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To the Republican Voters of the Nineteenth District

James A. Garfield

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TO THE REPUBLICAN VOTERS
OF
THE NINETEENTH DISTRICT.

HIRAM, OHIO, April 21, 1878.

On the 3d day of March, the day that completed the tenth year of my service as your Representative in Congress, I cast a vote, in company with one hundred and one other Representatives, on account of which it appears that the following resolution has lately been adopted by a convention of delegates at Warren, called to nominate a member of the State constitutional convention :

“ *Resolved*, That James A. Garfield, in voting for the retroactive salary bill, has forfeited the confidence of his constituents, and therefore we, the representatives of the Republican party of Trumbull county, in convention assembled, ask him to resign forthwith his office as our Representative in Congress.”

The officers of that convention have not favored me with a copy of the resolution, and I have learned of its terms only through the press and private communications. Presuming that the above is the correct text of the resolution, and waiving all question of the jurisdiction and authority of that convention to sit in judgment on the subject, I respond to the resolution itself. In doing so I assume that those who framed it were animated only by a sense of public duty. I will assume also that they were willing and even anxious to do me justice, and to state fairly and truthfully my alleged offence. This, however, they have not done.

The language of the resolution implies that I voted to give additional back pay to members of Congress. It assumes that the retroactive pay was the chief provision of the bill for which I did vote. Now, just such a bill as that language describes was brought into the House for the purpose of fastening it as an amendment to one of the leading appropriation bills. That effort I resisted at every stage. The bill for which I did vote now fills twenty-seven pages of the national statute-book. The offensive retroactive clause is contained in three lines of the statute.

Whether I ought or ought not to have voted for the appropriation bill with the retroactive salary clause incorporated in it depends upon the merits and demerits of the bill as a whole. Whether I

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am in any way responsible for its offensive provisions depends upon what efforts I made or failed to make to prevent their adoption.

That it may be clearly understood what I did on this subject, I will briefly state the facts.

As chairman of the Committee on Appropriations it was my duty to see that the annual appropriation bills were acted upon in the House before the Forty-Second Congress expired. To do this it was necessary to press them constantly and to the exclusion of a great mass of other business. For this purpose chiefly the House was in session from ten to fifteen hours in each twenty-four during the last week of the term.

I had special charge of the legislative appropriation bill, upon the preparation of which my committee had spent nearly two weeks of labor before the meeting of Congress. It was the most important of the twelve annual bills. Its provisions reached every part of the machinery of the Government in all the States and Territories of the Union. The amount appropriated by it was one-seventh of the total annual expenditures of the Government, exclusive of the interest on the public debt. It contained all the appropriations required by law for the legislative department of the Government; for the public printing and binding; for the President and the officers and employés at the Executive Mansion; for the seven executive departments at Washington, and all their bureaus and subdivisions; for the sub-treasuries and public depositories in fourteen cities of the Union; for all the officers and agents employed in the assessment and collection of the internal revenue; for the governments of the nine Territories and of the District of Columbia; for the mints and the assay offices; for the land offices and the surveys of public lands; and for all the courts, judges, district attorneys, and marshals of the United States. Besides this, during its progress through the two Houses, many provisions had been added to the bill which were considered of vital importance to the public interests. A section had been added in the Senate to force the Pacific railroad companies to pay the arrears of interest on the bonds loaned to them by the United States, and to commence refunding the principal.

An investigating committee of the House had unearthed enormous frauds committed by and against these companies, and as the result of two months' labor had framed a bill of several sections to provide for bringing suits in the courts to recover the vast sums of which the road and Government had been plundered, and to prevent further spoliation. That bill had also been made a part of the appropriation bill.

While the bill was first passing through the House, repeated efforts were made to increase the salaries of different officers of the Government; in every instance I resisted these efforts, and but little increase was made until forty-eight hours before the Congress expired, when the House loaded upon this bill an amend-

ment increasing the salaries of the President, Vice-President, judges of the Supreme Court, and members of Congress, including those of the Forty-Second Congress.

An unsuccessful effort had been made three weeks before to fasten that amendment upon another appropriation bill of which I had charge. In the struggle to fasten it upon this bill there was a lengthy debate, in which its merits and demerits were fully discussed. In that debate I bore my full share in opposing the amendment. Before it was finally adopted there were eighteen different votes taken in the House and the Committee of the Whole on its merits and its management. On each and all of these I voted adversely to the amendment. Six years ago, when the salaries of Congressmen were raised and the pay was made to date back sixteen months, I had voted against the increase; and now, bearing more responsibility for the appropriations than ever before, I pursued the same course. No act of mine during this struggle can be tortured into a willingness to allow this amendment to be fastened to the bill. But all opposition was overborne by majorities ranging from three to fifty-three, and the bill with this amendment added was sent to the Senate Saturday evening, the 1st of March. If the Senate had struck out the amendment, they could have compelled the House to abandon it or take the responsibility of losing the bill. But the Senate refused, by a vote of nearly two to one, to strike out the salary clause or any part of it; and many Senators insisted that with the abolition of mileage and other allowances \$6,500 was no real increase, and that the rate should be greater. The bill then went to a conference committee with sixty-five unadjusted amendments pending between the two Houses.

The battle against the salary clause was fought and lost before the appropriation bill went to the conference committee. The Speaker of the House and the President of the Senate both recognized the fact in appointing their respective committees of conference. In announcing the committee of conference on the part of the House, the Speaker said:

“There are several points of difference between the two Houses of exceeding importance. It is the duty of the Chair to adjust the conference so as to represent those points upon which the House most earnestly insist. The three points of difference especially involved are the subject of salaries of members and other officers, what is styled the Morrill amendment, and the provision in regard to the Pacific railroad. The Chair thinks that so far as he can analyze the votes of the House on these propositions, that the following conferees will fairly represent the views of the House on the various questions: Mr. GARFIELD of Ohio, Mr. BUTLER of Massachusetts, and Mr. RANDALL of Pennsylvania.”

I was appointed chairman because I had charge of the bill. Messrs. Butler and Randall were appointed because they represented the declared will of the House on the salary question. They were not members of the Committee on Appropriations, and

were not familiar with the other provisions of the bill. The salary clause was the first of the sixty-five amendments referred to the committee, and six full hours were spent in considering it. Notwithstanding the fact that the battle against the salary clause was already lost, I made the best effort I could to retrieve it in the conference committee. I faithfully presented the considerations urged against it by the minority in the House, and moved to strike out the clause relating to congressional salaries. The Senate conferees were unanimous against the motion, and my two associates agreed with them. I moved to strike out the retroactive feature, and the vote stood as before. By the same majority the amount was fixed at \$7,500. There was no longer any doubt that the salary clause must stand or fall with the bill. It was clear that a majority of the committee represented the judgment of the two Houses.

In this situation there were but two courses before me: one was to refuse to act with the conference committee, abandon the bill to Mr. Butler, the next on the conference, and go into the House and oppose its final passage; the other was to stand by the bill, make it as perfect as possible, limit and reduce the amount of the appropriation as much as could be done, and report it to the House for passage.

In a word, I was called upon to decide this question: Is the salary amendment so impolitic, so unwise, so intolerable, that in order to prevent its becoming a law the whole bill ought to be defeated? If so, it was the duty of both the Senate and the House to defeat it; and if they passed it, it was the duty of the President to veto it. Upon the decision I then made, and the reasons for and against it, I invoke the judgment of my constituents; for there, if anywhere in the course of this legislation, I forfeited my claim to their confidence.

If the enactment of this amendment into a law was itself a crime, then any bill, however important it might be, to which it was attached, ought to be defeated. No public emergency can justify theft or robbery. But bad as this amendment was in some of its provisions, it is an abuse of language and of truth to call it either theft or robbery. On the contrary, many of the items of increase were acknowledged to be just, even by those who opposed the amendment most earnestly. It was clearly within the constitutional power of Congress to pass that clause. The Constitution makes it their duty to fix the salary of all officers of the Government, including their own,

The retroactive pay provided for in this amendment, unwise, indelicate, and indefensible as I believe it to have been, was in accordance with all the precedents, for every increase of pay of members of Congress since the adoption of the Constitution has applied to the whole term of the Congress that authorized it. It was not a crime, and we have no right to say that those who ad-

vocated it were thieves and robbers. I opposed the whole scheme of increase of salaries chiefly on two grounds :

First. That officers at the national capital were already receiving higher rates of pay than many of those serving at a distance ; and that if we began to increase salaries at the capital, and particularly our own, it would be indecent and unjust not to go through the whole list and make the increase general. To do this would greatly increase the expenditures already overgrown by the results of the war ; and,

Second. I opposed it because I thought it peculiarly impolitic for the Forty-Second Congress to give any new cause for bringing itself into public odium. Much had already occurred to throw discredit upon it, and this would add a new shade to the colors in which it was being painted.

On the other hand, there were grave objections to the defeat of the appropriation bill. Everybody knew that its failure would render an extra session of the new Congress inevitable. It is easy to say now that this would have been better than to allow the passage of the salary clause. Present evils always seem greater than those that never come. The opinion was almost universal that an extra session would be a serious evil in many ways, and especially to the Treasury. Its cost directly and indirectly would far exceed the amount appropriated for retroactive salaries. An unusual amount of dangerous legislation was pressing upon Congress for action. A measure to refund the cotton tax, which would take seventy millions from the Treasury, was pressed by a powerful organization in and out of Congress, and its consideration had only been prevented by interposing the appropriation bills. A vast number of doubtful claims growing out of the war were ready to follow in the wake of the cotton tax. To organize a new Congress, which would require the appointment and organization of new committees, and to begin this bill anew, perfect its details, and pass it, would require many weeks. In the meantime the field would be clear for pushing all schemes against the Treasury.

But more than this, the defeat of the bill would carry with it the defeat of the only legislation by which Congress has attempted for many years to check the career of those greedy corporations whose powers have become so dangerous to the public welfare. For the first time Congress was thoroughly aroused to the danger ; and the sections concerning the Pacific railroad, which had been added to this bill, empowered and directed the executive, through the courts, to strike an effective blow against those who had already robbed the Pacific railroad at the expense of the National Treasury. If these sections failed, it was by no means certain that the new Congress would pass them ; and if it did, the interests of the Government would greatly suffer by the delay.

Only a single day and night remained before the final adjournment, and three other great appropriation bills were still unfinished.

These considerations were inseparably connected with the defeat of this appropriation bill. I knew that if it failed from any act of mine, the responsibility for its failure would rest more heavily on me than upon any other member. I had been made responsible for its management, but was in no way responsible for the adoption of the salary amendment.

After weighing the case as well as I could, I concluded it was my duty to stand by the bill; and I did so.

I remained in the conference, and did what I could to perfect the bill and reduce the amount appropriated by it. On my motion the following proviso was made a part of the bill: "*Provided*, That in settling the pay and allowances of members of the Forty-Second Congress, all mileage shall be deducted, and no allowances shall be made for expenses of travel." The sum deducted from the additional back pay under this proviso amounted in the aggregate to nearly \$400,000; and the pay to the members of the late Congress is made less than those of the next Congress by the total amount of actual travelling expenses.

The other sixty-four amendments to the bill were satisfactorily adjusted, after many hours of deliberation. Having done what I could to perfect the bill, I signed the conference report and presented it to the House; but in doing so I stated that I alone had opposed the salary clause in the conference committee, and had done what I could to strike it out, and that I had signed the report rather than run the risk of losing the bill. I then voted for the bill, not for the increase of salaries nor for the retroactive clause, for I was opposed to both, but for the bill as a whole.

It is clear that it would have passed if I had voted against it. But believing that it was better to pass the bill, even with the salary amendment included, than risk the consequences of its failure, I voted for it. It would have been an inconsistent and cowardly act on my part to vote against it merely to escape criticism.

If the bill as reported from the conference committee ought to have been defeated, there was one well-known and very easy way to do it. One-fifth of the members present, by dilatory and filibustering motions and calling the ayes and noes, could have prevented a vote on the report till the end of the session. Should the ninety-six members who voted against the conference report be censured for not preventing its adoption? Less than half of their number could easily have done so. But no one of them, so far as I know, thought it his duty to defeat the bill. Certainly I did not think it the duty of the chairman of the Committee on Appropriations to lead such a movement.

It has been said that the conference report might have been recommitted for a further attempt to strike off the salary clause. The answer to this is, that the House, on an aye and no vote, by nineteen majority, ordered the question to be put on the adoption of the report.

The plain fact is, that the final vote on the bill was not a test of the sentiments of members of the House on the salary question. The responsibility for the increase of salaries rests upon those who forced the amendment upon the bill.

There is one feature of the case to which I refer with great reluctance, and with a deep sense of the injustice that is done me. It is charged that I voted for the bill for the purpose of putting \$5,000 of back pay into my own pocket. I fearlessly appeal to friends and enemies alike to say whether any act of my public life has warranted them in imputing to me unworthy and mercenary motives. The point here raised is one to which I did not intend to refer in this letter. I preferred to leave my personal motives to the future for vindication. But already, without my knowledge or procurement, a paragraph has found its way to the press which makes it proper for me to say what I did not wish paraded in public, that I not only did not receive the back pay nor any part of it, but I ordered it so covered into the general Treasury as to be placed beyond the reach of myself or my heirs.

I have thus stated the facts in the case, that you may know precisely what I did, and the reasons for it. I desire that this and every other act of my public life shall be fully known to you. Ten years ago you called me from another field of duty and honor to represent you in the national Legislature. Since then you have expressed your confidence and esteem in many ways, and in none more strikingly than in the five re-elections with which you have honored me.

I have not been insensible to these evidences of your approval. I have conscientiously sought to serve you and the country with the best of my ability. I have spared neither time nor labor faithfully to discharge the duties of the place assigned me.

Doubtless I have made my full share of mistakes and blunders, and my vote on this bill may have added another to the list. I respect no man the less for thinking so, but in this as in all my official conduct I acted for what I regarded the public good. Whether wise or unwise, defensible or indefensible, that vote had the approval of my judgment, and I do not shrink from any responsibility growing out of it.

But I do not affect to conceal my surprise and disappointment at the construction which has been given to that vote. Probably no man who, conscious of his own integrity, has served a constituency as long as I have served you could see the basest of motives attributed to him and listen to a public demand for his instant resignation with indifference. Certainly I cannot. Were I to follow my own inclinations merely, I would at once abandon a position so difficult to fill acceptably, and which the assaults of calumny have rendered on so many accounts undesirable. But the charge on which the demand of the Warren convention is based is an injustice to which I cannot consent. The principle on

which it is made rises above any merely personal consideration. If I ought to resign for casting this vote, every elective officer should resign whenever any of his official acts, done in good faith, are strongly disapproved by those who elected him. If the delegates believe that the retroactive clause is so infamous that I ought to resign for voting for the appropriation bill to which it was attached, will they follow out their logic and insist that the President ought to resign for signing it? My vote did not make it a law. His signature did. I do not consent to the logic that leads to such a conclusion.

The facts are before you. I am ready anywhere and at any time to make good the statements herein set forth, and upon the facts I appeal from the action of the convention to your more deliberate judgment.

Very respectfully,

JAMES A. GARFIELD.