

THIRD EDITION
PRESIDENTIAL VETO.

Message of the President of the United States Returning to the Senate a Bill Entitled "An Act to Regulate the Elective Franchise in the District of Columbia."

To the Senate of the United States:— I have received and considered a bill entitled "An Act to regulate the elective franchise in the District of Columbia," passed by the Senate on the 13th of December, and by the House of Representatives on the succeeding day. It was presented for my approval on the 26th ultimo—six days after the adjournment of Congress—and is now returned with my objections to the Senate, in which House it originated.

Measures having been introduced, at the commencement of the first session of the present Congress, for the extension of the elective franchise to persons of color in the District of Columbia, steps were taken by the corporate authorities of Washington and Georgetown to ascertain and make known the opinion of the people of the two cities upon a subject so immediately affecting their welfare as a community. The question was submitted to the people at special elections, held in the month of December, 1865, when the qualified voters of Washington and Georgetown, with great unanimity of sentiment, expressed themselves opposed to the contemplated legislation. In Washington, in a vote of 6556—the largest, with but two exceptions, ever polled in that city—only thirty-five ballots were cast for negro suffrage; while in Georgetown, in an aggregate of 813 votes—a number considerably in excess of the average vote of the four preceding annual elections—only one was given in favor of the proposed extension of the elective franchise.

As these elections seem to have been conducted with entire fairness, the result must be accepted as a truthful expression of the opinion of the people of the District upon the question which evoked it. Possessing, as an organized community, the same popular right as the inhabitants of a State or territory, to make known their will upon a subject which affects their social and political condition, they could have selected no more appropriate mode of memorializing Congress upon the subject of this bill than through the suffrages of their qualified voters. Entirely disregarding the wishes of the people of the District of Columbia, Congress has deemed it right and expedient to pass the measure now submitted for my signature. It, therefore, becomes the duty of the Executive, standing between the legislation of the one and the will of the other, fairly expressed, to determine whether he should approve the bill, and thus aid in placing upon the statute books of the nation a law against which the people to whom it is to be applied have solemnly and with such unanimity protested, or whether he should return it with his objections, in the hope that, upon reconsideration, Congress, acting as the representatives of the inhabitants of the seat of government, will permit them to be subject to a purely local question, as to them may seem best suited to their interests and condition.

The District of Columbia was ceded to the United States by Maryland and Virginia, in order that it might become the permanent seat of government of the United States. Accepted by Congress, it at once became subject to the "exclusive legislation" for which provision is made in the Federal Constitution. It should be borne in mind, however, that in exercising its functions as the law-making power of the District of Columbia, the authority of the National Legislature is not without limit, but that Congress is bound to observe the letter and spirit of the Constitution, as well as the consent of local laws for the seat of government, as in legislation common to the entire Union.

Were it to be admitted that the right "to exercise exclusive legislation" in all cases whatsoever" conferred upon the United States, a power which the District of Columbia, under the Federal Constitution, the relation of Congress to its inhabitants is analogous to that of a Legislature to the people of a State, under their own local Constitution; it does not, therefore, seem to me to be too much to demand that the Legislature to the District, Congress should have like respect for the will and interests of its inhabitants as is entertained by a State Legislature for the will and interests of those for whom they legislate. Yet in New York, before the franchise to the District, Congress should have like respect for the will and interests of its inhabitants as is entertained by a State Legislature for the will and interests of those for whom they legislate.

It should also be remembered that in legislation to the District of Columbia, under the Federal Constitution, the relation of Congress to its inhabitants is analogous to that of a Legislature to the people of a State, under their own local Constitution; it does not, therefore, seem to me to be too much to demand that the Legislature to the District, Congress should have like respect for the will and interests of its inhabitants as is entertained by a State Legislature for the will and interests of those for whom they legislate.

Would, for instance, the Legislature of the State of New York, or of Pennsylvania, or of Indiana, or of any State in the Union, in opposition to the expressed will of a large majority of the people whom they were chosen to represent, arbitrarily force upon them, as voters, all persons of the African or negro race, and make them eligible for office, without any other qualification than a certain term of residence within the State? In neither of the States named would the colored population, when acting together, be able to produce any great social or political reform. Yet in New York, before the franchise to the District, Congress should have like respect for the will and interests of its inhabitants as is entertained by a State Legislature for the will and interests of those for whom they legislate.

It hardly seems consistent with the principles of right and justice that representatives of States whose suffrage is either denied the colored man, or granted to him on qualifications requiring intelligence or property, should compel the people of the District of Columbia to try an experiment which their own constituents have thus far shown an unwillingness to test for themselves. Nor does it accord with the republican idea that the principle of self-government should lose its force when applied to the residents of the District, merely because their legislators are not, like those of the States, responsible, through the ballot, to the people for whom they are the law-making power.

The great object of placing the seat of government under the exclusive legislation of Congress, was to secure the entire independence of the general Government from any State influ-

ence, and to enable it to discharge, without regard to territorial limitations, the important functions for which it was created by the people. For this important purpose it was ceded to the United States by Maryland and Virginia, and it certainly never could have been deemed one of its objects to be attained by placing it under the exclusive jurisdiction of Congress, that it would afford propagandists or political parties a place for an experimental test of the principles and theories of those nations, the residents of the seat of government are not citizens of any State, and are not, therefore, allowed a voice in the electoral college, or representation in the councils of the nation. They are, nevertheless, American citizens, entitled to such every guarantee of the Constitution, to every benefit of the laws, and to every right which pertains to citizens of our common country. In all matters, then, affecting their domestic affairs, the spirit of our democratic form of government demands that their wishes should be consulted and respected, and they ought to feel that, although not permitted to exercise the franchise, they are nevertheless, under a paternal Government, respectful of their rights, mindful of their wants, and solicitous for their prosperity. It was evidently contemplated that all local questions would be referred to the residents, to an extent that would not be incompatible with the object for which Congress was granted exclusive legislation over the seat of government.

When the Constitution was put under consideration in the Convention, it was proposed that inhabitants would be allowed "a municipal legislature, for local purposes, derived from their own suffrages." When, for the first time, Congress, in the year 1800, assembled at Washington, it was proposed by one of the members at its opening, reminded the two Houses that it was for them to consider whether the local powers over the District of Columbia, vested by the Constitution in the Congress of the United States, should be exercised by Congress, and he asked them to "consider it as the capital of a great nation, advancing with unexampled rapidity in arts, in commerce, in wealth, and in population, and possessing within itself those resources which, if not thrown away or lamentably misdirected, would secure to it a long course of prosperity and self-government." Three years had not elapsed when Congress was called upon to determine the propriety of retroceding to Maryland and Virginia the jurisdiction over the District of Columbia, which had been expressly relinquished to the Government of the United States. It was urged, on the one hand, that exclusive jurisdiction was not necessary or useful to the Government; that it deprived the inhabitants of the District of the rights and liberties which they were entitled to as citizens of the United States; that much of the time of Congress was consumed in legislation pertaining to it; that its government was expensive; that Congress was not competent to legislate for the District, because of the numerous and conflicting interests connected with it; that it was an experiment dangerous to the liberties of the States. On the other hand, it was held, among other reasons, that the District, being a part of the United States, and in the hands of Congress, should be governed as a part of the United States; that it was an experiment dangerous to the liberties of the States. On the other hand, it was held, among other reasons, that the District, being a part of the United States, and in the hands of Congress, should be governed as a part of the United States.

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enjoyed the benefits of a thorough educational system, a acquaintance of intelligent people, while here suffrage is extended to all, without discrimination, as well to the most incapable, who can prove a residence in the District of one year, as to those persons of color who, comparatively few in number, are permanent inhabitants, and having given evidence of merit and qualification, are recognized as useful and responsible members of the community. It is proposed upon an unthinking people, placed by the Constitution under the exclusive legislation of Congress. It would be viewed as an arbitrary exercise of power, and as an indication by the country of the purpose of Congress to compel the acceptance of negro suffrage by the States. It would engender a feeling of opposition and hatred between the two races, which, becoming deep-rooted and ineradicable, would prevent them from living together in peace and harmony. It is suggested, therefore, that avoiding every measure that might tend to produce such a result, and following the clear and well-ascertained popular will, we should assiduously endeavor to promote kindly relations between the two races, and by the gradual and harmonious introduction of the new element into the political power of the country.

It cannot be urged that the proposed extension of the elective franchise to persons of color is necessary to enable persons of color to protect their interests or their rights. They stand here precisely as they stand in Pennsylvania, Ohio, and Indiana. Here, as elsewhere, in all the States, it is necessary to distinguish this class of persons from citizens of the United States; for they possess the "full and equal benefit of all laws and proceedings for the security of person and property as is enjoyed by white citizens; and are made subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom to the contrary notwithstanding." Nor, as has been assumed, is it necessary to extend the franchise to persons of color as a means of protecting their interests or their rights. It is not the object of the Government to extend the franchise to persons of color as a means of protecting their interests or their rights. It is not the object of the Government to extend the franchise to persons of color as a means of protecting their interests or their rights.

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viding some practical security for each against the invasion of the other, remarks that "the Legislative Department is everywhere extending the sphere of its activity, and drawing all powers into its impetuous vortex." "The executive power, as represented by the President, has to have reflected the danger from legislative usurpations, which, by assembling all power in the same hands, must lead to the same 'tyranny as is threatened by Executive usurpation.' The Executive Magistrate is carefully limited, both in the extent and the duration of his power, and where the legislative power is exercised by him, under complex and indirect measures. His influence over the people, while it is sufficiently numerous to feel all the passions which actuate a multitude, yet not so numerous as to be incapable of restraining the objects of his passions by means which reason prescribes. It is suggested, therefore, that the enterprising ambition of this department that the people ought to indulge all their jealousy and exhaust all their precautions."

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Its prerogatives, the constant necessity of scrutinizing the acts of each, upon the application of any private person, and the painful duty of pronouncing judgment that these acts are a departure from the law or Constitution, can have no tendency to conciliate kindness or cherish influence. It would seem, therefore, that some additional guards would be necessary in such circumstances, to protect the Executive Department from the absolute dominion of others. Yet rarely have any such guards been applied, and every attempt to introduce them has been slow and ineffectual. It is suggested, therefore, that the Executive Magistrate is carefully limited, both in the extent and the duration of his power, and where the legislative power is exercised by him, under complex and indirect measures. His influence over the people, while it is sufficiently numerous to feel all the passions which actuate a multitude, yet not so numerous as to be incapable of restraining the objects of his passions by means which reason prescribes. It is suggested, therefore, that the enterprising ambition of this department that the people ought to indulge all their jealousy and exhaust all their precautions."

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Tenth Ward—A. H. Francisco (R.), No. 813 Market Street.
Eleventh Ward—A. W. Hensley (R.), No. 814 Arch Street.
Twelfth Ward—Thomas H. Gill (O.), No. 510 North Second Street.
Thirteenth Ward—William Laitner (R.), No. 314 York Street.
Fourteenth Ward—William Patten (R.), No. 792 Conover Street.
Fifteenth Ward—John L. Oram (R.), No. 621 Vine Street.
Sixteenth Ward—H. C. Shuman (R.), No. 1210 Spring Garden Street.
Seventeenth Ward—Joseph B. Hancock (R.), No. 864 N. Eleventh Street.
Eighteenth Ward—Robert M. Evans (R.), No. 816 N. Eleventh Street.
Nineteenth Ward—Joseph B. Conroy (R.), No. 1346 Green Street.
Twentieth Ward—Thomas Potts (R.), No. 1816 Green Street.
Twenty-first Ward—George W. Smith (R.), No. 618 N. Thirteenth Street.
Twenty-second Ward—Charles Keger (R.), No. 1164 Frankford Road.
Twenty-third Ward—George J. Hotal (O.), No. 153 Dock Street.
Twenty-fourth Ward—Lewis Driesbach (O).
Twenty-fifth Ward—J. O'Sole (O), Fifth and Jefferson Streets.
Twenty-sixth Ward—Daniel P. Ray (R), No. 112 N. Thirteenth Street.
Twenty-seventh Ward—Daniel W. Stockham (R.), Norris and Baltimore.
Twenty-eighth Ward—Joseph Ernest (R.), No. 1694 N. Front Street.
Twenty-ninth Ward—Nicholas Shane (R), No. 2145 N. 13 Street.
Thirtieth Ward—Francis Martin (R), No. 947 East 13th Street.
Thirty-first Ward—Joseph F. Marcer (R.), No. 918 N. 12th Street.
Thirty-second Ward—James H. Harrison (R), No. 45 N. Front Street.
Thirty-third Ward—Henry C. Harrison (R), Master and 8th Street.
Thirty-fourth Ward—Angus Gamson (R), No. 16 N. 8th Street.
Thirty-fifth Ward—William A. Simpson (R), No. 226 Walnut Street.
Thirty-sixth Ward—George W. Meyers (R), Twenty-ninth and Berks.
Thirty-seventh Ward—Joseph Hill (R), No. 63 N. Front Street.
Thirty-eighth Ward—Lewis Wagner (R), No. 139 Walnut Street.
Thirty-ninth Ward—Samuel C. White (R), Holmes and Chestnut.
Fortieth Ward—Joseph T. Vankirk (R), Frankford I. O.
Forty-first Ward—William Stokes (R), No. 46 N. Water Street.
Forty-second Ward—S. A. Colchower (O), Port Richmond.
Forty-third Ward—John Ketter (R), No. 1828 South Street.
Forty-fourth Ward—Robert Armstrong (R), No. 1237 Christian Street.
Forty-fifth Ward—William Ogden (R), King, Kensington P. O.
Forty-sixth Ward—J. O'Sole (O), 39 Poppleton.
Forty-seventh Ward—J. O'Sole (O), 412 Poppleton.
Forty-eighth Ward—J. O'Sole (O), 412 Poppleton.
Forty-ninth Ward—J. O'Sole (O), 412 Poppleton.
Fiftieth Ward—J. O'Sole (O), 412 Poppleton.

Proceedings in Select Council.
The Select Council met at 10 o'clock, President Spry in the chair. The credentials of the new members were read, when the election of the President was proceeded with, resulting as follows:—
Joshua Spry, Republican 15
Samuel D. King, Opposition 9
Majority for Spry, 6.

Majority for Spry, 6.
Mr. Spry then took the oath of office, after which he addressed the members as follows:—
Gentlemen of Select Council:—In taking the position to which I have been chosen by the favor of my colleagues, with I trust, not an ungrateful feeling, I feel bound to speak of the condition of the city with reference to its debt and the resources it possesses.

By reference to the official statement, prepared by the Controller on the 1st of November, 1866, for the use of the Council, and upon which the estimates of receipts and expenditures for the current year are based, it appears that the amount of the existing funded debt on that day (not including that authorized by Act of Assembly, but not yet received) was—
\$85,961,729 24

To this must be added the amount of warrants outstanding—
1,598,512 42
Amount of the sinking fund on the 1st of March, 1867, 591,112 44

Making the whole amount of the debt funded and unfunded, on the 1st of November, 1866, 87,151,429 79
In view of the amount of the sinking fund of \$1,631,300, issued for the extension of the Gas Works, the interest and sinking fund on which were paid out of the income of the Gas Works, and which might, therefore, properly be deducted in the statement of funded debt, the balance of the debt on the 1st of November, 1866, was—
\$85,520,129 24

Leaving a balance of debt not represented by assets in the sinking fund \$14,574,007 98
But on the 1st of November, 1866, the amount raised by loan during the four years of the war, for the purpose of paying bounties and supporting the families of volunteers, which was about 13,160,000 00
The balance of the debt on the 1st of November, 1866, was only 72,356,007 98
I submit, then, with this provision of the sinking fund, there cannot be a doubt of the ability of the city to provide for all her obligations.
There is no contingent liability in the valuation of the assets of the Sinking Fund, which was carefully made by the Commissioners, at the actual market value of the securities at the close of the war, and which is now in the hands of the sinking fund. Some of the items of assets of the Sinking Fund are improvable in value, and some are not. The total of the sinking fund, on the 1st of November, 1866, was—
\$72,356,007 98
An amounting together to \$85,961,729 24
It is suggested, therefore, that the enterprising ambition of this department that the people ought to indulge all their jealousy and exhaust all their precautions. It is suggested, therefore, that the enterprising ambition of this department that the people ought to indulge all their jealousy and exhaust all their precautions.

THE NEW CITY COUNCILS.

Organization of Both Branches this Morning.

This morning at 10 o'clock both branches of the City Council met for the purpose of organizing for the present year. We give below the names of the members, with the Wards which they represent, their residences or places of business, and the party by whom they were elected. Those marked with an asterisk (*) are new members; the others hold over from last year.

- SELEC TOUNCIL.
First Ward—Thomas A. Barlow (R.), No. 132 S. Fifth Street.
Second Ward—Dr. C. K. Kamery (O.), S. W. corner of Third and Arch Streets.
Third Ward—James D. Campbell (O), No. 729 S. Fifth Street.
Fourth Ward—Henry Marcey (O.), No. 10 South Street.
Fifth Ward—James Puff (O), No. 27 S. Fourth Street.
Sixth Ward—Patrick Dugg (O.), S. W. corner of Fifth and Vine Streets.
Seventh Ward—John A. Sherman (R), N. E. corner of Fifth and South Streets.
Eighth Ward—James L. Hodgdon (R), No. 1015 Spruce Street.
Ninth Ward—William S. Stokley (R), No. 19 5/2 Eighth Street.
Tenth Ward—Joshua Spry (R), No. 1012 Vine Street.
Eleventh Ward—Samuel G. King (O), No. 332 N. Second Street.
Twelfth Ward—Charles M. Wagner (R), No. 341 N. Sixth Street.
Thirteenth Ward—Alexander M. Foxe (R), No. 249 S. Second Street.
Fourteenth Ward—A. Van Cleve (R), No. 914 N. Tenth Street.
Fifteenth Ward—John J. Kasey (R), No. 1520 Green Street.
Sixteenth Ward—James W. Hopkins (O), No. 1102 N. Third Street.
Seventeenth Ward—Patrick Stern (O), No. 1240 Hancock Street.
Eighteenth Ward—William Bamn (R), 1624 Market Street.
Nineteenth Ward—James Riche (R), No. 1624 Market Street.
Twentieth Ward—Joseph Manuel (R), S. W. corner of Frank and Buttonwood Streets.
Twenty-first Ward—John W. Brown (O), No. 191 S. Fifth Street.
Twenty-second Ward—William F. Smith (R), No. 114 S. Fourth Street.
Twenty-third Ward—Edward A. Snideros (R), No. 264 N. Second Street.
Twenty-fourth Ward—Samuel W. Cattell (R), S. W. corner Twenty-third and Spruce Streets.
Twenty-fifth Ward—William J. Pollock (R), N. W. corner Trent and Filzwall Streets.
Twenty-sixth Ward—J. F. Gilligian (R), N. W. corner Chestnut and Filzwall Streets.
Twenty-seventh Ward—J. F. Gilligian (R), N. W. corner Chestnut and Filzwall Streets.
Twenty-eighth Ward—J. F. Gilligian (R), N. W. corner Chestnut and Filzwall Streets.
Twenty-ninth Ward—J. F. Gilligian (R), N. W. corner Chestnut and Filzwall Streets.
Thirtieth Ward—J. F. Gilligian (R), N. W. corner Chestnut and Filzwall Streets.

- COUNCIL COUNCIL.
First Ward—George W. Macague (R), No. 1312 S. Fourth Street.
Second Ward—William Calhoun (R), No. 1325 Moyamensing Avenue.
Third Ward—William D. Martin (O), No. 1600 Moyamensing Avenue.
Fourth Ward—Hugh Kennedy (O).
Fifth Ward—John K. Tyson (O), No. 1148 S. Athol Street.
Sixth Ward—William Thompson (O), No. 1303 Calloway Street.
Seventh Ward—W. F. E. Barnes (O), No. 809 South Street.
Eighth Ward—Benjamin Haney (O), No. 705 Penn Street.
Ninth Ward—James F. Dillon (O), No. 899 South Street.
Tenth Ward—Philip Austin (O), No. 18 S. Fourth Street.
Eleventh Ward—Thomas Little (R), No. 338 S. Third Street.
Twelfth Ward—John Bardoly (R), No. 218 Lomb Street.
Thirteenth Ward—Alexander J. Harper (R), No. 1105 W. Walnut Street.
Fourteenth Ward—John C. Martin (R), No. 248 S. Eighth Street.
Fifteenth Ward—Walter Allison (R), No. 34 S. Eleventh Street.
Sixteenth Ward—A. H. Marshon (R), No. 206 Market Street.