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Daily Appeal.

SPEECH OF ALEX. H. STEPHENS,

Delivered in the City Hall Park, at Augusta, Georgia, on Saturday Evening, September 1, 1860.

FELLOW-CITIZENS: I appear before you in obedience to a call made upon me by those whose call would not be denied. The sacrifice of personal feelings or wishes, on such occasions, is not to be taken into the account. It was, I assure you, I should not be here. I had hoped never again to be drawn into the active struggles, the strifes, and excitements of politics. The address I made on the 2nd of July of last year, near this spot, on taking leave of you, and the district, as Representative in Congress, I intended to be the last speech of the kind I should ever make. I intended that to be my retiring address. Under any circumstances, should I ever be called on again to mingle in public affairs. All the questions, with which I had been connected in public counsels, having been settled satisfactory to us—upon terms thought to be just and honorable to all sections of the Union—it was but natural to look upon that settlement as permanent, and to indulge the hope of a happy and prosperous future for the country. But how illusory are all our hopes! How changed the prospect before us from what it was twelve months ago! Then everything was encouraging to the heart of a patriot—would that I could say the same now. Then agitating questions, then thought to be settled, have been opened up afresh, and what was done in their settlement is attempted to be undone. You ask me what I think of the present state of the country? I tell you candidly and frankly that the signs of the times, as I read them, portend evils of the greatest magnitude.

At this time, and for some months past, the tendencies have been decidedly toward national disruption and general anarchy. This conviction is beginning to force itself upon the minds of all. Can these tendencies be checked? Can the threatened disasters be averted or prevented? If so, how, and in what way? What course should a patriot, looking only to the public good, pursue, peace, welfare, and safety, take in the complicated contest before us? There are realities which now crowd upon our consideration. On them I propose to address you to-night. They present a wide field for thought and reflection, abounding in subjects of deepest interest and gravest import. I can only touch upon a few of them. My physical strength will not allow me to attempt more—if, indeed, it would be wise for me to do that even I have marked out for myself. I assume, in the outset, that the Government, as it exists, is worth preserving; nay, more, with all its errors and defects, it is worth all our lives to maintain. Its blessings, and short-comings of its officers, it is the best Government on earth, and ought to be sustained, if it can be, on the principles upon which it was founded.

First, then, as to the duty of Democrats in the approaching presidential election; for to that party I speak, and address myself. The choice of chief magistrate is the now pressing and absorbing issue. Greater and more momentous issues may be behind, but the time to lift the curtain of the future—it is with the present we now deal. For whom should Democrats vote? There are two tickets in the field claiming to be Democratic which one is entitled to, and should receive the votes of Democrats? To this I answer, that, in my judgment, the so-called Douglas ticket, bearing the names of Douglas and Johnson, is the one entitled to Democratic support.

The nominees on this ticket are the representatives of the party, put forth according to the usages of the party, and are the representatives of the long established principles of the party. Nay, more, they are the representatives of the only principles upon which, in my judgment, the Union of the States, and the rights of all sections, can be maintained. For this reason, I would urge the ticket, not only upon all Democrats, but upon all good citizens of their country, whether called Democrats, whigs, or Americans. Allow me, briefly, to notice some of the prominent objections urged against this ticket, by the partisans and friends of the other ticket claiming to be the true Democratic party.

These relate to the manner of the nomination, the principles of the platform, and, especially, to certain opinions of Mr. Douglas, whose name heads the ticket.

First, as to the manner of the nomination. It is said he failed to get two-thirds of the votes in the convention—that by Democratic usage from 1832 down, no candidate could be nominated without a two-thirds vote.

I would not notice this point, if so much stress had not been put upon it by those who advocate the other ticket. It has, in the press, but in the speeches of leading men, and in the address to the nation put forth by the secession convention; executive committee this point is made prominent, and has been one of the main reasons why Democrats should feel under no party obligation to support the ticket of the Douglas Democrats in the late convention. In my judgment, Mr. Douglas did receive two thirds of the votes of the convention, according to the usage of the party, and according to the rules for the construction of what is known as the two-thirds rule.

It is immaterial to me whether he received the nomination according to the interpretation or construction of that rule at Charleston or not. I mean the construction that the nominees should receive two-thirds of all the electoral votes. That rule was adopted in 1832. It was an interpolation. It was inconsistent with the clear meaning—the letter, as well as the spirit, of the rule. The letter of the rule is more, if anything, in favor of Mr. Douglas, running through 1836, 1840, 1844, 1848, 1852 and 1856, was that the nominees should receive two-thirds of all the votes cast or given in the convention. It is immaterial whether, in point of fact, in all other conventions, the nominees did actually receive two-thirds of the entire electoral vote. That was never, as was before such a secession as was at Charleston and Baltimore; the question is what is the right construction of the rule requiring two-thirds of the votes of the convention to make a nomination, and when will its requisitions be complied with? This principle of two-thirds vote is well established in the parliamentary law of this country. It is fixed in the Constitution of the United States, and in the Constitution of our own State, perhaps of most of the States of the Union. It is a principle often carried into practical operation in Congress, and in our State legislatures. For instance, in the Constitution of the United States, article five, amendments seven, and clause two, we have this provision:

"Every bill which shall have passed the House of Representatives and the Senate shall, before it becomes a law, be presented to the President of the United States. If he affirm it, he shall sign it; but if not, he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large upon their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law."

Now, what has been the universal construction given to the words "*two-thirds of that House*" in practical legislation? Has it been that it required two-thirds of all the members constituting the House and Senate to pass a bill over the veto of the President? Never. The construction given from the beginning down to the present time, without an exception, was, and is, that two-thirds of those voting, in each House, may pass a bill over the Executive veto, though there be barely a quorum present and voting. Such has been the uniform construction, not of this, but another clause, which authorizes the expulsion of a member, of either House, by a two-thirds vote—two-thirds of those voting, if there be a quorum, is all that is necessary for a compliance with that clause of the Constitution. So in our own State Constitution, it is provided: "That the governor shall have the revision of all bills passed by both Houses, before they become laws, but two-thirds of both Houses may pass a law notwithstanding his dissent."

Under this clause of our State Constitution, the construction has been uniformly given, Two-thirds of those voting in each house, if a quorum be present, is all that is required. Again, in another article of our Constitution, we have a provision for its amendment, in these words:

"No part of this Constitution shall be altered, unless a bill for the purpose, specifying the alteration intended to be made, shall have been read three times in the House of Representatives, and three times in the Senate, on three several days, in each house, and agreed to by two-thirds of each house, respectively, and when any such bill shall be passed, in manner aforesaid, the same shall be published at least six months previous to the next succeeding election for members of the General Assembly, and if such alteration, or any of them so proposed, should be agreed to, in three first session thereafter, by two-thirds of each branch of the General Assembly, after the same shall have been published as aforesaid, in each respective house, then, and not otherwise, the same shall become a part of this Constitution."

Under this clause, two-thirds of *each* branch of the General Assembly has always been held to mean two-thirds of those voting on any proposed amendment—provided a quorum were present. Some of the most important amendments that have been made to the Constitution, since its first adoption, was made by a much smaller number than two-thirds of the all the votes cast or given in the convention. It is immaterial whether, in point of fact, in all other conventions, the nominees did actually receive two-thirds of the entire electoral vote. That rule was never, was before such a secession as was at Charleston and Baltimore; the question is what is the right construction of the rule requiring two-thirds of the votes of the convention to make a nomination, and when will its requisitions be complied with? This principle of two-thirds vote is well established in the parliamentary law of this country. It is fixed in the Constitution of the United States, and in the Constitution of our own State, perhaps of most of the States of the Union. It is a principle often carried into practical operation in Congress, and in our State legislatures. For instance, in the Constitution of the United States, article five, amendments seven, and clause two, we have this provision:

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