The Knoxville Whig.

BROWNLOW & HAWS, Publishers.

Forever float that standard sheet,
Where treason the fox but falls before us,
With Freedom's soil beneath our feet,
And Freedom's banner streaming o'er us.

OUR PLATFORM.

"Let our laws and our institutions speak not of white men, not of red men, not of black men, not of men of any complexion; but like the laws of God—the Ten Commandments and the Lord's Prayer—let them speak of the People."

If you admit the negro to this struggle for any purpose, he has a right to stay in for all, and when the fight is over, the hand that drops the musket cannot be denied the ballot.

Knoxville, Tenn., January 29, 1868.

The Issue at Washington.

I. The last Congress — mainly chosen when Mr. Lincoln was re-elected to the Presidency—proposed conditions on which the late Rebel States should be restored to the Union, leaving the question of Suffrage for the Colored Race practically to be decided by the White citizens of those States. Those conditions were in each case *rejected*.

II. Congress thereupon withdrew the rejected conditions, and substituted others, which committed the reconstruction of those States to all their Male Adults, excepting those of them who had, in accepting certain offices, taken an oath of fidelity to the Union which they afterwards broke to plunge into the Slaveholders' Rebellion. The persons thus proscribed were less than a tenth of the White Male Adults; and there was still a decided majority of White voters, under the Reconstruction acts, in the ten States remaining unreconstructed. But there were *three* of the ten States— South Carolina, Mississippi, and Louisiana —wherein the Colored voters under those acts outnumbered the Whites. Even in these, nine-tenths of the property, forty-nine-fiftieths of the land, and nearly all the trade, newspapers, and social prestige, were possessed by the Whites.

III The work of Reconstruction under these acts has not merely begun—it has been more than half completed. The Alabama Convention has been held, has framed a Constitution, and has submitted it to a direct vote of the enfranchised people. In Virginia, Georgia, Mississippi, Arkansas, and Louisiana, the Conventions are now in session. In North and South Carolina and Florida, they have been called by a majority of all the voters registered, and delegates chosen. In Texas an election has been ordered, but the vote for and against a Convention has not yet been taken. *In no single State*, so far as elections have been held, has a majority failed to ratify the call for a Convention. In North Carolina, where the White preponderance is most decided, the vote *for* a Convention is most overwhelming. And in no case has the delay in calling a Convention been the fault of the people. They have pushed on the work so far and so fast as they have been accorded opportunity.

IV. Congress and the Republicans say, "Let this work go on. Let the People reconstruct their respective States, on a basis of Equality, and True Democracy, so fast as they will." Andrew Johnson and the Sham Democracy (in which the unreconstructed Rebels are included) are doing their utmost to embarrass, obstruct and defeat this.

V. The States will speedily and righteously reconstruct themselves, and return to their proper places in the Union, *if they can only be let alone*. And this is what Congress is striving to secure. But Andrew Johnson, the Democrats and the Rebels, are hard at work to arrest the good work. They are trying to defeat all that has been done, so as to go back and begin over again.—what they wish and mean to do is to disfranchise and politically suppress the Colored race, and then the unreconstructed Rebels will have the Union Whites at their mercy. The former will constitute a decided majority of the White voters, and can handle the Unionists as they did in their elections of 1865–6, under Johnson's Provisional rule.

VI. All the hullabaloo about "arbitrary power," "military despotism," "violates the Constitution," &c., &c., means simply this: "We Rebels and our Democratic allies at the North mean to reign and rule if we can. If we can suppress the Colored vote, we can either choose men after our own heart to the Senate and House, and choose the like to rule us at home, or we can at least keep our States out a while longer and prevent their voting for a Republican President." The milk in the cocoa-nut lies exactly there. And the only chance for our adversaries' success is afforded them by the false, misleading utterances of certain *quasi* Republican journals. The sentinels are betraying the host they were set to guard. But the alarm has been given, and is heeded.

VII. The adversary is formidable, alert, unscrupulous. The White House is his citadel. He has new-born hopes of powerful aid from a bare majority of the Justices composing the Supreme Court. But the Loyal Millions North and South, composing a decided majority of the People of the United States, are resolved not to be suppressed, nor circumvented, nor crushed out, whether by Andrew Johnson, by five Judges, nor by the pro-Rebel host who stand behind them. Through the majority in Congress, they are making a gallant fight for Liberty and Loyalty. Messrs. Bingham's and Wilson's bills submitted yesterday to the House, are part of their weapons. They propose to fight it out on this line. Heaven send them a good deliverance!

☞ The following dispatch from Nashville appeared in the *Herald* of this city on the 23rd inst.:

Letters were received from Gov. Brownlow, encouraging the loyalists in their vindictiveness towards Democrats.

But one short letter was read from the Governor, and that appears elsewhere in this paper. If the other statements in that dispatch are as far from the truth as this one is, they are not at all reliable.

Magazines, Periodicals, and Music bound in every style and variety, on short notice and reasonable terms, at the WHIG office—send in your orders.

Republican State Convention.

ORGANIZATION OF THE CONVENTION.

Letters from Gov. Brownlow and Hon. Horace Maynard.

STATE EXECUTIVE COMMITTEE.

REPUBLICAN PLATFORM AND RESOLUTIONS.

Gen. U. S. Grant the Choice of Tennessee for President.

DELEGATES TO THE CHICAGO CONVENTION.

Speech of Hon. Wm. B. Stokes—Resolutions, Proceedings, etc., etc.

The Convention was called to order in the Hall of the House of Representatives, at 10 o'clock A. M., Wednesday.

TEMPORARY ORGANIZATION.

Hon. John Norman, of Carroll county, was chosen temporary chairman, S. C. Mercer, secretary, and Mr. Nelson assistant secretary.

On motion, a committee of eight—one from each Congressional district of the State—was appointed to report on permanent organization. The following gentlemen were named as such committee:—Col. John K. Miller, Dr. Pearne, Mr. Mobler, J. W. Brown, W. L. Waters, Thomas Harris, L. J. Roach and Barbour Lewis.

On motion it was resolved that the Republican members of the Tennessee Legislature be invited to seats in the Hall as accredited delegates.

Convention took a recess till 12 M.

PERMANENT ORGANIZATION.

The Convention re-assembled at 12 o'clock M.

The committee on Permanent Organization reported the following gentlemen as permanent officers of the Convention:

PRESIDENT—Hon. Joseph S. Fowler, of Davidson.

VICE PRESIDENTS—Hon. Joseph Eckle, Hawkins county; Gen. Joseph A. Cooper, Knox county; Gen. John B. Rodgers, Van Buren county; Hon. Wm. Bonson, Rutherford county; Abram Smith, Esq., Davidson county; Hon. J. M. Puckett, Hickman county; Hon. John Norman, Carroll county; J. L. Winfield, Esq., Hayward county.

SECRETARIES—Capt. G. E. Graham, Col. D. B. Nelson, Rev. Wm. Caker, David Gowe, S. C. Mercer, J. J. Buck, J. C. Bevis, H. C. Carter, John Rahm.

The committee also reported the following resolutions:

Resolved, That the vote of each county be cast by the chairman of its delegation, and the basis of representation shall be as follows: Each county shall be entitled to one delegate, and, in addition, one vote for every five hundred votes cast for Governor Brownlow at the August election, and also one vote for any fraction over any number of five hundred. If any county cast less than five hundred votes, it shall nevertheless have one extra vote to represent its vote of last August. All persons regularly elected as delegates to this convention, and all members of the Legislature, shall be entitled to seats and to participate in debate.

Resolved, That a Committee on Resolutions, consisting of two members from each Congressional District, be appointed by the chair, upon the recommendation of the delegations from the respective districts.

Resolved, That a Committee on Credentials, consisting of one member from each Congressional District, be appointed by the chair.

Hon. J. S. Fowler, upon taking the chair, briefly addressed the Convention in eloquent terms, eliciting frequent applause from the delegates and galleries.

Prayer by Rev. Dr. Pearne.

On motion, Hon. W. B. Stokes was invited to participate in the proceedings of the Convention as a delegate.

Mr. Prosser, of Davidson county, moved that the resolutions reported by the committee on Permanent Organization be taken up and acted on separately. Adopted.

The first resolution of the committee being read, Mr. Richards, of Shelby county, moved, as an amendment, that Republican members of the Legislature present be admitted as delegates from their respective counties, and that such members from counties from which there are no regularly elected delegates be authorized to cast the vote of such counties in the Convention. Adopted.

On motion the resolution was further amended by striking out 500 and inserting 200.

The first resolution, as amended, and the other resolutions of the Committee were then adopted.

On motion, Capt. Heydt was appointed Sergeant-at-Arms of the Convention.

The following gentlemen, two from each Congressional District in the State, were selected as a Committee on Resolutions: P. P. C. Nelson, Chas. McKinney, T. H. Pearne, L. C. Houk, D. C. Trewitt, John A. Fason, W. H. Wisener, S. M. Berger, W. S. Prosser, John A. Edmondson, C. C. Bean, J. Jay Buck, John Norman, J. W. Dougerty, W. J. Smith, H. C. Carter.

The following gentlemen were selected as a Committee on Credentials: J. W. Thornburgh, M. D. Bearden, A. M. Cate, Lewis Tillman, Col. Lanck, Guy W. Wines, Col. Haney, M. T. Ryder.

The following letter from Gov. Brownlow was read to the Convention:

KNOXVILLE, January 20th, 1868.

To the President and Members of the State Convention:

GENTLEMEN: I have expected and intended to be present at the State Convention, to be held on the 23d instant, but the inclemency of the weather and the roughness of the road between here and Nashville have induced me to remain where I am. You have my best wishes for your success and harmonious action. I have full confidence in your wisdom and patriotism, and feel assured that your deliberations will result in the greatest good to the cause we all so much cherish. Upon the triumph of the Republican party in Tennessee depends both the prosperity of the State and the safety of loyal men. Any proposition looking to a State Convention to amend the constitution means the overthrow of the State Government, the enfranchisement of the rebels, and the disfranchisement of the colored man. All propositions from rebel source to adopt universal suffrage mean taking the control of the State out of the hands of the loyal men and putting it into the hands of rebels.

The approaching Presidential contest will be one between the great Republican Union party, composed of the men who stood by the Union in its hour of extreme trial, and faced the enemies of our country upon the field of battle, and the irrepressible Democratic party, composed of the rebellious odds and ends of all parties. The success of the Democratic party, of which I have no fears, will involve the payment of Southern traitors for their emancipated slaves, the payment of the rebel war debt, and the granting of pensions to the widows and orphans of fallen rebels and rebel soldiers.—These issues will be openly discussed during the coming summer by the contending parties; and under the lead of whoever may be nominated by the Republican party at Chicago, we are bound to succeed. Confiding in the wisdom and patriotism of the National Convention, which meets in May next, whether they select a military chieftain or a civilian to head the Republican ticket, let us pledge ourselves to a zealous and cordial support of the ticket.

If I were a member of your Convention, I would endeavor to have incorporated into the platform you adopt a plank to the following effect: That the bonds and obligations of the general government, which do not expressly stipulate for payment in coin in the acts authorizing their issuance, should be paid in greenbacks or legal tenders, and that our delegates to the National convention be instructed to vote for a resolution in the national platform embracing this proposition.

I have the honor to be, etc.,
W. G. BROWNLOW.

The following letter from Hon. Horace Maynard was also read:

WASHINGTON, D. C., January 18th, 1868.

DEAR SIR: Your invitation of December 9th, 1867, to attend the Union Republican Convention at Nashville, on the 22d instant, has lain unanswered in the hope that I might answer it in person. Constant engagement at this period of the session upon the Committee of Ways and Means prevents my leaving. Senator Fowler and General Stokes will be with you, and will carry with them the recorded views of our Congressional delegation.

They may be readily expressed in a few general propositions: First—Harmony among ourselves, and harmonious action with our friends the land over. Second—The subordination of personal aspirations to public interests. Third—The folly of the friends of the country looking for favor or support from its enemies. Fourth—Political questions cannot be successfully solved regardless of financial and industrial questions. All of which, as they lie in my own mind, would seem to be truisms were they not so frequently treated otherwise.

There is no rock so fatal to a large party like ours in the State and in the nation as dissension, personal rivalries, angry disputes about collateral measures, and generally a disregard of that axiom that when two ride the same horse one must needs ride behind.

The common good requires the peremptory suppression of all such disturbances even, if necessary, to the cutting off and the discarding of their authors. No one who thinks more of himself than of the cause he espouses, will, in the end, be of much service to the cause.

For seven years the friends of this government have maintained a severe and constant struggle with its enemies. So far, in spite of open hostility and treacherous or half-hearted friendship, they have maintained it with success. If any one lesson has been more plainly inculcated by the contest than another, it is the utter and inexcusable folly of those who espoused the side of the Union during the war, looking for support—or even toleration—from their old rebel enemies. He who does not now see it, could not be cured of it though he were brayed in a mortar among wheat with a pestle, to use a high authority. Example might be arrayed, I should say without end, had we not just witnessed the latest, if not the last of the series. The Governor of a neighboring State, elected by Union men, and as a Union man, aspired to be a United States Senator. Doubting of his success with his own party friends, to whom he owed all he had ever been, he turned for support to his and their enemies, the disfranchised rebels of his State. It is needless to state by what means his executive authority and influence restored them to power, first in the Legislature, then in a constitutional convention, and as a result of it, in the supreme control of the State, and the possession of every official station, down to the very humblest. The day of recompense came, to him a day of retribution. The senatorial election was held. His new confederates set him at naught, and conferred the honor upon one of their own number. Let our wise men be admonished.

The strength of a government, State or National, is its credit. To sustain this is the primal work of intelligent administration. Public credit depends solely upon the willingness and the ability of the people to meet the public obligations. Repudiation in any and every form is a deadly blight, and any measure that tends logically to repudiation, however slightly, excites instant alarm, and exerts a depressing influence. No people on earth have a greater horror at a breach of the public faith than the Union people of Tennessee; indeed, I may say the Union people all over the country. If their resources are judiciously and economically used, so as to exact from them only a portion of their profits without encroaching upon their capital, they can respond to every obligation assumed in their name. Let the taxes be so imposed that no industry shall, by reason of their payment, be any poorer at the end of the year than at the beginning. With honesty and official integrity to enforce these maxims, those who know how to live by the sweat of their face, and are willing to do it, will have but little trouble in making the ends meet. No others can hope to succeed except by some of the phases of bad government, which, at bottom, is simply a contrivance to enable one man to live in idleness upon the fruit of another man's labor.

With the best wishes, personally, to the gentlemen of the Convention, and the hope that harmony, patriotism and wisdom may attend their deliberations, I am, very respectfully,

Your obedient servant,
HORACE MAYNARD.

Gen. H. B. Thomas, Secretary, etc., Nashville, Tennessee.

A number of resolutions were presented by various delegates, which were read and respectively referred to the Committee on Resolutions.

The Convention took a recess till three o'clock P. M., at which hour it reassembled and was called to order.

The Committee on Credentials presented the following report:

The Committee on Credentials begs leave to report to the convention the list of counties represented and the number of votes each county is entitled to, according to the schedule adopted by this Convention:

First Congressional District—Carter, 6 votes, Col. John K. Miller; Cocke, 6, Hon. C. Inman; Grainger 5, Hon. D. W. C. Senter; Greene, 9, Hon. J. B. White; Hawkins, 7, Hon. C. J. McKinney; Hancock, 4, Hon. James Baker; Johnson, 4, Hon. J. W. M. Grayson; Jefferson, 12, Hon. D. G. Thornburgh, Sevier, 8, Hon. S. M. Hammer; Sullivan, 5, Hon. John J. Welsh; Washington, 8, Mr. Stephen A. Bovell.

Second District—Anderson, 5 votes, Judge L. C. Houk; Blount, 8, Hon. S. Matthews; Union, 4, Hon. J. C. Dyer; Campbell, 4, Hon. Jas. Agee; Claiborne, 5, D. W. C. Senter; Knox, 5, Gen. L. S. Trowbridge; Roane, 9, Hon. T. J. Mason; Monroe, 6, ——, McMinn, 8, Hon. S. Henderson; Bradley, 7, Hon. W. O. White; Polk, 2, T. L. Cate; Morgan, 2, Hon. G. W. Keith; Scott, 2, Hon. J. M. Cordell.

Third District—Dickson, 8 votes, A. M. Cate; DeKalb, 5, Col. Buchanan; Fentress, 3, Rufus Dowdy; Grundy, 2, J. B. Rogers; Hamilton, 8, R. S. Kendrick; Jackson, 4, Samuel Darker; Meigs, 3, E. H. Matthews; Marion, 3, G. W. Dame; Macon, 4, Wm. M. Woodcock; Overton, 3, John Bowles; Rhea, 4, A. M. Cate; Sequatchie, 3, A. M. Cate; Smith, 6, H. S. Patterson; Van Buren, 1, James Sparkman; Warren, 3, S. S. Faulkner; White, 3, J. C. Stone.

Fourth District—Rutherford, 16 votes, J. D. Wilson; Cannon, 8, H. Morris; Coffee, 2, Squire Price; Franklin, 5, J. Brown; Bedford, 10, G. W. Thompson; Marshall, 5, H. Fuqua Lillard; Lincoln, 6, John Cary; Giles, 10, Brink.

Fifth District—Cheatham, 3 votes, Hon. W. Jordan; Davidson, 28, Col. A. S. Chadwell; Robertson, 3, Hon. W. Jordan; Sumner, 68, Hon. T. McKinley; Williamson, 10, D. M. McFall; Wilson, 8, Hon. W. L. Waters.

Sixth District—Decatur, 2 votes, J. Jaylor; Dickson, 3, J. J. Cagle; Hardin, 5, Alfrid Pitt; Hickman, 2, Hon. J. M. Puckett; Humphreys, 2, J. G. Lucas; Lawrence, 3, Hon. W. A. Garner; Lewis, 1, M. D. Brown; Maury, 15, Hon. J. B. Frierson; Montgomery, 8, A. H. Ewing; Perry, 2, J. P. Ledbetter; Stewart, 2, R. A. Salisbury; Wayne, 4, J. J. Porter.

Seventh District—Henderson, 3 votes, David Wilson; Carroll, 9, S. M. Martin; Obion, 2, Wolford Maller; Weakley, 5, W. R. Blacknell; Dyer 8, B. W. Parkenton; Gibson, 4, I. J. Roach, Lauderdale, 2, W. T. Poston; Benton, 2, O. F. Brown.

Eight District—Shelby, 23 votes, Barbour Lewis; Fayette, 8, Squire Reeves; Haywood, 9, G. W. Smith; Tipton, 2, Hon. F. S. Richards; Hardiman, 3, Clay Newland; McNairy, 4, John Aldridge; Madison, 8, R. Medlin.

STATE EXECUTIVE COMMITTEE.

Mr. White, of Bradley, offered the following resolution, which was adopted:

Resolved, That the Executive Committee shall consist of one from each Congressional District, and that the delegations from each respective district, if they have not elected such number of the Executive Committee, proceed to select such number.

The following persons were chosen as the Executive Committee:

First District, Chas. J. McKinney; Second, A. J. Fletcher; Third, A. M. Cate; Fourth, Lewis Tillman; Fifth, D. W. Peabody; Sixth, I. J. Back; Seventh, J. J. Roach; Eight, W. J. Smith.

It was moved and adopted that one colored person from each Congressional District be added to the State Executive Committee. In accordance with the motion, the following persons were added to such committee:

First District, Alex Murrell; Second, W. B. Scott; Third, R. Carver; Fourth, Henry Banks; Fifth, Rendall Brown; Sixth, Arthur Young; Seventh, Henry Blankenship; Eighth, Mortimer Bond.

It was moved and adopted that the Governor of the State, Comptroller, Treasurer, Superintendent of Public Instruction, and State Printer, be added as members of the State Executive Committee.

On motion, John Rubm, of Davidson county, and Dr. Edward Goetz, of Knox, were also added as members of such committee.

RESOLUTIONS.

The Committee on Resolutions reported the following, which were adopted:

We, the Union Republicans of Tennessee, in convention assembled, declare, and will endeavor to maintain the principles following, viz:

1. An unalterable and unconditional adherence to and support of the American Union, established by our fathers in the blood of one great war, and defended by ourselves by the blood of another and greater war.

2. The government ought of right to be administered by the men and upon the principles that have saved it, to the exclusion of the men and the principles that sought to destroy it.

3. We abate nothing of our admiration for Maj. Gen. George H. Thomas, or our confidence in him as expressed by us in a former convention, but inasmuch as he has peremptorily declined the use of his name in connection with the Presidency of the United States, we recommend for that responsible office General Ulysses S. Grant.

4. Under his administration we feel assured of the ascendency of Union principles and Union men, to the exclusion from positions of honor and trust of rebel principles and rebel men; of full protection, abroad and at home, of all American citizens, native or naturalized; of a wise, prudent and economical policy; of a reduction of taxation to the least practicable point consistent with the maintenance inviolate of the national faith to the public creditors, to the soldiers, whose pay and bounty are still in arrears, to the pensioners and to the honest, loyal claimants, for supplies furnished and losses sustained during the war; of a national currency uniform in value and sufficient in amount for the increased and ever-increasing business exigencies of the country; of an early restoration to their civil duties and relations of the remaining disloyal States, upon a basis of loyalty, patriotism, justice, and a full recognition of the rights of all men.

5. To secure these results we will meet our fellow-citizens of the sister States in convention at Chicago, Illinois, on the 20th of May next, to nominate candidates for the Presidency and Vice-Presidency of the United States, pledging ourselves earnestly and in good faith to support the nominations so made.

6. For the better and more efficient subservience of the public good we will now appoint an Executive Committee for the State, to consist of one member from each Congressional District, and three for the State at large.

7. That as Union Republicans we recognize the influence of virtue and intelligence in the preservation of the Union, and will suffer no repudiation of the obligations of the State to provide free education for every child; and pledge ourselves anew to promote the establishment of free common schools, as the safe-guard alike of our property and of our liberties.

8. That Tennessee does not go back upon her record for loyalty, liberty, and the rights of manhood, by one half's breadth.

9. That we heartily endorse the firm and united course of our General Assembly in maintaining the standard of loyalty in this State, in favoring the subject of immigration to our common wealth, and of internal improvements, and in recognizing and preserving the rights of manhood, irrespective of caste or color.

10. That we most heartily approve the firm, wise and patriotic stand taken by our Congress against the usurpation of the President of the United States.

DELEGATES TO CHICAGO.

The following resolution was offered and adopted:

Resolved, That the First and Second Congressional Districts of this State recommend one delegate, the Third and Fourth Districts one delegate, and the Seventh and Eighth Districts one delegate, for the State at large to the Chicago Convention; and that the delegation from each Congressional District appoint two of their number as a committee to make selections of delegates as above, and report at once to the Convention.

The following persons were nominated and selected as delegates to the Chicago Convention from the several Congressional Districts of the State:

1st District—C. J. McKinney and S. A. Bowell. Alternates—T. J. Thornburgh and —— Hacker.

2d District—L. C. Houk and R. P. Eaton. Alternate—J. H. Agee and J. M. Cordell.

3d District—A. G. Sharp and W. M. Woodcock. Alternate—J. Blackburn and Isaac C. Stone.

4th District—W. Y. Elliott and J. C. Walker. Alternate—Dr. A. T. Wood and J. L. Fisher.

5th District—H. H. Harrison and A. N. C. Williams. Alternate—T. McKinley.

6th District—S. M. Arnell and J. J. Buck. Alternate—W. A. Garner and C. C. Bean.

7th District—J. R. Hawkins and D. F. Brown.

8th District—Barbour Lewis and J. L. Winfield. Alternate—M. C. Cate and John Aldridge.

The Convention then adjourned till 7 o'clock P. M.

EVENING SESSION.

The Convention reassembled at 7 P. M. pursuant to adjournment.

Rev. T. H. Pearne, of Knox county, offered the following resolution, which was adopted:

Resolved, That we hold in the highest estimation the eminent services rendered to the cause of loyalty, liberty and progress, by His Excellency, Hon. Wm. G. Brownlow, the Governor of this State. True, tried and faithful, he is a fair exponent of the great Republican party of Tennessee, of which he has been the fearless, unflinching and successful leader.

On motion, Benj. Cunningham was appointed an additional secretary of the convention.

Mr. McKinley, of Sumner county, offered the following resolution, which was adopted:

Resolved, That we hail with mingled feelings of pleasure and delight the reinstatement to office as Secretary of War, the Hon. E. M. Stanton, by the Senate of the United States.

On motion, Rev. T. H. Pearne was invited to address the convention. Mr. Pearne's remarks were listened to with much interest, and he was often loudly applauded.

Hon. A. J. Fletcher was loudly called for and briefly responded in a few pertinent remarks, which elicited much applause.

DELEGATES TO CHICAGO FOR THE STATE AT LARGE.

In compliance with resolution adopted, the following persons were named and selected as delegates to the Chicago Convention for the State at large: Rev. T. H. Pearne, Hon. W. B. Stokes, Hon. Joseph S. Fowler and Hon. T. A. Hamilton.

It was moved and adopted that delegates to the Chicago Convention, who may not attend, may give their proxy to any delegates to such convention who may attend.

Hon. W. B. Stokes offered the following resolution, which was adopted:

Resolved, That the Hon. Joseph Holt is entitled to the gratitude of the nation for his courage and fidelity to the Union in the inception of the rebellion, for his earnest devotion to the cause of human liberty, and for his deep anxiety for the success of the cause of republican government in the South.

As soon as the business of the convention had been concluded, Gen. Wm. B. Stokes was unanimously called to the stand, as per the request of the entire convention.

Mr. Gentile, of Knox, Judge Houk, Mr. Harris and others were called upon and proceeded to address the convention, exciting frequent laughter and applause.

On motion, the convention adjourned *sine die*.

Memorial.

To the Honorable, the General Assembly of the State of Tennessee:

Your memorialists, the Trustees of the Universities of Nashville and East Tennessee, respectfully represent: That the State of North Carolina made it an express condition of the cession to the United States of that part of the "Western Territory" which now constitutes the State of Tennessee; "that its inhabitants should enjoy all the privileges, benefits and advantages set forth in an ordinance made by Congress for the government of the Territory Northwest of the Ohio river." In the third article of that ordinance, which contains a compact between the original States and the people and States in the Territory, it is stipulated that "religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged." It was a further condition that the Governor of North Carolina, for the time being, should have the power to perfect, by grant or otherwise, all incipient titles. North Carolina, by an act passed in 1803, proposed, with the assent of Congress, to alter the terms of cession so as to give to the State of Tennessee the exclusive right of perfecting titles and settling claims provided for in the conditions of the cession act. This proposition of North Carolina was accepted by an act of the Legislature of Tennessee passed in 1806, and the provisions of these Acts of the two States were assented to by Congress by an Act passed the 18th of April, 1806, and upon the application of the State of Tennessee and in consideration of the stipulation on her part that all lands lying [illegible] and west of a line established by said Act of Congress, and generally known as the "Congressional Reservation line," should be and remain at the sole disposition of the United States; Congress ceded to the State of Tennessee all the right and claim of the United States to the vacant and unappropriated lands lying north and east of said line. This act of Congress, together with the act of the Legislature of Tennessee ratifying and accepting the terms, which passed the 26th of September, in the same year, is in the nature of a compact between the State of Tennessee and the United States. The condition of the cession was that the State of Tennessee, besides satisfying the North Carolina land claims according to the provisions of the cession act of North Carolina, should also appropriate one hundred thousand acres to be located in one entire tract within the limits of the lands reserved by the laws of North Carolina for the use of the Cherokee Indians, which should be "for the use of two colleges," one in East Tennessee and one in West Tennessee. (*New East and Middle Tennessee.*) The lands thus to be appropriated was required to be located on lands to which the Indian title had been extinguished, and subject to the disposition of the Legislature, but were not to be granted or sold for less than two dollars per acre, Congress intending to provide a fund of ($100,000) one hundred thousand dollars for each of the colleges. And the State of Tennessee, in accepting and ratifying the terms of the act of Congress, assumed the responsibility of securing to the two colleges the stipulated lands, or at least ($100,000) one hundred thousand dollars for each of the two colleges.

Your memorialists further represent: That by an act of the General Assembly of the State of Tennessee, passed September 6th, 1806, the Surveyor General was directed to lay off said 100,000 acres of land. The lands reserved for the use of the Cherokee Indians by the laws of North Carolina, and which had never been subject to entry, embraced a tract of country south of French Broad and Holston and west of Big Pigeon rivers, to which the Indian title had, by several treaties, been gradually extinguished, and had been settled somewhat by occupants previous to 1806. By an act of the Legislature, passed September 6th, 1806, *occupants* were entitled to grants for their own respective claims by the "right of occupancy," at *one dollar per acre*, to be be paid in ten equal annual instalments, the first of which was made payable on the first day of March, 1808, and one-tenth each succeeding year, with interest on each instalment from the time it became due until paid. By the same act the Treasurer of the State was directed to keep a separate account of all moneys received from the occupants within the bounds of land thus appropriated. September 11th, 1806, a charter was granted to the "Cumberland College," (now University of Nashville) and one-half of the proceeds of sales of the 100,000 acres of land directed to be laid off for the use of colleges, was vested in the Trustees of said college for its use and benefit. October 26th, 1807, East Tennessee College was incorporated and endowed with the other moiety of the proceeds of the sales of the one hundred thousand acres of land. December, 1807, the Legislature postponed the time for paying the first instalment till March 1st, 1809, and granted another year on each succeeding instalment, and this, too, without the consent of the Colleges. Interest, however, was permitted to accrue. April 23, 1809, the Legislature again postponed the payment of the first instalment until July 15, 1811, provided that the balance should be paid in nine equal annual instalments from that time, but reserved the interest as before. On the 8th of Nov., 1809, further relief was extended by enacting that *interest only* should be paid at the period fixed for the payment of the principal. October 11th, 1811, the Legislature gave time for payment of interest then due until Nov. 1st, 1812. On the 21st of Sept., 1812, the interest which had accrued in 1810 and 1811 was *remitted* by the Legislature. In 1813 the payment of interest already due and not remitted was suspended until Nov. 1st, 1815, and it was provided that no interest should accrue during such period of indulgence. Similar "relief," both as to the suspension of the payment of interest and the remissal of it, was granted by act of the 6th October, 1815, to expire on the 15th November, 1817. The Legislature, by act of 12th November, 1817, suspended the payment of the principal of the debt until the end of the next meeting stated session, which was a period of two years, and enacted further that the interest then due should be paid in three annual instalments from that time, and the collection of interest to become due in 1818 and 1819 was suspended until the next session of the Legislature. By an act passed 16th October, 1819, the payment of the *principal was suspended* indefinitely, and the interest for 1819 was required to be paid in Nov., 1820, and the interest for 1820 was required to be paid Nov. 15th, 1821. On the 6th of Nov., 1821, the sales of land for interest were suspended, and two-thirds of the interest then due on purchase money were required to be paid by the 1st of May, 1822, and an act of the 20th of August substituted the 1st of Nov. in lieu of the 1st of May mentioned in the act of 1821. The Legislature, by an act passed Nov. 15, 1823, remitted one-third of the *whole amount then due*, and required the remainder to be paid in seven annual instalments from the 1st of May, 1824. In '824 a few small payments were made; but in 1825 the occupants of the lands refused almost unanimously to comply with the provisions of the law. Encouraged by success so far, the occupants were now defiant and numerous. Popular disfavor towards education lent a helping hand to those who, without color of title, were wresting these lands from the Universities, by acts of the Legislature.

The trustees, in repeated memorials to the Legislature, prayed for an equitable adjustment of the claims, but without material effect until 1830, when the Legislature appropriated two half townships in the Ocoee district in settlement of the claims which were then estimated at $84,000 apiece. The Legislature required the Trustees of the Universities to sign a deed of relinquishment to "all claims against the State and the citizens south of French Broad and Holston," in consideration of the Ocoee lands. The Universities being entirely dispossessed of said land by act of the Legislature, before receiving, very readily accepted the Ocoee tract, and having remonstrated and protested as much as they could, signed the deed. The Ocoee lands were sold as soon as possible by the Universities, it being rather unsafe for them to try to hold them. The net proceeds were about $30,000 for each institution, leaving $54,000 still unpaid, if $100,000 is taken as the value of the lands, but a much greater amount, as is believed, if interest were calculated on the actual value of lands previously sold. In 1860, the Legislature again considered the claim, and referred the whole matter to the Supreme Court, and requested the opinion of said Court as to the equitable right of the Universities to further compensation. The Court was broken up before the opinion was officially given. We claim that the Legislature was the Trustee of Congress, in whom the first confidence was reposed, and that this Trustee could not alienate the lands thus held in trust for the use of the Colleges, from the beneficiaries, or in any manner whatever prevent the beneficiaries from receiving the full amount of the intended benefit.

Your memorialists respectfully show that the proposition, thus relied upon, has been sanctioned and sustained, on more occasions than one, by the Supreme Court of this State. Without citing all the cases, your memorialists show that, so far back as the year 1830, it was decided in the case of *Poison and Harkins vs. Ivey*, 1 *Yer.* 296, that a state may be a trustee in equity, and that, under certain North Carolina Acts of Assembly, passed in 1780 and 1782, the State of North Carolina held the laws therein referred to, in fee simple, as express trustee for the officers and soldiers for whom provision was made, in law, by said statutes, and could do no act to prejudice the *cestui que trust*, either by transcending the powers of the trust, or failing to perform what the office of trustee requires to be performed, to insure the proper execution of the trust. It was also held that the Act of North Carolina of 1819, providing for the adjudication of military warrants, did not authorize the commissioner to issue the warrants to any person but the officer or soldier, his rightful representative, or assignees; and the issuance of the warrant, to another, would be an excess of jurisdiction and the exercise of a power not given. This case was cited and approved in *Fogg vs. Williams*, 2 *Head*. 479, 480; and *Bourland vs. Tysten*, 6 *Yer.* 445, and *University vs. Cambreling*, 6 *Yer.* 86.

In *Long vs. Francis*, 2 *Yer.* 584, and *Goodman vs. The Tennessee Mining Company*, 1 *Head*. 174, the Cession Act, upon which we rely, and which is hereinbefore cited, was construed and expounded; and it was expressly held, in regard to the school laws, that the United States, by the compact of 1799 with North Carolina, became trustees for the vacant and unappropriated lands in the State of Tennessee, and were bound to appropriate, to the means of education, one section of land, or 640 acres, to each township; that the title of the United States was vested in the State of Tennessee, upon the express condition, by the compact of 1806, that Tennessee held the lands in trust *for the people or children* of the respective townships; that Tennessee had no authority to sell these lands prior to the Act of Congress approved February 12th, 1843; [*Little & Brown's U. S. Statutes*, 609,] that, under that act, the State was authorized to lease the lands for a term not exceeding four years; that a lease by the School Commissioners, for ninety-nine years was void; and that the State herself could not, even under said Act of 1843, sell the lands without the consent of a majority of the inhabitants. In Goodman's case, it is strongly intimated, 1 *Head*. 179, that, as the land had been legally set apart for common schools and vested in commissioners for that purpose, the State could not exercise the power of sale; and, on p. 182, it is said that "the Legislature, acting under a trust, would be bound by its restrictions and could not disregard them." An effort was made to remove Goodman's case into the Supreme Court of the United States, but it was dismissed for want of jurisdiction, as appears from 2 *Black's Reports* 574; and the decision of our own Supreme Court stands as the latest and best exposition of the law on the subject.

While your memorialists may admit that, in one respect, the colleges and school lands were held upon a different footing, under the said compact of 1806—(*see Little & Brown's U. S. Statutes*, p. 392, *sec.* 3, *clause second*)—that is to say, while the person was vested to *sell* the college lands at two dollars per acre, and no power was conferred to sell the school lands, which were to be located in every six miles square, and appropriated for the use of schools for the instruction of children forever; and while your memorialists do not deem it necessary to discuss the question whether Congress had power to authorize the sale of the school lands by the said Act of 1843, without the assent of North Carolina; they respectfully submit that the State of Tennessee was a trustee in the one case just as much as in the other. By the compact of 1806, as already shown, the one hundred thousand acres of land were to be appropriated for the use of the colleges; one in East and one in West Tennessee, to be established by the Legislature thereof, and it is declared that "*the proceeds of the sales of the lands aforesaid shall be vested in funds for the respective uses aforesaid, forever.*" The trust thus created existed as to *the entire* proceeds; nothing more, nothing less.—They could not be lawfully diminished for any other purpose than the use of the colleges. If the lands were sold, from time to time, for a fixed price payable on a day certain, then the State, as trustee, was equitably bound to collect the money and invest, or cause it to be invested, in such manner as to accumulate interest, just as any other trustee would be bound to manage a trust fund to the best advantage of the beneficiary. If lands were sold to the people south of French Broad and Holston and west of Big Pigeon rivers, the State had no just power, so far as the colleges were concerned, to release the interest. If she thought such an act of liberality was due to her citizens, she had the right to bestow it at her own expense, but not at the expense of the colleges; and if any loss has been occasioned by her management of the trust fund, it is submitted that the State, like any other trustee, should make it good.

Your memorialists will not stop to inquire whether, when the price of land was limited to two dollars per acre, Congress had power to authorize the State, by the Act of February 28, 1833, "to affix such price to the lands in said ceded territory, as in their discretion may be deemed right and proper?" Conceding that, with the assent of Congress and the State, the lands might be sold for a less price than that originally agreed upon, there can be no question that the trust, originally created, remained unimpaired as to the proceeds of sale, whatever they might be. This was, unquestionably, the view entertained by the Legislature when East Tennessee College was chartered in 1807. For, in the first section, it was provided that the trustees and their successors should be "endowed with and receive in such manner as the General Assembly might, from time to time, direct, that part of the donation aforesaid which was designed for the college in East Tennessee;" and, in the seventh section, they were authorized to sell and transfer any other college property "except the proceeds of the sales of one moiety of said one hundred thousand acres of land with which said college is endowed by this Act."—These provisions, in the charter, show that the State claimed the right to direct how the proceeds should be received by the college, and did not, in the original charter, confer upon the trustees the right to sell or transfer them. In one word, the State, and not the collegiate corporation, was the trustee; and when the State proposed to settle the controversy between the Colleges and Academies, by the Act of 1828, chapter 47, p. 80, and the Acts of 1829, ch