U. S. Senate.

Dear Sir:

I, the undersigned, though personally unknown to you, would highly appreciate a copy of Senate Doc. No. 55, 33rd Congress, 2d session, if Mr. Douglas will not deem it improper for a stranger thus to approach him.

Very respectfully,

Your Obd. Servt.

Thos. O'Brien
Thos M. O'Brien
Washington City,
Jan 22, 1858

M. A.

Senate H.R. No. 55.
Honorable Abraham Lincoln,

Sir,

Not wishing to occupy your time by calling upon you from your duties in the Senate, I have at the suggestion of my friend I. B. [illegible] in relation to the Memorial from the Ship Henry of New York to have certain money returned which is illegally exacted by the Collector of the Port of New York. Mr. Eustis, at the 6th Circuit Court have both declared the fees to have been illegally exacted, but what we complain of is [illegible] of Mr. Eustis' misconstruction to the District Attorney of New York to plead the statute of limitations, as a bar to our recovery for the excess demanded over 6 years. This is a strange plea for the Government to make for money obtained illegally.

Last Sunday I prepared to open a letter of Saturday from I. B. which I expected to be a letter of congratulations on my acceptance of the position of collector of New York. I have not received any from him respecting Mr. Eustis' new revenue collection bill, which if it was defeated in the House of Representatives.

Hoping you will give the enclosed your attention. I have in the meantime given you:

Yours respectfully,

David Oglesby
of New York
Washington
Jan. 22 158
David Ogden
Memorial enclosed

Urrin A. Douglas
The Claim of David Ogden and others, of New York, to be refunded money illegally exacted of them by collectors of the customs.

At the last session of Congress, a bill for the relief of the petitioners was introduced by Mr. Seward in the Senate; and, on his motion, referred to the Committee on Commerce. The Committee called upon the Secretary of the Treasury for information, and in reply thereto, Mr. Guthrie, under date of February 17, 1857, addressed a letter to the Committee, adverse to the claim of the petitioners, which caused an unfavorable report on the bill, (S. 550.) The letter of Mr. Guthrie contains so many errors, both as to law and facts, that it is deemed proper, inasmuch as the claimants have again petitioned Congress for relief, to correct its mis-statements.

The gist of the Secretary's argument against the claim of the petitioners is in these paragraphs:

"It seems (says the letter) that in the cases referred to by the petitioners, the collector of Customs at New York, to relieve, apparently, the owner or consignees of a vessel, bringing a large number of passengers, from the onerous charge of paying for a permit to land each passenger's baggage, adopted the practice, without the sanction of the Department, of delivering baggage on a general permit, for which general permit he charged twenty cents, and twenty cents additional for every five passengers whose baggage was delivered under said permit.

"I am constrained to say that the petitioners have, in my view of the case, not the slightest equitable right whatever to be reimbursed the amount from the Treasury. The collector of customs under the law might have charged them twenty cents for each passenger; instead of that, he only charged twenty cents for each five passengers,
thus far waiving his legal right for their benefit and convenience; and now, after a lapse of many years, without having asserted any right by action at law, the petitioners come to Congress for relief, in cases barred by the statute of limitations. The equity is on the other side, for if any party was defrauded of just dues, it was the government, and not the petitioners, unless they demUR in a hard case to pay twenty, instead of one hundred cents, as they might have been legally compelled to pay, if the collector had exercised his full power under the law.

"If the collector, in the exaction of fees for landing baggage, acted without authority of law or instructions, and therefore rendered himself personally liable, that liability the government is under no obligation to assume, nor ought it to do, unless it is prepared itself to indemnify all who have been subjected to illegal demands, which persons holding commissions under its authority may choose, in defiance of law and instructions, to levy under color of office. The hazard to the Public Treasury of establishing such a principle needs no comment.

"This claim, so far as it was a naked legal right to recover the excess of fees paid for one general permit, is merely a personal one against the collector; none of the moneys thus exacted have ever come into the Treasury. Out of these, and other fees, the compensation of the collector and his clerks was paid, and instead of there being a surplus paid into the Treasury, the Treasury was obliged to contribute to make up the compensation of those officials in pursuance of law."

These statements may be well answered by presenting in the same connection the correspondence upon this subject between the Secretary of the Treasury and the Collector of New York in 1853. It is as follows:

[Mr. Bronson to Mr. Guthrie.]

"Custom House, New York,

"Collector's Office, May 21st, 1853."

"Sir: The great increase of commerce, and the great number of passengers arriving at this port—sometimes amounting to three thousand in a day—led to the practice, which has been established for many years, of issuing one general permit, or direction, in relation to the baggage of passengers, (the form of which is enclosed,) under the 40th section of the act of March 2, 1799, chapter 22. A practice has for several years prevailed, the history of which I have not been able to trace, of charging a fee of twenty cents for every five passengers included in the permit. If, for example, there are 500 passengers by a vessel the merchant pays $20 for the permit. As there is but one document I find no authority for charging more than twenty cents. (See 2d sec. of act 2, March, 1799, chap. 23.) Suits are threatened, and I am of opinion that the practice of charging more than twenty cents should be abandoned.

"We might go back to the practice which existed many years ago, when one ship arrived in a week, with perhaps a single passenger, and issue separate permits, and thus get a little fee of twenty cents, out of each emigrant, at the further expense of delaying him on his journey to the great West, where he often goes without landing. But to accomplish this it would be necessary to establish a new bureau with deputies and clerks to make out and sign the permits, and collect the moneys.

"Allow me to add that the whole system of demanding fees ought, in my opinion, to be abolished by Congress. It operates as a great vexation to merchants, embarrasses commerce, and complicates the accounts and transactions of the Collector's office. I await your instructions whether to continue the practice of charging twenty cent, for every five passengers, or to charge twenty cents only for the general permit. I refer you on this subject to a letter of Collector Lawrence, of March 24, 1848, and the answer of the Department under date of 29th of April, 1848.

"With great respect,

"Your obedient servant,

"GREENE C. BRONSON,

"Collector, &c."

"Hon. JAMES GUTHRIE, Secretary of the Treasury."
TREASURY DEPARTMENT, May 28, 1853.

Sir: I acknowledge the receipt of your letter of the 21st inst., respecting the practice at your port, of issuing permits for the landing of the baggage of passengers under the 4th section of the Act of March 24, 1799, and have to state in reply, that I concur with you in the opinion that the fee of twenty cents only should be charged for the general permit, and that course you will in future pursue.

Assuming many of the fees exacted in pursuance of our revenue and collection laws, enacted at an early day and still in force, are vexatious and embarrassing to the merchants, and of little, if any, practical value to the public revenue.

As a revision of the revenue laws is in contemplation by the direction of Congress, an opportunity will be presented for such modification of the present system of fees as may suit better the existing condition of the commerce of the country.

Your obedient servant,

JAMES GUTHRIE,
Secretary of the Treasury.

Greene C. Bronson, Esq.,
Collector of the Customs, New York.

If it were legal to charge besides the twenty cents for a general permit, twenty cents for every five passengers whose baggage was delivered under the permit, why did the Secretary of the Treasury instruct the Collector, that "twenty cents only should be charged for the general permit"? If the Collector, as Mr. Guthrie alleged, might have "charged twenty cents for each five passengers," by what authority did the Secretary set aside the law? Whatever the convenience to be gained thereby, or the vexations to be removed, the Secretary of the Treasury, if the law justified the practice in question, could not, without usurpation, direct its discontinuance.

Again, Congress has made no change in or modification of the Act of March 24, 1799, so far as it fixes the fees to be paid to Collectors of the Customs. It follows, therefore, that if it were at any time legal to collect twenty cents additional for every five passengers whose baggage is covered by a general permit, and twenty cents for each general permit, that the collection may be legally made now; and that it is the duty of the Secretary of the Treasury to have it enforced. And yet, among the Regulations of the Treasury Department under the Revenue Laws issued February 1st, 1857, there is the following:

"503. The following is the list of fees required by law to be paid at the several custom houses, and no other fees shall be received than those heretofore enumerated:

- General permit to ship, to land passengers' baggage, twenty cents."

Now, if it be, as Mr. Guthrie said, that there is no equity in the claim of the petitioners, and that the government was the sufferer, in consequence of the Collector not exercising "his full power under the law" in the collection of these fees, the singular spectacle is presented of a Secretary of the Treasury deliberately issuing instructions to violate the law, and thereby depriving the Government of its "just dues."

That the petitioners have an equitable right to be reimbursed the moneys which were collected from them in the manner stated, there can be, it would seem, little if any doubt, in view of the law itself, the instructions of Mr. Guthrie to the Collector at New York, and the decision of the Circuit Court of the United States for the Southern District of New York, in the case of David Ogden et al. v. Hugh Maxwell, in which the legality of the fees charged for permits to land the baggage of passengers was before the Court. The opinion of the Court in that case is here inserted, with the remark that Mr. Secretary Guthrie in conformity thereto paid out more than $50,000, to various claimants, to reimburse moneys illegally collected:
UNIVERSAL STATES CIRCUIT COURT.

DAVID ODEN AND OTHERS

v.

HUGH MAXWELL.

This case was argued by

P. B. CUTTING, for Plaintiffs, and by

B. E. DUNNING, for Defendant.

BETTS, District Judge, delivered the opinion of the Court. In this action the plaintiffs seek to recover sums of money alleged to have been illegally exacted of them by the defendant, in his official capacity of Collector, claiming them to be fees, legally chargeable in his favor, as perquisites of his office.

"An objection was raised by the defendant preliminarily to the right of action, or rather his personal liability to it, on the ground that he acted in the matter as the agent of the Government, and had paid into the Treasury the moneys demanded before suit was brought. This objection was not supported by any proof, and, although the Court will judiciously notice, that by the Act of March 3d, 1841, the defendant is entitled to retain for his own compensation from the fees and emoluments received in his office, no more than the sum of $8,000 per annum; and that all sums beyond that are to be accounted for, and paid into the Treasury; yet we cannot assume, without evidence, either that the total of his receipts from those sources exceeded that limitation in the year 1851 or 1852, or that the particular sums paid by the plaintiffs, and sued for in this action, did not constitute a part of the emoluments, retained by the defendant for his individual use.

"We are, however, inclined to the opinion, for reasons hereafter to be stated, that if those suggestions had been established by the proof, they would have furnished no adequate defence to this action.

"The right of the Collector to charge and collect the fees in question, is justified by the defences, both upon an implied authorization by the Act of Congress of March 2d, 1799, section 3, and, also, a long

continued usage and practice in the Collector's office of this port, in executing that Act in this particular.

"That section enacts, that "in lieu of the fees and emoluments heretofore established, there shall be allowed and paid for the use of the Collectors, Naval Officers, and Surveyors, to be appointed in pursuance of law, the fees following; that is to say, to each Collector for every entrance of any ship or vessel of one hundred tons burden or upwards, two dollars and a half; for every entrance of any ship or vessel under the burden of one hundred tons, one dollar and a half; for every clearance of any ship or vessel of one hundred tons burden and upwards, two dollars and a half; for every clearance of any ship or vessel under the burden of one hundred tons, one dollar and a half; for every entry two dollars; for every permit to land goods twenty cents," &c., &c. (1 Statutes at Large, 706.) Section 10 of the General Collection Act of the same date, (pp. 691-692) appoints the manner in which the baggage and mechanical implements, imported by passengers, shall be entered, and directs, on compliance with the conditions prescribed, that a permit shall, and may be granted for landing the said articles. The transactions at a Collector's office which are not subject to charges or fees, are enumerated in the statute, and the compensation to the Collector for each act done by him is specifically stated. In the levy of those emoluments, he is governed by the limitations no less than by the express directions of the statute. No equity or usage in respect to those rates of compensation could be appealed to, as a sanction for a departure from the terms of the Act. It could not admit of question but that a charge of $61.40 would be illegal and extortionate, if not more than the personal baggage or implements of trade of two passengers had been entered and landed as such under two permits given by a Collector, whatever might be the number or value of the articles. This would be so because Congress has required a service similar to be done by the Collector and has granted for the performance of that service, a specific compensation. The statute gives no reward except for doing the individual act named. No consideration of convenience to either or both parties, or saving of expense by substituting another practice in place of that directed by law, will authorize a Collector, under color of office, to charge and receive compensation for a service different from that appointed by positive law. Numerous
orders, and adjudications in the United States Courts of this District, have declared that when a rate of fees to the officers of Court is established by statute for a particular service, it is illegal in the officer to charge or compel a greater fee for that service.

"The rule is equally stringent in the State Courts; an action of assumpsit will lie with the party making payment against the officer to recover back the overcharge, (1 John's R. p. 35, McIntire v. Trumbull) and if done corruptly it is extortion, and subjects the officer to indictment. (6 Cowen, p. 661, The People v. Whaley.)

"The custom or usage alleged to prevail at this port, to make constructive charges for granting permits, whatever may be its notoriety or contrivance, is void, both because it contravenes the spirit of the statute, and also because there is no warrant of law, except under the statute, for imposing any charge or fee for that official act,

"The defendant, without the aid of the statute, would be guilty of extortion, in levying fees of any kind for his official services.

"The high character of the Collector takes away every color of suspicion, that in these cases he was actuated by any wrongful motives; he administered the office as he found his predecessors had done; and probably these special duties of duty are performed by his assistants, and his assistent thereto, if ever given, was merely formal.

"The principle, however, is not affected, if these presumptions are admitted as facts. The Collector is personally liable for the illegal acts of his deputy, in exacting a compensation not authorized by law. (7 John's R. 35, McIntire v. Trumbull.) And it is not necessary to the maintenance of a civil action, for the recovery of money wrongfully collected, that any turpitude should be proved against the officer. The suit no way rests on any illegal purpose of the defendant in exacting the payment. It is well sustained if his official powers were exercised in the collection without warrant of law. (Maxwell v. Griswold, 10 How., R. 242.) The payment was compulsorily obtained from the plaintiffs in this instance, and in that they are entitled to charge the Collector with the amount, notwithstanding he received it for, and paid it to the Government. (Ripley v. Glaton, 9 John's, R. 201.) Any charges or costs illegally exacted, by an officer in color offici, may be recovered back from him by a common law action of indemnitatus assumpsit. (Clinton v. Strong, 9 John's, R. 370.)

"We do not consider the objection that the action should be in the name of the individual passengers, and not in that of the ship owners sustainable. In the absence of proof upon this point, the inference would be that the passage money was all the ship owners could claim from passengers in their transportation to, and delivery at, the port of discharge. This presumption is fortified by the fact that the owners assumed the satisfaction of these demands; and also that the defendant exacted payment from them. It must thus be regarded a charge they were bound to satisfy; as a condition to the unloading of the ship, and if exacted illegally they would have no remedy for it against the passengers, if the passengers were bound to pay all proper port charges here. Nor do we think the Act of Feb. 24th, 1845, applies to extortions of this character. The terms of that Act requiring notice in writing to be given the Collector, of the objections made to the payments exacted by him, are expressly confined to duties paid. In all other respects the parties stand upon their common law rights and liabilities, and under that the action in this case will lie, although the fees collected by the defendants have been paid into the Treasury before suit was brought. (9 John's, R. 201.)

"In our opinion, the Collector has no authority to charge for any other than permits actually issued, at 20 cents each permit, and in the present case that he has demanded and received payment for three hundred and seven permits, amounting to $81.40, when by law he was authorized to collect no more than forty cents, being twenty cents each for the two actually granted by him.

"Judgment must be entered for the plaintiffs for the above excess, with interest."

"A true copy,
KENNETH G. WHITE, Clerk."

With respect to the suggestion of Mr. Guthrie, that the claim of the petitioners is "barred by the Statute of Limitations," it is sufficient to observe that there is no law of the United States which directs or authorizes any public officer to interpose such a plea, nor can it be made against the United States in civil cases. The justice and morality of such a defence, especially when the Government has illegally collected the money of the claimants, it is scarcely necessary to
comment upon. Such a defence in such a case would cover an individual with obloquy, and surely Congress will not, at this late day, set so vicious an example. That such a defence has not been the practice of the Government will not be denied; and it would seem, from the "Circular Instructions" (No. 3) of Mr. Secretary Cobb, to Collectors and other officers of the customs, that it is not now considered by the Treasury Department either just or obligatory to interpose the Statute of Limitations of a State to defeat claims such as the petitioners represent. The "Instructions" are as follows:

"CANAL BOATS AND BARGES—Act, July 20, 1846.

"By a decision of the United States Circuit Court for the Eastern District of Pennsylvania, at October Term, 1836, it has been declared, that the exaction of fees for license, or of hospital money, from canal boats or barges, when known to be in the habit of passing out of canals into navigable rivers or bays, and transporting cargo by the aid of steamboats or propellers, is illegal; and not in accordance with the provisions of the act to exempt canal boats from the payment of fees and hospital money," passed the 20th July, 1846.

"This Department having acquiesced in the judicial decision as above referred to, collectors and other officers of the customs are directed to discontinue the practice of making such charges under the circumstances stated; and in cases where they have already been made, and the persons who have paid the same shall make application to them for return of the money so exacted, such officers are authorized and instructed to prepare and transmit the proper certified statements in the several cases for the consideration of the Department.

"HOVELL COTT,

"Secretary of the Treasury."

But, said Mr. Guthrie, the practice of charging the additional twenty cents for permits to land passenger's baggage was "brought to the notice of the Department in 1833, when a suit was brought to recover the said twenty cents charged for every five passengers. The Court decided that the said charge was illegal, and gave judgment for the excess; and the Department acquiesced in the decision, and directed that twenty cents should be charged for a general permit." The suit referred to is the case of the ship "Rover," (David Og-
Although, the fees chargeable under the Act of March 2, 1799, (2 Stat. at large, 705, § 2), go towards making up the compensation of Collectors, the maximum of which, exclusive of fines and forfeitures, is fixed at $6,000 per annum, by the Act of March 3, 1841, (5 Stat. at Large, 432, § 5,) they must be rigidly accounted for, and the excess paid into the Treasury. And the money arising from this source contributes to defray the expenses of collecting the revenue. Suppose the fees of office were, as Mr. Guthrie recommended to Congress, abolished; would not Collectors and other officers of the customs, who now receive a portion of their compensation in these fees, receive as large a compensation as they now receive? And would not the compensation of those officers, instead of being, as it now is, a burden on commerce, be regulated by new laws, and paid directly from the Treasury?

This, however, is a singular objection to urge against the claim of the petitioners, when the opinion of the Circuit Court in Maxwell's Case shows that one of the grounds of defence was, that the fees, except so much thereof as the Collector was entitled to retain, had been paid into the Treasury; and that, therefore, he was not personally liable. That was the defence on which the United States relied to defeat the plaintiffs' petition, and yet Mr. Guthrie asserted in his letter of February 17, 1857, when other claims arose, that the money "never came into the Treasury." But, concede that Mr. Guthrie's position be tenable, and what then? The fact remains undisputed, that the moneys paid as fees by these claimants did contribute to defray the expenses of collecting the revenue, and for so much lessened the demands on the Treasury. It is clear, that the moneys thus collected were collected without authority of law, and with the knowledge and sanction of the Treasury Department, as its records attest. And, now are the petitioners to be turned off without relief and without redress, when the United States have had the use and benefit of moneys illegally exacted, and the Statute of Limitations of a State set up as a barrier to and denial of justice? Such was the principle announced by Mr. Guthrie, a principle which, it is confidently believed, will find neither apologists nor advocates now in any branch of the Government.

So far as a protest against the payment of the fees is concerned,
APPENDIX.

[Mr. Guthrie’s Letters to Mr. Redfield.]

"Treasury Department, Oct. 19, 1855.

Sir: David Ogden, of New York, in a letter addressed to this Department under date of 16th, asks whether interest from the date of payment of the fees for passenger permits is to be included in the statements authorized to be issued for the return of said fees. The Department having decided 16th November, 1854, to prevent a multiplicity of suits, that the case of the Racer, then in suit, should be taken as a test case, and that it would equally with the plaintiff bind itself to abide the decision that might be rendered in said case, and the Court having decided that the interest as well as the principal was returnable, I deem it but just that the claim should all be made up and paid upon that principle; therefore you are authorized and directed to include in the certified statements for the return of the fees, the amount of interest thereon from the date of payment.

JAS. GUTHRIE,

"Secretary of the Treasury.

"H. J. REDFIELD, Esq.

"Collector of the Customs, New York."

"Treasury Department, 16th Nov., 1854."

Sir: I have to acknowledge the receipt of your letter dated the 15th inst., in relation to a suit brought in the New York Superior Court by the trustees of W. Ogden against C. W. Lawrence, Esq., late Collector of the Customs, for the recovery of fees illegally exacted for permits for the landing of passenger’s baggage, and referring to a similar suit brought by D. Ogden against H. Maxwell, Esq., late Collector of the Customs, reported by you to this Department on the 11th instant.

The Solicitor of the Treasury has been directed to give the necessary instructions to the Attorney of the United States for the Southern District of New York to defend the several suits above mentioned.

With regard to the proposition referred to in your letter of the 11th ult., as having been made by the plaintiff’s attorney in the suit against Mr. Maxwell, that if several suits are commenced against Mr. Maxwell for the same cases, they shall be determined by the issue of one trial, I have to observe, there is no objection..."
to such an agreement being entered into by the Attorney of the United States in respect to all the claims of this character brought against either of the former Collectors, whether suits be entered or not, except only, 1st, where no protest was made against the exactions in question, or, secondly, where the claim was not presented directly to this Department, or through the Collector of the Customs, within six years from the time of the exaction of the fees in question. In such cases the claim being barred either by the act of Congress of 26th February, 1845, or by the Statute of Limitations of the State of New York.

"The summons inclosed in your letter is herewith returned as requested.

Very respectfully, your obedient servant,

"JAS. GUTHRIE,

"Secretary of the Treasury.

"H. J. REDFIELD, Esq.,

"Collector of the Customs, New York."
Martinsan, Marquette County, Wis. January 22/54

Sir,

I take this liberty to address you this note having long been one of your particular admirers. I must here say to you that you was my first choice for President of the U.S. I read up my mind after your speech in the City of Milwaukee before the Presidential Election of Mr. Lincoln. I am now more confirmed in my adhesion to your and I hope the war is not far distant. When I will have the Pleasure of seeing the Wyandots of Cushing my vote for you for President of the United States. I am not the only one in my section of the country it is a unanimous wish of all both Democrats and called Wh Republicans. I am myself a Democrat and always have been. I am a Southern Man by birth and Education but I must say I cannot...
ge as soon as some do, I think the
Course you have taken to be the one
Which all. Austere Sacton. I am
Myself an uncompromising Democrat
Shall always adhere to the old
Landsmen of that part, show my
dear Sir, it allows me to present you
With a list of some of our Leading
Men most of which were prominent
Men but have been long lost, and
I might add yours a thousand.
Others I think not least one thing
Of those who have declared themselves
for L. A. Bowlegs in 1860 for Deput.
Knee.

Republicans
James Knight
H. McCallie
M. A. King
C. H. Croft
J. H. Gooch
L. B. Garin
C. G. Park
Geo. Harris
M. A. Mathews
John Tate
Geo. Long
Hulands Smith

Said ever

J. H. Atkins

J. L. Millard
J. C. Chittick
Charles Rupke
A. H. McCracken
J. W. Knop.

I hold not your Letter further
for I believe I could If you
Rather than there is a great part
of Document in our Section of
the Country our Member Charle.
S. Bowlegs is a very good
Republican, but he has always
been dependent in his ad
ticipation let us have your
Speech on Kansas

Yours about Linc

J. H. Atkins
Jr. R. Oliver,
Markesan,
Marquette Co.,
Wisconsin

January 22nd 1868

Approves your course
and gives list of
names to send
speeches to
Winchester, Jan. 22, 1858.

Hon. S. A. Douglas:

Dear Sir: At the request of the Senator from our county, I forward you a copy of the resolutions and his remarks made on introducing them in the Senate on Thursday morning last, and it is with the more pleasure I do so, from the fact, that I am enabled to present them to you as the sentiments of 492 of every 100 Democratic voters in the state. There is no mistaking the popular sentiment of the people in our State on the question of popular Sovereignty, and if a Presidential election was to come next Fall, and Stephen A. Douglas was a candidate, he would receive a larger majority than has ever been cast for any candidate before. With us, as in Washington, I presume, there is a class of men who are already the recipients of strict censure, or expect to be, who endeavor to stifle the popular feeling regarding the present issue. But their efforts are futile and the argument "oppressing" without effect.
Sir: Mr. Knight asks for the admission of Kansas under the Leavenworth Constitution, there would not be a ghost of a chance for his re-election next Winter.

The resolutions referred to were sent to the special committee on Kansas affairs, one of which the Senator who offered them is a member, and the rest of them favorable to them. They will be acted upon at an early day and pressed. The President of the Senate, who is regarded as an Administration man, the fear that he should vote for the resolutions when called up. In fact, with us, it is a matter of self-preservation for if we were to repudiate the principle of "popular sovereignty," we should lose the state beyond redemption for the next 20 years, and by 18,000 votes. Senator Young, chairman on Kansas affairs, and Sharp, present writing this, will be in Washington shortly, and if my duties will permit, desire to accompany them, and in such case, should it be an honor to make your personal acquaintance.

Yours, very respectfully,

A. H. Patterson

Chairman Clark H. Senate.
Teabiv, Mr.

Janey 22d 188.

T. F. Pateason

Politied

Copy of resolution

Sends enclosed.
THE LATEST NEWS BY TELEGRAPH.

FROM WASHINGTON.

[Text continues with various news items and updates from Washington, D.C.]
Amherst Mass.

Jan 27, 1858.

Wants Pat off.

Ref. 185647.

Amherst Mass.

21 January, 1838.

Hon. E. A. Douglas,

Can you

favor me with a copy

of the 26th Pat. of Reports

for 1837? I

And greatly obliged you.

Yours truly,

John F. Phillips
Alexandria Jan. 15th

Hon. Stephen A. Douglas

Dear Sir: You will do me the favor of sending me a copy of your speech on the Kansas question. Yours in the highest regard,

Jas. G. Sibley

P.S. Send it by return mail.
Jr's L. Seibert, Jr.
Alexandria
Jan 7 22 58
Wants Speech

Speeches deaf
Hall
Strictly Private. Intended exclusively in the Judge's own eye.

Mr. S. A. Douglas.

Washington

[Signature]
Chicago, Jan. 22d, 1858.

Dear Judge:

I write to you to inform you of a matter which you should know, and which possibly may be important that you may know how to act in certain contingencies. Carpenter is at Washington seeking the post office. Some years ago, or some time during last year a claim or claims of a Pittsburg firm here against parties in this city were placed in Carpenter's hands for collection by suit or otherwise. He instituted suits against the parties; the defendants however promptly paid the claims. One of these paid the claim in drafts at 30, 60 and 90 days, on a Chicago house. These drafts were made payable to the order of the Pittsburg house (the plaintiffs.) These drafts were accepted by the drawee in Chicago, and at maturity were presented by Carpenter in person, I was of course paid, the other was negotiated by Carpenter in a bank, and
was also paid at maturity. All these
drafts were endorsed with the name of
the Pittsburg firm, who were named in
the drafts as payees.
During this whole time and for
several months subsequent to the
face maturity of the last draft, Car-
porten was in correspondence with
his clients representing that these
claims were still unpaid, that he had
been at great trouble to overcome the
legal and technical defenses of the
defendants, etc.
At last one of the Pittsburg firm
came to Chicago, and there he discovered
the facts. The endorsements on all the
drafts were forgeries. The drafts were
paid over in the first instance to Carporten
as attorney, & at maturity were
presented by Carporten—he having
as it would appear procured the endorse-
ment mark of his charts. He therefore having
had the custody of the papers all the
time, and having written premature the
hope with the forged endorements,
must have known these endorsements
were forged, & therefore knowingly
altered them.
The Pittsburg firm of course
wished their money. They made a
peremptory demand for it—($500)
Carporten paid $1000 down, & yet
still owes $500. He has done for
the attorneys here for some time or put
them off with various excuses. He at
least has been off to Washington hoping
I suppose if he can secure a 3.0, to
raise the money to discharge this
claim. There are facts susceptible
of proof. The hope of obtaining the $500
has prevented a prosecution as far.

I thought it best to apprise you of
these facts so that you may know how
to act under all circumstances.

Yours,
J.C. Shahan
Owen C. Sykes
Fishkill
Dutchess Co.
N.Y. Jan. 27th 58

Mark President's speech on above
posters speeches

Mr. SI. A. Douglas
Sir,

Will you please send me for preservation a copy of the
President's Message, and if I had speech
upon it and if it will not trouble you
too much I should like to receive any
other Public Documents which you may
be disposed to send, and particularly
such speeches as may be made upon the
subjects of Kansas, Utah, or Fugitive
slaves.

Respectfully,

Owen C. Sykes

Fishkill Village, Dutchess Co.
Jan. 22nd 1858.
Portsmouth, N.H., January 22, 1838

My Lord, Stephen A. Douglas,
Washington, D.C.

Dear Sir,

If you have any remaining on hand of your 'Kansan Speech', you will confer a favor by sending me a few of them, and I assure you they will be read by people who have great respect for the Author.

Remain,

Respectfully,

Mr. C. T. Went
Edward J. Lise
Henry S. Sleeper
Kalamazoo, Mich.

Wants Autograph

Speech send.

Kalamazoo, Mich.
June 22nd 1858

Hon. S. A. Douglas
Respected Sir:

Being desirous of obtaining the autograph of the distinguished men of this day, I should be very happy to obtain yours.

Very Respectfully,
Henry S. Sleeper
Kalamazoo, Mich.
Mr. Douglas:

I must ask you to bear in mind in your advice on Kansas. I am glow to mean it. It seems to me to strengthen your Thos. Power on the subject. I am a proslavery man, and against Kansas to be a slave state if a majority do wish it, but I am unwilling to see a constitution forced upon a free people without it a declaration by 2/3 of the whole to a vote of the people. It is difficult to talk about Kansas being a slave state. You will have seen the resolutions at a recent Democratic Convention at Frankfort Kentucky by the Rev. J. O. Rayer. I think they will take your eye with those they place in the admission of the Lutheran Calvinist Constitution on the Cincinnati Platform. As an American I can't see the application.
In this section of the state, a large majority of both parties are opposed to the admission of Kansas without submitting her whole Constitution to a vote of the people; and I have no doubt such is the sentiment of a majority of the people of Ky. It is Republican. Though we have become to act in concert for the present business you as a true Republican must be a part of the friendly Union and community. The Nation will sustain you. Respectfully

E. Smith

P.S. Smith
May 28, 1865

Dear Mr. Douglas,

The paper containing your recent motion in relation to Kansas, introduced December last in the Senate, I am much urged among Militia to lose and am unable to procure another copy. Will you come the form of sending one?

Very Respectfully,

[Signature]
S.S. Spencer,
Erie-Pa. Jan 17 58
Mark's青山
Detroit, 25th Jan, 1858.

My dear Sir,

I have now an opportunity of writing to you, because I know you have little time to write letters, much less to answer them.

Then the administration, in suspending of departures to Canada, has suspended those leading newspapers which have stood in accordance with the administration in Canada, with the Free Press. I shall communicate this, and I hope this paper will be. I understand the things is also preserved, if it is charged that the administration should make laws that leading newspapers can get along without an administration.
support than the administration can
without this support.
If this be not done quickly, the
administration will persist in their
decomposed policy, in the face of
every thing of which it and nothing
for it. It shall now die.
If you can learn to subdue,
and carry our popular guerrilla in
Kansas, our Northwestern state will
be demoralized, and the cause of your
friends in all its aims will be dignified.

Yours faithfully,

[Signature]

Gent. P. A. Douglas
Detroit, Michigan
January 22nd, 1885.

Thor Steinar,
To the Hon. Stephen A. Douglas.
United States Senator.

Hono Sir.

Having perused extracts of
the speech delivered by you in the
Senate on the 9th of Dec., 1854,
I have become anxious to obtain a
correct and full copy of it. Knowing
no surer way than by applying to your
Hono. I have taken the liberty of request
ing you to favor me with a copy of the
same. And I remain as ever

Yours Respectfully
C. A. Rockwell.
304 Pearl Street
New York

New York
Jan. 22, 1855
E. A. Shidwell
304 Pearl St.
N. Y.
Jan'y 22-'58
Mark's speech
E. W. Swenland
Mrs. Ruppert
Madison Co,
W. Y. Jan'ly 22 / 8

Deb. Butler
Madison Co.
W. Y.

Jan 22. 1858

Lord & Co. Douglas:
O. S. I.

Thinking that you
might be willing, as you were,
occasionally handing Congressional Documents and Speeches
to your friends, to retain my
name, at your good will, I
cordially hope, that anything which you
may be pleased to forward,
will be most gratefully
acknowledged.

E. W. Swenland
Memphis, Indiana, January 22, 1858
Hon. Stephen A. Douglas

Dear Sir,

Being as we are, what is called Douglas men, we presume to ask one favor of you, kind that is simple: this, that you will please favor us with two copies of your speech, in the President's Message, and other speeches you may have occasion to make while in the Senate. But we hope to see you elevated to the President's Chair, the place you do richly deserve, if ever, if it is reserved for you to bear the standard of Democracy across the troubled waters of a political ocean; you may rest assured of the strong support of the Old Democrat, the old Old Hoosier, though we are not personal, yet we are Political Friends and True Democrats; please answer soon as convenient, and Address,

Melvin Weir

Memphis, Indiana
Memphis
2nd July 22/58
Melvin Meis
Henry H. George
Endorse you to
want sheeles.
Washington, D.C. Jan. 22, 1858

Hon. S. H. Douglas,

Sir,

Jos. W. Merriam, Esq., one of the Editors of the New Hampshire Patriot, at Concord, has written me a letter requesting to obtain from you, under your frank, some 500 copies of your late Speech in the United States upon the Kansas question. He desires to have them in blank, that he might impressible them to such persons as he may think proper throughout our State. They can be sent through the mail in packages of about 25, with the outside directed in full. He also informs me that they are soon to have an Election in that State, and that there is not one Democrat in five hundred that is not in favor of the *popular sovereignty* doctrine and great urging to make for your Speech.

The Hon. E. Burke, however, takes the other side of the question and is against trusting the people with the making their own Constitution. Being an early friend of yours, having voted for you for Congress in Chicago, when you ran against Mr. Strode, I have, ever since, been a constant observer of your political career, and still remain your friend and

Olb. Sent, Prof. E. Wilson
John Wilson
Washington, D.C.
July 22, 1858

Political
For W. Merriam

[Handwritten notes]

Jos. W. Merriam
Concord, N.H.
July 22, 1858
Wants $200
Speeches—frankly

From: Ferdinand Burke
Ph.D.
Atlanta Ga June 22nd 1858

Hon S. A. Douglas
U. S. Senor

I hope you will excuse me. I am a Douglas man, I live now in the South but I am anxious to read all you do, allow me to ask you to send me your speeches, & what is doing at Washington. I am only a common man & will die broke but I have always been your friend. Please excuse me.

Yours respectfully

[Signature]

S. A. Douglas
Pittsville, Jan 22nd 1855

Hon. J. A. Douglas,

Dear Sir:

At the request of the Democratic Executive Committee of Washington County, I herewith enclose proceedings of mass meeting of the county, held Monday last. We are a united. We reached the county last fall by 32. Now we shall carry it next fall by 50 majority. I am yours very truly,

Merrill C. Young
Pekin, Ills.
Jan 22 1878
Merrill C. Young

Enclosing copy of resolutions of Dem. meeting held here on 25th inst., which will give a Democratic victory next fall.