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ADDRESS
OF
HON. J. W. CRISFIELD.

To the Voters and People of the First Congressional District:

It is well known to you, that by a Convention of Delegates, selected by the Union voters of every County in the District, held at Cambridge on the 11th of August, I was, with a rare degree of unanimity, nominated for Congress. The call for that Convention emanated from those who now oppose me, and the time and place of its assembling was prescribed by them. The selection of Delegates in the several counties was open and free to all Union men who chose to participate; and no unfairness marked the proceedings, and none has even been insinuated. The Delegates assembled according to the call; their session was public; and not the slightest irregularity in its proceedings has been or can be charged. The whole was done fairly; and no one has ventured to affirm that its proceedings do not represent the will of the real Union men of the District.

So honorably and fairly presented, by a body so respectable in itself, and representing in good faith the true Union sentiment of the entire District, I felt deeply grateful; and while I did not desire the position, I did not hesitate to accept it.

The Convention did not think it necessary to avow any particular platform; hence, I could not but regard my nomination, under the circumstances, as an approval of my course in the last Congress; and in accepting the nomination, I expressed this, as my interpretation of their act, recapitulated the leading principles which had controled me, and avowed my resolution to adhere to these general rules, as far as they should be applicable to the ever varying course of events.

The proceedings of the Convention did not satisfy the delegates from Cecil county and a few restless disorganizers in other parts of the District, and after sundry efforts, they have at last found a gentleman, in the person of Col. Creswell, who has consented to be their agent, in the work of destroying the Union party of this District. And true to the traditions of his class, he has gone into the work with uncommon energy.

The Baltimore *American* of the 8th containing his speech at Elkton on Tuesday last, has just reached me, and much to my surprise I find he has, with an unwarranted license, and a studied want of candor, undertaken to arraign my public conduct.

I propose, very briefly to revise both the production and its author, and when I have done I shall be content to abide the judgment of an impartial public. I have but a single evening to do this in; and hence, must beg the indulgence of my readers for any imperfection of manner and style; but the materials are thick around me, and I hope they will make up in weight what they may lack in grace of expression.

The Colonel begins his speech by reiterating his reluctance to be a candidate. "If," says he, "my personal feelings and preferences had alone been consulted, I should not be in that position." That may be so; but one cannot fail to note that his "feelings" and "preferences" did not long embarrass him, for his acceptance must have preceded the call, if there is any truth in the dates set forth in the published correspondence. "But," he adds, "when gentlemen *eminent for their patriotism* in several of the leading counties of the Eastern Shore, call, &c., I cannot longer decline." When the people of Somerset, Worcester and Dorchester come to look at these "gentlemen eminent for patriotism," they will not fail to smile at the Colonel's credulity,—and he too, I apprehend, will soon learn that he has been sold, if I may be allowed the use of a cant phrase.

The Colonel professes for me "the kindest feelings," and vouches for my "unsullied honor." These are but Circean smiles. In the very next sentence he "sullies my honor," and betrays feelings anything but kind, by discrediting my declaration of devotion to the Union, and demanding to "test my loyalty."

Proceeding in his work of discrediting my profession of loyalty, he leaps at once into the very heart of his subject; and failing, as do most of his class, to discriminate between the Government and the Administration, he lays down certain axioms of administrative policy, and insinuates rather than avows, that all who dissent from its policy are disloyal. "The policy of the Administration," he says, "may be divided into three different branches.—First, it must have a financial policy, it must have a policy with regard to traitors at home; and besides it must have a policy with regard to traitors in the field. I say then that the duties of the Administration are three-fold; first with reference to the finances, second with reference to traitors at home, and third with reference to traitors in the field." This is very profound, and no doubt duly impressed his audience! But let that pass. From these postulates, "obvious to every body," he thus proceeds to his conclusion: "If it is shown that a gentleman in Congress, claiming to be a Union man, sustains the administration in none of these points, certainly it must be useless for him to return to UNION constituents and ask their suffrages."

If the fact be as the hypothesis assumes, a thoughtful man, before he can admit the conclusion, must bring himself to believe that the Administration and the Union are one and the same thing. The word *Union*, as here used, means the Union of the States, defined and evidenced by the Constitution of the United States. The term embraces the Constitution and all its provisions. A Union man is a Constitutional man—no more, no less. To admit the conclusion sought to be impressed on his hearers, demands that it should first be admitted that the Government and the Administration are the same thing. This is the inevitable result of his reasoning.—Col Creswell only insinuates this doctrine argumentatively; but he believes it, for he has recently given himself up to the policy and principles of a class who broadly assert it. I find it formally stated in a resolution among the proceedings of the "State Union League Convention" in the following terms—"That there is no such thing in times of rebellion as supporting the National Government without supporting the Administration of the National Government; that the Administration of the National Government is confided by the Constitution to the President, assisted in their several spheres of duty by the administrative Departments; and therefore the measures of the President, and the general policy of his Administration should under the present trying circumstances of the country, be sustained by all true patriots."

This is a monstrous proposition; it exhibits a profound contempt for the Constitution, hurls Congress and the Judiciary headlong from their places, and makes the President an Autocrat and the heads of the Executive Departments his Satraps. The President is the Government, and sustaining *his* measures the test of loyalty! Slavish ignorance! What says the Constitution: "All legislative power granted shall be vested in the Congress of the United States; the Executive power shall be vested in a President; and the Judicial power of the United States shall be vested in one Supreme Court, and such inferior Courts as the Congress may ordain and establish." These three departments, among which the powers and duties of Government are parcelled, are co-ordinate and independent. The first considers and determines what laws are necessary and proper; the second executes those laws; and the third adjudicates infractions of those laws and applies the corrective. The doctrine of this resolution, and of Colonel Creswell, repudiates this wise separation of the powers of Government, found to be indispensable in all free Governments, and makes the President the sole legislator, the sole judge, as well as the sole executive.

This doctrine is not more at war with the Constitution, than it is with the opinion of the President himself. To his eternal honor, he has placed upon the records of his country, his disavowal of it. On the 10th of November last the Secretary of State, by the direction of the President, writing to our Minister to England in reference to the elections then recently held, among other things said:

"In this country especially, it is a habit, not only entirely consistent with the Constitution, but even essential to its stability, to *regard the Administration at any time existing as distinct and separate from the Government itself*, and to canvass the proceedings of the one without the thought of disloyalty to the other. We might possibly have had quicker success in suppressing the insurrection, if this habit could have rested a little longer in obeyance; but on the other hand *we are under obligations to save not only the integrity or unity of the Country, but also its inestimable and precious Constitution*. No one can safely say that the resumption of the previous popular habit does not tend to this last and most important consummation."—Message and Dip. Correspondence: 1862, page 234.

This is the declaration and policy of the Administration, and Col. Creswell and his *conferers* are, on their own theories, disloyal, unless they admit and stand by it.

Col. Creswell does not assert that I have opposed the administration in the execution of its duties in all these several branches, but he insinuates it; and by his omission to disclose what he knows to be true, as well as by the manner of his statements, he allows his hearers to believe the insinuation. On hearing his speech the auditor would naturally conclude, that I had opposed all financial aid to the Government in this terrible civil war. No one knows better that Col. Creswell, that this is not according to the record. I voted against the legal tender clause but not against the issue of Treasury notes, and also against the Bank bill, for reasons I will presently state; but, these are only the machinery, very important I admit, by which the finances of the Government are handled, not the finances themselves—Loans and taxes are the sources from which monetary supplies for conducting the war are drawn, and if Col. Creswell has looked through my record as he professes to have done, he cannot fail to know that I have, almost with a prodigal hand laid these on. I believe I voted for all the Tax bills and all the Loan bills; and it is upon the fruits of these bills that the Government lives, and the war is prosecuted. He knows this and fails to state it, and thus permits his audience to reach a false conclusion.

I did not vote against the issue of Treasury Notes. I voted for every bill authorizing their issue, until the Legal Tender clause was thrust in. I believed it was unconstitutional; I still think so, Col. Creswell and the Court of Appeals of New York, to the contrary notwithstanding.—And I am sustained by the highest authority. Mr. Madison thought there was no power under the Constitution to make anything but gold and silver a tender in payment of debts. Mr. Webster, in his speech on the renewal of the charter of the United States Bank, in 1832, said:

"No State, *not even Congress itself*, can make anything a tender, but gold and silver, in the payment of debts." And again in 1836, in his speech on the Specie Circular, he said: "Most unquestionably *there is no legal tender* in this Country, *under the authority of this Government*, or any other, but *gold and silver*." and further on in the same speech he said: "I am certainly of opinion then, that gold and silver, at rates fixed by Congress, constitute the legal standard of value in this country; and that *neither Congress* nor any State has authority to establish any other standard or to displace this." Judge Collamer, the Republican Senator from Vermont, a fast friend of the Administration, in discussing this identical clause, said: "My honest opinion is, the Constitution never intended to invest Congress with any such power;" and he made a most elaborate and conclusive argument to prove it, and in my judgment did prove it

I will quote another authority, which Col. Creswell will not fail to respect more highly than any I have yet mentioned.—The Colonel, in his new born zeal in the great "crusade for freedom" will respect the apostle of human rights, and concede both his orthodoxy and loyalty. Owen Lovejoy, of Illinois, in speaking on this very clause said:

"I will simply say in regard to the question of constitutionality, that there has not been a respectable argument advanced in defence of the constitutionality of this bill; and in as much as great talent and eminent ability have been brought to bear upon it, I take it, that no respectable argument can be made in vindication of the constitutionality of this bill. I would admit the plea of necessity, if I believed it, and I think it is more manly to confess, as Jefferson did, that the thing was necessary, but unconstitutional, than it is to attempt to torture the constitution into the support of a measure which every body must see is unconstitutional."

Authorities to the same effect, without number might be quoted, but enough has been said, I should imagine, to satisfy even Col. Creswell, that if the bill is not unconstitutional, I should be pardoned for erring in such company, and that my loyalty is not to be damaged by the error, if it be one.

But Col. Creswell betrays some little doubt, that my vote on the bill was not quite conclusive evidence of my disloyalty, and so he attempts to help out his proof by informing his auditors that I voted with Vallandigham, the Copperhead, against the bill, on its final passage. This is a magnificent specimen of logic! Vallandigham and I voted together on the passage of the bill; he is a Copperhead, and therefore I must be! It would be just as logical to say, I am a Union man, ergo so must Vallandigham be! But Lovejoy and Sedgwick, noted abolitionists, and *par excellance* according to Col. Creswell's new catechism, of unstained loyalty, voted with us against the bill. Now how do we stand? Two abolitionists, a Copperhead, and a Union man, associated on the same side in the same vote; if Col. Creswell's logic is sound, it will prove us all abolitionists, all of us copperheads, and all of us proslavery Unionists! What nonsense!

Now just let me say to Col. Creswell that I am not one of those versatile or weak knee'd gentlemen, who must look who goes ahead, and who follows, before they vote. I have no admiration for that class of patriots, no matter where found, whether they be followers of Vallandigham or Lovejoy, or Winter Davis, or "gentlemen eminent for patriotism in the leading counties of the Eastern Shore." They are unworthy of public confidence; their consistency and firmness are only safe in the absence of temptation. I respect Mr. Vallandigham's talents but have as little affinity with his politics as Col. Creswell. I am not his follower, and never shall be. I follow no one; I think and act for myself, and never inquire how Mr. V. or Mr. anybody else is going to vote, with a view to govern my vote. And I am not to be deterred from voting as I think right because Mr. Vallandigham or Mr. Lovejoy happens to vote with me or against me.—It is in vain that Col. Creswell assails me with any such insuendoes. They are beneath the dignity of debate.

The second and only remaining specification which Col. Creswell adduces in support of the charge, that I have opposed the financial policy of the Administration is, that I voted against the Bank Bill. I did vote against it, and as I expressed at the time with very great doubt. I did not feel quite certain I ought to vote for it, and knowing as I did that it would pass without my vote, I resolved to vote in the negative. The Bill did pass, and if my vote was wrong it did no harm. I was then and still am inclined to think favorably of the measure; but it is too new a subject, and we have not had experience enough to make up a final opinion of its safety and practical value.

Now I submit that these specifications utterly fail to establish Col. Creswell's proposition, that I have opposed the financial policy demanded by the public exigency; and when viewed in the light of my votes for loans and taxes, Col. Creswell is left in the unenviable attitude of making a charge against an adversary not simply without proof but against conclusive proof staring him full in the face that it is wholly untrue. So much for the first charge.

The second intimation, rather than charge is, that I have failed to sustain the policy of the Administration "in reference to traitors at home;" and he cites my vote on what he calls the Indemnity Bill, as the only specification and proof to sustain it. By Indemnity Bill, I suppose is meant the bill entitled "An Act relating to Habeas Corpus, and regulating judical proceedings in certain cases." If so I voted against it. I had many and substantial objections to this act, which went both to its constitutionality and expediency; but I will only name one. The fourth section is in the following words:

"SEC 4. *And be it frther enacted*, That any order of the President, or under his authority, made at any time during the existence of the present rebellion, shall be a defence in all the courts to any action or prosecution, civil or criminal, pending or to be commenced, for any search, seizure, arrest or imprisonment, made, done or committed, or acts omitted to be done, under and by virtue of such order, or under color of any law of Congress, and such defence may be made by special plea, or under the general issue."

This makes the President a Dictator. It invests him with unlimited power, in derogation of the Constitution, dangerous to puplic liberty, and wholly unnecessary for any exigency now existing or likely to arise, at least in the States loyal to the Constitution and the Union, and withholds from the injured party, all possibilty of redress, however causeless, violent or severe the wrong and oppression to which he may be subjected. It is a power I would not have granted even to the Father of his Country; and I submit to you whether I ought to have voted for it. I think the President should have all just and reasonable power to prevent treason and treasonable machinations against the safety of the Government. I am not disposed to view harshly any act done in good faith for these objects. I was willing then, and am still, to provide ample indemnity for the President and every officer of the Government down to the humblest, for all loss or damage sustained by him or them, for acts done in the *bona fide* performance of official duty although in excess, or even in error of law; but the indemnity should come from the Treasury of the Nation, for whose benefit the act was done, and not from the victim who has suffered the wrong.

So much for the second "of the three fold duties of the Administration" which I am supposed to have interfered with. Upon the third branch of these "three-fold duties" "with reference to traitors in the field," Col. Creswell makes no charge against me, unless it be in the following sentence, which he does not classify, among the "three fold duties;" and I cannot. He says, "but these are not all the votes of Mr. Crisfield, to which sound Union men object. Upon every proposition for confiscation, upon every proposition to take the property of Rebels to pay the expenses of war, upon every proposition to recruit colored men in the army, upon every proposition for Emancipation, Mr. Crisfield has shown himself bitterly and violently hostile to the whole policy of the Government."

Col. Creswell does not adduce any proof of these charges or argue them, except the last. They are simply averments unsustained by proof, and nothing more. It ought not be expected, I should do more than simply to traverse the indictment, and leave him to his proof. But I will not do that, I will meet them fully and answer them fairly.

First as to the propositions for confiscation; and this I suppose includes the proposition to take the property of Rebels to pay the expenses of the war. I know of no proposition to take the property of Rebels, except that included in the Confiscation Bills. I did vote against the Confiscation bill, and chiefly because the forfeiture prescribed was entire, and not merely for the life of the guilty party. I thought it unconstitutional. The Constitution declares "no attainder of Treason shall work corruption of blood, or forfeiture except during the life of the person attainted." The bill forfeiting the property absolutely, I regarded as a palpable violation of this provision. I made a speech on the subject, in which this objection is alleged and insisted upon; and I am fully sustained and justified for this vote by the President himself, who vetoed this bill for the same reason. His veto message, may be found on page 3406 Con. Globe, 2d Sess. 37 Con., Part 4. I will quote a single passage. "That to which I chiefly object," said the President, "pervades most part of the Act, but more distinctly appears in the first, second, seventh and eighth sections. It is the sum of those provisions which results in the divesting of title forever. For the causes of treason and ingredients of treason, not amounting to the full crime, it declares forfeiture extending beyond the lives of the guilty parties; whereas the Constitution of the United States declares that 'no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.' True there is to be no formal attainder in the case; still I think the greater punishment cannot be constitutionally inflicted, in a different form, for the same offense. With great respect I am constrained to say I think this feature of the act unconstitutional."

This is administration policy, and Col. Creswell, on his theory, is disloyal unless he admits it.

I certainly was opposed to the proposition to recruit colored men for the army, for the reason, that, in my judgment, it hindered rather than helped the return of National tranquility. I believed with the venerable Kentucky patriot, whose words I quote, that "A negro army is a weakness to your country. It unnerves the white man's hand; it unnerves the white man's heart." But the policy has been adopted, and I most fervently pray that my fears may prove groundless, and the Country may have no cause to lament it.

Col. Creswell next proceeds to the question of emancipation, and charges that I am bitterly opposed to the whole policy of the Government on that subject. What is the policy of the Government on that subject? Col. Creswell would have shown himself a better criminal pleader and a fairer prosecutor, if he had framed a count on each specific clause of that policy, and charged on me a violation of that particular clause. I might now demur to his indictment for uncertainty, and be pretty certain of a judgment in my favor; but I hate technicalities, and will not resort to them even in my own vindication. What is the whole policy of the Government on emancipation? In what particular measure is it to be traced? Is the war a part of it? The Copperheads and other disloyal persons, its enemies, I know so charge, and pertinaciously insist; but I never believed them, and have stoutly maintained the real object of the war was the suppression of the rebellion, and not the liberation of slaves. I have been very honest in this, and still am. But suppose I am wrong, and the war is really an abolition war, and forms a part of the emancipation policy of the Administration, then still I am not guilty on this account, for I have sustained the war from the beginning, and voted all the men and all the money asked for to carry it on, and even more.

Are the proclamations of September and January parts of the emancipation policy of the Government? The President thinks they are war measures. They are said to be a proper exercise of the power vested in the Commander in Chief of the Armies of the Republic and an efficient means for public defence; and that this is the sole object of their promulgation. If this be so, they do not form part of the emancipation policy of the Government; and any hostility I have exhibited to them, is not hostility to the emancipation policy of the Government, but only to one of the means devised for carrying on the war; which in the estimation of many, and possibly of Col. Creswell, is an offence of much lower grade. But however that may be, I did, and do, dissent from those proclamations. I have publicly assigned my reasons for such dissent. I shall not disavow them. I am content to stand or fall, as the judgment of my countrymen shall sustain or repudiate those reasons.

Is the abduction of slaves, for military service, of late so liberally practised in portions of this District, a part of the emancipation policy of the Government? If so, I dissent from it, as a violation of all law and propriety; and I very cheerfully submit to your judgment, whether I am right or wrong. But I do not believe this is part of the policy of the Government, but only of some super-serviceable subordinate; for the President, as soon as it was brought to his notice, ordered it to be stopped. And here, again I am on the side of the President, while Col. Creswell is in the opposition.

Now in what other measure, save that for compensated emancipation, is the emancipation policy of the Government to be discovered? Is it in the confiscation bills? I have already disposed of them? Is it in the bill to emancipate the slaves of the District of Columbia? Col Creswell as a member of the Legislature condemned that measure and instructed me to oppose it.—*See Journal of the House of Delegates, pages* 460 and 475. Is it in the habit of enticing slaves within the camps, and refusing access to owners to regain them? This habit has never received countenance from the President, as far as I know, and is not recognized, by him at least, as part of his policy. Then there is nothing but the scheme of compensated emancipation. As far as I know this is the only recognized policy for the emancipation of slaves which the Government avows; all the rest is, by it at least, alleged to be merely matters of war, and dealing with enemies' property.

It is true I failed to see in this proposition the good which the President supposed he had discovered, and I have frankly said so. In the correspondence between the Border States' representatives and the President in July 1862, largely circulated at the time, and not yet forgotten, the reasons which influenced my judgment are stated; and I rest my justification on that correspondence.

So far as Maryland is concerned, this subject never came to a vote; but on the 25th February last, five working days only before the close of the Congress, a bill was reported appropriating ten millions of five per cent. bonds to the State of Maryland, to induce her to emancipate her slaves, within two years from its passage. I was opposed to that bill, and for substantial reasons, some of which I will proceed to give. Time and space permit me to mention only one or two.

The first objection I make to the bill is, that the compensation proposed is inadequate. The bill proposes to appropriate $10,000,000 of five per cent. bonds to induce the State to emancipate all the slaves therein, and to prohibit slavery &c. If we convert these bonds into six per cents, (the legal rate of interest in this State,) we have $8,333,333, as the sum offered for all the slaves in Maryland. At the last census, according to the official report there were in Maryland 87,189 slaves, and I suppose there are quite as many now; and if we divide the sum appropriated, converted into six per cents, by the number of slaves, it will give an average of $95 58 or thereabouts for each slave.

But this is not all: at the time the bill was before the House gold was selling for 70 or 75 per cent premium, and most articles of property had risen in the same proportion, when sold for currency. These bonds, converted into six per cents and exchanged for green backs equalled at that time $4,901,960 in gold; which would give an average of about $56 in gold for each slave! This is less than the hire of a single year! The sum proposed to be appropriated was wholly inadequate; it did not approximate the spirit of the President's offer; it was a ridiculous caricature of his proposition It was a mockery of the State. She had better let her slaves go voluntarily than to receive such a *douceur*, for then she would have preserved herself from insult, and saved her honor.

Again, the bill, in my opinion, was not warranted by the Constitution, and was an improper interference in the domestic affairs of the State; it created a large debt, and if the principle be extended to all the other States a huge unmanageable debt; it demanded immediate emancipation: and lastly it would have in my judgment no influence in restoring harmony and peace to our bleeding country, but pushed both further off.

Fellow-Citizens, I am a slaveholder and have been from my youth up. I see no sin in slavery; and I think for the black man it is the best condition as long as he remains in the presence of a superior race. But I have never regarded it as a corner stone of the Republic, or that it was a blessing to the white man. I believe we should be better off, if we had never had it. I have always looked forward to a period, indefinite in point of time, when it shall end. I am infinitely more anxious about the time and manner of its extinction, than I am about the extinction itself. I am opposed to all schemes of immediate emancipation, because it would be hurtful, if not ruinous to both races. I should not consider any scheme of gradual emancipation fit to be adopted, which did not, 1. Protect existing rights of property; 2. Provide for the protection and support of young and infirm slaves; 3. Allow time for the business of the State to adjust itself, and to prepare the public mind and the slave himself for the change; and 4. Insure the separation of the races, and afford a reasonable hope of the welfare of the slaves after they become free.

A scheme embracing all these can be devised, both practicable and practical, without the interference of the National Government, and without expense to the State Treasury. In due time it will be produced; but now it would not be appreciated, or even considered. I consider this whole subject is a Maryland question; we are entirely competent to settle it for ourselves. For one, I do not want any outside interference or help to enable us to reach a wise and just settlement of the question. As to any compensation from the National Treasury, it is all a delusion. It will never be given; he is a simple man who thinks it will. The last Congress never intended to give it; nobody was in earnest but the President; and the next will be still less inclined. And it is quite time the people of Maryland should know this fact.

I have now disposed of every point made by Col. Creswell against me; and I think you will agree with me, that his assaults are frivolous and idle. My loyalty reposes on too firm and broad a foundation to be disturbed by anything he may say, or do. I have from the beginning of these troubles held but one faith, and known but one duty. I have stood by the constitutional authorities in the just exercise of every constitutional function; and given to the President all the aid, material and moral, necessary to enable him to administer the Government over which he presides, and preserve it for his successor with all its rights and powers unimpaired; and I shall continue to do so to the end. But I will not give up the Constitution, or knowingly contribute to its violation. I will not surrender my right of independent judgment or become the passive instrument of personal ambition or party passion. Taking the Constitution for my guide, and the preservation of the Union, with all its precious blessings, as the end, I will labor on, and hope on, trusting and believing that a benificent Providence will yet have mercy and rescue my beloved country from impending perils, and restore peace and happiness to its distressed and suffering children.

Having now disposed of his speech, I will give some attention to Col. Creswell himself. He too has a record, and following his example, I will lay it before you. If the Colonel suffer by this exposition he has only to blame his own temerity and imprudence for provoking it. My comments will be confined to a period of less than three years, commencing at the present time; and my proofs are such as he will not venture to controvert; they are his own writings, and the public records of his own works. Borrowing an expression of his own, I will exhibit him in the "three fold" character.

1st, of Black Republican and Abolitionist; 2nd, of Conservative Constitutional Union man; and 3rd, of Anti-Coercion Southern Rights Revolutionist.

First.—Of his character as a Black Republican and Abolitionist.

Col. Creswell in his letter of acceptance says: "I am unequivocally in favor of the