfield while I am away. I am under no obligations to the bank; and I therefore wish you to buy bank certificates, and pay my debt there, so as to pay it with the least money possible. I would as soon you should buy them of Mr. Ridgely, or any other person at the bank, as of any one else, provided you can get them as cheaply. I suppose, after the bank debt shall be paid, there will be some money left, out of which I would like to have you pay Lavery and Stout twenty dollars, and Priest and somebody (oil-makers) ten dollars, for materials got for house-painting. If there shall still be any left, keep it till you see or hear from me.

I shall begin sending documents so soon as I can get them. I wrote you yesterday about a "Congressional Globe." As you are all so anxious for me to distinguish myself, I have concluded to do so before long.

Yours truly,

A. LINCOLN.

RESOLUTIONS IN THE UNITED STATES HOUSE OF REPRESENTATIVES,

DECEMBER 22, 1847

Whereas, The President of the United States, in his message of May 11, 1846, has declared that "the Mexican Government not only refused to receive him [the envoy of the United States], or to listen to his propositions, but, after a long-continued series of menaces, has at last invaded our territory and shed the blood of our fellow-citizens on our own soil";

And again, in his message of December 8, 1846, that "we had ample cause of war against Mexico long before the breaking out of hostilities; but even then we forbore to take redress into our own hands until Mexico herself became the aggressor, by invading our soil in hostile array, and shedding the blood of our citizens";

And yet again, in his message of December 7, 1847, that "the Mexican Government refused even to hear the terms of adjustment which he [our minister of peace] was authorized to propose, and finally, under wholly unjustifiable pretexts, involved the two countries in war, by invading the territory of the State of Texas, striking the first blow, and shedding the blood of our citizens on our own soil";

And whereas, This House is desirous to obtain a full knowledge of all the facts which go to establish whether the particular spot on which the blood of our citizens was so shed was or was not at that time our own soil: therefore,

Resolved, By the House of Representatives, that the President of the United States be respectfully requested to inform this House:

First. Whether the spot on which the blood of our citizens was shed, as in his message declared, was or was not within the territory of Spain, at least after the treaty of 1819, until the Mexican revolution.

Second. Whether that spot is or is not within the territory which was wrested from Spain by the revolutionary government of Mexico.

Third. Whether that spot is or is not within a settlement of people, which settlement has existed ever since long before the Texas revolution, and until its inhabitants fled before the approach of the United States army.

Fourth. Whether that settlement is or is not isolated from any and all other settlements by the Gulf and the Rio Grande on the south and west, and by wide uninhabited regions on the north and east.

Fifth. Whether the people of that settlement, or a majority of them, or any of them, have ever submitted themselves to the government or laws of Texas or of the United States, by consent or by compulsion, either by accepting office, or voting at elections, or paying tax, or serving on juries, or having process served upon them, or in any other way.

Sixth. Whether the people of that settlement did or did not flee from the approach of the United States army, leaving unprotected their homes and their growing crops, before the blood was shed, as in the message stated; and whether the first blood, so shed, was or was not shed within the inclosure of one of the people who had thus fled from it.

Seventh. Whether our citizens, whose blood was shed, as in his message declared, were or were not, at that time, armed officers and soldiers, sent into that settlement by the military order of the President, through the Secretary of War.

Eighth. Whether the military force of the United States was or was not so sent into that settlement after General Taylor had more than once intimated to the War Department that, in his opinion, no such movement was necessary to the defence or protection of Texas.

REMARKS IN THE UNITED STATES HOUSE OF REPRESENTATIVES,

JANUARY 5, 1848

Mr. Lincoln said he had made an effort, some few days since, to obtain the floor in relation to this measure [resolution to direct Postmaster-General to make arrangements with railroad for carrying the mails — in Committee of the Whole], but had failed. One of the objects he had then had in view was now in a great measure superseded by what had fallen from the gentleman from Virginia who had just taken his seat. He begged to assure his friends on the other side of the House that no assault whatever was meant upon the Postmaster-General, and he was glad that what the gentleman had now said modified to a great extent the impression which might have been created by the language he had used on a previous occasion. He wanted to state to gentlemen who might have entertained such impressions, that the Committee on the Post-office was composed of five Whigs and four Democrats, and their report was understood as sustaining, not impugning, the position taken by the Postmaster-General. That report had met with the approbation of all the Whigs, and of all the Democrats also, with the exception of one, and he wanted to go even further than this. [Intimation was informally given Mr. Lincoln that it was not in order to mention on the floor what had taken place in committee.] He then observed that if he had been out of order in what he had said he took it all back so far as he could. He had no desire, he could assure gentlemen, ever to be out of order — though he never could keep long in order.

Mr. Lincoln went on to observe that he differed in opinion, in the present case, from his honorable friend from Richmond [Mr. Botts]. That gentleman, had begun his remarks by saying that if all prepossessions in this matter could be removed out of the way, but little difficulty would be experienced in coming to an agreement. Now, he could assure that gentleman that he had himself begun the examination of the subject with prepossessions all in his favor. He had long and often heard of him, and, from what he had heard, was prepossessed in his favor. Of the Postmaster-General he had also heard, but had no prepossessions in his favor, though certainly none of an opposite kind. He differed, however, with that gentleman in politics, while in this respect he agreed with the gentleman from Virginia [Mr. Botts], whom he wished to oblige whenever it was in his power. That gentleman had referred to the report made to the House by the Postmaster-General, and had intimated an apprehension that gentlemen would be disposed to rely, on that report alone, and derive their views of the case from that document alone. Now it so happened that a pamphlet had been slipped into his [Mr. Lincoln's] hand before he read the report of the Postmaster-General; so that, even in this, he had begun with prepossessions in favor of the gentleman from Virginia.

As to the report, he had but one remark to make: he had carefully examined it, and he did not understand that there was any dispute as to the facts therein stated the dispute, if he understood it, was confined altogether to the inferences to be drawn from those facts. It was a difference not about facts, but about conclusions. The facts were not disputed. If he was right in this, he supposed the House might assume the facts to be as they were stated, and thence proceed to draw their own conclusions.

The gentleman had said that the Postmaster-General had got into a personal squabble with the railroad company. Of this Mr. Lincoln knew nothing, nor did he need or desire to know anything, because it had nothing whatever to do with a just conclusion from the premises. But the gentleman had gone on to ask whether so great a grievance as the present detention of the Southern mail ought not to be remedied. Mr. Lincoln would assure the gentleman that if there was a proper way of doing it, no man was more anxious than he that it should be done. The report made by the committee had been

intended to yield much for the sake of removing that grievance. That the grievance was very great there was no dispute in any quarter. He supposed that the statements made by the gentleman from Virginia to show this were all entirely correct in point of fact. He did suppose that the interruptions of regular intercourse, and all the other inconveniences growing out of it, were all as that gentleman had stated them to be; and certainly, if redress could be rendered, it was proper it should be rendered as soon as possible. The gentleman said that in order to effect this no new legislative action was needed; all that was necessary was that the Postmaster-General should be required to do what the law, as it stood, authorized and required him to do.

We come then, said Mr. Lincoln, to the law. Now the Postmaster-General says he cannot give to this company more than two hundred and thirty-seven dollars and fifty cents per railroad mile of transportation, and twelve and a half per cent. less for transportation by steamboats. He considers himself as restricted by law to this amount; and he says, further, that he would not give more if he could, because in his apprehension it would not be fair and just.

1848

DESIRE FOR SECOND TERM IN CONGRESS

TO WILLIAM H. HERNDON

WASHINGTON, January 8, 1848.

DEAR WILLIAM: — Your letter of December 27 was received a day or two ago. I am much obliged to you for the trouble you have taken, and promise to take in my little business there. As to speech making, by way of getting the hang of the House I made a little speech two or three days ago on a post-office question of no general interest. I find speaking here and elsewhere about the same thing. I was about as badly scared, and no worse as I am when I speak in court. I expect to make one within a week or two, in which I hope to succeed well enough to wish you to see it.

It is very pleasant to learn from you that there are some who desire that I should be reelected. I most heartily thank them for their kind partiality; and I can say, as Mr. Clay said of the annexation of Texas, that "personally I would not object" to a reelection, although I thought at the time, and still think, it would be quite as well for me to return to the law at the end of a single term. I made the declaration that I would not be a candidate again, more from a wish to deal fairly with others, to keep peace among our friends, and to keep the district from going to the enemy, than for any cause personal to myself; so that if it should so happen that nobody else wishes to be elected, I could not refuse the people the right of sending me again. But to enter myself as a competitor of others, or to authorize any one so to enter me is what my word and honor forbid.

I got some letters intimating a probability of so much difficulty amongst our friends as to lose us the district; but I remember such letters were written to Baker when my own case was under consideration, and I trust there is no more ground for such apprehension now than there was then. Remember I am always glad to receive a letter from you.

Most truly your friend,

A. LINCOLN.

SPEECH ON DECLARATION OF WAR ON MEXICO

SPEECH IN THE UNITED STATES HOUSE OF REPRESENTATIVES,

JANUARY 12, 1848.

MR CHAIRMAN: — Some if not all the gentlemen on the other side of the House who have addressed the committee within the last two days have spoken rather complainingly, if I have rightly understood them, of the vote given a week or ten days ago declaring that the war with Mexico was unnecessarily and unconstitutionally commenced by the President. I admit that such a vote should not be given in mere party wantonness, and that the one given is justly censurable if it have no other or better foundation. I am one of those who joined in that vote; and I did so under my best impression of the truth of the case. How I got this impression, and how it may possibly be remedied, I will now try to show. When the war began, it was my opinion that all those who because of knowing too little, or because of knowing too much, could not conscientiously approve the conduct of the President in the beginning of it should nevertheless, as good citizens and patriots, remain silent on that point, at least till the war should be ended. Some leading Democrats, including ex-President Van Buren, have taken this same view, as I understand them; and I adhered to it and acted upon it, until since I took my seat here; and I think I should still adhere to it were it not that the President and his friends will not allow it to be so. Besides the continual effort of the President to argue every silent vote given for supplies into an indorsement of the justice and wisdom of his conduct; besides that singularly candid paragraph in his late message in which he tells us that Congress with great unanimity had declared that "by the act of the Republic of Mexico, a state of war exists between that government and the United States," when the same journals that informed him of this also informed him that when that declaration stood disconnected from the question of supplies sixty-seven in the House, and not fourteen merely, voted against it; besides this open attempt to prove by telling the truth what he could not prove by telling the whole truth-demanding of all who will not submit to be misrepresented, in justice to themselves, to speak out, besides all this, one of my colleagues [Mr. Richardson] at a very early day in the session brought in a set of resolutions expressly indorsing the original justice of the war on the part of the President. Upon these resolutions when they shall be put on their passage I shall be compelled to vote; so that I cannot be silent if I would. Seeing this, I went about preparing myself to give the vote understandingly when it should come. I carefully examined the President's message, to ascertain what he himself had said and proved upon the point. The result of this examination was to make the impression that, taking for true all the President states as facts, he falls far short of proving his justification; and that the President would have gone further with his proof if it had not been for the small matter that the truth would not permit him. Under the impression thus made I gave the vote before mentioned. I propose now to give concisely the process of the examination I made, and how I reached the conclusion I did. The President, in his first war message of May, 1846, declares that the soil was ours on which hostilities were commenced by Mexico, and he repeats that declaration almost in the same language in each successive annual message, thus showing that he deems that point a highly essential one. In the importance of that point I entirely agree with the President. To my judgment it is the very point upon which he should be justified, or condemned. In his message of December, 1846, it seems to have occurred to him, as is certainly true, that title-ownership-to soil or anything else is not a simple fact, but is a conclusion following on one or more simple facts; and that it was incumbent upon him to present the facts from which he concluded the soil was ours on which the first blood of the war was shed.

Accordingly, a little below the middle of page twelve in the message last referred to, he enters upon that task; forming an issue and introducing testimony, extending the whole to a little below the

middle of page fourteen. Now, I propose to try to show that the whole of this — issue and evidence — is from beginning to end the sheerest deception. The issue, as he presents it, is in these words: "But there are those who, conceding all this to be true, assume the ground that the true western boundary of Texas is the Nueces, instead of the Rio Grande; and that, therefore, in marching our army to the east bank of the latter river, we passed the Texas line and invaded the territory of Mexico." Now this issue is made up of two affirmatives and no negative. The main deception of it is that it assumes as true that one river or the other is necessarily the boundary; and cheats the superficial thinker entirely out of the idea that possibly the boundary is somewhere between the two, and not actually at either. A further deception is that it will let in evidence which a true issue would exclude. A true issue made by the President would be about as follows: "I say the soil was ours, on which the first blood was shed; there are those who say it was not."

I now proceed to examine the President's evidence as applicable to such an issue. When that evidence is analyzed, it is all included in the following propositions:

(1) That the Rio Grande was the western boundary of Louisiana as we purchased it of France in 1803.

(2) That the Republic of Texas always claimed the Rio Grande as her eastern boundary.

(3) That by various acts she had claimed it on paper.

(4) That Santa Anna in his treaty with Texas recognized the Rio Grande as her boundary.

(5) That Texas before, and the United States after, annexation had exercised jurisdiction beyond the Nueces — between the two rivers.

(6) That our Congress understood the boundary of Texas to extend beyond the Nueces.

Now for each of these in its turn. His first item is that the Rio Grande was the western boundary of Louisiana, as we purchased it of France in 1803; and seeming to expect this to be disputed, he argues over the amount of nearly a page to prove it true, at the end of which he lets us know that by the treaty of 1803 we sold to Spain the whole country from the Rio Grande eastward to the Sabine. Now, admitting for the present that the Rio Grande was the boundary of Louisiana, what under heaven had that to do with the present boundary between us and Mexico? How, Mr. Chairman, the line that once divided your land from mine can still be the boundary between us after I have sold my land to you is to me beyond all comprehension. And how any man, with an honest purpose only of proving the truth, could ever have thought of introducing such a fact to prove such an issue is equally incomprehensible. His next piece of evidence is that "the Republic of Texas always claimed this river [Rio Grande] as her western boundary." That is not true, in fact. Texas has claimed it, but she has not always claimed it. There is at least one distinguished exception. Her State constitution the republic's most solemn and well-considered act, that which may, without impropriety, be called her last will and testament, revoking all others—makes no such claim. But suppose she had always claimed it. Has not Mexico always claimed the contrary? So that there is but claim against claim, leaving nothing proved until we get back of the claims and find which has the better foundation. Though not in the order in which the President presents his evidence, I now consider that class of his statements which are in substance nothing more than that Texas has, by various acts of her Convention and Congress, claimed the Rio Grande as her boundary, on paper. I mean here what he says about the fixing of the Rio Grande as her boundary in her old constitution (not her State constitution), about forming Congressional districts, counties, etc. Now all of this is but naked claim; and what I have already said about claims is strictly applicable to this. If I should claim your land by word of mouth, that certainly would not make it mine; and if I were to claim it by a deed which I had made myself, and with which you had had nothing to do, the claim would be quite the same in substance — or rather, in utter nothingness. I next consider the President's statement that Santa Anna in his treaty with Texas recognized the Rio Grande as the western boundary of Texas. Besides the position so often taken, that Santa Anna while a prisoner of war, a captive, could not bind Mexico by a treaty, which I deem conclusive — besides this, I wish to say something in relation to this treaty, so called by the President, with Santa Anna. If

any man would like to be amused by a sight of that little thing which the President calls by that big name, he can have it by turning to Niles's Register, vol. 1, p. 336. And if any one should suppose that Niles's Register is a curious repository of so mighty a document as a solemn treaty between nations, I can only say that I learned to a tolerable degree of certainty, by inquiry at the State Department, that the President himself never saw it anywhere else. By the way, I believe I should not err if I were to declare that during the first ten years of the existence of that document it was never by anybody called a treaty — that it was never so called till the President, in his extremity, attempted by so calling it to wring something from it in justification of himself in connection with the Mexican War. It has none of the distinguishing features of a treaty. It does not call itself a treaty. Santa Anna does not therein assume to bind Mexico; he assumes only to act as the President — Commander-in-Chief of the Mexican army and navy; stipulates that the then present hostilities should cease, and that he would not himself take up arms, nor influence the Mexican people to take up arms, against Texas during the existence of the war of independence. He did not recognize the independence of Texas; he did not assume to put an end to the war, but clearly indicated his expectation of its continuance; he did not say one word about boundary, and, most probably, never thought of it. It is stipulated therein that the Mexican forces should evacuate the territory of Texas, passing to the other side of the Rio Grande; and in another article it is stipulated that, to prevent collisions between the armies, the Texas army should not approach nearer than within five leagues — of what is not said, but clearly, from the object stated, it is of the Rio Grande. Now, if this is a treaty recognizing the Rio Grande as the boundary of Texas, it contains the singular feature of stipulating that Texas shall not go within five leagues of her own boundary.

Next comes the evidence of Texas before annexation, and the United States afterwards, exercising jurisdiction beyond the Nueces and between the two rivers. This actual exercise of jurisdiction is the very class or quality of evidence we want. It is excellent so far as it goes; but does it go far enough? He tells us it went beyond the Nueces, but he does not tell us it went to the Rio Grande. He tells us jurisdiction was exercised between the two rivers, but he does not tell us it was exercised over all the territory between them. Some simple-minded people think it is possible to cross one river and go beyond it without going all the way to the next, that jurisdiction may be exercised between two rivers without covering all the country between them. I know a man, not very unlike myself, who exercises jurisdiction over a piece of land between the Wabash and the Mississippi; and yet so far is this from being all there is between those rivers that it is just one hundred and fifty-two feet long by fifty feet wide, and no part of it much within a hundred miles of either. He has a neighbor between him and the Mississippi — that is, just across the street, in that direction — whom I am sure he could neither persuade nor force to give up his habitation; but which nevertheless he could certainly annex, if it were to be done by merely standing on his own side of the street and claiming it, or even sitting down and writing a deed for it.

But next the President tells us the Congress of the United States understood the State of Texas they admitted into the Union to extend beyond the Nueces. Well, I suppose they did. I certainly so understood it. But how far beyond? That Congress did not understand it to extend clear to the Rio Grande is quite certain, by the fact of their joint resolutions for admission expressly leaving all questions of boundary to future adjustment. And it may be added that Texas herself is proven to have had the same understanding of it that our Congress had, by the fact of the exact conformity of her new constitution to those resolutions.

I am now through the whole of the President's evidence; and it is a singular fact that if any one should declare the President sent the army into the midst of a settlement of Mexican people who had never submitted, by consent or by force, to the authority of Texas or of the United States, and that there and thereby the first blood of the war was shed, there is not one word in all the which would either admit or deny the declaration. This strange omission it does seem to me could not have occurred but by design. My way of living leads me to be about the courts of justice; and there I have

sometimes seen a good lawyer, struggling for his client's neck in a desperate case, employing every artifice to work round, befog, and cover up with many words some point arising in the case which he dared not admit and yet could not deny. Party bias may help to make it appear so, but with all the allowance I can make for such bias, it still does appear to me that just such, and from just such necessity, is the President's struggle in this case.

Sometime after my colleague [Mr. Richardson] introduced the resolutions I have mentioned, I introduced a preamble, resolution, and interrogations, intended to draw the President out, if possible, on this hitherto untrodden ground. To show their relevancy, I propose to state my understanding of the true rule for ascertaining the boundary between Texas and Mexico. It is that wherever Texas was exercising jurisdiction was hers; and wherever Mexico was exercising jurisdiction was hers; and that whatever separated the actual exercise of jurisdiction of the one from that of the other was the true boundary between them. If, as is probably true, Texas was exercising jurisdiction along the western bank of the Nueces, and Mexico was exercising it along the eastern bank of the Rio Grande, then neither river was the boundary: but the uninhabited country between the two was. The extent of our territory in that region depended not on any treaty-fixed boundary (for no treaty had attempted it), but on revolution. Any people anywhere being inclined and having the power have the right to rise up and shake off the existing government, and form a new one that suits them better. This is a most valuable, a most sacred right — a right which we hope and believe is to liberate the world. Nor is this right confined to cases in which the whole people of an existing government may choose to exercise it. Any portion of such people that can may revolutionize and make their own of so much of the territory as they inhabit. More than this, a majority of any portion of such people may revolutionize, putting down a minority, intermingled with or near about them, who may oppose this movement. Such minority was precisely the case of the Tories of our own revolution. It is a quality of revolutions not to go by old lines or old laws, but to break up both, and make new ones.

As to the country now in question, we bought it of France in 1803, and sold it to Spain in 1819, according to the President's statements. After this, all Mexico, including Texas, revolutionized against Spain; and still later Texas revolutionized against Mexico. In my view, just so far as she carried her resolution by obtaining the actual, willing or unwilling, submission of the people, so far the country was hers, and no farther. Now, sir, for the purpose of obtaining the very best evidence as to whether Texas had actually carried her revolution to the place where the hostilities of the present war commenced, let the President answer the interrogatories I proposed, as before mentioned, or some other similar ones. Let him answer fully, fairly, and candidly. Let him answer with facts and not with arguments. Let him remember he sits where Washington sat, and so remembering, let him answer as Washington would answer. As a nation should not, and the Almighty will not, be evaded, so let him attempt no evasion — no equivocation. And if, so answering, he can show that the soil was ours where the first blood of the war was shed, — that it was not within an inhabited country, or, if within such, that the inhabitants had submitted themselves to the civil authority of Texas or of the United States, and that the same is true of the site of Fort Brown, then I am with him for his justification. In that case I shall be most happy to reverse the vote I gave the other day. I have a selfish motive for desiring that the President may do this — I expect to gain some votes, in connection with the war, which, without his so doing, will be of doubtful propriety in my own judgment, but which will be free from the doubt if he does so. But if he can not or will not do this, — if on any pretence or no pretence he shall refuse or omit it then I shall be fully convinced of what I more than suspect already that he is deeply conscious of being in the wrong; that he feels the blood of this war, like the blood of Abel, is crying to heaven against him; that originally having some strong motive — what, I will not stop now to give my opinion concerning to involve the two countries in a war, and trusting to escape scrutiny by fixing the public gaze upon the exceeding brightness of military glory, — that attractive rainbow that rises in showers of blood, that serpent's eye that charms to destroy, — he plunged into it, and was swept on and on till, disappointed in his calculation of the

ease with which Mexico might be subdued, he now finds himself he knows not where. How like the half insane mumbling of a fever dream is the whole war part of his late message! At one time telling us that Mexico has nothing whatever that we can get — but territory; at another showing us how we can support the war by levying contributions on Mexico. At one time urging the national honor, the security of the future, the prevention of foreign interference, and even the good of Mexico herself as among the objects of the war; at another telling us that "to reject indemnity, by refusing to accept a cession of territory, would be to abandon all our just demands, and to wage the war, bearing all its expenses, without a purpose or definite object." So then this national honor, security of the future, and everything but territorial indemnity may be considered the no-purposes and indefinite objects of the war! But, having it now settled that territorial indemnity is the only object, we are urged to seize, by legislation here, all that he was content to take a few months ago, and the whole province of Lower California to boot, and to still carry on the war to take all we are fighting for, and still fight on. Again, the President is resolved under all circumstances to have full territorial indemnity for the expenses of the war; but he forgets to tell us how we are to get the excess after those expenses shall have surpassed the value of the whole of the Mexican territory. So again, he insists that the separate national existence of Mexico shall be maintained; but he does not tell us how this can be done, after we shall have taken all her territory. Lest the questions I have suggested be considered speculative merely, let me be indulged a moment in trying to show they are not. The war has gone on some twenty months; for the expenses of which, together with an inconsiderable old score, the President now claims about one half of the Mexican territory, and that by far the better half, so far as concerns our ability to make anything out of it. It is comparatively uninhabited; so that we could establish land-offices in it, and raise some money in that way. But the other half is already inhabited, as I understand it, tolerably densely for the nature of the country, and all its lands, or all that are valuable, already appropriated as private property. How then are we to make anything out of these lands with this encumbrance on them? or how remove the encumbrance? I suppose no one would say we should kill the people, or drive them out, or make slaves of them, or confiscate their property. How, then, can we make much out of this part of the territory? If the prosecution of the war has in expenses already equalled the better half of the country, how long its future prosecution will be in equalling the less valuable half is not a speculative, but a practical, question, pressing closely upon us. And yet it is a question which the President seems never to have thought of. As to the mode of terminating the war and securing peace, the President is equally wandering and indefinite. First, it is to be done by a more vigorous prosecution of the war in the vital parts of the enemy's country; and after apparently talking himself tired on this point, the President drops down into a half-despairing tone, and tells us that "with a people distracted and divided by contending factions, and a government subject to constant changes by successive revolutions, the continued success of our arms may fail to secure a satisfactory peace." Then he suggests the propriety of wheedling the Mexican people to desert the counsels of their own leaders, and, trusting in our protestations, to set up a government from which we can secure a satisfactory peace; telling us that "this may become the only mode of obtaining such a peace." But soon he falls into doubt of this too; and then drops back on to the already half-abandoned ground of "more vigorous prosecution." All this shows that the President is in nowise satisfied with his own positions. First he takes up one, and in attempting to argue us into it he argues himself out of it, then seizes another and goes through the same process, and then, confused at being able to think of nothing new, he snatches up the old one again, which he has some time before cast off. His mind, taxed beyond its power, is running hither and thither, like some tortured creature on a burning surface, finding no position on which it can settle down and be at ease.

Again, it is a singular omission in this message that it nowhere intimates when the President expects the war to terminate. At its beginning, General Scott was by this same President driven into disfavor if not disgrace, for intimating that peace could not be conquered in less than three or four months. But now, at the end of about twenty months, during which time our arms have given us

the most splendid successes, every department and every part, land and water, officers and privates, regulars and volunteers, doing all that men could do, and hundreds of things which it had ever before been thought men could not do — after all this, this same President gives a long message, without showing us that as to the end he himself has even an imaginary conception. As I have before said, he knows not where he is. He is a bewildered, confounded, and miserably perplexed man. God grant he may be able to show there is not something about his conscience more painful than his mental perplexity.

The following is a copy of the so-called "treaty" referred to in the speech:

"Articles of Agreement entered into between his Excellency David G. Burnet, President of the Republic of Texas, of the one part, and his Excellency General Santa Anna, President-General-in-Chief of the Mexican army, of the other part:

"Article I. General Antonio Lopez de Santa Anna agrees that he will not take up arms, nor will he exercise his influence to cause them to be taken up, against the people of Texas during the present war of independence.

"Article II. All hostilities between the Mexican and Texan troops will cease immediately, both by land and water.

"Article III. The Mexican troops will evacuate the territory of Texas, passing to the other side of the Rio Grande Del Norte.

"Article IV. The Mexican army, in its retreat, shall not take the property of any person without his consent and just indemnification, using only such articles as may be necessary for its subsistence, in cases when the owner may not be present, and remitting to the commander of the army of Texas, or to the commissioners to be appointed for the adjustment of such matters, an account of the value of the property consumed, the place where taken, and the name of the owner, if it can be ascertained.

"Article V. That all private property, including cattle, horses, negro slaves, or indentured persons, of whatever denomination, that may have been captured by any portion of the Mexican army, or may have taken refuge in the said army, since the commencement of the late invasion, shall be restored to the commander of the Texan army, or to such other persons as may be appointed by the Government of Texas to receive them.

"Article VI. The troops of both armies will refrain from coming in contact with each other; and to this end the commander of the army of Texas will be careful not to approach within a shorter distance than five leagues.

"Article VII. The Mexican army shall not make any other delay on its march than that which is necessary to take up their hospitals, baggage, etc., and to cross the rivers; any delay not necessary to these purposes to be considered an infraction of this agreement.

"Article VIII. By an express, to be immediately despatched, this agreement shall be sent to General Vincente Filisola and to General T. J. Rusk, commander of the Texan army, in order that they may be apprised of its stipulations; and to this end they will exchange engagements to comply with the same.

"Article IX. That all Texan prisoners now in the possession of the Mexican army, or its authorities, be forthwith released, and furnished with free passports to return to their homes; in consideration of which a corresponding number of Mexican prisoners, rank and file, now in possession of the Government of Texas shall be immediately released; the remainder of the Mexican prisoners that continue in the possession of the Government of Texas to be treated with due humanity, —

any extraordinary comforts that may be furnished them to be at the charge of the Government of Mexico.

"Article X. General Antonio Lopez de Santa Anna will be sent to Vera Cruz as soon as it shall be deemed proper.

"The contracting parties sign this instrument for the abovementioned purposes, in duplicate, at the port of Velasco, this fourteenth day of May, 1836.

"DAVID G. BURNET, President,

"JAS. COLLINGSWORTH, Secretary of State,

"ANTONIO LOPEZ DE SANTA ANNA,

"B. HARDIMAN, Secretary of the Treasury,

"P. W. GRAYSON, Attorney-General."

REPORT IN THE HOUSE OF REPRESENTATIVES, JANUARY 19, 1848

Mr. Lincoln, from the Committee on the Post-office and Post Roads, made the following report:

The Committee on the Post-office and Post Roads, to whom was referred the petition of Messrs. Saltmarsh and Fuller, report: That, as proved to their satisfaction, the mail routes from Milledgeville to Athens, and from Warrenton to Decatur, in the State of Georgia (numbered 2366 and 2380), were let to Reeside and Avery at \$1300 per annum for the former and \$1500 for the latter, for the term of four years, to commence on the first day of January, 1835; that, previous to the time for commencing the service, Reeside sold his interest therein to Avery; that on the 5th of May, 1835, Avery sold the whole to these petitioners, Saltmarsh and Fuller, to take effect from the beginning, January a 1835; that at this time, the Assistant Postmaster-General, being called on for that purpose, consented to the transfer of the contracts from Reeside and Avery to these petitioners, and promised to have proper entries of the transfer made on the books of the department, which, however, was neglected to be done; that the petitioners, supposing all was right, in good faith commenced the transportation of the mail on these routes, and after difficulty arose, still trusting that all would be made right, continued the service till December a 1837; that they performed the service to the entire satisfaction of the department, and have never been paid anything for it except \$ — ; that the difficulty occurred as follows:

Mr. Barry was Postmaster-General at the times of making the contracts and the attempted transfer of them; Mr. Kendall succeeded Mr. Barry, and finding Reeside apparently in debt to the department, and these contracts still standing in the names of Reeside and Avery, refused to pay for the services under them, otherwise than by credits to Reeside; afterward, however, he divided the compensation, still crediting one half to Reeside, and directing the other to be paid to the order of Avery, who disclaimed all right to it. After discontinuing the service, these petitioners, supposing they might have legal redress against Avery, brought suit against him in New Orleans; in which suit they failed, on the ground that Avery had complied with his contract, having done so much toward the transfer as they had accepted and been satisfied with. Still later the department sued Reeside on his supposed indebtedness, and by a verdict of the jury it was determined that the department was indebted to him in a sum much beyond all the credits given him on the account above stated. Under these circumstances, the committee consider the petitioners clearly entitled to relief, and they report a bill accordingly; lest, however, there should be some mistake as to the amount which they have already received, we so frame it as that, by adjustment at the department, they may be paid so much as remains unpaid for services actually performed by them not charging them with the credits given to Reeside. The committee think it not improbable that the petitioners purchased the right of Avery to be paid for the service from the 1st of January, till their purchase on May 11, 1835; but, the evidence on this point being very vague, they forbear to report in favor of allowing it.

TO WILLIAM H. HERNDON — LEGAL WORK

WASHINGTON, January 19, 1848

DEAR WILLIAM: — Inclosed you find a letter of Louis W. Chandler. What is wanted is that you shall ascertain whether the claim upon the note described has received any dividend in the Probate Court of Christian County, where the estate of Mr. Overbon Williams has been administered on. If nothing is paid on it, withdraw the note and send it to me, so that Chandler can see the indorser of it. At all events write me all about it, till I can somehow get it off my hands. I have already been bored more than enough about it; not the least of which annoyance is his cursed, unreadable, and ungodly handwriting.

I have made a speech, a copy of which I will send you by next mail.

Yours as ever,

A. LINCOLN.

REGARDING SPEECH ON MEXICAN WAR

TO WILLIAM H. HERNDON

WASHINGTON, February 1, 1848.

DEAR WILLIAM: — Your letter of the 19th ultimo was received last night, and for which I am much obliged. The only thing in it that I wish to talk to you at once about is that because of my vote for Ashmun's amendment you fear that you and I disagree about the war. I regret this, not because of any fear we shall remain disagreed after you have read this letter, but because if you misunderstand I fear other good friends may also. That vote affirms that the war was unnecessarily and unconstitutionally commenced by the President; and I will stake my life that if you had been in my place you would have voted just as I did. Would you have voted what you felt and knew to be a lie? I know you would not. Would you have gone out of the House — skulked the vote? I expect not. If you had skulked one vote, you would have had to skulk many more before the end of the session. Richardson's resolutions, introduced before I made any move or gave any vote upon the subject, make the direct question of the justice of the war; so that no man can be silent if he would. You are compelled to speak; and your only alternative is to tell the truth or a lie. I cannot doubt which you would do.

This vote has nothing to do in determining my votes on the questions of supplies. I have always intended, and still intend, to vote supplies; perhaps not in the precise form recommended by the President, but in a better form for all purposes, except Locofoco party purposes. It is in this particular you seem mistaken. The Locos are untiring in their efforts to make the impression that all who vote supplies or take part in the war do of necessity approve the President's conduct in the beginning of it; but the Whigs have from the beginning made and kept the distinction between the two. In the very first act nearly all the Whigs voted against the preamble declaring that war existed by the act of Mexico; and yet nearly all of them voted for the supplies. As to the Whig men who have participated in the war, so far as they have spoken in my hearing they do not hesitate to denounce as unjust the President's conduct in the beginning of the war. They do not suppose that such denunciation is directed by undying hatred to him, as The Register would have it believed. There are two such Whigs on this floor (Colonel Haskell and Major James) The former fought as a colonel by the side of Colonel Baker at Cerro Gordo, and stands side by side with me in the vote that you seem dissatisfied with. The latter, the history of whose capture with Cassius Clay you well know, had not arrived here when that vote was given; but, as I understand, he stands ready to give just such a vote whenever an occasion shall present. Baker, too, who is now here, says the truth is undoubtedly that way; and whenever he shall speak out, he will say so. Colonel Doniphan, too, the favorite Whig of Missouri, and who overran all Northern Mexico, on his return home in a public speech at St. Louis condemned the administration in relation to the war. If I remember, G. T. M. Davis, who has been through almost the whole war, declares in favor of Mr. Clay; from which I infer that he adopts the sentiments of Mr. Clay, generally at least. On the other hand, I have heard of but one Whig who has been to the war attempting to justify the President's conduct. That one was Captain Bishop, editor of the Charleston Courier, and a very clever fellow. I do not mean this letter for the public, but for you. Before it reaches you, you will have seen and read my pamphlet speech, and perhaps been scared anew by it. After you get over your scare, read it over again, sentence by sentence, and tell me honestly what you think of it. I condensed all I could for fear of being cut off by the hour rule, and when I got through I had spoken but forty-five minutes.

Yours forever,

A. LINCOLN.

TO WILLIAM H. HERNDON

WASHINGTON, February 2, 1848

DEAR WILLIAM: — I just take my pen to say that Mr. Stephens, of Georgia, a little, slim, pale-faced, consumptive man, with a voice like Logan's, has just concluded the very best speech of an hour's length I ever heard. My old withered dry eyes are full of tears yet.

If he writes it out anything like he delivered it, our people shall see a good many copies of it.

Yours truly,

A. LINCOLN.

ON THE MEXICAN WAR

TO WILLIAM H. HERNDON

WASHINGTON, February 15, 1848.

DEAR WILLIAM: — Your letter of the 29th January was received last night. Being exclusively a constitutional argument, I wish to submit some reflections upon it in the same spirit of kindness that I know actuates you. Let me first state what I understand to be your position. It is that if it shall become necessary to repel invasion, the President may, without violation of the Constitution, cross the line and invade the territory of another country, and that whether such necessity exists in any given case the President is the sole judge.

Before going further consider well whether this is or is not your position. If it is, it is a position that neither the President himself, nor any friend of his, so far as I know, has ever taken. Their only positions are — first, that the soil was ours when the hostilities commenced; and second, that whether it was rightfully ours or not, Congress had annexed it, and the President for that reason was bound to defend it; both of which are as clearly proved to be false in fact as you can prove that your house is mine. The soil was not ours, and Congress did not annex or attempt to annex it. But to return to your position. Allow the President to invade a neighboring nation whenever he shall deem it necessary to repel an invasion, and you allow him to do so whenever he may choose to say he deems it necessary for such purpose, and you allow him to make war at pleasure. Study to see if you can fix any limit to his power in this respect, after having given him so much as you propose. If to-day he should choose to say he thinks it necessary to invade Canada to prevent the British from invading us, how could you stop him? You may say to him, — "I see no probability of the British invading us"; but he will say to you, "Be silent: I see it, if you don't."

The provision of the Constitution giving the war making power to Congress was dictated, as I understand it, by the following reasons: kings had always been involving and impoverishing their people in wars, pretending generally, if not always, that the good of the people was the object. This our convention understood to be the most oppressive of all kingly oppressions, and they resolved to so frame the Constitution that no one man should hold the power of bringing this oppression upon us. But your view destroys the whole matter, and places our President where kings have always stood. Write soon again.

Yours truly,
A. LINCOLN.

REPORT IN THE HOUSE OF REPRESENTATIVES,

MARCH 9, 1848

Mr. Lincoln, from the Committee on the Postoffice and Post Roads, made the following report:

The Committee on the Post-office and Post Roads, to whom was referred the resolution of the House of Representatives entitled "An Act authorizing postmasters at county seats of justice to receive subscriptions for newspapers and periodicals, to be paid through the agency of the Post-office Department, and for other purposes," beg leave to submit the following report:

The committee have reason to believe that a general wish pervades the community at large that some such facility as the proposed measure should be granted by express law, for subscribing, through the agency of the Post-office Department, to newspapers and periodicals which diffuse daily, weekly, or monthly intelligence of passing events. Compliance with this general wish is deemed to be in accordance with our republican institutions, which can be best sustained by the diffusion of knowledge and the due encouragement of a universal, national spirit of inquiry and discussion of public events through the medium of the public press. The committee, however, has not been insensible to its duty of guarding the Post-office Department against injurious sacrifices for the accomplishment of this object, whereby its ordinary efficacy might be impaired or embarrassed. It has therefore been a subject of much consideration; but it is now confidently hoped that the bill herewith submitted effectually obviates all objections which might exist with regard to a less matured proposition.

The committee learned, upon inquiry, that the Post-office Department, in view of meeting the general wish on this subject, made the experiment through one of its own internal regulations, when the new postage system went into operation on the first of July, 1845, and that it was continued until the thirtieth of September, 1847. But this experiment, for reasons hereafter stated, proved unsatisfactory, and it was discontinued by order of the Postmaster-General. As far as the committee can at present ascertain, the following seem to have been the principal grounds of dissatisfaction in this experiment:

(1) The legal responsibility of postmasters receiving newspaper subscriptions, or of their sureties, was not defined.

(2) The authority was open to all postmasters instead of being limited to those of specific offices.

(3) The consequence of this extension of authority was that, in innumerable instances, the money, without the previous knowledge or control of the officers of the department who are responsible for the good management of its finances, was deposited in offices where it was improper such funds should be placed; and the repayment was ordered, not by the financial officers, but by the postmasters, at points where it was inconvenient to the department so to disburse its funds.

(4) The inconvenience of accumulating uncertain and fluctuating sums at small offices was felt seriously in consequent overpayments to contractors on their quarterly collecting orders; and, in case of private mail routes, in litigation concerning the misapplication of such funds to the special service of supplying mails.

(5) The accumulation of such funds on draft offices could not be known to the financial clerks of the department in time to control it, and too often this rendered uncertain all their calculations of funds in hand.

(6) The orders of payment were for the most part issued upon the principal offices, such as New York, Philadelphia, Boston, Baltimore, etc., where the large offices of publishers are located, causing an illimitable and uncontrollable drain of the department funds from those points where it was essential to husband them for its own regular disbursements. In Philadelphia alone this drain averaged \$5000 per quarter; and in other cities of the seaboard it was proportionate.

(7) The embarrassment of the department was increased by the illimitable, uncontrollable, and irresponsible scattering of its funds from concentrated points suitable for its distributions, to remote, unsafe, and inconvenient offices, where they could not be again made available till collected by special agents, or were transferred at considerable expense into the principal disbursing offices again.

(8) There was a vast increase of duties thrown upon the limited force before necessary to conduct the business of the department; and from the delay of obtaining vouchers impediments arose to the speedy settlement of accounts with present or retired post-masters, causing postponements which endangered the liability of sureties under the act of limitations, and causing much danger of an increase of such cases.

(9) The most responsible postmasters (at the large offices) were ordered by the least responsible (at small offices) to make payments upon their vouchers, without having the means of ascertaining whether these vouchers were genuine or forged, or if genuine, whether the signers were in or out of office, or solvent or defaulters.

(10) The transaction of this business for subscribers and publishers at the public expense, and the embarrassment, inconvenience, and delay of the department's own business occasioned by it, were not justified by any sufficient remuneration of revenue to sustain the department, as required in every other respect with regard to its agency.

The committee, in view of these objections, has been solicitous to frame a bill which would not be obnoxious to them in principle or in practical effect.

It is confidently believed that by limiting the offices for receiving subscriptions to less than one tenth of the number authorized by the experiment already tried, and designating the county seat in each county for the purpose, the control of the department will be rendered satisfactory; particularly as it will be in the power of the Auditor, who is the officer required by law to check the accounts, to approve or disapprove of the deposits, and to sanction not only the payments, but to point out the place of payment. If these payments should cause a drain on the principal offices of the seaboard, it will be compensated by the accumulation of funds at county seats, where the contractors on those routes can be paid to that extent by the department's drafts, with more local convenience to themselves than by drafts on the seaboard offices.

The legal responsibility for these deposits is defined, and the accumulation of funds at the point of deposit, and the repayment at points drawn upon, being known to and controlled by the Auditor, will not occasion any such embarrassments as were before felt; the record kept by the Auditor on the passing of the certificates through his hands will enable him to settle accounts without the delay occasioned by vouchers being withheld; all doubt or uncertainty as to the genuineness of certificates, or the propriety of their issue, will be removed by the Auditor's examination and approval; and there can be no risk of loss of funds by transmission, as the certificate will not be payable till sanctioned by the Auditor, and after his sanction the payor need not pay it unless it is presented by the publisher or his known clerk or agent.

The main principle of equivalent for the agency of the department is secured by the postage required to be paid upon the transmission of the certificates, augmenting adequately the post-office revenue.

The committee, conceiving that in this report all the difficulties of the subject have been fully and fairly stated, and that these difficulties have been obviated by the plan proposed in the accompanying bill, and believing that the measure will satisfactorily meet the wants and wishes of a very large portion of the community, beg leave to recommend its adoption.

REPORT IN THE HOUSE OF REPRESENTATIVES,

MARCH 9, 1848

Mr. Lincoln, from the Committee on the Postoffice and Post Roads, made the following report:

The Committee on the Post-office and Post Roads, to whom was referred the petition of H. M. Barney, postmaster at Brimfield, Peoria County, Illinois, report: That they have been satisfied by evidence, that on the 15th of December, 1847, said petitioner had his store, with some fifteen hundred dollars' worth of goods, together with all the papers of the post-office, entirely destroyed by fire; and that the specie funds of the office were melted down, partially lost and partially destroyed; that this large individual loss entirely precludes the idea of embezzlement; that the balances due the department of former quarters had been only about twenty-five dollars; and that owing to the destruction of papers, the exact amount due for the quarter ending December 31, 1847, cannot be ascertained. They therefore report a joint resolution, releasing said petitioner from paying anything for the quarter last mentioned.

REMARKS IN THE UNITED STATES HOUSE OF REPRESENTATIVES, MARCH 29, 1848

The bill for raising additional military force for limited time, etc., was reported from Committee on judiciary; similar bills had been reported from Committee on, Public Lands and Military Committee.

Mr. Lincoln said if there was a general desire on the part of the House to pass the bill now he should be glad to have it done — concurring, as he did generally, with the gentleman from Arkansas [Mr. Johnson] that the postponement might jeopard the safety of the proposition. If, however, a reference was to be made, he wished to make a very few remarks in relation to the several subjects desired by the gentlemen to be embraced in amendments to the ninth section of the act of the last session of Congress. The first amendment desired by members of this House had for its only object to give bounty lands to such persons as had served for a time as privates, but had never been discharged as such, because promoted to office. That subject, and no other, was embraced in this bill. There were some others who desired, while they were legislating on this subject, that they should also give bounty lands to the volunteers of the War of 1812. His friend from Maryland said there were no such men. He [Mr. L.] did not say there were many, but he was very confident there were some. His friend from Kentucky near him, [Mr. Gaines] told him he himself was one.

There was still another proposition touching this matter; that was, that persons entitled to bounty lands should by law be entitled to locate these lands in parcels, and not be required to locate them in one body, as was provided by the existing law.

Now he had carefully drawn up a bill embracing these three separate propositions, which he intended to propose as a substitute for all these bills in the House, or in Committee of the Whole on the State of the Union, at some suitable time. If there was a disposition on the part of the House to act at once on this separate proposition, he repeated that, with the gentlemen from Arkansas, he should prefer it lest they should lose all. But if there was to be a reference, he desired to introduce his bill embracing the three propositions, thus enabling the committee and the House to act at the same time, whether favorably or unfavorably, upon all. He inquired whether an amendment was now in order.

The Speaker replied in the negative.

TO ARCHIBALD WILLIAMS

WASHINGTON, April 30, 1848

DEAR WILLIAMS: — I have not seen in the papers any evidence of a movement to send a delegate from your circuit to the June convention. I wish to say that I think it all-important that a delegate should be sent. Mr. Clay's chance for an election is just no chance at all. He might get New York, and that would have elected in 1844, but it will not now, because he must now, at the least, lose Tennessee, which he had then, and in addition the fifteen new votes of Florida, Texas, Iowa, and Wisconsin. I know our good friend Browning is a great admirer of Mr. Clay, and I therefore fear he is favoring his nomination. If he is, ask him to discard feeling, and try if he can possibly, as a matter of judgment, count the votes necessary to elect him.

In my judgment we can elect nobody but General Taylor; and we cannot elect him without a nomination. Therefore don't fail to send a delegate.

Your friend as ever,

A. LINCOLN.

REMARKS IN THE HOUSE OF REPRESENTATIVES,

MAY 11, 1848

A bill for the admission of Wisconsin into the Union had been passed.

Mr. Lincoln moved to reconsider the vote by which the bill was passed. He stated to the House that he had made this motion for the purpose of obtaining an opportunity to say a few words in relation to a point raised in the course of the debate on this bill, which he would now proceed to make if in order. The point in the case to which he referred arose on the amendment that was submitted by the gentleman from Vermont [Mr. Collamer] in Committee of the Whole on the State of the Union, and which was afterward renewed in the House, in relation to the question whether the reserved sections, which, by some bills heretofore passed, by which an appropriation of land had been made to Wisconsin, had been enhanced in value, should be reduced to the minimum price of the public lands. The question of the reduction in value of those sections was to him at this time a matter very nearly of indifference. He was inclined to desire that Wisconsin should be obliged by having it reduced. But the gentleman from Indiana [Mr. C. B. Smith], the chairman of the Committee on Territories, yesterday associated that question with the general question, which is now to some extent agitated in Congress, of making appropriations of alternate sections of land to aid the States in making internal improvements, and enhancing the price of the sections reserved, and the gentleman from Indiana took ground against that policy. He did not make any special argument in favor of Wisconsin, but he took ground generally against the policy of giving alternate sections of land, and enhancing the price of the reserved sections. Now he [Mr. Lincoln] did not at this time take the floor for the purpose of attempting to make an argument on the general subject. He rose simply to protest against the doctrine which the gentleman from Indiana had avowed in the course of what he [Mr. Lincoln] could not but consider an unsound argument.

It might, however, be true, for anything he knew, that the gentleman from Indiana might convince him that his argument was sound; but he [Mr. Lincoln] feared that gentleman would not be able to convince a majority in Congress that it was sound. It was true the question appeared in a different aspect to persons in consequence of a difference in the point from which they looked at it. It did not look to persons residing east of the mountains as it did to those who lived among the public lands. But, for his part, he would state that if Congress would make a donation of alternate sections of public land for the purpose of internal improvements in his State, and forbid the reserved sections being sold at \$1.25, he should be glad to see the appropriation made; though he should prefer it if the reserved sections were not enhanced in price. He repeated, he should be glad to have such appropriations made, even though the reserved sections should be enhanced in price. He did not wish to be understood as concurring in any intimation that they would refuse to receive such an appropriation of alternate sections of land because a condition enhancing the price of the reserved sections should be attached thereto. He believed his position would now be understood: if not, he feared he should not be able to make himself understood.

But, before he took his seat, he would remark that the Senate during the present session had passed a bill making appropriations of land on that principle for the benefit of the State in which he resided the State of Illinois. The alternate sections were to be given for the purpose of constructing roads, and the reserved sections were to be enhanced in value in consequence. When that bill came here for the action of this House — it had been received, and was now before the Committee on Public Lands — he desired much to see it passed as it was, if it could be put in no more favorable form for the State of Illinois. When it should be before this House, if any member from a section of the Union in which these lands did not lie, whose interest might be less than that which he felt,

should propose a reduction of the price of the reserved sections to \$1.25, he should be much obliged; but he did not think it would be well for those who came from the section of the Union in which the lands lay to do so. — He wished it, then, to be understood that he did not join in the warfare against the principle which had engaged the minds of some members of Congress who were favorable to the improvements in the western country. There was a good deal of force, he admitted, in what fell from the chairman of the Committee on Territories. It might be that there was no precise justice in raising the price of the reserved sections to \$2.50 per acre. It might be proper that the price should be enhanced to some extent, though not to double the usual price; but he should be glad to have such an appropriation with the reserved sections at \$2.50; he should be better pleased to have the price of those sections at something less; and he should be still better pleased to have them without any enhancement at all.

There was one portion of the argument of the gentleman from Indiana, the chairman of the Committee on Territories [Mr. Smith], which he wished to take occasion to say that he did not view as unsound. He alluded to the statement that the General Government was interested in these internal improvements being made, inasmuch as they increased the value of the lands that were unsold, and they enabled the government to sell the lands which could not be sold without them. Thus, then, the government gained by internal improvements as well as by the general good which the people derived from them, and it might be, therefore, that the lands should not be sold for more than \$1.50 instead of the price being doubled. He, however, merely mentioned this in passing, for he only rose to state, as the principle of giving these lands for the purposes which he had mentioned had been laid hold of and considered favorably, and as there were some gentlemen who had constitutional scruples about giving money for these purchases who would not hesitate to give land, that he was not willing to have it understood that he was one of those who made war against that principle. This was all he desired to say, and having accomplished the object with which he rose, he withdrew his motion to reconsider.

ON TAYLOR'S NOMINATION

TO E. B. WASHBURNE

WASHINGTON, April 30, 1848.

DEAR WASHBURNE:

I have this moment received your very short note asking me if old Taylor is to be used up, and who will be the nominee. My hope of Taylor's nomination is as high — a little higher than it was when you left. Still, the case is by no means out of doubt. Mr. Clay's letter has not advanced his interests any here. Several who were against Taylor, but not for anybody particularly, before, are since taking ground, some for Scott and some for McLean. Who will be nominated neither I nor any one else can tell. Now, let me pray to you in turn. My prayer is that you let nothing discourage or baffle you, but that, in spite of every difficulty, you send us a good Taylor delegate from your circuit. Make Baker, who is now with you, I suppose, help about it. He is a good hand to raise a breeze.

General Ashley, in the Senate from Arkansas, died yesterday. Nothing else new beyond what you see in the papers.

Yours truly,

A. LINCOLN

DEFENSE OF MEXICAN WAR POSITION

TO REV. J. M. PECK

WASHINGTON, May 21, 1848. DEAR SIR:

...Not in view of all the facts. There are facts which you have kept out of view. It is a fact that the United States army in marching to the Rio Grande marched into a peaceful Mexican settlement, and frightened the inhabitants away from their homes and their growing crops. It is a fact that Fort Brown, opposite Matamoras, was built by that army within a Mexican cotton-field, on which at the time the army reached it a young cotton crop was growing, and which crop was wholly destroyed and the field itself greatly and permanently injured by ditches, embankments, and the like. It is a fact that when the Mexicans captured Captain Thornton and his command, they found and captured them within another Mexican field.

Now I wish to bring these facts to your notice, and to ascertain what is the result of your reflections upon them. If you deny that they are facts, I think I can furnish proofs which shall convince you that you are mistaken. If you admit that they are facts, then I shall be obliged for a reference to any law of language, law of States, law of nations, law of morals, law of religions, any law, human or divine, in which an authority can be found for saying those facts constitute "no aggression."

Possibly you consider those acts too small for notice. Would you venture to so consider them had they been committed by any nation on earth against the humblest of our people? I know you would not. Then I ask, is the precept "Whatsoever ye would that men should do to you, do ye even so to them" obsolete? of no force? of no application?

Yours truly,

A. LINCOLN.

ON ZACHARY TAYLOR NOMINATION

TO ARCHIBALD WILLIAMS

WASHINGTON, June 12, 1848.

DEAR WILLIAMS: — On my return from Philadelphia, where I had been attending the nomination of "Old Rough," (Zachary Taylor) I found your letter in a mass of others which had accumulated in my absence. By many, and often, it had been said they would not abide the nomination of Taylor; but since the deed has been done, they are fast falling in, and in my opinion we shall have a most overwhelming, glorious triumph. One unmistakable sign is that all the odds and ends are with us — Barnburners, Native Americans, Tyler men, disappointed office-seeking Locofocos, and the Lord knows what. This is important, if in nothing else, in showing which way the wind blows. Some of the sanguine men have set down all the States as certain for Taylor but Illinois, and it as doubtful. Cannot something be done even in Illinois? Taylor's nomination takes the Locos on the blind side. It turns the war thunder against them. The war is now to them the gallows of Haman, which they built for us, and on which they are doomed to be hanged themselves.

Excuse this short letter. I have so many to write that I cannot devote much time to any one.

Yours as ever,

A. LINCOLN.

SPEECH IN THE HOUSE OF REPRESENTATIVES,

JUNE 20, 1848

In Committee of the Whole on the State of the Union, on the Civil and Diplomatic Appropriation Bill:

Mr. CHAIRMAN: — I wish at all times in no way to practise any fraud upon the House or the committee, and I also desire to do nothing which may be very disagreeable to any of the members. I therefore state in advance that my object in taking the floor is to make a speech on the general subject of internal improvements; and if I am out of order in doing so, I give the chair an opportunity of so deciding, and I will take my seat.

The Chair: I will not undertake to anticipate what the gentleman may say on the subject of internal improvements. He will, therefore, proceed in his remarks, and if any question of order shall be made, the chair will then decide it.

Mr. Lincoln: At an early day of this session the President sent us what may properly be called an internal improvement veto message. The late Democratic convention, which sat at Baltimore, and which nominated General Cass for the Presidency, adopted a set of resolutions, now called the Democratic platform, among which is one in these words:

"That the Constitution does not confer upon the General Government the power to commence and carry on a general system of internal improvements."

General Cass, in his letter accepting the nomination, holds this language:

"I have carefully read the resolutions of the Democratic national convention, laying down the platform of our political faith, and I adhere to them as firmly as I approve them cordially."

These things, taken together, show that the question of internal improvements is now more distinctly made — has become more intense — than at any former period. The veto message and the Baltimore resolution I understand to be, in substance, the same thing; the latter being the more general statement, of which the former is the amplification the bill of particulars. While I know there are many Democrats, on this floor and elsewhere, who disapprove that message, I understand that all who voted for General Cass will thereafter be counted as having approved it, as having indorsed all its doctrines.

I suppose all, or nearly all, the Democrats will vote for him. Many of them will do so not because they like his position on this question, but because they prefer him, being wrong on this, to another whom they consider farther wrong on other questions. In this way the internal improvement Democrats are to be, by a sort of forced consent, carried over and arrayed against themselves on this measure of policy. General Cass, once elected, will not trouble himself to make a constitutional argument, or perhaps any argument at all, when he shall veto a river or harbor bill; he will consider it a sufficient answer to all Democratic murmurs to point to Mr. Polk's message, and to the Democratic platform. This being the case, the question of improvements is verging to a final crisis; and the friends of this policy must now battle, and battle manfully, or surrender all. In this view, humble as I am, I wish to review, and contest as well as I may, the general positions of this veto message. When I say general positions, I mean to exclude from consideration so much as relates to the present embarrassed state of the treasury in consequence of the Mexican War.

Those general positions are: that internal improvements ought not to be made by the General Government — First. Because they would overwhelm the treasury Second. Because, while their burdens would be general, their benefits would be local and partial, involving an obnoxious inequality; and Third. Because they would be unconstitutional. Fourth. Because the States may do enough by the levy and collection of tonnage duties; or if not — Fifth. That the Constitution may be amended.

"Do nothing at all, lest you do something wrong," is the sum of these positions is the sum of this message. And this, with the exception of what is said about constitutionality, applying as forcibly to what is said about making improvements by State authority as by the national authority; so that we must abandon the improvements of the country altogether, by any and every authority, or we must resist and repudiate the doctrines of this message. Let us attempt the latter.

The first position is, that a system of internal improvements would overwhelm the treasury. That in such a system there is a tendency to undue expansion, is not to be denied. Such tendency is founded in the nature of the subject. A member of Congress will prefer voting for a bill which contains an appropriation for his district, to voting for one which does not; and when a bill shall be expanded till every district shall be provided for, that it will be too greatly expanded is obvious. But is this any more true in Congress than in a State Legislature? If a member of Congress must have an appropriation for his district, so a member of a Legislature must have one for his county. And if one will overwhelm the national treasury, so the other will overwhelm the State treasury. Go where we will, the difficulty is the same. Allow it to drive us from the halls of Congress, and it will, just as easily, drive us from the State Legislatures. Let us, then, grapple with it, and test its strength. Let us, judging of the future by the past, ascertain whether there may not be, in the discretion of Congress, a sufficient power to limit and restrain this expansive tendency within reasonable and proper bounds. The President himself values the evidence of the past. He tells us that at a certain point of our history more than two hundred millions of dollars had been applied for to make improvements; and this he does to prove that the treasury would be overwhelmed by such a system. Why did he not tell us how much was granted? Would not that have been better evidence? Let us turn to it, and see what it proves. In the message the President tells us that "during the four succeeding years embraced by the administration of President Adams, the power not only to appropriate money, but to apply it, under the direction and authority of the General Government, as well to the construction of roads as to the improvement of harbors and rivers, was fully asserted and exercised." This, then, was the period of greatest enormity. These, if any, must have been the days of the two hundred millions. And how much do you suppose was really expended for improvements during that four years? Two hundred millions? One hundred? Fifty? Ten? Five? No, sir; less than two millions. As shown by authentic documents, the expenditures on improvements during 1825, 1826, 1827, and 1828 amounted to one million eight hundred and seventy-nine thousand six hundred and twenty-seven dollars and one cent. These four years were the period of Mr. Adams's administration, nearly and substantially. This fact shows that when the power to make improvements "was fully asserted and exercised," the Congress did keep within reasonable limits; and what has been done, it seems to me, can be done again.

Now for the second portion of the message — namely, that the burdens of improvements would be general, while their benefits would be local and partial, involving an obnoxious inequality. That there is some degree of truth in this position, I shall not deny. No commercial object of government patronage can be so exclusively general as to not be of some peculiar local advantage. The navy, as I understand it, was established, and is maintained at a great annual expense, partly to be ready for war when war shall come, and partly also, and perhaps chiefly, for the protection of our commerce on the high seas. This latter object is, for all I can see, in principle the same as internal improvements. The driving a pirate from the track of commerce on the broad ocean, and the removing of a snag from its more narrow path in the Mississippi River, cannot, I think, be distinguished in principle. Each is done to save life and property, and for nothing else.

The navy, then, is the most general in its benefits of all this class of objects; and yet even the navy is of some peculiar advantage to Charleston, Baltimore, Philadelphia, New York, and Boston, beyond what it is to the interior towns of Illinois. The next most general object I can think of would be improvements on the Mississippi River and its tributaries. They touch thirteen of our States—Pennsylvania, Virginia, Kentucky, Tennessee, Mississippi, Louisiana, Arkansas, Missouri, Illinois, Indiana, Ohio, Wisconsin, and Iowa. Now I suppose it will not be denied that these thirteen States

are a little more interested in improvements on that great river than are the remaining seventeen. These instances of the navy and the Mississippi River show clearly that there is something of local advantage in the most general objects. But the converse is also true. Nothing is so local as to not be of some general benefit. Take, for instance, the Illinois and Michigan Canal. Considered apart from its effects, it is perfectly local. Every inch of it is within the State of Illinois. That canal was first opened for business last April. In a very few days we were all gratified to learn, among other things, that sugar had been carried from New Orleans through this canal to Buffalo in New York. This sugar took this route, doubtless, because it was cheaper than the old route. Supposing benefit of the reduction in the cost of carriage to be shared between seller and the buyer, result is that the New Orleans merchant sold his sugar a little dearer, and the people of Buffalo sweetened their coffee a little cheaper, than before, — a benefit resulting from the canal, not to Illinois, where the canal is, but to Louisiana and New York, where it is not. In other transactions Illinois will, of course, have her share, and perhaps the larger share too, of the benefits of the canal; but this instance of the sugar clearly shows that the benefits of an improvement are by no means confined to the particular locality of the improvement itself. The just conclusion from all this is that if the nation refuse to make improvements of the more general kind because their benefits may be somewhat local, a State may for the same reason refuse to make an improvement of a local kind because its benefits may be somewhat general. A State may well say to the nation, "If you will do nothing for me, I will do nothing for you." Thus it is seen that if this argument of "inequality" is sufficient anywhere, it is sufficient everywhere, and puts an end to improvements altogether. I hope and believe that if both the nation and the States would, in good faith, in their respective spheres do what they could in the way of improvements, what of inequality might be produced in one place might be compensated in another, and the sum of the whole might not be very unequal.

But suppose, after all, there should be some degree of inequality. Inequality is certainly never to be embraced for its own sake; but is every good thing to be discarded which may be inseparably connected with some degree of it? If so, we must discard all government. This Capitol is built at the public expense, for the public benefit; but does any one doubt that it is of some peculiar local advantage to the property-holders and business people of Washington? Shall we remove it for this reason? And if so, where shall we set it down, and be free from the difficulty? To make sure of our object, shall we locate it nowhere, and have Congress hereafter to hold its sessions, as the loafer lodged, "in spots about"? I make no allusion to the present President when I say there are few stronger cases in this world of "burden to the many and benefit to the few," of "inequality," than the Presidency itself is by some thought to be. An honest laborer digs coal at about seventy cents a day, while the President digs abstractions at about seventy dollars a day. The coal is clearly worth more than the abstractions, and yet what a monstrous inequality in the prices! Does the President, for this reason, propose to abolish the Presidency? He does not, and he ought not. The true rule, in determining to embrace or reject anything, is not whether it have any evil in it, but whether it have more of evil than of good. There are few things wholly evil or wholly good. Almost everything, especially of government policy, is an inseparable compound of the two; so that our best judgment of the preponderance between them is continually demanded. On this principle the President, his friends, and the world generally act on most subjects. Why not apply it, then, upon this question? Why, as to improvements, magnify the evil, and stoutly refuse to see any good in them?

Mr. Chairman, on the third position of the message the constitutional question — I have not much to say. Being the man I am, and speaking, where I do, I feel that in any attempt at an original constitutional argument I should not be and ought not to be listened to patiently. The ablest and the best of men have gone over the whole ground long ago. I shall attempt but little more than a brief notice of what some of them have said. In relation to Mr. Jefferson's views, I read from Mr. Polk's veto message:

"President Jefferson, in his message to Congress in 1806, recommended an amendment of the Constitution, with a view to apply an anticipated surplus in the treasury 'to the great purposes of the public education, roads, rivers, canals, and such other objects of public improvement as it may be thought proper to add to the constitutional enumeration of the federal powers'; and he adds: 'I suppose an amendment to the Constitution, by consent of the States, necessary, because the objects now recommended are not among those enumerated in the Constitution, and to which it permits the public moneys to be applied.' In 1825, he repeated in his published letters the opinion that no such power has been conferred upon Congress."

I introduce this not to controvert just now the constitutional opinion, but to show that, on the question of expediency, Mr. Jefferson's opinion was against the present President; that this opinion of Mr. Jefferson, in one branch at least, is in the hands of Mr. Polk like McFingal's gun — "bears wide and kicks the owner over."

But to the constitutional question. In 1826 Chancellor Kent first published his Commentaries on American law. He devoted a portion of one of the lectures to the question of the authority of Congress to appropriate public moneys for internal improvements. He mentions that the subject had never been brought under judicial consideration, and proceeds to give a brief summary of the discussion it had undergone between the legislative and executive branches of the government. He shows that the legislative branch had usually been for, and the executive against, the power, till the period of Mr. J.Q. Adams's administration, at which point he considers the executive influence as withdrawn from opposition, and added to the support of the power. In 1844 the chancellor published a new edition of his Commentaries, in which he adds some notes of what had transpired on the question since 1826. I have not time to read the original text on the notes; but the whole may be found on page 267, and the two or three following pages, of the first volume of the edition of 1844. As to what Chancellor Kent seems to consider the sum of the whole, I read from one of the notes:

"Mr. Justice Story, in his Commentaries on the Constitution of the United States, Vol. II., pp. 429-440, and again pp. 519-538, has stated at large the arguments for and against the proposition that Congress have a constitutional authority to lay taxes and to apply the power to regulate commerce as a means directly to encourage and protect domestic manufactures; and without giving any opinion of his own on the contested doctrine, he has left the reader to draw his own conclusions. I should think, however, from the arguments as stated, that every mind which has taken no part in the discussion, and felt no prejudice or territorial bias on either side of the question, would deem the arguments in favor of the Congressional power vastly superior."

It will be seen that in this extract the power to make improvements is not directly mentioned; but by examining the context, both of Kent and Story, it will be seen that the power mentioned in the extract and the power to make improvements are regarded as identical. It is not to be denied that many great and good men have been against the power; but it is insisted that quite as many, as great and as good, have been for it; and it is shown that, on a full survey of the whole, Chancellor Kent was of opinion that the arguments of the latter were vastly superior. This is but the opinion of a man; but who was that man? He was one of the ablest and most learned lawyers of his age, or of any age. It is no disparagement to Mr. Polk, nor indeed to any one who devotes much time to politics, to be placed far behind Chancellor Kent as a lawyer. His attitude was most favorable to correct conclusions. He wrote coolly, and in retirement. He was struggling to rear a durable monument of fame; and he well knew that truth and thoroughly sound reasoning were the only sure foundations. Can the party opinion of a party President on a law question, as this purely is, be at all compared or set in opposition to that of such a man, in such an attitude, as Chancellor Kent? This constitutional question will probably never be better settled than it is, until it shall pass under judicial consideration; but I do think no man who is clear on the questions of expediency need feel his conscience much pricked upon this.

Mr. Chairman, the President seems to think that enough may be done, in the way of improvements, by means of tonnage duties under State authority, with the consent of the General

Government. Now I suppose this matter of tonnage duties is well enough in its own sphere. I suppose it may be efficient, and perhaps sufficient, to make slight improvements and repairs in harbors already in use and not much out of repair. But if I have any correct general idea of it, it must be wholly inefficient for any general beneficent purposes of improvement. I know very little, or rather nothing at all, of the practical matter of levying and collecting tonnage duties; but I suppose one of its principles must be to lay a duty for the improvement of any particular harbor upon the tonnage coming into that harbor; to do otherwise — to collect money in one harbor, to be expended on improvements in another — would be an extremely aggravated form of that inequality which the President so much deprecates. If I be right in this, how could we make any entirely new improvement by means of tonnage duties? How make a road, a canal, or clear a greatly obstructed river? The idea that we could involves the same absurdity as the Irish bull about the new boots. "I shall niver git 'em on," says Patrick, "till I wear 'em a day or two, and stretch 'em a little." We shall never make a canal by tonnage duties until it shall already have been made awhile, so the tonnage can get into it.

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