

DAVIS, HENRY WINTER

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A
REVIEW OF THE PAMPHLET
OF
HENRY WINTER DAVIS,
ENTITLED THE
Origin, Purposes and Principles
OF THE
AMERICAN PARTY.

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A REVIEW.

TO HENRY WINTER DAVIS Esq.

Sir:—The Know-Nothing, or “American party,” having thought proper to present you as a candidate for the suffrages of the electors of the Fourth Congressional District for a seat in the next House of Representatives, your opinions on political topics have, therefore, become legitimate matter of inquiry. In the exercise of the privilege of an elector, I propose, briefly, to examine some of the sentiments which you have announced, and, from their character, to show, if I can, that a person holding doctrines of so pernicious and treasonable a character—whatever may be his worth as a private gentleman—ought not to be chosen to represent a republican people.

Public opinion—and I understand you admit its correctness—has ascribed to you the authorship of a pamphlet entitled, “*The Origin, Principles and Purposes of the American Party.*”

It is my purpose to consider its averments of pretended facts, and to point out its slanderous, treasonable and demoralizing tendency. It is a production evincing great care in its preparation, and evidently intended, by its author, to win for himself the reputation of peculiar champion of the new faith, if not a seat in the next Congress of the United States. Whatever, therefore, be contained in it must be taken as the well considered and deliberate judgment of the writer, and not as the unguarded expressions which result from sudden ebullition or acerbation of feeling.

You start out, Sir, with the declaration that “the American party is the association of American republicans to vindicate the fundamental principles of the Republic, sacrificed by worn out parties to personal and factious ambition.”

Now, Sir, if the declaration contained in this avowal were true, no right-minded person could hesitate to say the purpose was in the highest degree commendable. But the practical question is—*is the statement true?* You have offered no proof of it, and it must, therefore, so far as its influence is concerned, depend entirely upon the mere *ipse dixit* of yourself. Whether that be of such weight as to insure it credence

with any considerable portion of the people of the district, time will determine. But before that verdict can be authoritatively pronounced, as one of those whose suffrage you solicit, I undertake to declare and to prove it to be false in each and all of its essential parts.

In the first place, then, it is not an “association of American republicans to vindicate the fundamental principles of the Republic.” You have very wisely, Sir, avoided all attempt at a specification of the “fundamental principles of the Republic.” Had you made such an effort and drawn those “principles” from the written constitution of the land and from the expositions of it by its framers, you must have convicted yourself of reckless assertion, for, unless language has lost its accustomed import, nothing can be more dissimilar or repugnant to each other than the benign and wholesome doctrines of republican truth as embodied in the organic law and the horrid and proscriptive spirit which animates the death-giving doctrines of Know-Nothingism.

So far as the uninitiated can ascertain, one, if not the principal object, (apart from the possession of office,) of the association is, the social and political disfranchisement and degradation of Catholics, native and foreign.* This you cannot deny, and have not essayed to do so; but, on the contrary, one of the most apparent of the purposes of your publication is, to justify this ostracism of a portion of your fellow-citizens.

* Before the late election, in Tennessee, in making an appeal in favor of an obnoxious candidate for State Senator, Parson Brownlow, of the Knoxville Whig, in his paper, said—

“Besides, when we were initiated into the order, we took the following obligation, or oath, administered upon the Holy Bible; and not having withdrawn from the order, and not intending to do so, we feel bound by every consideration of honor and duty to support Rogers:

“You do solemnly swear before Almighty God and these witnesses that so long as you are connected with the organization, if not regularly dismissed from it, you will, in all things, POLITICAL or SOCIAL, so far as this order is concerned, comply with the will of the majority, when expressed in a lawful manner, though it may conflict with your personal preference.”

“All who are members of the order, and continue to be, have the same obligation resting upon them; and if they have any regard for their honor and a solemn duty, they will vote for Rogers, though he may not be their ‘personal preference.’”

The Philadelphia Convention distinctly avowed the exclusion of Catholics from all posts of honor or profit as one of the cardinal principles of the league, and this, too, after the fullest discussion.

Now, Sir, what I have to put to you in this connection is:—How does such an abominable doctrine conform to the “*fundamental principles of the Republic?*”—Those principles, so far as the profession of *any* religion is concerned, are *clearly* and in an unmistakable manner set forth in the constitution, which, allow me to remind you, Sir, you had *frequently*, in open Court, solemnly *sworn* to support before you took upon yourself the illegal oaths of your Know-Nothing confederates. Are we to ascertain what are republican principles from the constitution of the country; or, from the wild and mischievous phantasies of disappointed office-seekers and ambitious demagogues united in a mad and reckless scheme of public plunder? Hazardous in bold assertion as you have shown yourself to be, even you, Sir, will not pretend before a man of decent intelligence, that the members of your midnight clubs are to be resorted to instead of the constitution itself. If then, Sir, the constitution is to determine the matter, both you and your associates stand convicted—not of an effort “to vindicate the fundamental principles of the Republic,” but of a most audacious and treasonable purpose to treat them with contempt and derision. The 6th article of that constitution which you have sworn to support expressly declares in words that no man, although a fool, can misunderstand, that:

“NO RELIGIOUS TEST SHALL EVER BE REQUIRED AS A QUALIFICATION TO ANY OFFICE OR PUBLIC TRUST UNDER THE UNITED STATES.”

Again, as if to make the matter doubly sure, in the first amendment to the constitution it is declared:

“*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.*”

Now, Sir, if elected to Congress—which the good sense of the people I hope will prevent—before you could act as a member you would again be compelled to contradict the oaths you have taken in the Know-Nothing lodges by one to support the constitution of the United States. This being so, what would be your predicament? On the one hand, by your oath taken in the Know-Nothing lodge, you would be compelled to proscribe “*socially*” and “*politically*” every one professing the

Catholic religion; whilst on the other, by the oath you would have to take to support the constitution, you would be precluded from requiring a religious test as a qualification “to *any* office or public trust under the United States.” Your conflicting obligations would amount to a paralysis of your efficiency as a representative; or, impose upon you the unpleasant duty of violating the requirements of one or the other of the oaths you would *have* taken. Neither you, nor any one else, however specious, could rid you of the painful consequences of such a dilemma. Swaggering and reckless effrontery will not strike from the constitution its palpable injunction, nor can it shield from moral responsibility the zealous demagogue, who, in his hot haste for political preferment, spurns every obligation he owes to his neighbor and his country. Of this, Sir, you may rest satisfied, that sooner or later, infidelity to fellow men and country is sure to bring to him that practices it, the scorn and loathing of every patriot and just person. And what must be thought of you, Sir, who have had the fullest opportunity to learn Catholic sentiment, and, who have enjoyed, without stint, their cordial and refined hospitality in this city, and elsewhere? I commend you, Sir, to your own reflections on this head.

You announce, Sir, the purpose of the association to be the vindication of “the fundamental principles of the Republic.” This is a proper, commendable, and patriotic purpose. Such a purpose is comprehensive enough to take in every good citizen—for all such desire, not only the vindication, but the perpetuity of the fundamental principles of the Republic. Why then are *any such* excluded from this laudable work? Even you, Sir, heedless and insolent as you are in assertion, have not had impudence enough, in *words*, to pronounce *all* Catholics traitors, but yet you inculcate and urge with an unrivaled flippancy the disfranchisement of a large portion of your fellow-citizens, who, in the judgment of the world—great as are your conceptions of your own worth, patriotism and intelligence—quite your equal in all these particulars. Why is this if *your* purposes be those of the patriot and good citizen? There is but one answer; it is the only one which can be truthfully given; and without meaning any uncalled for discourtesy, candor demands it should be given. It is nothing more nor less than an impatient and rabid desire for political preferment urging you

on in the pursuit by every aid to be drawn from appeals to the inflamed passions of the deluded, ignorant, selfish and bigoted of the community. Commiseration for the frailty of man would compel us to believe that, in the absence of a "factious ambition" even you would scout the sacrilegious and persecuting spirit of which you are now so anxious to champion yourself as the High Priest. You are a man of intelligence, and judging of your accustomed *ex-cathedra* mode of uttering your thoughts, of no mean or small opinion of your own abilities. Your character, apart from the monstrous doctrines with which you are now so prominently identified, is, so far as I know, and believe, wholly unexceptionable. Aside from your political dogmas, I wish not to be understood as assailing it; rather, as a more grateful office, would I rescue it from the mental criticism which is forced from every sound-judging and patriotic citizen, because of your advocacy of political heresies, by ascribing your lamentable condition to, as yet, an ungratified thirst for public office—a malady which has driven many besides yourself, in every age of the world, into ways and practices which their very souls abhorred whilst they pursued them. After such a publication as the one I am now considering, *exculpation* is impossible, although an *excuse* may be found for you in the weakness of poor human nature to which I have referred.

But to the pamphlet. Now, Sir, you are a lawyer, with pompous pretensions to the character of a theologian also, and as such accustomed to the examination of not only questions involving the subtle technicalities of the law, but the higher and more important ones of ethics. In this view, then, I propound for your solution a question both of law and ethics—I mean a solution in conformity with the formulary of your "order" and of the constitution of the land. We will suppose the President of the United States to nominate to the Senate a person for an "office" or place of "public trust," and that such person shall be a Catholic; and also, that he shall be beyond *all* question competent, honest, and deserving. Now, what is a Know-Nothing Senator to do with this nomination? Is he, according to your "order," to affirm or to reject it? Mind, Sir, there is no objection to the nominee other than his religion—his qualification, character, and fidelity to the country, are undisputed, or even perhaps demonstrated by a long life of usefulness

and testified by the scars and wounds received in defence of his country. What, I ask, does the Know-Nothing oath of a Senator demand of him? His rejection. On what ground is the rejection placed? On that of his religion and nothing else, for there is none other. Now, Sir, I put it to you, as a moral philosopher, whether a Know-Nothing Senator so acting is not guilty of *perjury* both in the eyes of God and man? Such a Senator must have solemnly sworn that he would require "no religious test" as "a qualification to any office, or public trust under the United States." That is his oath, plain and unambiguous. He does, however, require a "religious test," namely, that the party shall not be a Catholic, and because of the application of such test he rejects him. Sir, I defy you and all your fellow casuists to prove that a Senator so demeaning himself, would not lay *perjury*, black and damning, on his soul; and yet, such is one of the *inevitable* consequences flowing from the teachings of the Know-Nothing order. Turn and wriggle as much as you may, Sir, such is the awful workings of the infamous scheme of ostracism hatched by the horde of disappointed office-seekers and political reprobates who disgrace and annoy the land by their conspiracies against the spirit and letter of the constitution. And yet, you have the assurance in the very outset of your address to claim for your associates a purpose "to vindicate the fundamental principles of the Republic." The principles of the *Republic* to be vindicated by an outrage of the rights of a fellow man, and that outrage only to be accomplished by an undeniable and *palpable perjury*! Sir, you profess to be a christian, and in the spirit of that divine dispensation, I appeal to you to say whether any government can be faithfully and justly administered which requires of its functionaries the commission of perjury? To propound the question to an honest or sensible man is to shock his moral nature, and yet, Sir, you are laboring, and have for some time past labored zealously to bring about such a state of things—to put above the commands of the constitution and laws of the country, the illegal and impious oaths administered in Know-Nothing dens.

So much for the first part of the very first paragraph of your pamphlet. The remainder of it avers that the fundamental principles of the Republic had been "*sacrificed by worn out parties to personal and factious ambition.*"

The shameless audacity of this assertion is only equaled by others to be found in the precious production from which it is copied. It declares the fundamental principles have been sacrificed by "*worn out parties,*" and that, too, "to personal and factious ambition."

Where is the evidence, Sir, that the Democratic party is "*worn out?*" Is it to be found in the fact that in every Southern State an intelligent and patriotic people have given another and unmistakable pledge of unflinching devotion to its principles? Or, is it to be found in the unexampled prosperity of the country—the product of democratic principles and democratic measures? What then are the evidences of its decay—of its being "*worn out?*" Are they to be found in the fact of the amalgamation, in the towns of the North, of every infamous ism in a crusade against every thing honest, decent or patriotic? Or, in the splendid obsequies of the canonized saint of Know-Nothingism, William Poole, the prize-fighter? If we except the conglomerated mass of corruption and treason brought about by a union of Know-Nothing, Abolition, Maine liquor law, Woman's Rights, Fred Douglass, and Negro Suffrage parties in the North, there is nothing in the political horizon to indicate that the Democratic party is not intact and as strong as ever in its wholesome influences upon the public judgment and the common weal. The old and discarded hacks of the Democratic party who for years vainly clamored for the spoils, have, true to their instincts, joined your "*faction*" as can be readily seen by consulting any newspaper containing the names of the patriots ambitious to receive a Know-Nothing nomination to office. Their *disinterestedness*, to use your language, knows no other purpose but "*to vindicate the fundamental principles of the Republic.*" Of course not. Who could suspect *them* of seeking office? It was their burning zeal for the *security* and welfare of the Republic that prompted them, Curtius-like, to cast themselves into the gulf. Devoted, pure-minded patriots! your sacrifices, watchfulness, and labors—all for the "*vindication of the fundamental principles of the republic*"—deservedly rank you with the Washingtons, Franklins, and Jeffersons of the past. What a glorious association of names! Washington, the Father of his country, coupled with Ned Buntline! The sagacious and mild Franklin with Bill Poole the prize-fighter! Sir, it is difficult for an Ameri-

can to withhold his indignation when such miscreants as Buntline and Poole scandalize the memories of the fathers of the Republic by invoking them in support of their detestable plans for the subversion of the constitution of the country.

You say, Sir, that one of the purposes of your order is to make ours a government of the "*people,*" and yet you impudently declare, that in the train of President Pierce, "*the representative of every vile, obscure and abandoned faction crossed the threshold of the White House.*" Have you forgotten, Sir, that his elevation was the voice of the "*people?*" that of the whole confederacy only four States withheld their votes from him; two of them, Kentucky and Tennessee, casting but a small majority for the opposing candidate. The other two, Vermont and Massachusetts, no sensible man ever expected would vote for a friend of his country. They can be, however, confidently relied on to support the cause in which you are enlisted. One of them, ever the hot-bed of abolition; and the other, Massachusetts, owing to its treasonable course and the infamous conduct of its Know-Nothing Legislature, stinks in the nostrils of every man who is not a traitor to his God and to his country.

With these four exceptions, Mr. Pierce received the vote of every State in the Union, but according to your *logic*, the people had nothing to do with his election. Comment on such nonsense is useless.

On the 19th page of your pamphlet is the following:

"In 1852, the *rumps* of two *broken-down* and *discredited factions* usurped the names of national parties, entered the field under the old platform, and waged a *scandalous* contest of *bribery* and *fraud.*"

It would be difficult to find more falsehood or scurrility in any paragraph in the language than are to be found in the one above quoted. That the Democratic party was not "*broken-down*" and "*discredited,*" the result of the Presidential election plainly enough established. You, sir, in that campaign were a *Whig* candidate for Presidential Elector. Now, you designate the party of which you were *then* the candidate, the "*rump*" of a "*broken-down*" and "*discredited faction*" which "*waged a scandalous contest of bribery and fraud!*" Were it not that you have printed this statement, it would defy belief that any one could make it. According to your public confession, you labored zeal-

ously in a "scandalous" contest, and that too by "bribery and fraud." With such a statement, what right have you, sir, to expect an intelligent and honest people will confide in the loud professions of integrity and patriotism in which you so lavishly indulge? If the contest of 1852 was "scandalous," no one participated in it to a greater extent than yourself; and if it were waged by "bribery and fraud," you were cognizant of it, and you tell us so. I know not how the members of the great whig party will relish your description of them, as a "rump of a broken-down" and "discredited faction," who waged a "scandalous contest of bribery and fraud." Unless I have much mistaken them, they will spurn the vile ascription with the contempt and scorn it merits. But for yourself, sir, I have no hesitation in declaring, as my own opinion, that after so disgraceful an avowal, you are not the proper person to represent an honest and patriotic people.

In another part of your production, after a great deal of unmeaning and pointless stuff about Catholics, on page 31 you say: "They (the Catholics) deny that the Catholic Church holds or has propounded the dogma of spiritual supremacy in civil matters. We do not dispute the question with them. It is none of our business what are the dogmas or belief of Catholics on the papal supremacy, or any other point."

You here admit, sir, that the Catholics repudiate the doctrine of supremacy in civil matters; and yet one of the chief, if not the very life-giving principle of your organization is, to inculcate the contrary, and thereby procure the political degradation of Catholics. And this you are credulous enough to suppose is becoming an honest man and a Christian!

I venture the assertion, that no one knows better than you do, that the Catholics repudiate and abhor the doctrine of the supremacy of the church in temporal or civil matters. I will not pretend to deny that there may be found in the whole world a person professing the Catholic religion who admits such supremacy; but if there be such a person, it only proves that a fool or a knave may be a Catholic as well as a Methodist, a Presbyterian, or an Episcopalian. No man in his senses ever sought honestly to hold a church responsible for every notion any of its bigoted or selfish followers might entertain. The history of the world, unfortunately, too plainly demonstrates that the minis-

ters of every church have occasionally, in their blind fervor, sought to usurp and exercise forbidden power. This has not been the fault of the particular church, but of the weakness or the ambitious zeal of the party making the effort.

On page 34, you have candor enough to admit that "*Gallicans or Catholics, repel as rudely as do any Protestants, the intrusion of the priests and the spiritual power in political affairs, and assert the exemption of the State from the spiritual control or influence for any purpose.*" You then go on to say: "To this party belongs the great mass of the people in all Roman Catholic countries of Europe, and a small minority of the priests. THEY ARE THE LIBERAL PARTY OF EUROPE, AND THESE FIGHT THE BATTLES OF RELIGIOUS AND POLITICAL LIBERTY."

After such admissions one would suppose that no fair body of men would make an indiscriminate war on all Catholics, especially, when it is confessed, as it has been by you, that "*the great mass*" of the people "*repel as rudely as do any protestants the intrusion of the priests and the spiritual power in political affairs.*"

But, Sir, in your dexterity you seek to account for such a paradox. And how do you do it? Why thus: "American Catholics—so says the pamphlet—with American principles in their bosoms—and we know not a few such—have small right to complain that we confound them with the crowd of foreign papists whose acts they do not approve. They associate themselves to the acts of the foreign papists by silence. They could rebuke them and do not."

Now, Sir, if every word in this explanation was as true, as it is false, it would constitute no apology, much less a justification, for the wilful injury of the innocent. You confound American Catholics with those whom you term "*the crowd of foreign papists,*" and boldly declare that they are associated "to the acts of the foreign papists by silence."

In the first place this is all assertion, wholly unsupported save by the authority of one who unblushingly and energetically proclaims his participation in a "scandalous contest of bribery and fraud." If what you say at page 34 of your pamphlet be true, this "crowd of foreign papists" are in "ALL" the Catholic countries of Europe—what? Why you have there told us: "*They are the liberal party of Europe, and there fight the battles of religious and political liberty.*" If you be

sincere in what you say, these are the very people for you to associate with, for they will assist you to "fight the battles of religious and political liberty."

On page 32 you say: "If they (the American Catholics,) will not distinguish themselves from the foreign papists by their conduct, by taking the part of the Republic against their fellow religionists who are perverting their church while they are corrupting the State, can they justly blame us for not making a discrimination which they do not give us the means to make?"

This is surely a precious statement.— Without a particle of proof it impudently asserts that foreign papists are perverting the church and corrupting the State, and then, obliquely insinuates that American Catholics encourage and assist them in this unholy and treasonable work. What evidence, Sir, do you desire of the fidelity to this country of the Catholic, native and foreign. Has it not been furnished in the councils of the country; on the battle field, and in good citizenship. Unless, Sir, you destroy the record of the past, every page of the history of our country will vindicate that insulted and outraged portion of the community.

You, Sir, reside in the city of Baltimore and ask the honor to represent it in the Congress of the United States. So situated it is but reasonable to suppose you would have made yourself acquainted with the real sentiments of Catholics before you undertook publicly to calumniate them. This, it seems, was not consistent with the task of proscription and defamation which you assigned to yourself. Now, Sir, you ask the American Catholics to disavow all temporal power in the Church. Had you not been grossly ignorant of the matter on which you have attempted to enlighten the public, you would have known that this, as I will presently show, has been done from the earliest times. But a short time since, in a pastoral letter of the Archbishop and Bishops of the Province of Baltimore, the laity were addressed in the following CHRISTIAN and REPUBLICAN manner:—

"Respect and obey," say they, "the constituted authorities, for all power is from God, and they that resist, resist the ordinances of God, and purchase for themselves damnation. TO THE GENERAL AND STATE GOVERNMENTS YOU OWE ALLEGIANCE IN ALL THAT REGARDS THE CIVIL ORDER; the authorities of the church challenge your obedience in the things of sal-

vation. We have no need of pressing this distinction which you fully understood, and constantly observe. You know that we have uniformly taught you, both publicly and privately, to perform all the duties of good citizens, and that we have never exacted of you, AS WE OURSELVES HAVE NEVER MADE EVEN TO THE HIGHEST ECCLESIASTICAL AUTHORITY, ANY ENGAGEMENTS INCONSISTENT with the duties we owe to the COUNTRY AND ITS LAWS. On every occasion we have avowed these principles, and even in our communications to the late Pontiff, WE REJECTED AS A CALUMNY THE IMPUTATION THAT WE WERE IN CIVIL MATTERS SUBJECT TO HIS AUTHORITY."

What could be more distinct than this disclaimer? Nothing; and yet, Sir, with headlong audacity you presume to ask for the disavowal of a doctrine, which, those to whom you impute it, have, over and again, denounced as a gross and unmitigated calumny. We shall see whether or not you will now confess yourself satisfied. The evidence furnished is directly on the point. It admits of no equivocation, and is from the highest authority.

I could go on and show that in all the Pastoral letters emanating from Archbishops and Bishops of the councils of the different provinces in this country, sentiments similar to those I have quoted have been expressed. In the pastoral letter of the first provincial council of Cincinnati, held only a few months ago, is the following appeal to the laity:

"We appeal to you, beloved brethren, whether these have not been the lessons which we have uniformly taught you, both in our public and official communications, and in our most private conversations; and whether we have not always instructed you that the power of the sovereign Pontiff, which is spiritual in its objects AND IN SPHERE OF ACTION, CANNOT BY POSSIBILITY CLASH WITH YOUR CIVIL ALLEGIANCE, OR WITH THE DIFFERENT CLASS OF DUTIES, WHICH YOU OWE AS GOOD CITIZENS TO THE GOVERNMENT UNDER WHICH YOU HAPPILY LIVE."

Here, then, sir, is the evidence to enable you and your associates to make the "discrimination" which you profess so much desire to make. Sir, if you have any knowledge of history, you must know, that more than six hundred years ago, the power of the church or of the Pope to control Catholics in civil matters, was indignantly rejected by the English Catholics under the lead of Archbishop Lang-

ton and his clergy. Are you aware, sir—I am sure many of the bigoted troop that accompanies you are not—that it was to the courage of this Catholic Archbishop Langton and his clergy that the great charter—*magna charta*—of British and American rights was wrung from the tyrant King John. I have said of American rights as well as English, and have correctly so said, for as every well informed person knows, our Bill of Rights are, for the most part, but translations of the provisions of *magna charta*. When, sir, you were inflaming the prejudices of the uninformed, why did you not show the true page of history which tells the heroic story that in the midst of darkness and tyranny the enlightened Catholic clergy, with an energy and devotion to the rights of man, unsurpassed in the annal of the world, awoke the mind of their countrymen to a proper appreciation of their degraded condition, and led them on to make and insist upon the acknowledgment in a formal manner of the inalienable rights of man? No, sir, instead of dealing thus fairly, you studiously avoid the slightest justice to a class which is persecuted simply because it is *weak*.

The references I have already given are sufficient to convince any mind which is not sunk in invincible ignorance. I shall add to them, however, a few more from the writings of a bishop of the Catholic Church of this country, a man, the sweet amenity of whose character, the extent and profundity of whose learning, and the sturdy republicanism of whose nature justly caused him to be regarded, as he was, by all well educated persons, as an honor to his country and to mankind. These were not declarations made by him to operate upon know-nothingism. When they were given to the world, that pestilential fungus had not as yet shown its unsightly head in our land.

On page 252, of the 2d volume of the works of Bishop England, you will find the following:

“The American Constitution leaves its citizens in perfect freedom to have whom they please to regulate their spiritual concerns; but if the Pope were to declare war against America, and any Roman Catholic under the *pretext* of spiritual obedience was to refuse to oppose this temporal aggressor, *he would deserve to be punished for his refusal, because he owes to his country to maintain its rights; and spiritual power does not and cannot destroy the claim which the government has upon him.*”

On page 249, you will find the following:

“IT IS A HERESY IN RELIGION; IT IS AN ABSURDITY IN POLITICS TO ASSERT, THAT BECAUSE A MAN POSSESSES POLITICAL POWER, THEREFORE HE POSSESSES ECCLESIASTICAL JURISDICTION: OR THAT BECAUSE HE HAS SPIRITUAL POWER, HE THEREFORE HAS MAGISTERIAL RIGHTS IN THE STATE. THE DOCTRINE OF THE ROMAN CATHOLIC CHURCH AND THE PRINCIPLES OF THE AMERICAN CONSTITUTION ARE IN UNISON UPON THIS SUBJECT.”

On the 29th page of your pamphlet is the following:

“*Three thousand* ministers of various denominations united in a remonstrance against the repeal of the Missouri Compromise on religious grounds; but Congress would allow no religious influence to bear on its political action; and one cry of indignation from the people at once and for ever rebuked and silenced that gross invasion of the rights of the State. *It was a part of the Abolition madness.*” In the quotation the italics are mine.

Now, Sir, when you paraded the fact asserted in the paragraph, why did you not tell the *whole* truth? Why did you not inform your readers that there was *not* a single Catholic clergyman among the *three thousand* of various denominations who so improperly importuned Congress? Among that clergy there have been and there are none afflicted with the “*Abolition madness*” which seems to have taken hold of *three thousand* of various other denominations.

I happened to be present, sir, when the insolent remonstrance to which you refer was presented to the Senate of the United States. By whom do you suppose it was presented? Why, sir, by no less a personage than *SAM*—Sam Houston, who *impiously* designated the signers as the *vicegerents of God!* For this blasphemy, Senators Mason and Butler administered him a castigation.

The Catholic does not claim *equal* privileges and rights with his fellow citizen *because* he is a Catholic; *but* because he is a *man*, and as such, entitled to the same rights, and subject to the same duties as the rest of his race. This is the foundation of his claim: it is founded in nature and justice, and acknowledged and *guaranteed* by the Constitution of the land. He who would make a distinction is devoid of every quality of a good citizen, a just man, and a true patriot.

With these observations on your slan-

ders of the Catholic portion of the community, I pass to some other topics noticed in your pamphlet.

If public report does not do you injustice, you are entitled to the credit of the authorship of a series of articles which appeared some years since in the *Alexandria Gazette* over the signature of Hampden. The leading purpose of those essays was to prove, that *Congress* had the *right* to legislate according to *its pleasure* upon the subject of negro slavery in the territories. I am not aware that you have ever changed or modified that opinion: so far from it, you are understood as reaffirming it in your recent speeches. Your pamphlet only declares it to be *inexpedient* to exercise it, at this time, by disturbing the Nebraska-Kansas bill.

According to these views, what becomes of your peculiar notions in regard to the *veto power*?

On page 41, you say, "the veto was bestowed for the protection of the President from encroachment, and the country from the evils of hasty, careless, or factious legislation: and the right to use it is confined to cases of legislation flowing from those causes, whether constitutional or unconstitutional." On page 42, your view of the matter is thus continued: "When the will of congress has been *once* expressed, we regard it as the right and *the duty of all the members*, if the President attempt to arrest its enactment by his veto on other principles than those above indicated, to *waive and sink* their former opinions on the *expediency* of the measure in view of the expressed will of the majority, and to rebuke the perversion of the Presidential power by uniting to pass the rejected bill by a Constitutional majority of two-thirds."

No man in his senses ever supposed that a bill having for its object the abolition of slavery, either in the Territories or in the District of Columbia, would be permitted to pass without great discussion and marked resistance. If such a measure shall ever pass Congress, it will not pass in a *hasty* manner, but after the fullest examination and the sternest opposition.

According to your ideas of the proper exercise of the veto power, if the President, in a proper respect to the constitution and the quiet of the country, should interpose to arrest the evil, it would be the duty of two-thirds of Congress to waive all objection and overcome the veto; and then, Sir, you who hold the *right* of Congress to legislate, at will, upon the subject of slavery

in the territories and in the District of Columbia, would be compelled, according to your principles, to unite with others in favor of the abolition of slavery in both. If this doctrine be distinguishable from the rankest kind of free-soilism, or even abolitionism, I am unable to perceive wherein the distinction exists. Unless the history of the past has ceased to indicate the sentiments of the people of Maryland, no such political heresy will meet their approval in the approaching election.

There is nothing in history which in any manner resembles the associations in lodges of Know Nothings, except it be the clubs of the Cordeliers and Jacobins of France who, in their wild crusade against religion crimsoned the earth with innocent blood. Between the doings of those bloody fanatics and the purposes of some—not all—of the members of your "order," there is a striking resemblance. The monster Robespierre had his "*feast of the Supreme Being*," in which he *condescended* to admit there was a God; so with the Philadelphia Convention. There is only wanting in the paraphernalia of Know Nothingism, to make the similitude perfect, a *conciergerie* and a guillotine. They have a *Pere Duchesne* already in the "*New York Crusader*" and kindred prints, and are bountifully supplied with Murats and Herberts in the Buntlines and Gavazzis, who shock and outrage the lovers of humanity by their gross invitations to bloodshed.

With but few exceptions, wherever success has crowned the efforts of Know-Nothingism, bloodshed, disorder and a disregard for every thing sacred have signalized its triumph. Helpless women, insulted by the libidinous members of a Know Nothing Legislature; feeble old men and unoffending women and children inhumanly butchered, and then roasted to cinders in the flames of their own dwellings! The recent scenes in Massachusetts, Cincinnati and Louisville, tell the woeful tale. It is the just remark of the historian, that "A people who need to be intoxicated with blood to urge them to defend their country, is a nation of villains and not a nation of heroes." To metamorphose our people into desperadoes is the practical working of your teachings and of your order; to prostrate the Constitution, and thereby evoke a civil war. It rends asunder all social and matrimonial ties, and cruelly and *unnaturally* demands of a father, under the obligation of an oath, the proscription and disfranchisement of his Catholic children! The soul sickens in the contemplation of

such wickedness. Shame! shame! thrice shame upon its advocates. The man who would proscribe, because of a mere difference of religious opinion, his father, his brother, or his own offspring, for an office, is a disgrace to humanity, and a fit object for the slow finger of scorn to point at as he passes.

I will not waste time at present in the notice of the idle twaddle with which your pamphlet is filled in regard to foreign influence. Among sensible men it can be received as nothing but the customary slang of weak heads and demagogues. I am sure, sir, that all persons of your intelligence, when alone, laugh at it as one of the humbugs employed by the wily to cajole and mislead the credulous and simple. Hereafter I will take occasion to devote some time to the examination of the matter, which I am prevented from doing now by the length to which this communication has already been extended.

You say, Sir, that your party now "*recognize their right and their duty to lift*

the veil before their fellow-citizens." When your Know-Nothing friends read this, they must have asked themselves, What does the man mean? Does he not know that we continue our secret midnight meetings, the doings of which, by oaths, we are bound to conceal from the public gaze? Sir, as a lawyer, you know the oaths taken by the members of your order are against the laws of the land, and as a christian you are also aware that they are against good morals and sound religion.

With an observation of the great Methodist Divine, the Rev. Dr. Clarke, I will close this communication. In his commentary on the first Epistle of James, 5th chapter, 12th verse, and the 5th chapter of Matthew, 34th verse, he says:

"He that uses any oath, *except that which he is solemnly called by the magistrate to make*, so far from being a Christian, *does not deserve the reputation of decency or common sense.*"

MADISON.

BALTIMORE, September 17th, 1855.

NUMBER II.

To Henry Winter Davis, Esq.

In my former communication I promised to notice your views in regard to the naturalization and rights of those born out of this country; the purpose of this is to redeem that promise.

You advocate a change in the naturalization laws; but you do not state in what particular. You indulge in generalities only. If there be any thing defective in the system, it ought to be *specifically* pointed out; and this, you have failed to do. So far as I am informed, there is no considerable portion of our people who are averse to any alteration in the laws of naturalization which experience, sound policy, or the good of the country may require. If there be error, a factious spirit need not be invoked to correct it: the public good and the patriotism of the people are sufficient to accomplish such a purpose without the aid of a proscriptive and bigoted feeling. The legislation of the country, on this subject, as well as on all others, ought to be the result of mature deliberation, and a full and careful view of its business, its

institutions, and permanent prosperity. Faction, prejudice nor passion should have aught to do with the matter; much less the banding together of the intolerant, selfish and ignorant, which is the special object of your advocacy.

Whilst admitting, if there be error in the present system, that it ought to be remedied in the spirit indicated, I am still very far from conceding, that in *point of fact*, the legislation of the country has been founded in error. It received the sanction and *heartly concurrence* of the wisest, *purest*, and most disinterested of the statesmen of the past; of the fathers of the republic, and of the framers of our matchless Constitution. This circumstance alone, it would be supposed, should induce great circumspection before it was ruthlessly changed, much more before it was wholly demolished, as is now proposed by those with whom you are identified.

The framers of our Constitution, instructed as they were in the progress and history of other nations, in their work con-

templated and indirectly encouraged immigration. The immense regions of uncultivated and wild land were pointed to as inviting fields for the ploughs and sickles of the industrious of other climes. To retard immigration, in the judgment of the patriots of the Revolution, was equivalent to the locking up the almost boundless wealth and resources of the country; and so, accordingly we find among the grave charges contained in the DECLARATION OF INDEPENDENCE against the King of Great Britain was this:—"HE HAS ENDEAVORED TO PREVENT THE POPULATION OF THESE STATES; FOR THAT PURPOSE OBSTRUCTING THE LAWS OF NATURALIZATION OF FOREIGNERS, REFUSING TO PASS OTHERS TO ENCOURAGE THEIR MIGRATIONS HITHER, AND RAISING THE CONDITIONS OF NEW APPROPRIATIONS OF LAND."

When the Constitution was subsequently formed, there was engrafted upon it a power to Congress "to establish a uniform rule of naturalization." Under this Constitution GEORGE WASHINGTON became the first President of the United States; and, as such, *approved* and *sanctioned* the act of Congress of March 26th, 1790, which provided, "that any alien, being a free white person, who shall have resided within the limits and under the jurisdiction of the United States for the term of *two* years, may be admitted to become a citizen thereof." And thus we see that not only the signers of the Declaration of Independence, but the framers of the Constitution, the Father of his country, and the very first Congress which sat under that Constitution regarded the immigration hither, and the naturalization of foreigners, as of the greatest importance to this country. And this opinion was shared by others, and became the fixed policy of the people and of federal legislation. An attempt was made, under the administration of the elder Adams, to interrupt it by the passage of the "alien and sedition laws;" the consequence of which was, that he was swept from power, and Mr. Jefferson called to succeed him in the Presidential office. In the first message of Mr. Jefferson to Congress he says:—"I cannot omit recommending a revival of the laws on the subject of naturalization. Considering the ordinary chances of human life, a denial of citizenship under a residence of fourteen years, (the time required by Mr. Adams,) is a denial to a great portion of those who ask it, and controls a policy pursued from their first settlement by many of these States, and still believed of consequence to

their prosperity." He then goes on to ask:—"SHALL OPPRESSED HUMANITY FIND NO ASYLUM ON THIS GLOBE?" A serious and weighty question. How our people will answer it, time alone can determine; but for one, I have no fear that the response will not be in conformity with justice and brotherly love.

The purposes of all naturalization laws are three-fold. 1st. To enable those born in other countries to hold property in this. 2d. To insure the descent of such property to their children and other heirs; and thirdly, to confer on such persons citizenship with all its rights, and thus, by incorporating them into the general mass, avail to the community the advantage of their love and sympathy, and the benefits of their industry. This has, since the settlement of these States, been their policy. It was that, also, of the Roman Empire, in the days of its power and glory. When a nation, either by conquest or treaty, was added to the empire, it became ROMAN, and as such, entitled and permitted to enjoy every right and privilege. But, when that power became colossal, wiseacres and demagogues arose, as they have with us, and clamored for a distinction; and from the day, as history tells us, when their appeals were listened to, the mistress of the world began to lose her strength, and eventually fell into utter decay and ruin. Where, under the old and wise system she had allies and sympathy, she found under the new, foes! Like causes produce like effects. Kindness and equality originate love and devotion, whilst disfranchisement and caste invariably create ill-will.

The agitation, sir, of this question in certain quarters, is owing, I have no doubt, to a belief on the part of those engaged in it, that the MECHANICS are peculiarly sensitive on the subject, and that by specious and artful addresses to their supposed cupidity, they can be induced to join in the wild cry that has been raised by those in pursuit of office. I entertain not a shadow of doubt, that this is the calculation of yourself. But, sir, unless I am much mistaken that portion of the community will readily penetrate the thin gauze which conceals your designs. It is, and has been the misfortune of others, as well as yourself, to underrate the intelligence of their audience, and not unfrequently to be rewarded with the contempt or laughter of those whom they were weak enough to suppose they could cajole. I have every confidence it will be your experience in the present instance.

It can be with truth said of those employed in the mechanic arts, that in point of general information and quickness of apprehension they can favorably compare with any other portion of our citizens. It is our pride and boast that it is so. They know quite as well, if not far better than you, sir, that in the multifarious concerns of life and the diversities of industrial pursuit, that each and every member of society is more or less dependent on his fellow, and that it is only by a judicious subdivision and classification of labor, that *individual* good and *general* prosperity can be secured. They also know, sir, that superior skill and aptitude in any department of human effort will, as it ought, command a corresponding remuneration over a less proficiency. Human society subsists and can only subsist on human labor. And this labor is as varied in its kind and in its tax on the mind and muscles of the body as are the conceptions of the intellect. Its domain embraces as well the coarsest and most exhausting drudgery as the finest executions of the sculptor. No part can be neglected without detriment to all the others. It is the *law of nature*, irrevocable and unalterable, that some must perform the drudgery of society; for without it is performed, society ceases to exist. The question then for the mechanic to determine is, Who is to perform the most unpleasant and onerous part of human exertion? The rich will not do it; that is clear. They will employ others to do it, and if in their selection of employees they be confined to those born on this soil, what will be the consequence? The answer is obvious;—there must be a proportionate abandonment of the mechanical pursuits to supply the deficiency of labor in other and more harassing departments. As human labor is employed, for the most part the immigrant discharges the exhausting tasks which in his absence would devolve on the native. He delves the earth, subdues the forest, and by patient labor redeems the wilderness. To his exertions do we owe the thousands of miles of railroad and canal, those great avenues of trade and prosperity. Where it not for him those great inland seas, the lakes, and the mighty valley of the Mississippi would be inaccessible for all purposes of trade. To immigration do we owe the settlement and cultivation of the West. Were it not for it, what now is fruitful would be a barren waste. Were there an exodus of immigrants from the valleys of the Ohio and Mississippi, our railroads would be

useless, for there would be scarce any thing to transport on them; and, as consequences, the shipping and commercial interests would be annihilated; an annihilation which would engulf most of the mechanical pursuits. If land is to yield, it must be cultivated, and to cultivate it, there must be hands. And if there be an insufficiency of labor for the purpose of cultivating the earth, there can be no need of ships, or railroads or canals, nor of machinists, nor of mechanics to build them. Many there are who complain of competition in the work-shops between the native and the foreign citizen. Competition exists in every thing, and whilst on the whole, it is productive of good, it is nevertheless not wholly without its alloy. But, sir, *what has a change in the naturalization laws to do with this competition between foreign and native labor?* Absolutely nothing, and you know it. If the naturalization laws were abolished to-morrow, the question of labor would not in the slightest degree be changed in favor of those born on the soil. A man's naturalization has nothing to do with his skill or industry as a mechanic; they are entirely independent of and from it. Refuse to the immigrant naturalization, and still he would pursue his trade. He would be compelled to do it to avoid starvation: the competition would be as great whether naturalized or not. *The only way in which it could be prevented would be to positively interdict any foreigner from landing on our shores.* Wild as you have shown yourself to be in many matters, even you, sir, would not contend for such a preposterous proposition. You know, sir, as every body else knows, who knows any thing worth knowing, that such a law would amount to an embargo on the commerce of the world, and involve us in a war, with not one only, but all its civilized nations.

Why, sir, your great national platform, adopted at Philadelphia last June, to which you have given your assent, expressly provides for the "OFFERING TO THE HONEST IMMIGRANT, WHO FROM LOVE OF LIBERTY OR HATRED OF OPPRESSION, SEEKS AN ASYLUM IN THE UNITED STATES, A FRIENDLY RECEPTION AND PROTECTION." Now, sir, after this declaration, what becomes of the question of *competition* out of which you and your fellow laborers anticipate so much political capital? Gone, sir, like its kindred humbugs.

Before, sir, as you well know, a foreigner can become a citizen, he is compelled to solemnly swear that "he doth *absolutely*

and *entirely* abjure *all* allegiance to *every* foreign prince, potentate, state or sovereignty whatever, and *particularly* by name the one of which he was a subject." It is impossible to frame an obligation more sweeping or comprehensive; and, inasmuch as you are a lawyer, I beg leave to remind you that when he has taken this obligation, according to the decisions of the Supreme Court of the United States, he becomes a citizen of the United States. 6 Cranch's Reports, 176; 7 Cranch's Reports, 420. Notwithstanding this, sir, one of the purposes of your pamphlet is to deprive him practically, although illegally, through the ballot box of the rights of citizenship, and to place on him the badge of disgrace, although he may have a large family born in this country, like, perhaps, as is very often the case, their mother.

On page 26 of your pamphlet—the authorship of which you have publicly avowed—after a great deal of pointless, but abusive matter, you declare, speaking for yourself and the “order:” “*We therefore think it not fit that any person not of American birth shall be trusted with American office.*” This doctrine, besides its injustice in the general, would proscribe a Hamilton, a Morris, and many others to whom we owe in no great degree our independence and our free and enlightened Constitution. A Washington, an Adams, a Jefferson, a Madison and a Monroe, all fathers of the revolution, were of an entirely different opinion; they did not think it “*not fit*” to trust the most delicate and important duties, both at home and abroad, to those born out of the country. Washington bestowed on a foreigner the custody of the treasury of the country, and was not above asking and being governed in many instances by his advice; and the example set by him was followed by Mr. Jefferson and Mr. Madison in the person of Mr. Gallatin. But these were pigmy statesmen compared to yourself and the new lights of the present day.

Sir, if you had designed to commune in a frank and proper manner with the mechanics of our city, you would not have addressed them in the style you have;

but, on the contrary, you would have said to them in the genuine spirit of truth—it is impossible, according to international law to exclude foreigners from our country—according to the laws of nations, they have the same right to come hither as we have to go to their country; and if they do come, whether naturalized or not, they will work. Now, the best thing to be done is, to make their interests identical with your own, and thus, by a concurrence of counsels and wishes, the rights of labor would be shielded from the unjust dictation of capital. This would have been *practical* and honest. It is the *only* mode in which our native workmen can guard effectually against competition, and sooner or later it will be universally admitted and practiced upon by them.

“Westward the star of Empire takes its way,” was the prophecy of Berkeley, and more than an hundred years ago, and thirty years before our national independence, the philosophical historian of England, in allusion to America, declared: “The seeds of many a noble State have been sown in climates kept desolate by the wild manners of the ancient inhabitants, and an asylum is secured in that solitary world for liberty and science.”

Our fathers, sir, sought by their labors and counsels to fulfil these predictions; but, as we are warningly told by the great Story: “In America, the demagogue may arise as well as elsewhere.” He is, says that great thinker, “the natural, though *spurious* growth of republics; and, like the *courtier*, he may, by his blandishments, delude the ears and blind the eyes of the people to their own destruction. If ever the day shall arrive, in which the best talents and the best virtues shall be driven from office by intrigue or corruption, by the ostracism of the press, or the still more unrelenting persecution of party, legislation will cease to be national. *It will be wise by accident, and bad by system.*”

In conclusion, for the present, I commend the picture to your serious meditation. Dwell upon it, sir, and see if you can discover your own portrait, and the consequences which must flow from your teachings.

MADISON.

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