

The 36th Congress was the one immediately preceding the great civil war, and the Senate's discussions in the spring of 1860 developed those grave differences of opinion which were subsequently submitted to the arbitrament of arms. The short session, ending in March, 1861 was marked by the withdrawal of the Senator

from the seceding States, as they assumed to leave the Union. Most of the retiring Senators signalized their departure by feeling addresses, some of which were filled with gloomy forebodings, while others were radiant with prophecies of success for the revolutionary movement.

Part IV.

The four years from 1861 to 1865 constituted the most eventful period of our history. While armies of immense, almost unparalleled magnitude were engaged in the actual conflict of battle, the legislator's task, was to devise the mode of calling them forth and embodying them, and to provide the machinery by which the means of supporting and supplying them should be obtained. This was a task which called forth the ability of Senators and Representatives.

When the Senate met in special session at the inauguration of Mr. Lincoln in March, 1861, the

Republican party which had elected him, was for the first time in the majority in both Houses. This majority was partly due to the withdrawal of the senators from the States which had seceded; but the border States and Texas were still represented.

Soon after the adjournment of the Senate the attack on Sumter aroused the national heart, and while the immediate result was to draw Virginia ~~and~~ North Carolina, Tennessee, Arkansas ~~and~~ Texas into the Confederacy with their more Southern sisters, the movement was met by the national authorities by call for troops and by proclamation convening Congress in extraordinary session on the fourth of July, 1861.

When the Senate convened on that day, the seats from eleven States were vacant, with the single exception of that of Andrew Johnson, of Tennessee, who denied the right of a State to secede and maintained

his allegiance to the Union and its flag.

This extra session was brief and confined to measures for calling forth troops and raising money, and to an act defining the character of the insurrectionary movement and regulating commercial intercourse with the insurrectionary States. This latter act was the product of the brain of Senator Collamer and had great influence in settling the legal relations between the adhering and the rebellious States.

At the regular session of the 37th Congress, which began in December, 1861, the main measures were the legal tender bill, the internal revenue bill, the confiscation bill, and various loan bills. They were all debated at length and with ability. The divisions upon them were not marked by party lines. The discussion of the legal tender question was especially ~~marked~~ noticeable for the great ability displayed on a subject not very attractive to the casual auditory, but which involved legal and

constitution principles of great moment and lasting consequence. The opposition to the measure was led by Colamer and Cowan, and it was advocated by Sumner, Sherman and Mr. Douglas.

During the session while the war lasted it was no unusual occurrence for the deliberations to be interrupted by the presiding officer presenting a dispatch from the War Department announcing the result of some engagement or the completion of some important strategic movement. When the news thus received proclaimed victory for the Union arms, it was received with applause.

Perhaps, of all the scenes enacted during the Thirty Seventh Congress the most exciting and dramatic was one between Baker, of Oregon and Breckinridge, of Kentucky, in July, 1861.

Baker (who soon after lost his life at Bull's Bluff) was in actual command of a regiment of volunteers, who were encamped about a mile from the Capitol, but had not received a commission, the acceptance of which

would have vacated his seat in the Senate. He rode from the camp to the Capitol daily and entered the Senate Chamber "booted and spurred" but otherwise in civilian garb. Breckinridge on one occasion was discussing the action of the administration in severe terms. When he had concluded, Baker arose and spewed forth such a torrent of invectives as has rarely been heard in any legislative hall. Breckinridge replied, and Baker responded in such denunciation of treason and of traitors as will be recited by schoolboys of generations to come. Breckinridge did not return to the Senate after that session, but joined the army of the Southern Confederacy, in which he became a general officer.

This Congress is memorable also for the measures by which the state of Virginia was divided and the new Commonwealth of West Virginia was formed. The various steps in this process are not commonly understood as they should be. After the ordinance of secession was passed by

by the convention of Virginia in April, 1861, a large portion of the people, principally in the northern and western counties, determined to remain true to their allegiance to the General Government, and acting up to this determination, a convention of the people assembled at Wheeling, declared the secession ordinance null and void, and treating the State offices as vacant, provided for filling them by a new election. An election was held and a Legislature chosen, which selected Senators to fill the seats vacated by Messrs. Hunter and Mason. The gentlemen thus chosen presented themselves at the session of July, 1861, and, after examination and debate, were admitted to seats in the Senate. Representatives elected under the same authority were admitted to seats in the lower House. The Executive recognized the Governor and Legislature of reorganized Virginia as the legal government of the State.

After the reorganized government was set in motion, the movement to create the

new State of West Virginia made rapid strides. The consent of the Legislature was given; a convention was called which formed a constitution for the new state, and on its submission to Congress the consent of that body was obtained, given, but not without fierce opposition protracted debate. In December, 1863, the Senators from West Virginia appeared and were admitted. One gentleman, Mr. Willey, was Senator from Virginia, from July, 1861, to March, 1863, and from West Virginia from December, 1863 to March 1871.

The 38th Congress was a repetition of the 37th, in its loan bills and measures for providing troops and supplies; and when it adjourned it was felt that the end of the strife could not be very far off: and, in less than six weeks after its adjournment, the Confederacy collapsed, on the surrender of Lee's and Johnston's armies.

The vicissitudes of the war had much effect on public men and measures.