

## CHAPTER XII.

### RECOGNITION OF THE REORGANIZED GOVERNMENT BY THE SENATE.

#### DELAWARE OBJECTS TO THE NEW SENATORS.

The credentials of Messrs. Carlile and Willey were presented in the Senate by Senator Andrew Johnson, of Tennessee, July 25th. Mr. Bayard, of Delaware, protested against receiving them. "You are undertaking," he said, "to recognize a government of the State of Virginia which is not the regular State government. Even though the State may be in what you call a state of rebellion, you are bound to take notice of the fact that Mr. Letcher is Governor of Virginia. \* \* \* If you say he is in rebellion, that does not authorize a portion of the people of Virginia to form a legislature for the purpose of electing senators to take seats in this body. You have no authority to create a new State out of part of an existing State." He moved the reference of the credentials to the Committee on the Judiciary. A discussion ensued in which Senators Johnson, Trumbull, Hale, Ten Eyck and Collamer affirmed the propriety of accepting the credentials and Senators Saulsbury and Powell seconded by Mr. Bayard, denied. Mr. Saulsbury called attention to the fact that only two days before the Senate had adopted a resolution expelling Mason and Hunter from the Senate,

whereas these credentials showed that the election of Messrs. Carlile and Willey had taken place two days before that, and therefore before any vacancies existed. Mr. Trumbull said it was usual to elect senators before the actual occurrence of the vacancies to be filled. He said the Governor's certificates *prima facie* entitled these gentlemen to be sworn in. If the Senate were to go back of the *prima facie* certificates, then they must take notice of the fact that a portion of the people of Virginia had risen in arms against the government; that another portion was loyal to the Union, had elected a legislature, seek representation in Congress and are entitled to it.

Mr. Bayard claimed that to admit these gentlemen would be to recognize an insurrection in a State for the purpose of overthrowing the State government by a very small minority of its people.

#### NEW HAMPSHIRE WELCOMES THEM.

Mr. Hale said that instead of recognizing an insurrection, it would be recognizing the loyal and true men of the State who still cling to the Union and support the Constitution. It was no time to stand on form or ceremony. It was a question of life or death with the Republic, which could not live a day after they yielded to the position of the Secessionists. It had come to the very last point where they must either vindicate the government or go out of national existence forever. It was a contest that had been going on through all time between despotism and constitutional government with liberty—the battle of all past ages and all coming generations, culminating in

the experiment we are making to-day. If senators hesitated to meet the issue in all its aspects, in all its contingencies, on this floor, on the field of battle, and everywhere, they would be unworthy of the day and hour in which God Almighty had permitted them to enact the part he had assigned them in the great chapter of human destiny. For his part, he was "glad he had been born when he was, so that his lines had fallen here to-day—glad his destiny was linked with the great contest that had been coming, coming, coming with every successive generation and every successive experiment that the world had ever made in all the past." It was no time to hunt up justice of the peace records to find precedents. They must accept the contest as it had come—anomalous and destitute of precedents but destined to shed an infinite light on the future. In such a contest, the only question he asked was: "Is your heart right? If it be, join with us in this great struggle." If there are loyal men in Virginia determined to stand by the cause of civil liberty in this hour of peril, let them come.

The vote on admitting the Virginia senators was 35 to 5—the latter being Bayard, Bright, Polk, Powell and Saulsbury.