

**Charles Sumner [One man power versus Congress]**

[Boston, Massachusetts], circa October 2, 1866.

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[draft]

[inserted: 1]

It is now more than a year since I last had the honor of addressing my fellow citizens of man. On that occasion I dwelt on what seemed to be the proper policy towards the states recently in rebellion – insisting that it was our duty, while renouncing indemnity for the past, to obtain at least security for the future; & this security I maintained could be found only [inserted: in the exclusion of ex–rebels from political power] the irreversible guarantees especially applicable to the national creditor & the national freedman. During the intervening months the country has been agitated by this question, which [struck: is] [inserted: was [struck: suddenly]] perplexed by an unexpected difference between the Presd<sup>t</sup>. & Congress: The Presd<sup>t</sup>. insists upon installing ex–rebels in political power, & sets at naught the claim of guarantees & the idea of sec[*text loss*] for the future, while he

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[2] denies to Congress any control over this question & takes it all to himself. Congress has asserted its control & has endeavored to [struck: exclude] shut out ex–rebels from political power & to establish guarantees, to the end that there might be security for the future. Meanwhile the states recently in rebellion, with the exception of Tennessee, are without representation in Congress. Thus stands the case.

[inserted: 3 The Two Parties in the Controversy]

[3] The two parties to the controversy are the Presd<sup>t</sup>. on the one side & the people of the U. States in Congress assembled on the other side; the first representing the Executive [struck: Power]; [struck: on the] the second representing the Legislative [struck: Power]. It is the One Man Power vs. [struck: the] Congress. Of course each of these performs its part in the gov<sup>t</sup>.; but [inserted: until now] it has always been supposed that the Legislative gave the laws to the Executive, & not that the Executive gave the law to the Legislative. Perhaps this irrational assumption becomes more astonishing when it is considered, that the [inserted: actual] Presd<sup>t</sup>.,

besides being the creature of an accident, is inferior in ability & character, while the House of Reps. is eminent in both respects. A President, who has already sunk below any other president, even

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[4] Buchanan, madly undertakes to give the law to a House of Reps, which there is reason to believe is the best that has sat since the formation of the Constitution. Thees in looking at the parties we are tempted to exclaim – such a Presd<sup>t</sup>. dictating to such a Congress! It was said of Gustavus Adolphus that he had drilled the diet of Sweden to vote at the word of Command; but Andrew Johnson is not Gustavus Adolphus, & the American Congress is not the diet of Sweden.

[*inserted: 5 Importance of the Question*]

[5] The question at time is one of the vastest ever presented for practical decision, involving the name & weal of this Republic at home & abroad. It is [*struck: above any*] [*inserted: not a*] military question; it is a question of statesmanship. We are [*struck: now*] to secure by counsel what was won by the war. Failure now will make the war [*inserted: itself*] a failure, surrender now will undo all our victories. Let [*struck: this question be decided wrongly*] [*inserted: the President prevail*], & straightway the plighted faith of the Republic will be broken; – the national creditor & the national freedman will be sacrificed; – the Rebellion itself will flaunt it insulting power; – the whole country [*inserted: in its length of wealth*] will be disturbed; – & the rebel region will be handed over to misrule & anarchy. Let [*struck: the question be decided rightly*] [*inserted: Congress prevail*] & all this will be reversed; the plighted faith of the Republic will be preserved; the national

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[6] creditor & the national freedman will be protected; the Rebellion itself will be trampled out forever; the whole country [*struck: throughout*] [*inserted: in*] its length & breadth will be at peace; the rebel region, no longer harassed by controversy & injustice, will enjoy the [*struck: fruit*] richest fruits of security & reconciliation. To labor for this cause may well tempt the young & rejoice the old.

[*inserted: 7 Irreversible Guarantees must be had.*]

[7] And now to–day I protest again against any [*strikeout*] admission of ex–rebels & the great partnership of this Republic, & I renew the claim of [irreversible] guarantees especially applicable to the national creditor & the national freedman; – insisting [*inserted: now, as I did a*

year ago] that it is our duty, while renouncing indemnity for the past, to obtain at least security for the future. Here I stand. [*struck*: Now] At the close of a terrible war, which has wasted our treasure, which has murdered our fellow citizens, which has filled the land with funerals, which has maimed & wounded many whom it has spared from death, & which has broken up the very foundations of peace, our first duty is to provide [*struck*: such]

[*inserted*: 8]

[8] safeguards for the future. This can be only by provisions, sure, fundamental & irrevocable, which [*struck*: should secure all] [*inserted*: shall] fix forever the results of the war; the obligations of govt. & the equal rights of all. [*struck*: So essential are these provisions, that until they are established, our work is unsure. [*struck*: This] Such is the suggestion of Common prudence & of self-defence, as well as of common honesty. To this end we must make haste slowly, states which precipitated themselves out of Congress must not be allowed to precipitate themselves back. They must not be allowed to enter those halls which they treasonably deserted, until we have every reasonable assurance [*struck*: for the future] [*inserted*: of future good conduct]. We must not admit them & then

[*inserted*: 9]

[9] repent our folly. These words, once used on the British Parliament & revived by Mr Webster, furnish the key to our duty; I hear a lion in the lobby roar; say, Mr Speaker, shall I shut the door, Or shall we rather let the master in, Then see if we can shut him out again.

I am against letting the master in until he is no longer terrible in [*struck*: his] mouth or [*struck*: of his] paw.

[*inserted*: 10 No unnecessary delay.]

[10] But while holding this ground I desire to disclaim every sentiment of vengeance or punishment & also every thought of delay or procrastination [*struck*: in admitting these states to their accustomed places]. Here I do not yield to the Presd<sup>t</sup>. or to any other person. Nobody can be more anxious than I am to see this chasm closed forever.

There is a long way & a short way. There is a long time & a short time. If there be any whose policy is for the longest way or for the longest time, I am not of the number. I am for the shorter way & also for the shorter time. And I object to the interference of the Presd<sup>t</sup>., because, whether intentionally or

[*inserted*: 11]

[11] unintentionally, he interposes delay & keeps the chasm open. More than all others, the Presd<sup>t</sup>, by his officious assumptions, has lengthened the way & lengthened the time. It is he that [struck: has] has put off the glad day of security & reconciliation. Of this there can be no doubt.

[inserted: 12 A lost opportunity]

[12] From all quarters we learn that after the surrendering of Lee, the rebels were ready [struck: to accept] [inserted: for] any terms, if they could escape with their lives. They were vanquished & they knew it. The rebellion was crushed & they knew it. They hardly expected to save [inserted a fraction of] their property. They did not expect to save their political power. They were too sensible not to see that participants in rebellion could not pass at once into the partnership of govt. They made up their minds to exclusion. They were submissive. There was nothing they would not do, even to the extent of enfranchising their freedmen & providing for them homesteads. Had the national Govt. merely taken advantage of this plastic condition, it might have stamped Equal Rights upon the whole people, as upon molten wax, while it fixed the im

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[13]mutable conditions of permanent peace. The question of reconstruction would have been settled before it arose. It is sad to think that this was not done. Perhaps, in all history there is no instance of such an opportunity lost. Truly should our country say in penitential supplication; “we have left undone those things which we ought to have done; and we have done those things which we ought not to have done.”

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[14] Do not take this on my authority. Listen to those on the spot, who have seen with their own eyes. A brave officer of our army wrote to me some time ago from Alabama, as follows;

“Let me condense the whole subject. At the surrender, the South could have been moulded at will; but it is now as stiff-necked & rebellious as ever.

In the same vein another officer testifies from Texas as follows;

This testimony might be multiplied indefinitely. From city & country, from high-way, & bye-way there is but one voice. When, therefore, the Presd<sup>t</sup>. [inserted: in opprobrious terms] complains of Congress, as interposing delay, I reply to him; “No,

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[15] Sir, it is you, who by unexpected & most perverse assumptions, have put off the glad day of security & reconciliation, which is so much longed for. It is you, who have inaugurated anew that malignant sectionalism, which so long as it exists will keep this Union divided in fact, if not in name. Sir, you are the Disunionist.”

[inserted: 16 The Presidential Policy founded on two blunders.]

[16] Glance, if you please, at that Presidential Policy – so constantly called “my policy – which is now so vehemently pressed upon the country & you will find that it pivots on at least two alarming blunders – as can be easily seen; first, in setting up the One Man Power, as the source of jurisdiction over this great question; & secondly, in using [*struck*: this] the One Man Power for the restoration of rebels to place & influence, so that good Unionists, whether white or black, are rejected, & the rebellion itself is revived in the new govt. Each of these assumptions is an enormous blunder. You will see that I use a mild term to characterize such a double-headed usurpation.

[inserted: 17 The One Man Power]

[17] (1) Pray, Sir, where in the Constitution do you find any sanction of the One Man Power as the source of this extraordinary jurisdiction? I had always supposed that the Presd<sup>t</sup>. was the Executive bound to see the laws faithfully executed; [*inserted*: but not [by] powered to make Laws.] The Constitution expressly says; “The Executive Power shall be vested in a Presd<sup>t</sup>. of the U. States of America.” [*struck*: And then, as if to exclude all [legit exercise] of legislative power, it expressly in order to define the] But the Legislative Power is elsewhere. The Constitution expressly says; “All Legislative Powers herein granted shall be vested in Congress of the U. States, which shall consist of a Senate & House of Reps.” And yet the Presd<sup>t</sup>. has assumed legislative power, even to the extent of making laws & constitutions for State.” You all know that at the close of the war, when the rebel states were without law

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[18]ful govts., he assumed to supply them. In this business of reconstruction, he assumed to determine who should vote, & also to affix conditions for adoption by the Conventions. Look, if you please, at the [*struck*: bearing] [*inserted*: character] of this assumption. The Presd<sup>t</sup>, from the Executive [Mansion] at [*struck*: Was] Washington, reaches his long Executive arm into certain states [&] [*struck*: [raises]] [*inserted*: dictates] their Contributions. Surely there is nothing

executive in this assumption. It is not even military. It is legislative, pure & simple, & nothing else. It is an attempt by the One Man Power to do what can be done only by the legislative branch of the govt. And yet so perverse is the Presd<sup>t</sup>. in absorbing to himself all power over the reconstruction of the rebel states, that he insists that Congress must accept his work without addition or subtraction. He can impose conditions; Congress cannot. He can determine who shall vote; Congress cannot. His jurisdiction is not only complete but exclusive. If all this be so, then has our Presd<sup>t</sup>. a most extraordinary

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[19] power never before dreamed of. He may exclaim with Laws 14.<sup>th</sup> “The State, it is I,” while, like this magnificent king, he sacrifices the innocent & repeats that fatal crime the revocation of the edict of partes [sic]. His whole “policy” is a “revocation” of all that has been promised & all that we have a right to expect.

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[20] Here it is [struck: important] well to note a distinction, which is not without importance in the discussion of this issue between the Presd<sup>t</sup>. & Congress. Nobody doubts that the Presd<sup>t</sup>. may during war govern any conquered territory, as Commander in Chief, & for this purpose he may detail any military officer as military governor. But it is one thing to govern a state temporarily by military power & quite another thing to create [inserted & struck: or revise] a constitution for a state which shall continue [struck: after the war] when the military power has expired. The former is a military act & belongs to the Presd<sup>t</sup>. The latter is a civil act & belongs to Congress. On this distinction I stand, & this is not the first time that I have asserted it. Of course, the [struck: Constitution] [inserted: govts.] set up in this illegitimate way are necessarily illegitimate, except so far as they may acquire validity from time or

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[21] or subsequent recognition. It needs no learned Chief Justice of N. Carolina solemnly to declare this. It is manifest from the nature of the care.

But this illegitimacy becomes still more manifest, when it is known that the Constitutions, which the Presd<sup>t</sup>. [struck: adopts] orders & tries to cram upon Congress have never been submitted to a popular vote. Each is the naked offspring of an illegitimate convention called into being by the Presd<sup>t</sup>., in the exercise of an illegitimate power.

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[22] There is another provision of the Constitution, by which, according to a judgment of the Sup. Ct. & the U. States, this question is referred to Congress & not to the Presd<sup>t</sup>. I refer to the provision that “The United States shall guarantee to every state in this Union a Republican govt.” On these words Chief Justice Taney, speaking for the Sup. Court, has adjudged, “that it rests with Congress to decide what govt. is the established one in a State; as the United States guarantee to each state a republican govt, Congress must necessarily decide what govt. is established in a state before it can determine whether it is republican or not; & that undoubtedly a military govt. established as the permanent govt. of a state would not be a Republican govt. & it would be the duty of Congress to overthrow it (Luther v Borden 7 Howard Rep. 42) But the Presd<sup>t</sup>. sets

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[23] at naught this commanding text of the Constitution, re–inforced by this positive judgment of the Sup. Court & claims this extraordinary power for himself, to the exclusion of Congress. He is “the United States; [*struck*: “or, in other words “The State, it is I–”] In him the Republic is manifest. He can do all. Congress can do nothing.

And now the whole country is summoned by the Presd<sup>t</sup>. to recognize State gov<sup>ts</sup>. created by Constitutions, thus illegitimate in origin & character. Without considering if they contain the proper elements of security for the future, or if they are republican in form & without any inquiry into the validity of their adoption; nay, in the very face

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[24] of testimony, showing that they contain no elements of security for the future; that they are not republican in form; & that they have never been adopted by the loyal people, we are commanded to accept them; and when we hesitate, the Presd<sup>t</sup>. himself, leading the outcry, assails us with angry vituperation, flustered, it must be conferred, by a vulgarity without bounds. It is well that such a cause has such an advocate.

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[25] In thus setting up the One Man Power [*struck*: against Congress the people of the U. States or Congress assembled] [*inserted*: as a source of jurisdiction over this great question], the Presd<sup>t</sup>. has Committed a blunder of Constitutional law, [*struck*: which I might demonstrate at

length. is an error of that] proceeding from an immense egotism, in which the little pronoun “I” plays a gigantic part. It is “I” vs the people of the U. States in Congress assembled. On this [struck: stra] unnatural blunder I might say more; but I have said enough. My present purpose is accomplished if I make you see it clearly.

[inserted: 26 Giving Power to ex-rebels.]

[26] (2) The other blunder is of a different character. It is [struck: in] giving power to ex-rebels, at the expense of constant Unionists, white or black, & [struck: in] employing them in the work of reconstruction, so that the new gov<sup>ts</sup>. continue to represent the rebellion. This same blunder when committed by one of the heroes of the war was promptly overruled by the Presd<sup>t</sup>. himself; but Andrew Johnson now does what Sherman was not allowed to do. The blunder is strange & unaccountable.

Here the evidence is constant & cumulative. It begins with his first [struck: Provisional Governor] proclamation, which was for the reconstruction of North Carolina. [struck: Holden] Holden was appointed Provincial Gov<sup>f</sup> [struck: although he held no Commission in the army] [inserted: an office unknown to the laws & for which there was no provision, although] it was notorious that he had been a member of the Convention [struck: in that]

[inserted: 27]

[27] [struck: state], which adopted the act of secession & that he himself had signed it. Then came Perry, Provincial Gov<sup>f</sup>. of South Carolina, who, besides holding a judicial station under the rebel govt. was one of its Commissioners of Impressments. [inserted: I have a rebel newspaper containing one of his advertisements in the latter character.] There also was Parsons, the Provincial Gov<sup>f</sup> of Alabama, who in 1863, introduced into the legislature of that state [inserted: formal] resolutions tendering to Jefferson Davis, “heartly thanks for his good labors in the cause of our common country, together with the assurance of continued support,” &, afterwards in 1864, renounced our national debt, exclaiming in the legislature, “Does any sane man suppose we will consent to pay their (the United States) war debt, contracted in sending armies & navies burn our towns & cities, to lay waste to our country, whose soldiers have robbed & murdered our peaceful inhabitants?” Such were the men appointed by the Presd<sup>t</sup> to institute loyal govts.

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[28] But this selection becomes more strange & unaccountable when it is considered that all this was done in defiance of law.



There is a recent enactment of Congress, which requires that no person shall be appointed to any office of the United States, unless such office has been created by law. And there is another enactment of Congress, which provides, that all officers, civil or military, before entering upon their official duties on receiving any salary or compensation, shall take an oath [*struck*: of office] declaring that they have held no office under the Rebellion or given any aid thereto. In the face of these enactments, which are sufficiently explicit, the Presd<sup>t</sup>. began his work of reconstruction by appointing civilians to an office absolutely unknown to the law, when besides they could not take the required oath of office; & to complete the disregard of Congress he [*struck*: gave them compensation] fixed their salary & paid it out of the funds of the War Department.

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[29] Of course such a proceeding was an instant encouragement & license to add ex-rebels, no matter how much blood was on their hands. Rebellion was at a premium. It was easy to see, that, if there men were good enough to be [*struck*: Provincial] Governors of State, [*inserted*: in defiance of Congress] all others in the same political predicament would be good enough for the inferior offices. And it was so. From top to bottom these states were organized by men who had been warring on their country. Ex-rebels were appointed by the governors or chosen by the people everywhere. Ex-rebels sat in conventions, & in legislatures. Ex-rebels became judges, justices of the peace, sheriffs & every thing else, while the faithful Unionist, white or black, was rejected. [*struck*: How Like] [*inserted*: As with] Cordelia, his love was “accor

[*inserted*: 30]

[30]ding to his bond, nor more nor less;” but all this was of no avail. How often during the war have I pleaded for such patriots & urged you to every effort for their redemption; & now, [*struck*: they are east] when our arms have prevailed, it is they who are cast down while the enemies of the Republic are exalted. The pirate Semmes returns from his ocean cruise to be chosen Probate Judge in Alabama. In New Orleans the rebel mayor at the time this city surrendered to the national flag is once more major & employs his regained power in that terrible massacre which rises in judgment against the Presidential policy. Senators & [reptives] are returned to Congress, where service in the rebellion makes it impossible for them to take the oath of office, as in the case of Georgia, which selects as senators, Herschell V. Johnson, who was a senator of the rebel

Congress, & Alexander H. Stevens, the Vice–Presd<sup>t</sup> of the Rebellion. These are but instances; but from these you may learn all.

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[31] There is nothing in the reach of Presd<sup>t</sup>. which he has not lavished on ex-rebels. The power of pardon & amnesty, like the power of appointment, has been used for them, by wholesale & retail. It would have been easy to affix a condition to every pardon, requiring that, before it took effect, the recipient should carve out of his estate a homestead for every one of his freedmen & thus secure to each what they covet so much, a piece of land. But the Presd<sup>t</sup>. did no such thing, although, [*strikeout*] in the words of the old unit, “often requested so to do.” Such a condition would have helped the loyal freedman, rather than the [*inserted: rebel*] master. In the same spirit, while undertaking to determine who shall be voters, all Colored persons howsoever loyal, were [*struck: excluded*] [*inserted: disenfranchised*], while all

[inserted: 32]

[32] white persons, except certain specified classes, although black with rebellion, were [*struck: illegible*] with the] constituted voters on taking a simple oath of allegiance, thus giving to ex–rebels a prevailing power.

Partizans of the Presidential “policy” are in the habit of declaring that it is a continuation of the policy of the martyred Lincoln. This is a mistake. Would that he could rise from his bloody shroud to repel the calumny! But he has happily left his testimony behind in words, which all who have ears to hear can hear. On one occasion the martyr [*struck: said*] presented the truth bodily when he said, in a suggestive metaphor, that we must “build up from the sound materials;” but his successor in

[inserted: 33]

[33]sists upon building from materials rotten with treason & gaping with rebellion. On another occasion the martyr said that “an attempt to guarantee & protect a revived state govt., constructed in whole or in preponderating part from the very element against whose hostility & violence it is to be protected, is simply absurd.” But this is the very thing which the Presd<sup>t</sup>. is now attempting. He is constructing state gov<sup>ts</sup>., not merely in preponderating part but in whole from the hostile element. Therefore, he departs openly from the policy of the martyred Lincoln.

The martyr says to his successor that his policy is “simply absurd.” He is right, although he might say more than this. Its absurdity is too apparent. It is

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[34] as if, in abolishing the Inquisition, the inquisitions have been continued under another name & Tourquemada had received a fresh license for cruelty. It is as if King William, after the overthrow of James 2<sup>nd</sup>, had made the infamous Jeffries Lord Chancellor. Common sense & common justice cry out against the outrage; & yet this is the Presidential “policy” now so passionately commended to the American people.

Govt, according to Aristotle, is a “partnership,” & I accept this term as especially applicable to our govt. And now the Presd<sup>t</sup>., in the exercise of the One Man Power [*struck*: insists] [*inserted*: struck] that communities lately in rebellion shall be taken [*inserted*: at once] into our “partnership.” I object to the decrees as dangerous to the Republic. I am not against pardon, clemency

[inserted: 35]

[35] or magnanimity, except where they are at the expense of good men. I trust that they will always be practiced; but I insist that recent rebels shall not be admitted without proper precautions to the business of the firm. And I insist [*inserted*: also] that the One Man Power shall not be employed [*struck*: for this] to force them into the firm.

[inserted: 36 The Presd<sup>t</sup>. inconsistent with himself –]

[36] Such are two pivotal blunders of the Presd<sup>t</sup>. It is not easy to see how he has fallen into these – so strong were his early professions the other way. The power of Congress he had distinctly admitted. Thus as early as 24<sup>th</sup> July 1865, he had sent to [*struck*: Governor Sh] Sharkey, acting by his appointment as Provincial Gov<sup>t</sup> of Mississippi [*struck*: as follows] [*inserted*: this Despatch]; “It must, however, be distinctly understood that the restoration to which your proclamation refers will be subject to the will of Congress.” Nothing could be more positive; & he was equally positive against the restoration of rebels to power. You do not forget that, in accepting his nomination as Vice Presd<sup>t</sup>. he rushed forward to declare that the rebel

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[37] states must be remodelled; that confiscation must be enforced & that rebels must be excluded from the work of reconstruction. His language was plain & unmistakable. Announcing that “govt. must be fixed in the principles of eternal justice,” he went on to declare, that, “if the

man who gave his influence & his means to destroy the govt. should be permitted to participate in the great work reorganization then all the precious blood so freely poured out will have been wantonly spilled & all our victories go for naught.” True; very true. Then, in words of commanding energy, he cried out, that, “the great plantations must be seized & divided into small farms,” & that, “traitors should take a back seat in the work of restoration.” Perhaps the true rule was never expressed [*struck: in*]

[*inserted: 38*]

[38] with more homely & vital force than in this last saying, often repeated in different forms; “For rebels back seats.” Add to this, that other saying so often repeated “Treason must be made odious,” & you have two great principles of a just reconstruction,” once proclaimed by the Presd<sup>t</sup>, but now practically disowned by him.

[*inserted: How the Presd<sup>t</sup>. fell*]

You will ask how the Presd<sup>t</sup> fell. This is hard to say [*struck: with*] certainly without much plainness of speech. Mr. Seward [*struck: has*] openly confesses that he counselled the present fatal “policy.” Unquestionably Mr Blair, father & son, did the same. So also, I doubt not, did Mr Preston

[*inserted: 39*]

[39] King. It is easy to see that Mr Seward was not a wise counsellor. This is not his first [*struck: great*] [*inserted: costly*] blunder. In formal dispatches he early [*struck: sai*] announced that “the rights of the states & the condition of every human being will remain subject to exactly the same laws & forms of administration, whether the revolution shall succeed or whether it shall fail,” Thus he labors [*struck: to fo*] for the fulfillment of his own prophecy. Obviously from the beginning he has never comprehended the rebellion, while in his nature he is abnormal & eccentric, jumping [*struck: in re*] like the knight on the chess board, rather than moving in straight lines. [*struck: His influence over the Pr* Add to this a levity & indifference to the opinions of others while, like Joseph Surface in the play he perpetually gives out gives out “noble sentiments” until one is low as common places of speech without meaning until we are tempted to exclaim; “no more noble sentiments, Joseph.”] Undoubtedly the influence of such a man over the Presd<sup>t</sup>. has not been good. But the Presd<sup>t</sup>. himself has been his own worst counsellor,

[*inserted: 40*]

[40] as he has been his own worst defender. He does not open his mouth without furnishing evidence against himself. The part he is now playing will justify me in some details [*struck*: with regard to him], especially exhibiting my own personal relations with him.

[*struck*: You do not forget]

The brave words with which he accepted his nomination as Vice Presd<sup>t</sup>. resounded through the country. He was elected. Then followed two scenes, each of which filled the people with despair. The first was of the new Vice–Presd<sup>t</sup>,

[*inserted*: 41]

[41] [*struck*: He was chosen Vice–Presd<sup>t</sup>. then followed two scenes, each of which filled the country with despair. the first was of Mr Johnson the Vice Presd<sup>t</sup> at the while time of] taking the oath of office – in the presence of the foreign ministers, the judges of the Sup. Ct., & the Senate – [*struck*: appeared] while in a condition of maudlin intoxication, so that his attempted speech was trivial & incoherent & he did not know the name of the present Sec<sup>y</sup> of the Navy, who is now the devoted supporter of his policy, as he has been his recent traveling companion. One month & one week afterwards Presd<sup>t</sup> Lincoln was assassinated. The people wrapt in affliction at the great tragedy, trembled as they beheld a drunken man ascend the heights of power. But they were generous & forgiving – almost forgetful. He was our Presd<sup>t</sup>, & hands were outstretched to welcome & sus

[*inserted*: 42]

[42]tain him. His early utterances [*struck*: after he became] [*inserted*: as] Presd<sup>t</sup>. although commonplace, loose & wordy, gave assurance that the rebellion & its authors would find little favor from him. Treason was to be made odious.

[*inserted on the left margin*: My own personal relation with the Presd<sup>t</sup>.]

It was at this time that my own relations with him commenced. I had known him slightly while he was in the Senate; but lost no time in seeing him after he became Presd<sup>t</sup>. He received me kindly. I hope that I shall not err, if I allude briefly to what passed between us. [*struck*: Perhaps it may]

I was in Washington during the first month of [*struck*: Presd<sup>t</sup> Johnson's] [*inserted*: the new] Administration, destined to fill such an unhappy place in history. During this period I saw

[*struck*: him] [*inserted*: the Presd<sup>t</sup>] frequently, sometimes at the [*inserted*: private] house he then occupied & sometimes at his office in the Treasury. On these occasions the constant topic was “reconstruction,” which was considered

[*inserted*: 43]

[43] in every variety & aspect. [*inserted*: More than] Once [*struck*: I sat with him alone in the evening], I ventured to press upon him the duty & the [*struck*: glory] [*inserted*: renown] of carrying out the principles of the Declaration of Independence & of founding the new govts. in the rebel states on the consent of the governed, without any distinction of color. To this earnest appeal he replied [*inserted*: on one occasion, as I sat with him alone] in words which I can never forget; “On this question, Mr Sumner, there is no difference between us. You & I are alike.” Need I say, that I was touched to the heart by this [*struck*: declaration] [*inserted*: annunciation], which seemed to promise a victory without a battle. Accustomed to controversy I saw clearly that if the Presd<sup>t</sup>. [*struck*: declared] [*inserted*: announced] himself in favor of the Equal Rights of All, the good cause must prevail without controversy. After expressing to him my joy & gratitude, I remarked still further, that it was important that there should be no division in the great Union party – [*struck*: &] that there should be no line [*inserted*: now through it] on one side of which would be gentlemen calling themselves “the President’s friends,” but that we should be kept all together as a seamless garment. To this he [*inserted*: promptly] replied; “I mean

[*inserted*: 44]

[44] to keep you all together.” Nothing could be better. We were to be kept all together on the principle of Equal Rights. As I [*struck*: left] [*inserted*: walked away from] the Presd<sup>t</sup>. that evening the battle of my life seemed to be ended, while the Republic rose before me, refulgent in the light of assured freedom, an example to the nations.

On another occasion, [*struck*: I] during this same period, the case of Tennessee was discussed. I expressed the hope most earnestly that [*struck*: the] Presd<sup>t</sup>. would use his influence directly for the establishment of impartial suffrage in that state, saying that in this way Tennessee [*struck*: might] [*inserted*: would] be put at the head of the returning column & [*struck*: set] [*inserted*: be made] an example [*struck*: which all to be followed others must follow]; [*struck*: that], in one word, that all the other states would [*inserted*: be obliged to] draw on Tennessee.

To this the Presd<sup>t</sup>. replied that, if he were at Nashville, he would see that it was accomplished. I

[inserted: 45]

[45] could not help [responding] promptly, that [struck: at Washington with] he need not be at Nashville, for at Washington his hand was on the long end of the lever with which he could easily move all Tennessee. Let me confess that [struck: I could not at this time comprehend] his hesitation [struck: but at this t] on this occasion disturbed me; but I attributed it to an unnecessary causation rather than to any infidelity. He had been so positive with me, how could I suspect him!

[struck: As I was] On other occasions the conversation was renewed, [struck: but I remember Indeed, I c] Such was my interest in this question, that I could not see the Presd<sup>t</sup>. without introducing it. As I was about to return home I said that I desired, even at the risk of repetition to make some parting

[inserted: 46]

[46] suggestions on the reconstruction of the rebel states, & that with his permission, I would proceed point to point, as was the habit of the pulpit in former days. He smiled & said pleasantly. “Have [struck: not] I [inserted: not] always listened to you?” [struck: To which] I replied – “You have & I am grateful.” [struck: I then proceeded to say] After remarking that the rebel regime was still in military occupation & that it was [struck: his] duty [inserted: the [plain]] duty [inserted: of the President] to use his [inserted: temporary] power for the establishment of correct principles, I proceeded to say; First, see to it that no newspaper is allowed, which is not thoroughly loyal & does not speak well of the National Gov<sup>t</sup>. & of Equal Rights; and here I reminded him of the saying of the Duke of Wellington, that an unlicensed press was as impossible to in a place under martial law, as on the deck of a [struck: man] [inserted: ship] of war.

[inserted: 47]

[47] Secondly, Let the officers that you send, as military governors or otherwise, be known for their devotion to Equal Rights, so that their names alone will be like a proclamation, [struck: I] [inserted: while] their simple presence will help educate the people; & here I mentioned Major Genl. Col Schurtz, [strikeout] who still held his commission in the army, as such a person. Thirdly, Encourage the population to resume [struck: without delay] the profitable labors of agriculture [struck: &] commerce [inserted: & manufactures] without delay; but for the present

to avoid politics. Fourthly, keep the whole rebel region under these good influences &, at the proper time, hand over the [*struck*: whole question] [*inserted*: subject] of reconstruction [*inserted*: with the great question of Equal Right] to the judgment of Congress where it belongs. All this the Presd<sup>t</sup>. received at the time with perfect kindness, & I mention this [*struck*: interview] with the mere readiness because I [*struck*: have seen] remember to have seen in the papers a very different [*struck*: view of it] statement.

[*inserted*: 48]

[48] Only a short time afterwards there was a change which seemed like a sunset; [*struck*: I] & then ensued a strange sight. Instead of faithful Unionists recent rebels thronged the Presidential antichambers, rejoicing in a new-found favor. They made speeches at the Presd<sup>t</sup> & he made speeches at them. A mutual sympathy was manifest. On one occasion the Presd<sup>t</sup> announced himself “a Southern man” with “Southern sympathies,” thus quickening that [*struck*: Southern] sectional flame, which good men hoped to see quenched forever. Alas! if after all our terrible sacrifices we are still to have a Presd<sup>t</sup>. who does not know how to spurn every sectional appeal & make himself the representative of all. [*struck*: But wh] Unhappily whatever the Presd<sup>t</sup>. said or did was sectional. He showed himself constantly a sectionalist. Instead of telling the ex-rebels that thronged the Presi

[*inserted*: 49]

[49]dential antichambers, as he should have done, that he was their friend – that he wished them well from the bottom of his heart – that he longed to see their fields yield an increase & [*struck*: their houses] full peace in all their borders, & that, to this end, he counselled them to devote themselves to agriculture, commerce & manufactures, & for the present to say nothing about politics; – instead of this, he sent them away talking & thinking of nothing but politics & Frantic for the re-establishment of a sectional power. Instead of designating officers of the army, as military governors, which I had supposed he would do, he appointed ex-rebels, who could not take the oath required by Congress of all officers of the States, & they in turn appointed ex-rebels to offices under them, so that participation in the rebellion found a reward & treason instead of being made odious became a passport to power. Every where

[*inserted*: 50]

[50] ex-rebels came out of their hiding-places. They walked the streets defiantly & asserted their old domination! [*struck*: Unionists [*illegible*] disappeared.] Under the auspices of the



Presd<sup>t</sup>. a new campaign was planned against the [*struck*: Union] [*inserted*: Republic], & they who failed in open war sought to enter the very citadel of political power. Victory, punctuated by so much loyal blood & treasure, was [*struck*: no] [*inserted*: little] better than a cypher. Slavery itself [*struck*: began to] re–appeared in the spirit of Caste. Unionists, who had been trampled down by the Rebellion were trampled down still more by these Presidential govts. There was no liberty of the press or liberty of speech, & the lawlessness of Slavery began to rage anew.

[*inserted*: 51]

[51] Every day brought tidings that the rebellion was re–appearing in its essential essence. Amidst all professions of submission there was an immitigable hate to the national Govt., & a [*struck*: prevailing in] prevailing injustice to the freedman. This was last autumn. [*inserted*: I was then in Boston.] Moved by a desire to arrest this fatal tendency, I appealed by letters to members of the cabinet entreating them to stand firm against a “policy” which promised nothing but disaster. As soon as the elections were over I appealed directly to the Presd<sup>t</sup>. himself by a telegraphic dispatch, as follows;

[*inserted*: 52]

[52] [*struck*: Copy] Boston 12<sup>th</sup> [*struck*: De] Nov. 1865 –  
To the President of the United States

Washington,

As a faithful friend and supporter of your administration I most respectfully petition you to suspend for the present your policy towards the rebel States. I should not present this prayer if I were not painfully convinced that thus far it has failed to obtain any reasonable guarantees for that security in the future which is essential to peace and reconciliation. To my mind it abandons the freedmen to the control of their ancient masters; and leaves the National debt exposed to repudiation by returning rebels. The Declaration of Independence asserts the Equality of all men and that rightful government can be founded only on the consent of the governed. I see small chance of peace unless these

[*inserted*: 53]

[53] great principles are practically established [*struck*: by our government]. Without this the house will continue divided against itself.

Charles Sumner

Senator of U. States

[inserted: 54]

[54] On reaching Washington Saturday evng immediately before the opening of the last session of Congress, I lost no time in seeing the Presd<sup>t</sup>. I was with him that evening three hours. I found him changed in temper & purpose. How unlike that Presd<sup>t</sup>. who [inserted: only] a few days after his arrival at power, had made me feel so happy in the assurances of agreement on the great question before the Country! He was no longer sympathetic or even kindly, but [struck: pet] harsh, petulant & unreasonable. [inserted: Plainly] His heart was [struck: pl] with the ex-rebels. For the Unionist, white or black, who had [gone] the [further] of the day, he had little feeling. Perversely he would not see the bad spirit of the rebel states & he insisted that the outrages there were insufficient to justify their exclusion from Congress. It was in this connexion, that the following dialogue ensued; The Presd<sup>t</sup>. “Are there no murders in Massachusetts?” – Mr S – “Unhappily, yes; sometimes.” The Presd<sup>t</sup>. “Are there no assaults in Boston? Do not men there

[inserted: 55]

[55] sometimes knock each other down, so that the police is obliged to interfere?” Mr S. “Unhappily yes.” The Presd<sup>t</sup>. “Would you consent that man, on this account should be excluded from Congress?” Mr S. “No, Mr Presd<sup>t</sup>., I would not.” And here I stopped, without remarking on the entire irrelevancy of the [struck: illustration] [inserted: inquiry]. I left the Presd<sup>t</sup>. that night with the painful conviction that his whole soul was set as flint against the good cause & that, by the assassination of Abraham Lincoln, the Rebellion had reached the Presidential Chair. [struck: Its Power Chief] Jefferson Davis was then in the casemates of Fortress Monroe; but Andrew Johnson was doing his work.

‘Ah, what avails it? –

If the gulled conqueror receives the chair

And flattery subdues when arms are vain?’