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BY MEYERS & MENGEL.

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PRESIDENT JOHNSON'S FIRST ANNUAL MESSAGE.

Fellow-Citizens of the Senate and House of Representatives:

To express gratitude to God, in the name of the people, for the preservation of the United States, is my first duty in addressing you. Our thoughts revert to the death of the President by an act of Parricidal treason...

To fulfill my trust I need the support and confidence of all who are associated with me in the various departments of Government, and the support and confidence of the people. There is but one way in which I can hope to gain their necessary aid...

The Union of the United States of America was intended by its framers to last as long as the States themselves shall last. "The Union shall be perpetual," are the words of the Confederation. "To form a more perfect Union," by an ordinance of the people of the United States, is the declared purpose of the Constitution...

The members of the convention which prepared it brought to their work the experience of the confederation, of their government, and of other republican governments, and they sought wisdom and obtained a wisdom superior to experience. And when for its validity it required the approval of a people that occupied a large part of a continent, and acted separately in many distinct conventions, what is more wonderful than that, after long contention and earnest discussion, all feelings and all opinions were so happily drawn in one way to its support...

The Constitution to which life was thus imparted contains within itself ample resources for its own preservation. It has power to enforce the laws, punish treason, and ensure domestic tranquility. In case of usurpation of the government of a State by one man, or an oligarchy, it becomes a duty of the United States to make good its guarantee to that State of a republican form of government, and so to maintain the homogeneity of all. Does the lapse of time reveal defects? A simple mode of amendment is provided in the Constitution itself, so that its conditions can always be made to conform to the necessities of the existing civilization...

No room is allowed even for the thought of a possibility of its coming to an end. And these powers of self-preservation have always been asserted in their complete integrity by every patriotic Chief Magistrate—by Jefferson and Jackson, not less than by Washington and Madison. The parting advice of Father Washington to his young President, to the people of the United States, was that "the free Constitution, which was the work of their hands, might be sacredly maintained," and the inaugural words of President Jefferson held up "the preservation of the General Government, in its constitutional vigor, as the sheet anchor of our peace at home and safety abroad." The Constitution is the work of "the people of the United States," and it should be as indestructible as the people.

It is not strange that the framers of the Constitution, which had no model in the past, should not have fully comprehended the excellence of their own work. Fresh from a struggle against arbitrary power, many patriots, who were not without fears of an absorption of the State governments by the General Government, and many from a dread that the States would break away from their orbits. But the very greatness of our country should allay the apprehensions of encroachments by the General Government. The subjects that come unquestionably within its jurisdiction are limited, and the States that are naturally reluctant to be embarrassed by questions that lie beyond it. Were it otherwise, the Executive would sink beneath the burden; the channels of justice would be choked; legislation would be obstructed by excess; so that there is a greater temptation to exercise some of the functions of the General Government through the States than through every other form of administration. General State and municipal, and rests on the great distinguishing principle of the recognition of the rights of man. The ancient

republics absorbed the individual in the State, prescribed in his religion, and controlled his activity. The American system rests on the assertion of the equal right of every man to life, liberty and the pursuit of happiness; to freedom of conscience, to the culture and exercise of all his faculties. As a consequence, the State Government is limited as to the General Government in the interest of the Union, as to the individual citizen in the interest of freedom.

States, with proper limitations of power, are essential to the existence of the Constitution of the United States. At the very commencement, when we assumed a place among the powers of the earth, the Declaration of Independence was adopted by States; so also were the Articles of Confederation; and when "the people of the United States" ordained and established the Constitution, it was the assent of the States, one by one, which gave it vitality. In the event, too, of any amendment to the Constitution, the proposition of Congress needs the confirmation of States.

Without States, one great branch of the legislative government would be wanting. And if we look beyond the letter of the Constitution to the character of our general assembly, comprising within its jurisdiction a vast continental empire is due to the concurrence of all opinions, and the spirit of mutual conciliation. All parties in the late terrible conflict must work together in harmony.

It is not too much to ask, in the name of the whole people, that, on the one side, the plan of restoration be proceeded in conformity with a willingness to cast the disorders of the past into oblivion; and that, on the other, the evidence of sincerity in the future maintenance of the Union shall be put beyond any doubt by the ratification of the proposed amendment to the Constitution, which provides for the abolition of slavery, and the free franchise to all our country. So long as the adoption of this amendment is delayed, so long will doubt, and jealousy, and uncertainty prevail. This is the measure which will efface the sad memory of the past; this is the measure which will most certainly call population, and capital, and security to those parts of the Union that need them most.

I need not too much to ask of the States, which are now resuming their places in the family of the Union, to give this pledge of perpetual loyalty and peace. Until it is done, the past, however much we may desire it, will not be forgotten. The adoption of the amendment reunites us beyond all power of disruption. It heals the wound of the States, and restores to the country a peace and a unity which have so long perplexed and divided the country; it makes of us once more a united people, renewed and strengthened, bound more than ever to mutual affection and support.

The amendment to the Constitution being adopted, it would remain for the States to reassert their place in the highest civil and political order of the country, to resume their places in the two branches of the National Legislature, and thereby complete the work of restoration. Here it is for you, fellow-citizens of the House of Representatives, to judge, each of you for yourselves, of the elections, returns and qualifications of the members of your own body. The full assertion of the powers of the General Government requires the holding of Circuit Courts of the United States within the districts where their authority has been interrupted. In the present posture of our public affairs, strong objections have been urged to holding such courts in any of the States where the rebellion has existed; and it was ascertained by inquiry, that the Circuit Court of the United States would not be held within the District of Virginia during the autumn or early winter, nor until Congress should have "an opportunity to consider and act on the whole subject."

The restoration of the restoration of the branch of the civil authority of the United States is therefore necessarily referred, with the hope that early provision will be made for the resumption of all its functions. It is manifest that treason, most flagrant in character, has been committed. Persons who are charged with its commission should have fair and impartial trial in the courts of the country, where the purity of the Constitution and the liberties of the States which remained loyal.

Besides, the policy of military rule over a conquered territory would have implied that the States whose inhabitants may have taken part in the rebellion had, by the act of those inhabitants, ceased to exist. But the true theory is, that all pretended acts of secession were, from the beginning, null and void. States cannot commit treason, nor can the individual citizens who may have committed treason, any more than they can make valid treaties or engage in lawful commerce with any foreign power. The States attempting to secede placed themselves in a condition where their vitality was impaired, but not extinguished—their functions suspended, but not destroyed.

But if any State neglects or refuses to perform its offices, there is the more need that the General Government should maintain all its authority, and, as soon as practicable, resume the exercise of all its functions. On this principle I have acted, and have gradually and quietly, and by almost imperceptible steps sought to restore the rightful energy of the General Government and of the States. To that end, Provisional Governors have been appointed for the States, Conventions called, Governors elected, Legislatures assembled, and Senators and Representatives chosen to the Congress of the United States.

At the same time, the Courts of the United States, as far as could be done, have been re-opened, so that the laws of the United States may be enforced through their agency. The blockade has been removed and the custom houses re-established in ports of entry, so that the revenue of the United States may be collected. The Post Office Department renews its ceaseless activity, and the General Government is thereby enabled to communicate promptly with its officers and agents. The courts bring security to persons and property; the opening of the ports invites the restoration of industry and commerce; and the post office renews the facilities of social intercourse and of business.

And it is not happy for us all, that the restoration of each one of these functions of the General Government brings with it a blessing to the States over which they are extended? Is it not a sure promise of harmony and renewed attachment to the Union that, after all that has happened, the return of the General Government is known only as a benediction? I know very well that this policy is

attended with some risk; that for its success it requires at least the acquiescence of the States which it concerns; that it implies an invitation to those States, by removing their allegiance to the United States, to resume their functions as States of the Union. But it is a risk that must be taken; in the choice of difficulties it is the smallest risk; and to diminish, and, if possible, to remove all danger, I have felt it incumbent on me to assert one other power of the General Government—the power of pardon.

As no State can throw a defence over the crime of treason, the power of pardon is exclusively vested in the Executive Government of the United States. In exercising that power, I have taken every precaution to connect it with the clearest recognition of the binding force of the laws of the United States, and an unqualified acknowledgment of the great social change of condition in regard to slavery which has grown out of the war.

The next step which I have taken to restore the constitutional relations of the States has been an invitation to them to participate in the high office of amending the Constitution. Every patriot comprehending within his jurisdiction the earliest epoch consistent with public safety. For this great end there is need of a concurrence of all opinions, and the spirit of mutual conciliation. All parties in the late terrible conflict must work together in harmony.

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by act of the President of the United States, must have been extended to all colored men, wherever found, and so must have established a change of suffrage in the Northern, Middle, and Western States, not less than in the Southern and Southwestern. Such an act would have created a new class of voters, and would have been an assumption of power by the President which nothing in the Constitution or laws of the United States would have warranted.

On the other hand, every danger of conflict is avoided when the settlement of the question is referred to the several States.—They can, each for itself, decide on the measure, and whether it is to be adopted once and absolutely, or introduced gradually and with conditions. In my judgment, the freedmen, if they show patience and manly virtue, will sooner obtain a participation in the elective franchise through the States than through the General Government, even if it had power to intervene.—When the tumult of emotions that have been raised by the suddenness of the social change shall have subsided, it may prove that they will receive the kindest usage from some of those on whom they have heretofore most closely depended.

But while I have no doubt that now, after the close of the war, it is not competent for the General Government to extend the elective franchise in the several States, it is equally clear that good faith requires the security of the freedmen in their liberty and their property, their right to labor, and their right to the just fruits of their labor. I cannot too strongly urge a dispassionate treatment of this subject, which should be carefully kept aloof from all party strife.—We must equally avoid hasty assumptions of any natural impossibility for the two races to live side by side, in a state of mutual benefit and good will. The experiment involves us in no inconsistency; let us, then, endeavor to make that experiment in good faith, and not be too easily disheartened.—The country is in need of labor, and the freedmen are in need of employment, culture and protection, while their right of voluntary migration and expatriation is not to be questioned. I would not advise their forced removal to distant lands. Let us endeavor to encourage them to honorable and useful industry, where it may be beneficial to themselves and to the country; and, instead of hasty anticipations of the certainty of failure, let there be nothing wanting to the fair trial of the experiment. The change in their condition is the substitution of labor by contract for the status of slavery. The freedman cannot fairly be accused of unwillingness to work, so long as a doubt remains about his freedom of choice in his pursuits, and the certainty of his recovering his stipulated wages. In the interests of employer and employee, expatriation is not to be questioned. I would not advise their forced removal to distant lands. Let us endeavor to encourage them to honorable and useful industry, where it may be beneficial to themselves and to the country; and, instead of hasty anticipations of the certainty of failure, let there be nothing wanting to the fair trial of the experiment.

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the several States. It is of the first necessity for the maintenance of the Union, that that commerce should be free and unobstructed. No State can be justified in any device to take the transit of travel and commerce between States. The position of many States is such that, if they were allowed to take advantage of it for purposes of local revenue, the commerce between States might be injuriously burdened, or even virtually prohibited. It is best, while the country is still young, and while the tendency to diversions monopolies of this kind is still feeble, to use the power of Congress so as to prevent any selfish impediment to the free circulation of men and merchandise. A tax on travel and merchandise, in their transit, constitutes one of the worst forms of monopoly, and the evil is increased if coupled with a denial of the right of travel. When the vast extent of our country is considered, it is plain that every obstacle to the free circulation of commerce between the States ought to be sternly guarded against by appropriate legislation within the limits of the Constitution.

The report of the Secretary of the Interior explains the condition of the public lands, and the progress of the Office and the Pension Bureau, the management of our Indian affairs, the progress made in the construction of the Pacific railroad, and furnishes information in reference to matters of local interest in the District of Columbia. It also presents evidence of the successful operation of the Homestead Act, under the public lands, which 1,100,593 acres of the public lands were entered during the last fiscal year—more than one-fourth of the whole number of acres sold or otherwise disposed of during that period. It is estimated that the receipts derived from this source are sufficient to cover the expenses incident to the survey and disposal of the public lands, and that the payments in cash to the Homestead Act, to the extent of fifty per cent, will be made by settlers, who may thus at any time acquire title before the expiration of the period at which it would otherwise vest. The Homestead policy was established only after long and earnest resistance; experience proves its wisdom. The law, in the hands of industrious settlers, contributes to the public resources far more than to the United States than if they had been reserved as a solitude for future purchasers.

The lamentable events of the last four years, and the sacrifices made by the gallant men of our Army and Navy, have swelled the records of the Pension Bureau to an enormous extent. On the 30th day of June last, the total number of pensioners was 85,386, requiring for their annual pay, exclusive of expenses, the sum of \$8,023,456. The number of applications that have been allowed since that date will require a large increase of this amount for the next fiscal year. It will mean for the Government the expenditure of \$1,000,000 in excess of the maximum amount of the law, to the extent of fifty per cent, will be made by settlers, who may thus at any time acquire title before the expiration of the period at which it would otherwise vest. The Homestead policy was established only after long and earnest resistance; experience proves its wisdom. The law, in the hands of industrious settlers, contributes to the public resources far more than to the United States than if they had been reserved as a solitude for future purchasers.

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