

[Special to the DESERET NEWS.]

By Telegraph.**ADDRESS ADOPTED BY THE PHILADELPHIA CONVENTION.**

To the people of the United States:—Having met in convention at the city of Philadelphia, in the State of Pennsylvania, this 14th day of August, 1866, as representatives of the people in all sections and from all the States and Territories of the Union, to consult upon the condition and wants of our common country, we address to you this declaration of our principles and of the political purposes we seek to promote.

Since the meeting of the last National Convention in the year 1860, events have occurred which have changed the character of our internal politics and given the United States a new place among the nations of the earth. Our Government has passed through the vicissitudes and perils of a civil war which, though mainly sectional in its character, has, nevertheless, decided political differences that, from the very beginning of the government, had threatened the unity of our national existence, and has left its impress deep and ineffaceable upon all the interests, sentiments and the destiny of the Republic. While it has inflicted upon the whole country severe losses in life and in property, and has imposed burthens which must weigh on its resources for generations to come, it has developed a degree of national courage in the presence of national dangers, a capacity for military organization and achievement, and a devotion on the part of the people to the form of government which they have ordained and to the principles of liberty which that government was designed to promote which must confirm the confidence of the nation in the perpetuity of its republican institutions, and command the respect of the civilized world.

Like all great contests which rouse the passions and test the endurance of nations, this war has given new scope to the ambition of political parties, and fresh impulse to the plans of innovation and reform. Amidst the chaos of conflicting sentiments inseparable from such an era, while the public heart is keenly alive to all the passions that can sway public judgment and effect public action, while the wounds of war are still fresh and bleeding on either side, and fears for the future take unjust proportions from the memories and resentments of the past, it is a difficult but imperative duty which, on your behalf, we who are here assembled have undertaken to perform.

For the first time, after six long years of alienation and conflict, we have come together from every state and every section of our land, as citizens of our common country, under that flag, the symbol again of our common glory, to consult together how best to cement and perpetuate that Union which is again the object of our common love, and thus secure the blessings of liberty to ourselves and our posterity. In the first place we invoke you to remember, always and everywhere, that the war is ended, and that the nation is again at peace. The spirit of contending arms no longer assails the shuddering heart of the Republic. The insurrection against the supreme authority of the nation has been suppressed, and that authority has been again acknowledged by word and act in every state and by every citizen within its jurisdiction. We are no longer required or permitted to regard or treat each other as enemies. Not only have acts of war been discontinued and the weapons of war laid aside, but a state of war no longer exists, and the sentiments, the passions and the relations of war have no longer lawful or rightful place anywhere throughout our broad domain. We are again the people of the United States, Fellow Citizens of one country, bound by the duties and obligations of a common patriotism, and having neither rights nor interests apart from a common destiny.

The duties that devolve upon us now are again the duties of peace, and no longer the duties of war. We have assembled here to take counsel concerning the interests of peace; to decide how we may most wisely and effectually heal the wounds war has made, and perpetuate the benefits it has secured and the blessings which, under a wise and benign Providence, have sprung up in its fiery track. This is the work, not of passion, but of calm and sober judgment; not of resentment for past offenses, prolonged beyond the limits which justice and reason prescribe, but of liberal statesmanship which tolerates what it cannot prevent, and builds its plans

and its hopes for the future rather upon a community of interest than upon distrust and the weapons of force.

Secondly. In the next place we call upon you to recognize, in their full significance and accept with all their legitimate consequences, the political results of the war just closed. In two most important particulars the victory achieved by the National Government has been final and decisive; first, it has established, beyond all further controversy and by the highest of all human sanctions, the absolute supremacy of the National Government as defined and limited by the constitution, and the permanent integrity and indissolubility of national union as a necessary consequence; and, secondly, it has put an end, finally and forever, to the existence of slavery upon the soil or within the jurisdiction of the United States. Both these points became directly involved in the contest, and the controversy upon both was ended absolutely and finally by the result.

In the third place we deem it of the utmost importance that the real character of the war and the victory by which it was closed should be accurately understood. The war was carried on by the Government of the United States in the maintenance of its own authority and in defence of its own existence, both of which were menaced by the insurrection which it sought to suppress. The suppression of that insurrection accomplished that result. The Government of the United States maintained by force of arms the supreme authority over all the Territories and over all the States and people within its jurisdiction, which the constitution confers upon it; but it acquires thereby no new power, no enlarged jurisdiction, no rights either of territorial possession or of civil authority which it did not possess before the rebellion broke out. All the rightful power it can ever possess is that which is conferred upon it, either in express terms or by the fairest necessary implications, by the constitution of the United States. It was that power and that authority which the rebellion sought to overthrow; the victory of the federal arms was simply the defeat of that attempt.

The Government of the United States acted throughout the war on the defensive. It sought only to hold possession of what was already its own. Neither the war nor the victory by which it was closed changed in any way the constitution of the United States. The war was carried on by virtue of its provisions and under the limitations which they prescribe, and the result of the war did not either enlarge, abridge, or in any way change or affect the powers it confers upon the Federal Government, or release that Government from the restrictions which it has imposed. The constitution of the United States is to-day, precisely as it was before the war, the supreme law of the land, anything in the constitution or laws of any state to the contrary notwithstanding; and to-day also, precisely as before the war, all powers not conferred by the constitution upon the General Government, nor prohibited by it to the States, are reserved by the several States or to the people thereof.

This position is vindicated not only by the essential nature of our government and the language and spirit of the constitution, but by all the acts and language of our government in all its departments, and at all times from the outbreak of the rebellion to its final overthrow. In every message and proclamation of the Executive, it was implicitly declared that the sole object and purpose of the war was to maintain the authority of the constitution, and to preserve the integrity of the Union; and Congress more than once reiterated this solemn declaration, and added the assurance that, whenever this object should be attained, the war should cease, and all the States should retain their equal rights and dignity unimpaired; and it is only since the war was closed that other rights have been asserted on behalf of one department of the General Government.

It has been proclaimed by Congress that, in addition to the powers conferred upon it by the constitution, the Federal Government may now claim over the states, the territory and the people involved in insurrection, the rights of war—the right of conquest and of confiscation, the right to abrogate all existing governments in those states, and to make laws to subject the territory conquered and its inhabitants to such laws, regulations and deprivations as the legislative department of the government may see fit to impose. Under this broad and sweeping claim that clause of the constitution which provides that no state shall, without its consent, be deprived of its equal suffrage

in the Senate of the United States, has been annulled, and ten states have been refused representation altogether in both branches of the Federal Congress. And the Congress, in which only a part of the states and of the people of the Union are represented, has asserted the right thus to exclude the rest from representation and from all share in making their own laws or choosing their own rulers, until they comply with such conditions and perform such acts as this Congress thus composed may prescribe.

That right has not only been asserted, but it has been exercised, and is practically enforced at the present time. Nor does it find any support in the theory that the states thus excluded are in rebellion against the government and are, therefore, precluded from sharing its authority. They are not thus in rebellion; they are, one and all, in an attitude of loyalty toward the government, and of sworn allegiance to the constitution of the United States. In no one of them is there the slightest indication of resistance to this authority, or the slightest protest against its just and binding obligations. This condition of renewed loyalty has been officially recognized by the solemn proclamation of the Executive Department; the laws of the United States have been extended by Congress over all these states and the people thereof; the federal courts have been reopened and federal taxes imposed and levied; and in every respect, except that they are denied representation in Congress and in the electoral college, the states once in rebellion are recognized as holding the same position, as owing the same obligations and subject to the same duties as the other states of our common Union.

It seems to us, in the exercise of the calmest and most candid judgment we can bring to the subject, that no claim, so enforced, involves so fatal an overthrow of the authority of the constitution, and is as complete a destruction of the government and the Union, as that which was sought to be effected by the states and people in armed insurrection against them both. It cannot escape observation that the power thus asserted, to exclude certain states from representation, is made to rest wholly in the will and discretion of the Congress that asserts it. It is not made to depend upon any specified conditions or circumstances, nor to be subject to any rules or regulations whatever. The right asserted and exercised is absolute, without qualification or restriction. It is not confined to the states in rebellion, nor to the states that have rebelled; it is the right of any Congress, in formal possession of the legislative authority, to exclude any state or states and any portion of people thereof, at any time, from representation in Congress and the electoral college, at its own discretion, and until they shall perform such acts and comply with such conditions as it may dictate.

Obviously the reasons for such exclusion being wholly without discretion, Congress may change them as Congress itself shall change. One Congress may exclude a state from all share of government for one reason, and that reason may be removed, and the next Congress may exclude it for another. One state may be excluded on one ground today, and another may be excluded on an opposite ground tomorrow. Northern ascendancy may exclude southern states from one Congress; the ascendancy of western or southern interests, or of both combined, may exclude northern or eastern states from the next.

Improbable as such assertions may seem, the establishment of the principle now asserted and acted upon by Congress will render them by no means impossible. The character and indeed the very existence of Congress and the Union is thus made dependent solely and entirely upon the party and the sectional exigencies and forbearances of the hour. We need not stop to show that such action not only finds no warrant in the constitution, but is at war with every principle of our government and with the very existence of free institutions. It is indeed the identical practice which has rendered fruitless all attempts, hitherto, to establish and maintain free governments in Mexico and the states of South America. Party necessities assert themselves as superior to the fundamental law, which is set aside in reckless obedience to their behests. Stability, whether in the exercise of power in the administration of the government, or in the enjoyment of rights, becomes impossible, and the conflicts of party, which, under constitutional government, are the condition and means of political progress, are merged in the conflicts of

arms, to which they directly or indirectly tend.

It was against this peril, so conspicuous and so fatal to all free governments, that our constitution was intended especially to provide. Not only the states but the very existence of the government is made, by its provisions, to depend upon the right and the fact of representation. The Congress, upon which is conferred all the legislative power of the National Government, consists of two branches, the Senate and House of Representatives, whose joint concurrence or assent is essential to the validity of any law. Of these, the House of Representatives, says the Constitution, article 1st, section 2d, shall be composed of members chosen every second year by the people of the several states. Not only is the right of representation thus recognized as possessed by all the states and by every state, without restriction, qualification, or condition of any kind, but the duty of choosing representatives is imposed upon the people of each and every state alike, without distinction, or authority to make distinctions among them for any reason or upon any ground whatever. And in the Senate, so careful is the constitution to secure to every state this right of representation, it is expressly provided that no state shall, without its consent, be deprived of its equal suffrage in that body, even by an amendment of the constitution itself. When, therefore any state is excluded from such representation, not only is a right of a state denied, but the constitutional integrity of the Senate is impaired, and the validity of the government itself is brought in question.

Congress, at the present moment, thus excludes from representation in both branches ten states of the Union, denying them all share in the enactment of the laws by which they are to be governed, and all participation in the election of the rulers by which those laws are to be enforced; in other words, a Congress, in which only twenty-six states are represented, claim the right to govern, absolutely and in its own discretion, all the thirty-six states which compose the Union—to make their laws and choose their rulers, and to exclude the other ten from all share in their own government, until it saw fit to admit them thereto. What is there to distinguish the power thus asserted and exercised, from the most absolute and intolerable tyranny?

Fourth. Nor do these extravagant and unjust claims on the part of Congress, to powers and authority never conferred on the government by the constitution, find any warrant in the arguments or excuses urged on their behalf. It is alleged 1st, that these states, by the act of rebellion and by voluntarily withdrawing their members from Congress, forfeited their right of representation, and that they can only receive it again at the hands of the supreme legislative authority of the government, on its own terms and at its own discretion. If representation in Congress and participation in the government were simply privileges conferred and held by favor, this statement might have the merit of plausibility; but representation is, under the constitution, not only expressly recognized as a right, but it is imposed as a duty;—and it is essential, in both aspects, to the existence of the government and to the maintenance of its authority.

In free governments fundamental and essential rights cannot be forfeited, except against individuals by due process of law; nor can constitutional duties and obligations be discarded or laid aside. The enjoyment of rights may be for a time suspended by a failure to claim them, and duties may be evaded by refusal to perform them. The withdrawal of their members from Congress, by the states which resisted the General Government, was among their acts of insurrection, was one of the means and agencies by which they sought to impair the authority and defeat the action of the government, and that act was annulled and rendered void when the insurrection itself was suppressed. Neither the right of representation nor the duty to be represented was the least impaired by the fact of insurrection; but it may have been that, by reason of insurrection, the conditions on which the enjoyment of that right and the performance of that duty, for the time depended, could not be fulfilled; this was the case. An insurgent power, in the exercise of usurped and unlawful authority, had prohibited, within the territory under his control, that allegiance to the constitution and laws of the United States which is made, by that fundamental law, the essential condition of representation in its government.

No man within the insurgent states was allowed to take the oath to support