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THE

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CHARGE OF INTOLERANCE

AGAINST THE

NEW HAMPSHIRE DEMOCRACY

AND

GEN. FRANKLIN PIERCE.

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OF  
RELIGIOUS INTOLERANCE  
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THE course of the unscrupulous demagogues who have dragged the SECT element into the presidential arena is not merely to be regretted, but to be deplored. In American political contests the searching questions ought to be ever, as to a candidate, "Is he honest? is he capable? IS HE FAITHFUL TO THE CONSTITUTION?" while an approach to any thing like the popery cry of the British tory party, or an appeal to a sect as such, ought to be severely denounced as violative of the spirit of our institutions. But what is termed "THE CATHOLIC CHARGE" against the New Hampshire democracy and General Pierce has been made; and in spite of refutation and of recantation, it has been reiterated with additional layers of falsehood. Dishonest documents, full of misrepresentation and of wanton calumny, have been systematically and widely circulated. In this state of things, simple justice to the democratic candidate and cause requires that facts should be as widely spread as Scott colporteurs are scattering *fiction*; for such is the plainness and conclusiveness of the record, that whenever TRUTH overtakes the LIE, it will brand those who continue to circulate the charge with the disgrace due to calumniators.

This charge, when first made, was regarded as so absurd and silly, so contemptible and false, as to be unworthy of a formal refutation. The respectable portion of the whig press recanted it, and emphatically disclaimed it. Thus the REPUBLIC, of June 9, 1852, — the Scott organ at Washington, — had the following recantation: —

"The allegation that the course of Mr. Pierce in the late New Hampshire convention is open to any just exception on the ground of his manifesting any religious intolerance is utterly unfounded. We have referred to the proceedings of the convention, and find nothing that indicates any other sentiment than one entirely in harmony with religious freedom. Mr. Pierce was opposed to the recognition of any political differences among the various sects of Christians; and we shall be much surprised to learn that he has at any time, in the convention or out of it, exhibited any bigotry or intolerance on points of faith or conscience."

Here this charge is pronounced to be "UTTERLY UNFOUNDED." And yet this same charge has been put into new shape, and renewed, and the

Scott press is circulating it just as though no portion of it had ever stood on the confessional. It will be the object of this paper to show how conclusively the record will sustain the Republic's admission of the "UTTERLY UNFOUNDED" character of this charge. The facts show a disregard of truth, justice, and honesty in those who make it, unequalled in the annals of political warfare.

The charge is that General Pierce is not in favor of the abolition of the religious test that disgraces the Constitution of New Hampshire; that, in a convention called to revise this Constitution, he opposed a proposition to strike out the clauses that constitute this test; and hence is an enemy to what is termed "Catholic Emancipation" in New Hampshire, and hostile to Catholic interests. It is further alleged that the democratic party have had it in their power, for years, to abolish this test, inasmuch as they have been in a majority, but would not do it; and hence they are responsible for its continuance. It is further represented that the democratic party of this State have been generally *opposed* to an abolition of this test. On these grounds Catholics are appealed to, *as Catholics*, to take sides against the election of General Pierce for the presidency.

### The Religious Test and Amendments to the Constitution.

The Constitution of New Hampshire, adopted in 1784, contained the provision that persons, to be eligible to certain offices, "must be of the Protestant Religion." A tradition says that this provision was inserted to repel a taunt which was common after the French alliance, that there was to be an alliance, also, with the French religion, and an establishment of it in this country. The 1784 Constitution required a two thirds vote of the people to alter it. The injustice and impolicy of retaining this test became so manifest, that the Convention of 1791, which submitted the present Constitution to the people,

voted to erase it, and a *majority* of the people concurred with the Convention; but as there was not quite a *two thirds* majority, the provision remained. The main work of this Convention was ratified; and during the year 1792, the present Constitution was adopted, which has not been altered since.

The clauses in this Constitution which do injury to a class of citizens by branding them as dangerous or disloyal, and which, therefore, are so disgraceful to it, are in the provisions naming the qualifications for certain offices. That respecting Senators is, "No person shall be capable of being elected a Senator who is not of the Protestant religion." The same thing is repeated as to the Representatives and the Governor; and it is provided that the qualifications for Councillors shall be the same as those for Senators. The sixth article of the Bill of Rights, also, has a clause empowering the legislature to authorize towns and other corporations to make adequate provision "for the support and maintenance of public Protestant teachers of piety, religion, and morality;" though the same article justly provides, that *no person of any one particular religious sect or denomination shall ever be compelled to pay towards the support of the teacher or teachers of another persuasion, sect, or denomination.* The test qualification only applies to the offices of Governor, Councillors, and members of the legislature. As to all these officers there is also a property qualification equally contrary to sound politics.

The following method is prescribed for amending the Constitution. Every seven years the people, in legal meetings duly warned, are to determine whether they will call a convention to revise the Constitution. If the next general court after the voting, on examining the returns, finds that a majority have declared for a revision, it is made its duty to call a convention, where all amendments must first be passed upon. It is, however, provided that "*no alterations shall be made in this Constitution before the same shall be laid before the towns and incorporated places, and approved by TWO THIRDS of the qualified voters present, and voting on the subject.*"

From this statement it is seen, 1. That it is a sheer misrepresentation to term this test a *law* of the State, as though it could be altered at the will of a *majority*. Those who talk about its being a disgrace to the *statute* book, as though it were a *law*, talk at random. Had this been the case, the Democratic party would have repealed it long ago. 2. It is a part of the Constitution, to alter which require certain forms to be gone through with, and amendments require to be ratified by a *two thirds* vote. This majority the Democrats never had. 3. The assertion often seen that Catholics are excluded from *all* offices in New Hampshire, is not correct. They may, like other citizens, be judges, sheriffs, hold town offices, or, indeed, hold any office but that of Governor, Councillors, and members of the legislature; and as to the latter, the test has been a *dead letter* for half a century.

## The Democratic Party and Amendments to the Constitution.

The Democratic party, so far from favoring the tests, has been open, uniform, and persevering in opposition to them. It has, through its organs, denounced them as grossly violative of the rights of the citizen, and as a disgrace to the State; and it has labored, on septennial occasions, to procure a convention to mature a revision of the Constitution, and, *avowedly*, to abolish the religious and property tests.

This question, for instance, was agitated in 1844. To show the spirit of the New Hampshire Democracy, we select the following from the New Hampshire Patriot of October 17, 1844, which paper was at that time, and is now, the leading organ of the N. H. Democracy. The article is headed, "*Revision of the Constitution.*" The following are extracts from it:—

"We speak the universal sense of the democratic party when we denounce the provisions alluded to, (the religious and property tests,) as violative, grossly and deeply, of the plainest and most incontrovertible rights which are asserted in the Bill of Rights. That declaratory instrument maintains, in the broadest terms, the most radical doctrines of man's equality. Nowhere else can we find the essential doctrines of equal rights more fully stated. Yet our (State) constitution contains provisions requiring that a man, to hold certain offices, *must possess a stated amount of property*, and be of a *particular religious belief*. Now such OBLIGATIONS CANNOT BE JUSTIFIED ON ANY PRINCIPLE OF JUSTICE, REASON, OR COMMON SENSE. On the contrary, they stand out in glaring inconsistency with the whole scope of the Bill of Rights and the Constitution. While the right of suffrage, the right of *electing* to every office, is free, broad, and untrammelled in New Hampshire, the right of being *electd* to certain offices is being restricted by the most invidious requirements. Hypocritical, canting professions of a certain form of religious belief is required, while an honest avowal of other views is accompanied by civil disabilities."

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"We earnestly appeal to all true friends of reform, to make a united and strong effort to accomplish the great object. A more favorable opportunity can never occur. Every democrat owes it to himself, to his principles, to the credit of the State, as well as to his abused fellow-men, to aid heartily and energetically in purging from what is called the charter of our liberties the disgrace of provisions making one class inferior to others."

It is stated that every democratic journal in the state took equally earnest ground in favor of a revision of the constitution.

While the press was thus bold in denouncing the tests, and strong in advocating a convention, the leading politicians were equally earnest. The Patriot of October 31, 1844, for instance, contains an account of a meeting, and a report of a speech made by Judge Woodbury, at Salisbury, Oct. 21, 1844. Judge Woodbury said:—

"This is no time for lukewarmness or neutrality on other accounts. You have a State question, as to the amendment of your own constitution, to be settled on the same occasion, and involving some similar questions. On that, likewise, show the world that you are a sovereign people, and can and will abolish ALL OBLIGATIONS AND OBLIQUE PROVISIONS of a monopolizing tendency. Of what use are sound theories without sound practice? And why are you endowed with the lion heart and eagle eye, but to dare to do all which doth become men, to shield and perpetuate your rights?"

General Pierce followed Judge Woodbury at this meeting, and made one of his strong and impassioned appeals in favor of the same action. But let contemporary accounts state the truth.

The Patriot, (Oct. 31, 1844,) in an article urging the necessity of a revision says: "We appeal to the friends of revision in every town to exert themselves to get the friends of the measure to vote upon the question. It should be made, as it is, one of the great objects of the town meeting. Hon. Messrs. Woodbury and Pierce both made urgent appeals to the democrats at their meeting at Salisbury, to use earnest and strong efforts to get a full vote in favor of revision. WE BELIEVE WE CAN SAY WITH TRUTH THAT THERE IS NOT AN INTELLIGENT MEMBER OF THE DEMOCRATIC PARTY WHO IS NOT IN FAVOR OF A REVISION. If a united effort is made, the measure can be easily carried."

The same paper contains notices for meetings at other towns, at which General Pierce was announced to speak.

But the democratic party have also spoken against these tests, and in favor of their abolition, through their conventions. Of these we select the action of only two, one a county and the other a state organization. The former was *one of which General Pierce was a member*. It was the Democratic Merrimack County Association, held in Concord, January 8, 1845. The following proceedings took place:—

"On motion of Mr. Stanley, of Hopkinton, a committee of seven was raised to prepare and report resolutions, consisting of Messrs. *Pierce of Concord*, Simonds of Warren, Cates of Northfield, Fowler of Pembroke, Page of Bradford, and George of Salisbury."

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"The committee on resolutions reported the following, which were accepted."  
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"RESOLVED, THAT WE UNQUALIFIEDLY REPU-  
DIATE ALL RELIGIOUS AND PROPERTY TESTS AS CONNECTED WITH QUALIFICATIONS FOR PUBLIC OFFICE, and sincerely regret that the constitution of New Hampshire recognizes any qualifications as essential except those of patriotism, ability, and moral worth."

The Democratic State Convention, held Oct. 18, 1849, unanimously adopted the following resolution:—

*"Resolved, That we are in favor of a revision and amendment of our State Constitution, to such an extent at least as will free it from RELIGIOUS TESTS, PROPERTY QUALIFICATIONS, and all other illiberal and anti-republican features."*

Such has been the varied and uniform action of the democratic party in reference to these tests and their abolition! Such is the record that makes answer to the charge that this party has opposed the abolition of this test! This charge, in the language of the Republic, is "*utterly unfounded*." It is stupidly false.

## The Whig Party and Amendments to the Constitution.

Is it possible for the whig party to present such a record as this? Did its press universally denounce this test? Did its leading men advo-

cate its abolition before large gatherings of the people? Have its county or state conventions ever passed resolutions against it, and in favor of a convention to abolish it?

While the democratic press were thus manfully advocating a revision, the whig press up to 1850 were in opposition to it. Every whig journal in 1844, for instance, opposed calling a convention. In this year the federal files abound with articles AGAINST calling a convention. A few are selected as samples of their language.

The Nashua Telegraph said: "We do not think it worth while to incur the expense of a convention, and run the risk of improving it [the Constitution] at present." The Keene Sentinel admitted that its political friends had opposed a convention three times within ten years, as they "were unwilling to submit the revision of the Constitution, for trifling practical defects, to such men" as then controlled the State.

The Exeter News Letter advised the people to "let well enough alone;" that if a convention was called, "they would probably mar the Constitution in two instances where they mended it in one;" that it "would be as likely to do hurt as good;" that the Constitution was imperfect, "but we are not at all certain that it is so bad as it would be likely to be made by any assembly that would now be convened to revise it."

The New Hampshire Statesman said the bulk of the people were "satisfied with the Constitution as it is;" that if it was revised, "some very obnoxious features" would be incorporated into it, and that "this consideration, in connection with the cost of the convention, and the necessity of the publication of an entire new code of laws, will cause the people to be exceedingly cautious in their vote" upon the question.

These are well known as among the oldest and most influential of the federal papers in the State, and the remarks quoted are but samples of what was said by the whole of them against the calling a convention to revise the Constitution.

## The Convention of 1850, and the Religious Test.

Notwithstanding the appeals of the united democratic press, no convention to revise the constitution was called until 1850. This is ascribed to three causes; first, such opposition to the measure as we have described by the federal or whig press and whig leaders; second, that from the circumstance of the property test and religious test having been *inoperative for thirty years*, they had come to be regarded as of *no practical importance*; third, this made the voters, generally, inattentive to voting on this question, as the vote on it was always taken near the close of the town meetings, when the majority had retired. But in 1850 a strong effort being made to obtain a convention, and mainly to remove from the constitution these tests, it prevailed, and a convention was called.

The convention assembled in November, and embraced a very large number of the prominent democratic politicians of the State. GEN. PIERCE was a delegate from the town of Concord, and was elected President by a vote of 257 to 6. The proceedings of this convention were published from day to day in the *New Hampshire Patriot*, and the reports contained in *this journal* of November 14 and November 21, 1850, are the authority for the following statements, and for the originals of the speeches.

On the 11th, in committee of the whole, Mr. Atherton of Nashville being in the chair, Judge Woodbury said, he was well aware that there was a very important principle involved in the 6th article, referring to the word "Protestant;" but as that term was also introduced into the article relating to the qualifications for holding office, he thought the discussion might better be deferred till the subsequent articles should come under consideration; and he therefore moved to strike out the word "Protestant," and to postpone the consideration of his amendment till the other subjects should be brought under consideration; though he remarked that he had no objection to taking the question now on striking out. This was the article in which occurs the clause making provision for the support of "Protestant teachers of piety, religion and morality." As other amendments were to be proposed to this article, Judge Woodbury withdrew his motion. A little later in the deliberations, on the same day, is the following record: "MR. PIERCE OF CONCORD PROPOSED TO JUDGE WOODBURY TO RENEW HIS MOTION TO STRIKE OUT THE WORD PROTESTANT, AND THE WORD WAS STRICKEN OUT."

On the next day, Nov. 12, the Bill of Rights was again under discussion. Various amendments had been proposed, mostly varying as to verbal form; when GEN. PIERCE said:—

"If the amendments now proposed should be rejected, he would submit an amendment which would retain the language of the present constitution, striking out only such parts of the article as are admitted to be entirely inoperative, and which would be operative if retained. His proposition would be to strike out all after the word 'religion,' in the eighth line, to the word 'no,' in the twentieth line, and insert instead thereof—'they should never be overlooked or neglected. It is the province of legislation to restrain vice and encourage virtue, but experience having demonstrated that institutions of religion are most efficiently upheld by unrestrained individual exertion and voluntary association,' no person of any one particular religious sect, &c. This would retain the clear, strong language of the present constitution, and what he regarded as of no little importance, the language familiar to almost all classes and all ages. When the question of adoption shall be submitted to the people, they will find language familiar and cherished."

The committee to whom those subjects had been referred, made a report recommending that the religious test and property qualification be stricken from the Constitution. The report was referred to the Committee of the Whole. On the next day, the 13th, the subject was taken up in Committee of the Whole, and Judge Woodbury and GEN. PIERCE advocated the proposed amendment in able, convincing and effective speeches.

We quote these speeches as published in the "Daily Patriot, which paper was subscribed for by the Convention for the use of the members, on account of its reports of the proceedings—it being the only paper which reported them in full:—

From the "Daily (N. H.) Patriot," of November 14, 1850.

#### COMMITTEE OF THE WHOLE.

On motion of Mr. Parker, of Nashua, the convention resolved itself into the Committee of the Whole on the report of the Committee on Property Qualifications and Religious Tests; (Mr. Sawyer, of Nashua, in the chair.)

*Religious Tests.*—The first resolution, striking out all religious tests, was taken up.

Judge Woodbury made the following remarks:—

Mr. CHAIRMAN: Being opposed to the test, that some of our principal offices shall not be filled except by persons of the Protestant Religion, I ask leave to offer a few reasons for it. I do it quite as much to vindicate our fathers in part for inserting it, as myself for resisting it. Constitutions, it is conceded, ought to be durable instruments, being the great fundamental laws passed by the people, and lasting at times, as ours has, without a shadow of a change for half a century; yet I am willing, when a provision like this becomes hostile to the tolerant spirit of the age and a more enlightened public opinion, to expunge it at once from our system of government. I do this too, the more readily at the present moment, in order to present another illustration to the world how easily laws and even constitutions, where objectionable, can be changed and rechanged in this free country without a resort to violence and to measures treasonable to public liberty and the safety as well as the best interest of our blessed Union. Nor is it that I oppose religion, but support it. I am neither deistic nor innovating rashly.

On a little examination it will be found that this test crept into the constitution originally under a temporary impulse, and without having any influence on the affairs of the State practically as they then stood. This is the vindication of our fathers.

Tradition says—and I probably had it in early life from the venerable parent of the member from Epping, [Mr. Plumer]—that parent, the Nestor of the politicians of that generation, and sole survivor of the convention of 1791—that the provision was inserted in 1784 to repel taunts which had been flung out by some after the French alliance, that there was to be an alliance also with the French religion, and the establishment of it here. The provision fell then still born—so few Catholics existed in the State. But in 1791, the impropriety of retaining it on principle became so manifest, that after one or two ineffectual efforts, the Convention voted to erase it, and a majority of the people concurred with them; yet not being quite two thirds, the provision remained, though against the will of a decided majority.

The principle of the test was, even then, so odious, that, as Catholics increased since in the State, from a mere handful as then, another Convention would, I think, long ere this, have been called for expunging this alone, had they become numerous, or had the test been much more than a *brutum fulmen*, or used practically to oppress them. If any soreness against Catholic persecutions of the Puritans abroad mingled with this, and rendered prejudices stronger with some against erasing the test, they ought, for more recent persecution by Laud and the Episcopalians in England, to have excluded them also. But it was right to exclude neither. Now, under more auspicious circumstances, we have and I trust will improve the opportunity to do justice to all. There is now no dread of French influence or French religion. The rights of all Christians, at least to equal freedom and power in our system of government, have become a practical question, and should of course be settled on broad, enlightened, and humane principles. Fifty years, with their discussions, and researches and experiments, have poured a flood of light over the true nature of liberty of conscience and all its great safeguards. Let us, then, do what our fathers themselves would, if now living, under increased light and experience.

How does the question stand under republican principles of government? By them constitutions and laws are made more to protect rights than to confer them. They are made

for protecting liberty, equality, conscience, property, and life, rather than to give most of these, or to establish any particular set of religious opinions. This is not that religion is a minor concern, and not in some view the greatest for an immortal being, but rather that religion is a concern between God and man, and seldom to be interfered with by governments. Such intolerant interference has caused oceans of blood to flow, and millions to perish at the stake, and was one of the great causes which expelled our fathers to a wilderness and the mercy of savage foes. The republican government afterwards established here should, if true to republican principles, shield all in their religious tenets while conducting peacefully, and protect all in their pursuits and worship, however different, while acting as good citizens, or it becomes suicidal, and, like despotism, persecutes differences of opinions, and introduces the grossest irregularities.

How does the question stand on the principles of our bill of rights?

It is forced to admit that each sect should enjoy, and it does now enjoy here, the privilege to hold property. If to hold that, why not protect it by laws which each helps to make? It concedes to each sect the right to sue for injuries to character, for injuries to children and wife, and to worship God in freedom. Why not, then, let them aid in legislating to protect all these? You hold out the husk, but withdraw the kernel. You allow fire-arms, but neither gunpowder nor lead to load them and make them effective. In the bill of rights you pledge also to all sects equality, but afterwards by this test you make all but Protestants unequal. You will promise entire freedom of conscience to all, and treat it in the fourth article as so high a privilege as not to be in any way unalienable, and yet you leave others than Protestants defenceless as to it by disfranchising them from filling offices to secure it by legislation.

It is contrary to the Declaration of Independence, and of the very first article in your bill of rights, declaring all men equal. You do not thus give to all men equal privileges. It is also in the teeth of the same bill of rights to say one sect shall not be subordinate to another, and still disfranchise one, or let one hold offices forbidden to others. It is likewise contrary to all sound experience and reason to say, as we do, that Catholics may vote, but not be voted for; and that they may be well competent for one duty and not the other. So it is inconsistent to say, as we do, that they may be jurors or judges, yet not legislators — or agree, as we do in the Constitution of the Union, that Catholics may be fit and safe for members of Congress, senators, cabinet officers, yeas, presidents, and yet denounce them as unfit and unsafe at home to represent one hundred and fifty polls in one of our small townships. It is in truth much like the great grievance which led to our revolution — *taxation without representation*. All other than Protestant sects are virtually deprived of representation, as they are made ineligible to the legislature. Their opinions and wishes are unheard there, from themselves. They are branded. They are driven forth, as with the mark of Cain, for servitude and ignominy.

Why not as well explicitly say — and not do it covertly — that none but Protestants are fit for a republic? Why not say that Catholic Maryland is unfit? Catholic Hungary? Catholic Ireland? Catholic France? Why halt at half-way measures? Why not say it is a mere creed in religious faith, and not the mind, heart, morals, which renders men suitable for self-government? or that we establish government for the former alone, and not to secure liberty, character, property, and life?

Indeed this test debars man from what we allow to the degraded African, as he is eligible here to hold office as well as to vote. It seems often to have been overlooked, likewise, that these tests are restraints or chains on those who make them, as well as on others. The Protestant himself cannot now vote here for a Catholic any more than a Catholic vote for one, though the candidate may be on all hands confessedly the best qualified man for State representative, senator, or governor.

If urged that the power to make such tests in constitutions exists, it is no (more) argument for the moral and political right to do it, than it is, because we have the naked power, that we have also the moral and political right to unite Church and State, create an inquisition, or, having stripped other sects of the privileges to hold office, to go further, and rob them of equal rights to earth, air, fire, and water, and the same hopes and means for happiness both in time and

eternity. One profession alone in business might, on a like ground, be admitted to sit in the legislature — such as merchants or lawyers. While the present test continues, it is with an ill grace we can call other countries bigoted, who, like England, have emancipated the Catholics, and made contributions for their education. All the former fears as to their numbers or political principles have now become groundless. In most Catholic countries Jesuitism is banished, and the inquisition abolished, and the Pope himself has become quite a reformer and republican, and Catholics generally are not believed in morals or the religious sentiment to be behind the age or the true standard for public liberty. What other sect shall throw at them the first stone? What one vindicate the present exclusion, and not admit that if other than Protestant sects had a majority here, these last should not also be stripped of power? and that our ancestors' complaints of penalties and disfranchisements were ill founded? It is doing what we have always censured in others. The error is, that this exclusion concedes, in principle, that religion is to be regulated by a majority rather than the sincere conviction and conscience of each individual; or that only certain sects are moral and intelligent enough to exercise political power, which is fallacious and false under our forms of free schools and universal education; or that reason and providence cannot uphold correct principles without our feeble aid and our proscriptions; and that Deity or his adorable Son need persecution of some sects to sustain and render triumphant pure religion. So if it be insisted that one domination must be better and more trustworthy than the rest — which may as well be done even among Protestants — why not trust to that one alone and proscribe all the rest, though Protestant? Which shall be that special favorite? So, which one profession shall, under a like system, rule?

What sect do Sidney, or Locke, or Jefferson, or Madison think fit to be trusted with legislative power? How is this, too, in our neighboring republics? Do they thus ostracize a part? On the contrary, they had the experience of the revolution to aid them — by the Catholic Carrolls and Lafayettees — being moral and brave as the most Puritanical — and many others of that creed have fought side by side with us since at Chippewa and Bridgewater, and under the walls of Mexico, and shown that their creed is not deserving proscription. In short, without going further into the question now, it seems to my mind not only unjust to other sects, but not reputable to us as a people, or to the age in which we live, to retain this test longer.

Mr. Parker, of Nashua, followed Judge Woodbury, and stated that, in the committee who made the report, there was entire unanimity on this question. At the same time the subject relative to property qualifications was taken up, when Judge Woodbury advocated it, and concluded his remarks in the following language: —

“Without fatiguing the Convention with more on this occasion, I would only add that considerations like these have led to the abolition of such tests in many other of our sister States, and in the constitution of the United States, and, in my view, require us to imitate their wise example.”

General Pierce followed Judge Woodbury; and the following outline of what he said on this day (Nov. 13) appeared in the Patriot; we quote from the *New Hampshire Patriot and State Gazette of Nov. 21, 1850*. It will be remembered that Judge Woodbury had just delivered, at this sitting, both of the above-named speeches, the sentiments of which General Pierce indorses, and he brands the RELIGIOUS TEST AS A STIGMA UPON THE STATE AT HOME AND ABROAD.

“Mr. Pierce, of Concord, said that he could concur heartily in all that the gentleman from Portsmouth had uttered, except his last remark. It was quite obvious that, so far from having taxed

the patience of the committee, his speeches upon both the great subjects embraced in the resolutions under consideration had been listened to with unqualified gratification. Not because he threw the weight of his high character and the power of his arguments into the scale on the side of right in a case where there was hesitancy — where the judgment of members was not definitely formed — where there was a shade of doubt as to the result; but because it was desirable that the grounds on which we proceed in matters of such grave import should be stated, as they had been, with singular force of reasoning and beauty of illustration. It was also a service well rendered, not less in vindication of the past than the present. The motives of the fathers of the present constitution and of the people in 1792 had been placed in their true light. So much was due to them. It was also due to this convention and the people whom they represent, and due to the reputation of the State abroad, that it be well understood that both of the provisions — the religious test and the property qualification — had been a dead letter, at least as long as the chairman [Mr. Sawyer] had participated to any extent in the councils of the State. They had been practically inoperative from Mr. P.'s earliest recollection. The chairman would remember that many years ago, at a time of high party excitement, it was suggested that a member of the House of Representatives occupied his seat without the requisite property qualifications. But two objections at once occurred to any action upon the subject; the first was that investigation and action, instead of rejecting one member, might probably vacate twenty seats; the second was, that no member could probably be found to move in a matter so utterly repugnant to public sentiment.

*"The religious test in the constitution had undeniably been a stigma upon the State at home and abroad. It had been repeatedly named to him, and once at least in a foreign land, as unworthy of the intelligent and liberal spirit of our countrymen. Although he had at times felt keenly the reproach, he had uniformly referred, as he had no doubt other gentlemen had done, to other parts of the constitution as illustrating the true and free spirit of our fathers, and to these as, at least for many years, a blank. The great question of religious toleration was practically settled, and settled in a manner never to be reversed while we retain our present form of government, more than thirty years ago. The provisions now claiming the attention of the committee could hardly be said to involve an open question. They had been the subject of discussion in every lyceum, every academy, debating club, every town; and there was perhaps no subject upon which public opinion and public feeling were so uniform and decisive. The substance — if substance they ever had — having long since passed away, he rejoiced that the proper occasion had at length arrived to dispense with the form."*

The resolutions abolishing the religious and property tests were unanimously agreed to in committee of the whole, and the committee then rose and reported them to the convention. The

question was taken on them at once. The yeas and nays were not ordered, because the members were so nearly unanimous that it was thought unnecessary to consume, in taking them, the time of the convention. The result of the convention, so far as the religious test was concerned, was most gratifying. 1. Those clauses of the constitution requiring that the Governor, Councillors, Senators and Representatives should be "of the Protestant religion," were STRICKEN OUT; and, 2. The word "Protestant" was stricken out of the Bill of Rights. Only seven members voted against striking out the Religious Test. The striking out of these offensive clauses made a constitution that would effectually establish RELIGIOUS FREEDOM in New Hampshire. It now required a TWO THIRDS vote on the part of the people to secure the adoption of this constitution.

### Changes of the New Constitution.

To account for what followed it is necessary to take into consideration the changes made in the old constitution in the amendments proposed by the convention. These were far more numerous, and also radical and important, than the people had expected. They related to the judiciary, the basis of representation, the election of various officers, the abolition of the council, the manner of making future amendments, and to other matters. In fact the convention proposed almost an entirely new constitution. An article in the New Hampshire Patriot of December, 1850, presented the following synopsis of the amendments: —

"Our readers are doubtless somewhat anxious to learn what has been done, and in what shape our constitution will come from the hands of the convention. We can safely assure them that it will be so changed that they will not recognize it as an old acquaintance. Scarcely a feature of it remains unaltered. But we presume nobody will care how much it is altered, provided the alterations are really improvements — provided it is made better by the revision. It is for the people to decide for themselves whether it is so, when it shall be laid before them for their approval or rejection. In the mean time we will briefly recapitulate, for their information, the most important alterations which have been made.

"In the first place, every thing in the Bill of Rights and Constitution which prescribes particular religious professions, or the possession of property as a qualification for any office, has been stricken out. *Every citizen of the requisite age, be he Jew, Mahometan, or Catholic, or whether he is poor or rich, is eligible to any office.* THIS IS RIGHT, AND NINETY-NINE IN EVERY HUNDRED OF THE VOTERS OF THE STATE WILL PROBABLY APPROVE OF IT. Other amendments have been made to the Bill of Rights, of less importance."

That this is not an overstatement will be



readily seen by quoting the list of questions on which the sense of the voters was to be taken. This list was as follows:—

“Question 1st. Do you approve of the Bill of Rights as amended by the Convention ?

“2d. Do you approve of a House of Representatives, to be constituted and chosen as provided in the amended Constitution ?

“3d. Do you approve of a Senate, to be constituted and chosen as provided in the amended Constitution ?

“4th. Do you approve of the provisions adopted by the Convention, on the subject of Governor and Lieutenant Governor ?

“5th. Do you approve of the biennial election of Governor, Lieutenant Governor, and Legislature, and of biennial sessions of the Legislature, as adopted by the Convention ?

“6th. Do you approve of the amendments proposed by the Convention in relation to the election and appointment of County Judges, Judges of Probate, and other public officers, and their tenure of office ?

“7th. Do you approve of the amendments proposed relating to Trial Justices and Courts, and their jurisdiction ?

“8th. Do you approve of the abolition of the religious test and property qualification, as proposed in the amended Constitution ?

“9th. Do you approve of the mode of making future amendments of the Constitution, as proposed in the amended Constitution ?

“10th. Do you approve of the amendment providing that the Judges of the Supreme Court and the Attorney General shall be elected by the people, and the tenure of their office ?

“11th. Do you approve of the amendment requiring the election of a Superintendent of Public Instruction, as provided in the amended Constitution ?

“12th. Do you approve of the amendment requiring the election of Commissioner of Agriculture, as provided in the amended Constitution ?

“13th. Do you approve of the amendment provided in the amended Constitution, for deciding all elections by a plurality vote ?

“14th. Do you approve of the amendment abolishing the Council ?

“15th. Do you approve of the other alterations and amendments, as made in the amended Constitution ?”

These questions, better than any lengthened description, will indicate the wide line of attack which the new constitution presented, and to which there was to be added the great expense of the convention, occasioned by the length to which its deliberations were necessarily prolonged. Now, a very large proportion of the members consisted of democrats, while their party, also, were in a majority in the State; and with this fact in view, two methods lay open to the adroit leaders and able press of their political opponents. One was to ignore all party, to discuss the amendments on their merits, and in the spirit of some of their candid delegates in the conven-

tion, advocate their adoption; or to endeavor to turn this wide innovation from the old paths, and this uncommon expense to party account, by holding the democratic party responsible for them all, and thus making of them a sort of weaver's beam to overturn and demolish the long-hated democratic ascendancy in the Granite State. Which course was adopted? Was it the patriotic course, or was it the factious course? Did the whig leaders and presses seek to do honor to the commonwealth, or to do a benefit to their party? Let the record answer.

## The New Constitution and the Whigs.

Here there was, for the first time, a constitution presented to the people of New Hampshire free from offensive distinctions — which, in fact, placed all denominations on an equal footing — which guaranteed to one sect no special privilege — which, in a word, was in harmony with the great religious freedom principle. In what spirit did those leading whigs and whig organs, which give tone to the public opinion of its party, receive this constitution? On this point the plain record will best answer the question.

Up to 1850, the federal press had *opposed* calling a convention to revise the constitution. After it was called, and while the subjects already enumerated were under discussion, and especially the subject of the basis of representation, the federal papers threatened that if the plan proposed should be adopted by the convention, *they would oppose all amendments which might be submitted to the people!* Now, to show this **IMPORTANT FACT**, and also to show the difficulty and struggle which the democratic party had to meet all through this effort to get the tests abolished, we quote the following extract from the New Hampshire Statesman, (whig) and the reply of the N. H. Patriot, (democratic) to it, of October 31, 1850:—

“In revising the constitution we have indulged the hope that we might get a reduction of the present too large House; and we can tell the opposition in advance, that if there is not a reduction in the House, and the officers as many as possible, and we are in favor of all of them being made elective by the people, that the new constitution shall have our humble efforts to work out its rejection by the people.”—*N. H. Statesman.*

“The above is worthy of notice as exhibiting the sincerity of the Statesman's advocacy of a revision of the constitution. It declares in substance that if all the amendments which it desires are not made, it will endeavor to prevent the adoption of any that may be made. That is, it desires (for instance) *ten* amendments; and if the convention makes but *nine* of them, it will labor for the rejection of those because it cannot get the tenth also! This is the real dog-in-the-manger spirit — such a spirit as would prevent all reform every where. It is not at all probable — it is hardly possible — that *every* alteration desired by each person constituting two thirds of the voters

of the State, can be made; for it is not probable that so many persons exactly agree in every particular in which amendments are desired. Therefore if this spirit is to govern our people, no amendments to the constitution can ever be made. And this, we have no doubt, is just what is desired by the Statesman junto. They have always heretofore opposed the calling of a convention, and would have done so last spring if they had not thought they could make more political capital by favoring it. But now, having aided in calling a convention, they intend to prevent any alteration of the constitution, on the contemptible plea that they cannot get all they want; and having thus defeated the whole object of the convention, they will turn round and hold the democrats responsible for the expense of it.

"Now, unless the people of this State are as senseless as the Statesman appears to think them, this game cannot be made to work. All men of sense, honor, and principle, will repudiate it with scorn and contempt. Every intelligent man must see that, in a matter of this kind, every one cannot have every thing exactly his own way. It is the very spirit of despotism that insists upon that, and no man who is governed by such a temper is fit to live under a republican government. The people of this State entertain no such sentiments, and will look with indignation upon those who utter them. The only sensible course is for us to adopt all that we like in the amendments proposed by the convention, and reject what we dislike. And such, we have no doubt, will be the course of all sensible men. If they want certain alterations, and the convention makes but half of them, they will adopt them, notwithstanding they cannot get the other half desired."

The New Hampshire Patriot of Dec. 19, 1850, has the following article:—

"The Statesman is trying to frighten the members of the convention into undoing what they have done upon the subject of representation. *It threatens that the whigs will cause the rejection of all the amendments that may be made to the constitution, if the convention adopts the amendment in relation to representation proposed by Mr. Lane.* So it seems that, after all its talk about mixing up party with the revision of the constitution, the Statesman is determined to make a party issue upon the adoption of the most important amendment proposed. Perhaps it can carry its party with it in so doing, but we very much doubt it. *It calls upon the whig delegates to issue an address to the people, if that amendment is adopted, and it has half a dozen editorials upon the subject, all treating it as a party matter.* This certainly looks very singular, but we cannot believe that its political friends in the convention are acting in this spirit. We hope and believe that they are actuated by higher motives than mere party considerations. We do not believe that the democrats who favor that proposition are governed by party feeling in the matter; for it is very evident that, so far as their party interests are concerned, they can do better than to adopt this plan. But if this course on the part of the Statesman indicates the feelings

and views of its political friends in the convention, and if it can bring its party to adopt it, views, it is evident that *nothing can be done upon this subject that will be approved by two thirds of the people. But we hope that it is not so.*"

Now, the proposition here objected to was adopted. To show how the constitution was received, and the attacks made on it on its promulgation, we quote the following from a series of articles in the leading whig organ of New Hampshire. These were written by a WHIG MEMBER OF THE CONVENTION. The following is from the STATESMAN of Feb. 21, 1851:—

"The 8th question relates to the religious and property tests. *The provision requiring certain officers to be of the Protestant religion, has never operated to the prejudice of any thus far, and there is no injustice in retaining it, as all Catholics who have come, have come in the face of the provision, and if Protestants wish to continue the disability, they have an equitable right so to do. It is, therefore, a question of expediency and courtesy, whether it be abolished or retained. I have less fears of any disastrous results than many. Have no sinister reasons for flattering the Catholics, and shall be satisfied with the disposition of this amendment, even if rejected.* The property test has been a very great eyesore to many—not many, however, except professed politicians, who have not found their business sufficiently lucrative to afford them the needful. It is one evidence of a man's fitness to manage the concerns of others, that he has well conducted his own. And in this country any well-conducted business will give a man the requisite amount, before he ought to leave it for the business of others; cases of misfortune, of course, excepted. The State never has suffered for the want of the talents of those excluded from office by the property tests. It is desirable, to my mind at least, that our public officers should have an interest either in the soil or some other permanent property, that when they tax others, they may tax themselves, and others also in turn may tax them. My notion is that, if it is the 'province of property to be taxed,' those who own it should have an ascendant voice in taxing it. It is represented as grovelling to make wealth a test of fitness for office, and furnishes a theme for declamation for some, '*ad captandum vulgus,*' which shows sometimes a weakness in great men. We have a right to the whole of a man's character, to judge of his fitness for office; and one who cannot, or will not, accumulate the small pittance required to make him eligible, had better be suffered to remain in a private station, lest his want of ability, or will, should be as conspicuous and disastrous in public as in private life. Universal suffrage is enjoyed by the citizens of this State, and if we adopt universal eligibility to office, *oppressed woman may soon hope to obtain her rights, as well as indolent man. I think very many of our old-fashioned men will regret the abolition of both the religious and property tests.* • L. B. S."

This will serve to show the spirit in which the constitution was met. Here whiggery declares that there is NO INJUSTICE IN THE TEST. Nor

was this all. The democrats were severely attacked on the score of this convention, as the contemporary records abundantly show, and matters unconnected with the constitution were brought in to prejudice the minds of the people against it.

### The Vote in March, 1851.

The vote on the amendments, or more accurately on the new draught of a constitution, was taken at the annual March meeting, and at a time peculiarly unfavorable, from the number of subjects that were mixed with this question, for an expression of the deliberate judgment of the people. The local difficulty as to Mr. Atwood — the hot discussions about the fugitive slave law, and the resolutions of the convention relative to the compromise measures — the number and importance of the changes — the expense of the convention — were all occupying the minds of the people; and these subjects constituted fertile means for the federal press to array against the results of the convention the prejudices or fears of the people. The success of the latter caused the whole of the amendments to be rejected together; for the votes for them all were *printed on one piece of paper*. The following will serve to indicate the political character of the votes: — *Sixty-nine* towns gave majorities in favor of the amendment abolishing the religious test; of which *forty-five*, at the same time, gave pluralities for the democratic candidate for Governor, while only *thirteen* of them gave pluralities for the federal candidate; and *thirty-four* gave clear majorities for the democrats over all others, while only *nine* gave majorities for the federal candidate.

To show clearly and conclusively how much the political attacks of the whigs had to do with this rejective vote, it will be quite sufficient to quote a few short paragraphs from their leading journal. The vote was taken at the March meeting, and on the 21st the STATESMAN (whig) had the following article: —

#### "THE NEW CONSTITUTION.

"We can only say at the present time that the new constitution has been entirely lost. The result is as we feared it would be. *We repeatedly told such papers as the Newport Argus, Cheshire Republican, and others, that the course pursued by them would certainly lose the instrument.* The locofocos made it a party matter; party drill was applied to the members of the convention. A system of representation was passed in relation to the house and senate that no whig or fair-minded man of any party could approve, and the result is, that the whole instrument is rejected. So much for the management of the clique. Forty thousand dollars of the people's money were frittered away, by the management of a few people who undertake to do all the thinking and all the voting for the people. Let the people open their eyes and see the result."

On the 28th the Statesman had also the following: —

#### "REJECTION OF THE NEW CONSTITUTION.

"It is a matter of deep regret that *all* the amendments proposed to the constitution of this State by the convention which was so long in session here last November, December, and January, have been rejected by the voters of the State, and yet we are not much surprised at the result. *We knew the convention was exceedingly unpopular with the people, and that thousands of the freemen of the State would accept nothing that was therein proposed.* A few bitter partisan leaders had rendered the convention odious by giving it a partisan character. It even was made to indorse the Fugitive Slave Law. The members took great pains to cause to be published their ages, occupations, where born, &c. &c., as though posterity would feel a deep interest in whatever related to them. Alas, how little will most of them desire to have it known that they were members of the *political* convention of 1850, elected to revise the constitution of this State."

The fact is, the federal and abolition press had *prejudiced the public mind against the doings of the Convention; they had proclaimed their determination in advance to oppose the whole. IF ONE OBJECTIONABLE PROPOSITION SHOULD BE AGREED UPON; that proposition was agreed upon, and the whole was rejected.* If, instead of this opposition, the whig leaders and whig press had come out IN FAVOR of the constitution, the TESTS WOULD HAVE BEEN ABOLISHED.

### Whig Opposition to a Second Submission of the Test Amendment.

The convention, in April, 1851, reassembled in Concord to receive the verdict of the people upon its doings. On the first day of the session various propositions for amendments to be submitted were offered for consideration, by Mr. Smith, of Henniker, and Mr. Pierce, of Dover. On these propositions, and on the convention, and on the future course of the whigs, the STATESMAN (whig) made the following comment: —

"*The Constitutional Convention.* This notable body assembled at the State House on Wednesday afternoon last, at 3 o'clock. Prayer was offered by Mr. RICHARDSON, of Hanover. The Secretary read the proceedings of the last day of the Convention's prior session. Mr. SMITH, of Henniker, offered some amendments for the consideration of the Convention, abolishing the property qualifications and religious test, and providing for a new mode of calling future conventions. Mr. PIERCE, of Dover, offered some resolutions, *abolishing the property qualifications and religious tests*, providing for an enlargement of the Senate to twenty-four members, to be chosen in single districts; a new way of obtaining future amendments — these to be voted upon the 21st day of May next, by the people, and the votes to be returned to the Legislature. Gov. STEELE was in favor of sending out but three questions, — those relating to the property qualification, *the religious test*, and to future amend.

ments. The proposition of Mr. Smith and Pierce were both referred to the Committee upon the Judiciary Department, and the Convention adjourned to meet the next morning at nine o'clock.

"WE HOPE THE WHIGS WILL HAVE NOTHING TO DO WITH THIS MATTER. *We should like to see a resolution for future amendments passed, and then to see that body adjourn without day.* Gov. Steele, in his objections to the resolutions of Mr. Pierce, at once foreshadowed his feelings, as we believe, and the feelings of the party. WE HOPE THE WHIGS WILL have nothing to do in relieving the *locofocos* of THE ODIUM THAT SO JUSTLY ATTACHES TO THEM IN THIS MATTER. *If they send out any thing more than the one relating to future amendments we would suggest the sending out of Gen. Pierce's Compromise Resolutions, which were, we presume, inadvertently passed over at the convention's prior session.*"

This will show how strongly party lines had been drawn, and show the views of the two parties as to amendments at this stage. The whigs, as a party, were urged to have nothing to do with additional measures, at that time, to *strike out the test*; and a large portion of the members were in favor of adjourning without submitting further propositions to the people. Judge Woodbury and General Pierce were strongly opposed to this policy. The following, from the contemporary report in the New Hampshire Patriot, will show the argument that was used. Mr. Chamberlain here named is a LEADING WHIG, and was the whig CANDIDATE FOR GOVERNOR.

"Mr. Chamberlain, of Keene, moved that the resolutions be *indefinitely postponed, and advocated, in a speech of some length, the retention of the religious test and the property qualification in the constitution.*

"Pending the question, remarks were made in favor of the passage of the resolutions of the committee, by Messrs. Smith, of Henniker, and Bell, of Guilford, and by Mr. Eastman, of Conway, in opposition.

"Mr. Wiggins, of Dover, moved that the whole subject be laid on the table. Negatived.

"Mr. Chamberlain again addressed the convention in favor of his motion of indefinite postponement.

"Judge Woodbury, the chairman of the committee on the judiciary, then rose and requested the attention of the convention for a few minutes:

"He said that the report which had devolved on him to present as to those three amendments related chiefly to the form of them, leaving to the convention to decide alone on the *merits of each, and the propriety of giving to the people another opportunity to act on them before another long term of seven years' delay came round.* These last matters were now under consideration; and though thinking that, as a member of the committee, he had no authority to report on them, yet he had no hesitation in stating his *earnest conviction in favor both of the propriety of these amendments, and of the submission of them again at this time to the people.*

"That striking out the Protestant test was *right* on every sound principle of toleration and equal rights, he had endeavored to show fully at the last session of this convention, when this proposition was adopted almost unanimously. Notwithstanding, then, *what has so unexpectedly fallen from the gentleman from Keene, (Chamberlain,) in favor of this test, it cannot be that a majority of the people of New Hampshire, distracted by no other issue or excitement, but acting on this question singly, could sanction such an opinion.* They did not sanction it even sixty years ago; but a *decided majority then voted against the Protestant test, and the reason why it has since disfigured the constitution, is that the majority then lacked a few votes of being two thirds, — that ratio being required to make an amendment, — the question then, as now, being on striking out this same test.* And, he asked, have we, in reality and deliberately, travelled backwards? Are we now, in truth, despite of free schools here, a powerful press, and the progress of free principles the world over, in greater darkness, and more bigotted? He, for one, did not believe it. Far more probable was it that a sort of *snap* judgment, as lawyers might call it, had been obtained in support of these tests in the hurry, excitement, and intermingling of other business in the late election. He did not believe the majority of the people of this State were deliberately hostile to the equal rights of an upright citizen, because that citizen trusted in a different religious creed. But he had said so much at the last session on this subject, and to which he referred for other reasons, it was not necessary, on this occasion, to say more against the continuance of such a *persecuting and illiberal test.*"

Mr. Chamberlain claims, in his *very recent* letter, dated Keene, July, 1852, and addressed "*To the Editors of the Boston Post,*" that he opposed this movement for other reasons than because he was in favor of abolishing the tests. He says that he had voted to abolish them at the polls. In this opposition to the measure of Judge Woodbury and General Pierce, he was joined by leading whigs in the convention, such as Mr. SAWYER and Mr. STEVENS, formerly whig candidates for governor; Mr. KELLY, United States Pension Agent; Mr. WALKER, late delegate to the whig convention, and other prominent whigs.

Through the influence of Judge Woodbury and General Pierce, the majority of the Convention were prevailed on to try the question again, and the following is the amendment, as to the religious test, which they succeeded in getting submitted to the people at this session of the convention: —

*Resolved,* That no belief in the doctrines of any particular religious sect shall be required as a test for holding office, or be entitled to any preference whatever, under the constitution. And this amendment shall be effected by striking from it, in part 2, section 14, the words, "*shall be of the Protestant religion;*" and from section 29, the words, "*who is not of the Protestant*

religion;" and from section 42, the words, "and unless he shall be of the Protestant religion;" and in the bill of rights, article 6, the word "Protestant."

The New Hampshire Patriot remarks: "Every democratic paper in New Hampshire advocated the adoption of this amendment. The result was just what was anticipated. In the bustle and excitement of a most fiercely contested election, with the prejudice excited against the convention by the opposition press, but about a third part of the voters acted upon them; and they were again rejected. No man of candor and intelligence will contend that this was a deliberate expression of the sentiments of the people of the State upon this question of religious toleration. Those sentiments were expressed thirty years ago, when the Toleration Act was passed — an act whose spirit is in direct opposition to this test. Every body admits that no expression of their sentiments upon the merits of the question under consideration has yet been obtained. The vote in most towns was taken at the close of an exciting political contest, after the principal business of interest to the mass of voters had been done, and the larger portion of them had left for their homes; and it is a libel upon the people of New Hampshire to represent this as a deliberate expression of their views upon the great question of religious freedom and equality." When the vote was taken the second time, last March, 77 towns gave majorities in favor of abolishing this test; 54 of them, at the same time, gave pluralities for the democratic candidate for Governor, and only 23 of them gave pluralities for the federal candidate; and 42 of them gave clear majorities for the democratic candidate, while only 13 of them gave majorities for the federal candidate.

**Vote of the Towns.**

One method adopted by the opposition press to prove that the democratic party was less favorable than their opponents to abolishing this test, has been to array the vote of a number of strong democratic towns which voted against its abolition, in contrast with a number of whig towns which gave majorities in favor of abolishing it. As an offset to that, we present the following tables; first, of strong democratic towns which gave majorities *in favor* of abolishing the test; and second, strong whig towns which voted *against* its abolition — taking the vote of 1852 in both cases. The first two columns give the vote for and against abolishing the test, the third is the vote for the democratic candidate for Governor, and the fourth the opposition vote for Governor: —

**DEMOCRATIC TOWNS VOTING FOR ABOLISHING THE RELIGIOUS TEST, WITH THEIR VOTES FOR GOVERNOR.**

TOWNS.	ON THE TEST.		FOR GOVERNOR.	
	Yea.	Nay.	Dem.	Others.
Raymond,	38	—	137	78
Epping,	95	25	163	157
South Hampton,	42	15	79	24

Gosport,	8	—	13	4
Middleton,	42	35	83	38
Hooksett,	126	29	133	122
Hancock,	113	35	125	73
Hollis,	111	1	157	155
Litchfield,	25	2	60	36
Lyndeborough,	53	10	115	93
New Boston,	132	6	178	124
Chesterfield,	26	7	165	141
Gilsum,	46	34	87	63
Stoddard,	61	4	145	83
Swanzy,	88	40	250	136
Westmoreland,	87	81	148	94
Acworth,	77	24	149	109
Newport,	146	80	248	202
Plainfield,	24	1	168	152
Unity,	60	33	164	45
Sunapee,	109	36	162	27
Danbury,	68	48	95	71
Enfield,	59	21	192	79
Hanover,	39	18	202	180
Lisbon,	85	52	170	117
Plymouth,	55	19	140	119
Warren,	25	6	177	35
Waterville,	7	—	7	3
Wentworth,	84	9	187	58
Bartlett,	66	17	139	10
Carroll,	22	—	51	7
Colebrook,	16	9	113	59
Dalton,	37	32	66	44
Erroll,	23	3	29	5
Jefferson,	31	17	103	44
Northumberland,	58	—	53	45
Stratford,	86	—	96	14
Stewartstown,	61	5	109	19
	2331	754	4858	2917

**WHIG TOWNS VOTING AGAINST THE ABOLITION OF THE RELIGIOUS TEST, WITH THEIR VOTES FOR GOVERNOR.**

TOWNS.	ON THE TEST.		FOR GOVERNOR.	
	Yea.	Nay.	Dem.	Others.
Brentwood,	—	42	64	121
Candia,	31	83	169	212
Auburn,	1	17	83	89
Chester,	7	112	133	169
Danville,	11	74	66	77
Derry,	17	59	160	239
Hampton Falls,	7	30	55	79
Londonderry,	36	120	135	215
Poplin,	9	71	54	74
Windham,	7	95	47	127
Madbury,	—	45	48	65
Rochester,	44	179	218	311
Rollinsford,	14	28	47	201
New Hampton,	11	163	141	157
Sandwich,	28	172	219	283
Tamworth,	37	138	105	210
Boscawen,	23	197	150	249
New London,	46	70	87	136
Amherst,	15	49	104	192
Bedford,	9	127	147	217
Francetown,	48	67	91	159
Weare,	47	148	226	278
Hinsdale,	7	109	76	148
Nelson,	31	46	23	126

Rindge,	1	91	41	182
Holderness,	24	227	186	218
Bristol,	21	33	69	137
	532	2592	2938	4671

### The Democratic Party not Responsible for the Continuance of the Test.

Authentic and contemporary record shows conclusively and undeniably that democratic orators, the democratic press, and county and state democratic conventions, have been arrayed against the odious religious test; and yet, the attempt is still made to hold the democratic party and General Pierce responsible for the continuance of it in the constitution! It is charged, in one of the most bold and reckless, one of the most mean and dishonest, electioneering documents that ever disgraced the American press, that, as

every seventh year the people had to vote whether they would have the constitution altered or not, therefore, every seventh year since 1792, "the Pierces" had the power to change it, as they, it is alleged, influenced the course of the democratic party; but they would not do it. It may be well to present additional facts: 1st, as to the democratic party, and 2d, as to General Pierce.

The quotation already made from the constitution shows that it requires a TWO THIRDS VOTE to alter this instrument. Now the charge is that the democrats, every seven years since 1792, had the power to change it!! We cannot more conclusively demonstrate the enormity of this charge—the full extent of the imposition made on the public in circulating it—than by quoting the votes for Governor of New Hampshire since 1792. We have put the federal governors and candidates in italics. The following are such as we have at hand:—

#### VOTES FOR GOVERNOR OF NEW HAMPSHIRE FROM 1793 TO 1832.

	Elected.			Scat.	
1793	<i>Josiah Bartlett,</i>	7,388	John Langdon,	1,306	1,160
1794	<i>John T. Gilman,</i>	7,829			2,641
1795	<i>John T. Gilman,</i>	9,340			100
1796	<i>John T. Gilman,</i>	7,809			2,966
1797	<i>John T. Gilman,</i>	9,625			1,198
1798	<i>John T. Gilman,</i>	9,397	Oliver Peabody,	1,189	1,677
1799	<i>John T. Gilman,</i>	10,138			1,590
1800	<i>John T. Gilman,</i>	10,362	Timothy Walker,	6,039	361
1801	<i>John T. Gilman,</i>	10,898	Timothy Walker,	5,249	492
1802	<i>John T. Gilman,</i>	10,377	John Langdon,	8,753	36
1803	<i>John T. Gilman,</i>	12,263	John Langdon,	9,011	43
1804	<i>John T. Gilman,</i>	12,216	John Langdon,	12,066	
1805	John Langdon,	16,097	<i>John T. Gilman,</i>	12,287	
1806	John Langdon,	15,277			5,298
1807	John Langdon,	13,912			2,949
1808	John Langdon,	12,641			2,258
1809	<i>Jeremiah Smith,</i>	15,610	John Langdon,	15,241	132
1810	John Langdon,	16,325	<i>Jeremiah Smith,</i>	15,166	84
1811	John Langdon,	17,522	<i>Jeremiah Smith,</i>	14,477	65
1812	William Plumer,	15,492	<i>John T. Gilman,</i>	15,613	887
	[No choice. Mr. Plumer elected by the legislature.]				
1813	<i>John T. Gilman,</i>	18,107	William Plumer,	17,410	212
1814	<i>John T. Gilman,</i>	19,695	William Plumer,	18,794	53
1815	<i>John T. Gilman,</i>	18,357	William Plumer,	17,779	38
1816	William Plumer,	20,338	James Sheafe,	17,994	76
1817	William Plumer,	19,088	James Sheafe,	12,029	
			Jeremiah Mason,	3,607	651
1818	William Plumer,	18,674	Jeremiah Mason,	6,850	5,941
1819	Samuel Bell,	13,751	William Hale,	8,660	1,844
1820	Samuel Bell,	22,212			2,559
1821	Samuel Bell,	22,582			1,866
1822	Samuel Bell,	22,934			1,046
1823	Levi Woodbury,	16,985	Samuel Dinsmoor,	12,718	240
1824	David L. Morrill,	14,899	Levi Woodbury,	11,741	3,708
	[No choice. Mr. Morrill elected by the legislature.]				
1825	David L. Morrill,	29,166			563
1826	David L. Morrill,	17,578	Benjamin Pierce,	12,287	386
1827	Benjamin Pierce,	23,695	David L. Morrill,	2,529	1,187
1828	John Bell,	21,149	Benjamin Pierce,	18,672	76
1829	Benjamin Pierce,	22,615	John Bell,	19,583	48
1830	Matthew Harvey,	23,214	Timothy Upham,	19,040	187
1831	Samuel Dinsmoor,	23,503	Ichabod Bartlett,	18,681	110
1832	Samuel Dinsmoor,	24,167	Ichabod Bartlett,	14,920	146

	Elected.			Scat.	
1833	Samuel Dinsmoor,	28,277	<i>A. Livermore,</i>	3,945	1,240
1834	William Badger,	28,542			1,681
1835	William Badger,	25,767	<i>Joseph Healy,</i>	14,875	308
1836	Isaac Hill,	24,904			6,021
1837	Isaac Hill,	22,361			1,171
1838	Isaac Hill,	28,697	<i>James Wilson, Jr.,</i>	25,676	198
1839	John Page,	30,518	<i>James Wilson,</i>	23,928	155
1840	John Page,	29,541	<i>Enos Stevens,</i>	20,716	562
1841	John Page,	29,116	<i>Enos Stevens,</i>	21,230	1,363
1842	Henry Hubbard,	26,831	<i>Enos Stevens,</i>	12,234	
			John H. White, ab.	5,859	
			Daniel Hoit, ab.	2,812	358
1843	Henry Hubbard,	23,050	<i>Anthony Colby,</i>	12,551	
			John H. White, ab.	5,493	
			Daniel Hoit, ab.	3,402	83
1844	John H. Steele,	25,986	<i>Anthony Colby,</i>	14,750	
			Daniel Hoit, ab.	5,579	
			John H. White, ab.	1,988	201
1845	John H. Steele,	23,406	<i>Anthony Colby,</i>	15,579	
			Daniel Hoit, ab.	5,786	994
1846	Jared W. Williams,	26,740	<i>Anthony Colby,</i>	17,707	
			N. S. Berry, ab.	10,379	368
			[Anthony Colby elected by the legislature.]		
1847	Jared W. Williams,	30,806	<i>Anthony Colby,</i>	21,109	
			N. S. Berry, ab.	8,531	
1848	Jared W. Williams,	32,245	N. S. Berry, ab.	28,829	54
1849	Samuel Dinsmoor,	29,087	<i>Levi Chamberlain,</i>	18,312	468
			N. S. Berry & scat.,	7,061	
1850	Samuel Dinsmoor,	30,751	N. S. Berry, ab.	18,512	
			N. S. Berry,	6,472	54
1851	Samuel Dinsmoor,	21,425	<i>Thomas E. Sawyer,</i>	18,458	
			John Atwood, ab.	12,049	179
1852	Noah Martin,	30,807	<i>Thomas E. Sawyer,</i>	19,850	
			John Atwood, ab.	9,479	269

[William Plumer was first chosen by democrats, but afterwards was supported by whigs. David L. Morrill was first supported by democrats.]

Now, test the *statements* as to the power of the democratic party to alter the Constitution every seven years with these *figures*, and see what have the *latter* make with the *charge*. 1. In 1792, when the present Constitution was adopted, the federalists were in power. 2. At the close of the first septennial period, 1799, they were also in power. 3. It was not until 1805 that, under the lead of the noble John Langdon, the revolutionary patriot and friend of Jefferson, they first got into power, but lost it in 1809. 4. In the third septennial period (1813) the federalists, with J. T. Gilman, were again in power. 5. In the fourth period (1820) the federalists were in power, and continued several years. 6. In the fifth period the democrats succeeded in electing Benjamin Pierce, the father of Franklin Pierce, but were defeated the next year, 1828. 7. It was not until the *sixth septennial* period that the democratic party gained the permanent ascendancy!! So much for this assertion as to this power of the democratic party, even though it required a *simple majority* vote to alter the Constitution! We have not been able to find all the votes; but it is an undeniable fact that the democratic party, in a contest, *never had a two thirds* majority. Take the vote when the amendments of 1850 were voted on. The total vote was 60,405; a two thirds vote would have been

40,270; but the democratic vote was 30,807! This is the truth of figures. It brands the attempt to make the democratic party, as a party, responsible for the continuance of the test in the constitution, as either stupidly ignorant or willfully false. It is both insulting and infamous, to impose such *wanton lies* and downright cheating on any class of citizens.

### General Pierce and Religious Tests.

Having disposed of the charge as against the democratic party of New Hampshire, it remains to answer it as against General Pierce. It is alleged that *he* favored the retention of the test in the New Hampshire Constitution! That *he*, at least, is responsible for its continuance, inasmuch as he has exercised a great and controlling influence over the democratic party of this state!! That hence he is opposed to Catholic emancipation!! Though it were quite a sufficient answer to this charge, to adduce the action of the democratic party as to this test—the seathing language of its press, and the strong votes of its conventions—yet, to further demonstrate the wanton injustice done to a generous and liberal minded statesman, and the gross infamy of the accusation, we propose to trace his course in regard to this test with some degree of particularity.

It is a fact that can be established, as clearly as any fact can be, that whenever General Pierce has had occasion to act in relation to the test, whether by speech, pen, or vote, it has been against it. He has uniformly denounced it as a stigma on the state. And whenever the question of revising the constitution has been agitated, he has, avowedly for the purpose of doing away with the odious property and religious tests, advocated the measure. His efforts to abolish the test have not been made in a corner; they have been open, manly, and persevering, and are matters of contemporary record.

His labors in the canvass of 1844, already alluded to, were untiring. He not only spoke at Salisbury, in company with Judge Woodbury, but the same number of the Patriot that noticed his speech in that town, announces him as a speaker at other meetings. General Pierce in his political career, has not done himself justice; for his political arguments, and even his speeches on matters of legislation, have been left mostly to take care of themselves. Hence it is that no full report appears of so many of them. The canvass on this occasion was spirited, and organized efforts were made by the democratic leaders to carry the question in favor of a revision, at the polls. The democratic tickets for the use of the whole State were printed, as usual, at the Patriot office; and all were in favor of a convention, and no others were printed for the use of democrats. This was done by the advice of General Pierce. As soon as this became known, the federal papers raised a terrible outcry against this course, denouncing it as dictation, calling upon the people to rebuke this attempt to influence and coerce their votes by the Concord "clique." They correctly attributed this matter to General Pierce, whom they characterized as a "dictator."

This circumstance shows how zealous General Pierce was in action, as well as in speech, on this test question. The same promptness and energy appeared subsequently. He heartily approved of the course pursued by the democratic journals, in denouncing this test; he is seen in the Merrimac county convention, already quoted, bringing in a resolution, denouncing this test; he approved of the action of the democratic convention of 1849, in their resolution against it, and is seen on the floor, when president of the convention of 1850, speaking in favor of the abolition of it. The mere skeleton of that able speech, in the reporter's words, only is given. A description from one who heard it, represents it to have been exceedingly eloquent and able, and to have been strong and impassioned. This was no more than his daily conversation. "I am a neighbor of General Pierce," — a letter dated Concord, Aug. 6, 1852, states, — "and can state, without fear of contradiction, that he has never written or spoken upon this subject, (and few men have written or spoken more,) but to denounce in the strongest terms, that provision in our constitution, adopted in the last century. He has always urged an amendment striking out that provision."

The next action of General Pierce, which it may be well to notice, was his speech in the dem-

ocratic caucus, in Concord, on the evening preceding the day when the proposed amendments to the constitution were to be voted on. One who heard him, states as follows: "General Pierce came into the caucus, and made an eloquent speech upon the religious test question, urging every democrat to come forward the next day, and deposit his ballot in favor of abolishing the test. No one who was present can soon forget his enthusiastic appeal to the democrats, to rally on that vote. He then expressed his determination to address his fellow citizens on this subject, the next day in town meeting."

On the next day, on Saturday, the citizens of Concord voted on the question of accepting a city charter, and on amendments of the constitution. The voting on the charter question, — HON. N. B. BAKER, THE MODERATOR of this meeting, says in an interesting letter, — "was concluded at a much earlier hour than was expected at the opening of the meeting, on Saturday morning. When General Pierce came into the town hall, in the afternoon, three fourths of the votes given in this town on the 'test' question, had been cast. His disappointment was evident. He asked the consent of his fellow citizens to address them upon the proposed amendments, and particularly upon the 'test' amendment. This request was granted, I think, by a unanimous vote, when he proceeded in a speech which, for impassioned eloquence and power, could scarcely be surpassed.

"I cannot, of course, report his speech word for word, but the points in his argument I well recollect.

"Can it be possible," said he, "that the people of New Hampshire will vote to retain a feature in its fundamental law, engrafted there, under peculiar circumstances, repugnant to the plainest ideas of justice and equality, repugnant to the whole scope and tenor of the constitution, upon which it stands as a *fungus*, dead, to be sure, but still there, a blot and deformity, obnoxious in the last degree to the spirit of the age in which we live? How can we say that our land is the asylum of the oppressed of other countries, when we fail to extend over them the shield of equal rights, and say to them, There is the panoply under which, so far as the dearest and most sacred of all rights, is concerned, you may shelter yourselves? I love and revere the faith of my Protestant fathers; but does not Martin Lawler, and his countrymen now near me, and who have this day exercised the rights of freemen, revere and cling to the faith of *their* fathers? Are you to tell them that they can vote for you, but are to be excluded from the privilege of being voted for? that while you tax them to maintain your government, they shall not be eligible to positions that control taxation? Shame upon such a provision, while we boast of equal rights. I hope this provision of our constitution receives the deliberate reprobation of every man now in this hall. But if I am mistaken in this, it is due to the honor of the State, it is due to the plainest dictates of justice, that whoever may favor this test, should state the reasons upon which he relies. For one, I never think of it



without a deep sense of regret, and, I may add, of humiliation for my native State."

Again, on the reassembling of the convention in April, it was General Pierce and Judge Woodbury who succeeded in putting the amendments again before the people, as we have already stated.

So open, bold, and persistent has been the course of General Pierce on this question, that no one in New Hampshire, who has regard for his reputation, can stand a moment on such charges as demagogues make, in order to influence voters, where those reside who do not know the facts of this case. One of the writers in the Concord Statesman, (whig,) who is laboring hard (June 19, 1852,) to exculpate his whig brethren from the charge of having opposed the abolition of the test, says:

*"I intended, but omitted to say, that I did not understand General Pierce to favor the retaining of that illiberal feature in the constitution, FOR I KNEW HE WAS OPPOSED TO IT, AND HAD SPOKEN AGAINST IT."*

Again, in the same article, it is said:

*"It is due to General Pierce to say, that very near the close of the voting upon that question in town meeting, he came in and urged all to vote in the affirmative upon the test question."*

There is quite enough in the article from which these are taken, to show that the case was so clear against him, that even the unscrupulous author of a dishonorable article judged it best, for his own side, to mete out this piece of bare justice to General Pierce. So "*utterly unfounded*," in the language of the Washington Republic, (whig,) is the charge.

But while at home, the *political* enemies of General Pierce feel obliged to recant even an intimation of personal injustice done to him, his Catholic *fellow citizens*, irrespective of party, do not feel disposed to see a wanton and "**MALICIOUS MISREPRESENTATION OF THE MAN**," without rendering him that meed of justice which truth warrants. Here is a full and beautiful Catholic testimonial from the Homestead, signed by Catholic citizens of Concord, and attested by the respected Catholic pastor:—

Concord, N. H., Aug. 13, 1852.

TO JOHN WHITE, ESQ., *Milwaukee, Wisconsin.*

DEAR SIR:—Understanding that an impression has obtained in Wisconsin to a considerable extent, and especially among that portion of your people that are Catholics, that General Franklin Pierce, of this State, was unfriendly to Catholics, as a religious sect, and that an attempt has been made to hold him responsible for the odious religious test contained in the Constitution of this State; the undersigned, Catholic citizens of Concord, deem it our duty to say, that the Catholics of this State, and of New England, and especially that portion of them that are of his political opinions, entertain for him the highest respect as a politician and a man. Especially do they feel under great obligations to him for his powerful efforts in the convention, to expunge that

odious "test" from the Constitution of New Hampshire, and for his efforts before the people, to have the amendment to the constitution adopted, which provided for striking out the religious test.

Any impression of the kind indicated, does General Pierce great injustice, and we regret that for partisan purposes he has been thus misrepresented. We send this to you, not for electioneering or partisan purposes, but as a simple act of justice to one of the strongest opponents the odious "test" has in New Hampshire, and to one of the most liberal and tolerant of its citizens.

We have been present in several meetings, and at the last town meeting, when this proposed amendment was submitted to the people, and have heard General Pierce address the people, in favor of abolishing this "test," and any representation that he is opposed to striking out that "test;" or that he has not exerted himself to have that "test" abolished. Must proceed either from profound ignorance, or malicious misrepresentation of the man, his character and course, in relation to this "test" question.

(Signed)

Christopher Hart,	John Geanty,
Thomas McGrath,	Patrick Summers,
Michael Durning,	Michael McCabe,
Martin Lawler,	D. Flynn,
James Hart,	Thomas Clark,
William Connolly,	Patrick Mehan,
Thomas Mumford,	Luke Benson,
Thomas Murphey,	John Gallagher,
Richard Wheelchan,	William Sheehan,
James Leahey,	Michael Murphy,
Timothy Lynch,	Barnard McDonald,
Charles O. Bryan,	Barnard Callence,
Owen Garland,	John Lynch,
Martin Casey,	Barney Halpin,
John Thompson,	Philip Halpin,
John Murphey,	James McCone,
Thomas Thompson,	Richard Lunird,
Edward Sullivan,	Patrick McCone.

I, the undersigned, Catholic pastor of Manchester and Concord, N. H., certify that the above signed gentlemen are citizens of Concord, and know them to be citizens of good standing, and Catholics; and, moreover, I fully concur with the sentiments expressed in their statement of facts, relative to the course of General Pierce.

(Signed)

WILLIAM McDONALD,  
Catholic Pastor.

May, 16, 1852.

That document speaks for itself. We can well understand how Martin Lawler, and honest hearted men, who have seen General Pierce's efforts in this cause, and who heard his declaration in town meeting: "**I LOVE AND REVERE THE FAITH OF MY PROTESTANT FATHERS; BUT DOES NOT MARTIN LAWLER AND HIS COUNTRYMEN NOW NEAR ME, AND WHO HAVE THIS DAY EXERCISED THE RIGHTS OF FREEMEN, REVERE AND CLING TO THE FAITH OF THEIR FATHERS?**"

ARE YOU TO TELL THEM THAT THEY CAN VOTE FOR YOU, BUT ARE TO BE EXCLUDED FROM THE PRIVILEGE OF BEING VOTED FOR?" — We can understand how such men could not rest easy, until they had given the lie to this base charge, and branded its authors, its circulators, and the demagogues who have the meanness to use it, as wanton calumniators, who are playing the detestable game of falsehood and deceit! They are guilty of stabbing the fair fame of an honest and liberal minded statesman.

### The Whig Charge in Whig Language.

Such are the FACTS which the records present, as to the action of the DEMOCRATIC PARTY and of GENERAL PIERCE, in relation to the religious test, that the doubt may well arise, whether such a charge as we have stated ever has been made; whether any respectable authority pretends to hold either the democratic party or General Pierce responsible for the continuance of the exclusion tests; whether, possibly, we may not have *manufactured* it, in order to *refute* it! In order to show that the charge is *really* made, and to show exactly *how* it is made, we quote from the COMMERCIAL BULLETIN, printed at NEW ORLEANS, the leading whig journal of Louisiana, and the official journal for publishing the United States Laws, which has the SCOTT and Graham ticket at the head of its columns. The paper of AUGUST 17, 1852, has an article headed "*Religious Intolerance—New Hampshire—General Pierce.*" And this is the form of the charge it makes *against the democratic party* :—

"We have frequently shown, by irrefragable testimony, that the democratic party in New Hampshire, are alone responsible for the continuance of the religious exclusion test in her constitution. Any time within the last quarter of a century, they could have blotted it out; and whenever appealed to to do so, have uniformly responded unfavorably, by an overwhelming negative vote. The whigs have been, and are now, so few in numbers, as to be absolutely powerless. At the last general election, the whig candidate for the Presidency *did not carry a single county in the State!* These facts are conclusive as to which party the odious responsibility attaches. There can be no mistake about it. It belongs exclusively to the democratic party, and they must and shall shoulder their own bantling."

There is the libellous charge! Look at its grossness! Now nobody will deny that it requires a two THIRDS vote of the people to blot out this exclusive test. Of course to have had the ability to have blotted it out, "*any time within the last quarter of a century,*" the democratic party must have had the ability to have commanded this *two thirds* vote. But this they have never had. Take the vote when the test was voted on, as an instance, (see p. 15,) and the democrats WANTED TEN THOUSAND VOTES of being in a two thirds majority!

Again; those hard arguments, figures, (see p. 15,) show how far the assertion is from being

true, that "*the whigs have been, and are now, so few in numbers, as to be absolutely powerless.*" Why, within this period there have been *two federal governors*, John Bell and Anthony Colby! And in 1838 the democratic majority was but 2822; in 1843, but 1600; and in 1846, the opposition succeeded!! How much does this look like a *two thirds* vote, or an ability to blot out, at any time, the exclusion test?

Now, are such abominable statements as these to go down with a truth-loving and intelligent people? Will there be no recoil against those who utter such charges?

The same whig organ, in the same reckless article, thus reiterates the charge against General Pierce :—

"We are among those who believe that General PIERCE's influence is almost absolute, with the democratic party of his own State; therefore, we are convinced, that he took no active steps in favor of the removal of the test. He made a speech of about five minutes in length, in the State Convention against it, and that is all he did do. He did not go forth amongst the people and argue with them. He did not even talk to his own town and country people — he made no effort among his own neighbors, for both the town and county of his residence voted in favor of intolerance by the largest sort of majorities. These are indisputable facts, and, when calmly considered, closely investigated, speak volumes."

This charge, when "*closely investigated,*" does speak volumes! Take it by piecemeal, apply to it the touchstone of TRUTH, and *then* say what sort of volumes these are.

1. "He," General Pierce, it is said, "*took no active steps in favor of the removal of the test.*" Let the simple record answer this. Was it not an active step to canvass the State in 1844, in favor of a convention? Was it not an active step (see p. 16,) to procure the printing of votes in that canvass? Was it not an active step to obtain the organized voice of a county convention, (see p. 5,) in favor of the removal? These steps were active ones, we take it, and they show how much of truth there is in this assertion.

2. "*All he did do*" was to make "*about a five minutes'*" speech! His convention speech was long, elaborate, but only an outline is given; but the record proves *conclusively* that this was *not all he did!*

3. "*He did not go forth amongst the people and argue with them.*" He *did* go forth and argue. He argued by speech and pen years before the 1850 convention, and after it, too. He argued from town to town in 1844; he argued, and successfully too, to induce the Merrimack convention in 1845 to declare against the test. Some lying demagogue has deceived the Commercial Bulletin!

4. "*He did not even talk to his own town and county people.*" Shame on such statements! We presume the Commercial Bulletin, out of regard to its own reputation, would rather state *truth* than downright falsehood; and to show the grossness of the deception that has been passed

on it, we refer to the documents contained in this paper proving that General Pierce did *talk to his own people*. There (p. 17) is the admission of the *fact* by a whig; there (p. 16) is the testimony of those who heard this speech; and there (p. 16) is a sketch of the noble words he spoke!

It is not then true—there is not a *shade* of truth in it—that General Pierce took *no active steps* in favor of a removal of the test. The assertion is a monstrous piece of injustice to an honorable and high minded man; and its circulation is a disgrace to the American Press. Verily the utter falsity of this *charge* does “*speak volumes*”; and it ought to tingle with shame the cheeks of those who still continue to utter it.

### Bishop Hughes and New Hampshire.

Again, it is alleged that General Pierce was born in New Hampshire and has lived there all his days; and that inasmuch as this State has not repealed the test clause, that *he* ought to be defeated in order to make her repeal it! Is such an argument as this worth a refutation? Has it come to this—admitting New Hampshire to be ever so intolerant a place to be born in—that a man is to be punished on account of his birth place? Is this an argument to be addressed to Americans or to men imbued with American principles? Who cannot see that the principle of such proscription would be fatal to every champion of political or religious liberty! What can be more radically intolerant than this idea? What more impolitic and unjust? This is asking the people, in this case, to proscribe one of the most sincere and influential friends of religious freedom there is in America. Is it to be tolerated that such a man is to be punished on account of his birth place? What a miserable argument this!

But while New Hampshire is justly accused in being at war with the spirit of the age in retaining this test, let justice be done her. Those who have raised this hue and cry against her are not *Catholics*. However much it may be a stigma on her *theoretically*, yet *they* know that, *in fact*, this test exclusion has been *practically inoperative*. Now, has there been found in as wide a political drag-net as ever was hauled, a *single instance* where any one has been refused a seat in either executive or legislative branch of its government on account of his having been a *Catholic*? It has been with this disqualification as it has been with the property disqualification. Once it was suggested, General Pierce says in his speech, that, as to this point, a member was not qualified; but investigation might have vacated twenty seats, and the matter was dropped. Just so inoperative has been the Catholic test. The question as to it never is asked. No man nor party could stand an hour before public opinion even in New Hampshire that would unseat a representative of the people on account of his religion. Catholics well know this. Hence it is not Catholics who have so recently set up the business of abusing New Hampshire, but others of other

sects, or those whose Catholicism is of the Jonah's gourd cast. No loud and sudden outcry has been raised by Catholics. Their feelings and views are expressed by one who has a right to speak for them; we mean the eminent ARCHBISHOP HUGHES. His words are: “THE DISQUALIFYING CLAUSE IS, I SUPPOSE, A DEAD LETTER; THE CATHOLICS OF NEW HAMPSHIRE MUST BE VERY FEW. ON THE WHOLE, I HAVE NO DOUBT BUT THAT THE LIBERALITY OF THE COUNTRY AT LARGE HAS IMBUED THE PEOPLE OF NEW HAMPSHIRE WITH THE KINDEST FEELINGS TOWARDS EVEN ROMAN CATHOLICS.” This remark is as discriminating as it is just. It was in this spirit that JUDGE WOODBURY, a New Hampshire man, on a recent interesting occasion, gave an opinion in favor of the legality of the charter of the *Catholic College*.

But this is not all the justice that Bishop HUGHES renders to NEW HAMPSHIRE. In his “CATHOLIC CHAPTER IN THE HISTORY OF THE UNITED STATES,” after quoting this admirable provision in the Constitution of the United States, “CONGRESS SHALL MAKE NO LAW ON THE SUBJECT OF RELIGION, OR PROHIBITING THE FREE EXERCISE THEREOF,” the Bishop says:—“IT MUST BE ALSO SAID TO HER (New Hampshire) CREDIT, THAT SHE WAS ONE OF THE THREE STATES WHO SUGGESTED TO THE FRAMERS OF THE CONSTITUTION THE VERY CLAUSE WHICH I HAVE CITED, AND WHICH GUARANTIES TO ALL THE PEOPLE OF THIS WIDELY EXTENDED UNION THE PERFECT AND PERPETUAL EQUALITY OF RELIGIOUS RIGHTS, AND FREEDOM OF CONSCIENCE. *It is only to be regretted that after having performed, at so early a period, the function of index, pointing out at the cross-ways the true path in which her thirty sisters are now advancing peacefully and prosperously, she should have continued stationary, and be found the last to practise what she had been among the first to preach.*” Widely different language this from the wholesale abuse that Scott partisans, for partisan purposes, are pouring out upon the hardy and industrious sons of the Granite State—the land of Stark and McClary, of Weare and Langdon, of Woodbury and Webster.

### The Democratic Party and Religious Freedom.

In every point of view, this charge of intolerance is absurd, unjust, and disgraceful. The politicians who make it know its dishonesty. They know that the charge they bring against General Pierce is “*utterly unfounded.*” They know that it has not a particle of truth to substantiate it. They know that he has opposed the exclusion clause out and out. They know that no man living is *more* opposed to it; for it is not less contrary to the liberality of his sentiments than it is to the generosity of his nature. And yet for party purposes they continue to circulate it, in the hope thereby to injure his chances of success. Shame on the base fraud!

And this fraud is perpetrated, too, in the

vain hope of thereby prostrating the Democratic party, whose foundation stone is that of EQUAL AND EXACT JUSTICE TO ALL MEN AND ALL SECTS. It was in the spirit of this sentiment that Jefferson, the author of the RELIGIOUS FREEDOM DECLARATION of Virginia, was elevated to the Presidential chair; that the noble opposition was made to the alien and sedition laws; and in that the Democratic party ever advocate equality of political rights. It is on the broad foundation of religious freedom which, in the words of Bishop Hughes, New Hampshire was one of the States to suggest, that democratic Presidents plant themselves. When did one of them ever ask what religion a person was of who was proposed for an office? Let the fact that the good and learned civilian, ROGER B. TANEY, a devoted Catholic, is now, by the appointment of a Democratic President, adorning the place of Chief Justice of the Supreme Court, give the answer to this question. And it is not too strong to write, that the very suggestion that FRANKLIN PIERCE would act in a spirit of religious intolerance in making appointments — that he would ask what religion an American citizen professed — would be a libel on his reputation.

All that the friends of General Pierce need ask is, that TRUTH may find its way in the track of FALSEHOOD, and the base charge, instead of injuring him, will recoil with fearful effect on his slanderers.

### The Catholic Sentiment in relation to the Whig Charge of Intolerance against General Pierce.

The object of the Scott politicians in making the charge of intolerance, at this time, against General Pierce, is to obtain the Catholic vote. It is an appeal to a SECT in RELIGION, to get its members to vote a certain way in POLITICS; it is an appeal made to Catholics as distinguished from their fellow citizens, in order to excite their prejudices against the democratic candidate and the democratic party; and this too, is attempted to be supported by as bold, reckless, dishonest falsifying of history as the annals of politics can furnish. It is an interesting question as to how this appeal, so insulting to the intelligence, the patriotism and the Americanism of Catholics, is received by them? What is the effect which this unparalleled electioneering experiment is producing on those to whom it is made?

Perhaps there is no better way to answer this question than by referring to the Catholic press; and it is for this purpose that the following extracts are made from Catholic journals, which speak for themselves.

#### THE BOSTON PILOT

of July 3, 1852, has the following, entitled FRANKLIN PIERCE:—

“We have already adverted to a calumny industriously circulated by unscrupulous politicians, to the effect that Gen. Pierce was opposed to the

amendment of the constitution of New Hampshire securing equal rights to the Catholics of that State. For the benefit of our readers, democrats and whigs, we will expose whatever trick we find resorted to for the sake of catching the “Irish vote,” as it is called. We, in common with several of our contemporaries, contradicted this story.

“Gen. Pierce was president of the convention, called in 1850, for the revision of the constitution. The late Judge Woodbury made a speech which we published a year ago. Gen. Pierce left the chair, and supported the position of Judge Woodbury. We elsewhere publish by way of advertisement, a long account of the proceedings of the New Hampshire convention.

“So that matter is set at rest. The convention numbered about 260 members; only seven voted in the negative. Yet when the doings of the convention came before the people, at their town meeting, they rejected all the proposed amendments, and gave against that which concerned Catholics a very large majority. The convention, in fact, was unpopular. It met again in April, 1851. Notwithstanding the popular vote against the amendments, Judge Woodbury and General Pierce succeeded in persuading the members to submit once more an amendment to the constitution, abolishing the anti-Catholic tests. This came before the people, and they, for the second time, and in despite of the influence of Woodbury, Pierce, and other leaders, again rejected the proposed amendment by a decisive vote. And so the matter rests now.

“Our readers will perceive that Gen. Pierce was, luckily, on the right side. If we hear of any lies circulated about Gen. Scott, we will as freely expose them.”

THE PILOT of July 24, 1852, also, has the following, entitled GEN. PIERCE. THE RELIGIOUS TEST:—

“We had given, as we supposed, sufficient evidence that Gen. Pierce, inasmuch as he did all in his power to cause the repeal of the article in the New Hampshire constitution with reference to Catholics, is not at all responsible for the action of the people of New Hampshire in refusing to amend it. We observe, however, in some of the Scott journals a disposition to make the most of this matter, and to excite Catholics against Pierce. No use, gentlemen, no use. The Catholic voters will go to the polls, not as Catholics, but as American citizens. They will not suffer appeals to be made to them which single them out from the rest of the community, and ask their suffrages for this man because he is friendly to the Catholics, or against that man, because he is opposed to them. We care not whether a candidate be or be not friendly to us.

“The general government can make no law respecting religious concerns. The question is, — does the candidate uphold American principles? Is he a free-soiler, a radical, an interventionist, a manifest destiny man? — Then we will not vote for him. Is he a conservative republican? Then he is the man.

“We dislike to see this religious question

raised, as it is, on both sides. And our only object in alluding to it has been, to set the matter before our readers in its true light.—Neither the whig nor the democratic party is friendly to us, Catholics.

“The partisan papers opposed to Pierce now admit that he did make a speech against the odious clause in the constitution. But they say that his speech proves nothing, because he made only one in favor of New Hampshire Catholic emancipation, and because, while the democratic party controlled that State, Gen. Pierce controlled the party, and his influence was sufficient to make any measure pass. Therefore, they conclude, he is responsible for the failure of the amendment.

“This would be true enough, if Gen. Pierce, the leader of the party in New Hampshire, really controlled its votes. But every one knows that although the influence of a party leader, particularly if he be as honorable and talented a man as Gen. Pierce, is great among his men, yet it is not omnipotent. He can persuade them to approve measures which are in general accordance with their notions, even although they may be slightly or incidentally distasteful to a great number of the party. But he cannot drive them, and he can very rarely persuade them to agree, for a moment, to a course which is quite inconsistent with their habits of thought settled by time, confirmed by prejudice, and maintained by passion. This is the predicament in which Gen. Pierce is placed.

“He strove vigorously and honestly, not once, but twice, to amend this stupid clause. And the people twice refused to amend it. His influence, great with them generally, was here uselessly exerted.”

#### THE AMERICAN CELT,

Printed at Buffalo, of July 23, 1852, publishes the following:—GENERAL PIERCE AND THE CATHOLIC TEST.

“We publish with pleasure the following note from one of the most respectable Catholic citizens in Boston:—

BOSTON, June 19, 1852.

T. D. MCGEE, Esq.

Dear sir: I presume it is wholly unnecessary for me to call your attention to the fact of the federal press having already made, as it were, a simultaneous attack upon Gen. Franklin Pierce, charging him with favoring the retention of the Catholic disabilities clause in the Constitution of the State of New Hampshire. Being a constant and shrewd observer of passing events, you cannot be ignorant of this truth. You know equally well that the charge is as groundless and false as the heart and head that conceived so base a slander. Gen. Pierce was one of the two generous spirits that conceived the idea, introduced into the legislature the resolutions in favor of, and succeeded in calling the late convention in that State for the express purpose of eradicating the odious religious test and property qualification clauses from that instrument. The late respected Judge Woodbury, who, together with Gen.

Pierce, did more than all others to call the attention of the people to this subject, and who so eloquently, with his voice and pen, advocated the disinfranchisement of his Catholic fellow-citizens, has been called by the will of God to his last account. *Requiescat in pace.* Gen. Pierce stood shoulder to shoulder with the Judge, advocating and endorsing all that was said or done in behalf of the glorious cause of equal rights—this is now history—and as the bigots and wily politicians can make no show by charging him with sinister motives in the bold and manly course thus pursued, there then being no carthy prospect of his ever again coming before the people for their suffrages, they stifle all scruples, and basely charge him with opposing the reform so desirable in the constitution of that otherwise glorious old State. What, then, is the duty of Catholics who know that Gen. Pierce has freely and unreservedly advocated their rights? Shall they not endeavor to place him in his true position, by spreading broadcast the truth? or shall they by their silence, now that his labor in their behalf has been done, permit his enemies thus to stigmatize him? Never! no, never let it be said with truth that Catholics are ungrateful, where an honest purpose is exhibited in their behalf. Catholics, true and devoted at heart, can never be ungrateful, nor can they well afford to be—their enemies are numerous and ever watchful for their discomfiture; while their true friends outside of the church, are seldom, indeed too seldom, to be found. Let us see to it, then, that this matter is placed in its true light, so far as we are able to do so. This is all that Gen. Pierce can desire, or we as Catholics wish.

#### A SINCERE CATHOLIC.

“In publishing the above letter, we, of course, are not to be considered as in any way interfering in the usual questions at issue between whigs and democrats.—*Editor American Celt.*”

The same Journal, of July 31, 1852, contains the following:—

“THE LOUISVILLE JOURNAL (whig) of the 22d July, credits an extract from a Washington letter signed ‘Catholicus,’ (arguing that Gen. Pierce ought to be opposed because New Hampshire retains the penal test) to ‘the American Celt, a democratic paper of Buffalo.’ The *Journal* will be good enough to observe the definition of the character of this paper upon the first page. It is there intended to be ‘Devoted to Catholic Interests and the service of the Irish in America.’ Beyond that it has no other vocation, and if a passage which favors the *Journal’s* candidates, or their opponents’, finds its way through our types to the world, it is only on the principle of ‘fair play,’ and ‘hearing both sides.’ We are always ready to allow correspondents, in reasonable and temperate terms, to state their dissent from our editorial opinions. But we repeat that we do not agree with those who hold Mr. Pierce responsible for a remnant of colonial bigotry, enacted before he was born, and which, more than any man living, he has endeavored to remove from the constitution of his State.

“We would as soon think of holding Arch-

bishop Cullen responsible for Lord John Russell's Durham letter, or the late Stockport riot. Dr. Cullen *lives under* the Penal law and the Proclamation so highly obnoxious to Catholics in Ireland and England, but having done all in his power to resist the injustice, what folly it would be to hold him responsible for it! This is our conclusion, and so far as the Celt may be fairly quoted at all in the case, it is only on this side — the side of Truth and Justice, as we conceive it to be."

The same journal, August 21, 1852, says: —

"The Catholic press, as far as we know, have unanimously declined to take sides in the present Presidential contest. With equal unanimity they have interposed their veto upon a Bill of Indictment preferred on religious grounds, against one candidate, by the partisans of the other. This they were bound in conscience and honor to do. The indictment was laid *in their name*, and maintained nominally *on their account*, so that for them to be silent, would be making themselves parties to a gross injustice, perpetrated by unauthorized journals, in the falsely assumed name of the Catholic community. Mr. Pierce's speech in the Concord Convention, in June, 1850, and his consistent action in his own state, (it is detailed at length in the last *Boston Pilot*), entitle him to this justice at our hands. If the *Evening Journal* and its allies had not laid the impeachment against him, they may be sure the Catholic press would not have brought forward, so fully, the real facts of a case, which is ours as well as his. So long as they use falsehood and misrepresentation, in the name of the Catholics, they cannot expect us to give the tacit sanction of our silence to such a base electioneering artifice."

#### THE NEW YORK TRUTH TELLER,

A leading Catholic journal of New York City, says: —

"Mr. Pierce, it is universally conceded, possesses all the requisite qualifications to administer the affairs of government with credit and ability. We are assured by those who have known him long and well, that a more liberal, high toned, true republican does not live. On the question of the 'Catholic test,' which has ever been a bone of contention in New Hampshire, Mr. Pierce has been faithfully and zealously arrayed in just opposition to the stain upon the laws of that State, and although unsuccessful in his efforts to have it expunged, he is nevertheless fully entitled to the gratitude of every liberal mind for his exertions in the matter."

#### THE IRISH AMERICAN,

Aug. 21, 1852, has the following remarks: —

"In national matters difference of creed is never thought of. If religious exclusion or persecution for conscience sake be practised in any executive department — the army or navy, &c. — it is treason against the principles of the general government, and should be punished as it deserves. Therefore, the idea of taking exception to a Presidential candidate because he happen to be born in a 'bigoted State' is the purest nonsense.

Suppose for argument sake, that Franklin Pierce were an arrant bigot and an anti-Catholic (which we believe he is not) he *dare* not, if elected President, show or practise his bigotry. This Mr. Robinson and the Whig party well know; and yet they play the 'Catholic' card — their knave of trumps — for a half million Irish American votes.

"But each separate State has its own Legislature, its Constitution, and its Government; and when New Hampshire was framing *its* Constitution it admitted the black spot of senseless bigotry into its framework, which excluded Roman Catholics from certain offices. Very well; several attempts were made to expunge this black spot, to wipe out this scandal from the New Hampshire Constitution. Mr. Robinson contends that Mr. Pierce did not act as warmly and strongly in favor of this removal as he should have done; and that, therefore, Roman Catholics should not vote for him. He asserts that the Democratic party in the State were able to expunge the blot, but did not; and that, therefore, the Democratic party do not deserve the votes of Roman Catholics. This is the whole gist of his position.

"But it appears from the correspondence we publish to-day, and from other sources of information, that Franklin Pierce used every means in his power to effectuate this object; and that the charge made against him, on this head, must fall to the ground."

#### THE CATHOLIC MIRROR,

Of June 23, 1852, printed in Baltimore, in publishing the speeches of Judge Woodbury and General Pierce, on the religious test question, accompanies them with the following remarks, entitled, GENERAL PIERCE AND THE RELIGIOUS TEST: —

"We give below a report of the proceedings of the convention, for the revision of the constitution of New Hampshire. This report unequivocally proves that General Pierce exerted his influence to have the "Religious Test" stricken out from the constitution of his native State. The charge of supporting the continuance of the offensive clause, has been brought against General Pierce, not from a love of Catholics, but by a set of politicians, who care but little what slander they retail, provided it gains votes *for the party*. We publish this record to show that the cause of Catholicity must not be dragged into the political arena, to prevent men from giving him their support on *that* ground. Were we to decline publishing this proof, we would be aiding the false charge. The *Mirror* has no political preferences; hence, it cannot, by its silence, sanction a falsehood of the nature of the one now under consideration."

In the same number of the same paper, we find the following: —

GENERAL PIERCE. — We have seen a letter from General Pierce, written to a gentleman of this city, in which he speaks of the charge brought against him, of aiding the retention of the 'religious test,' in the constitution of New Hampshire. We have been permitted to make the following extract in reference to that charge. He says;

"No charge could be more groundless than this — my course, from the first moment I entered public life, has been directly the opposite of that alleged. If the falsehood has not already received its appropriate brand, it will in due season."

Finally, as a clincher to all this contemptible appeal of the unscrupulous demagogues, as to General Pierce's being opposed to *Catholic* interests, his being obnoxious to *Catholic* voters, and their electioneering experiment upon Catholics, in the hope to get their votes, by disseminating the grossest falsehood, we extract the following scathing article from the

NEW YORK FREEMAN'S JOURNAL AND  
CATHOLIC REGISTER,

of August 7, 1852, entitled THE CATHOLIC  
VOTE.

"The anxious and ridiculous manœuvres of some of the partisan papers, to catch Catholic votes for their respective candidates, would be a subject for indignation, were they not so absurdly impotent. As it is, they afford us only an occasion for mirth. To see the hirelings of the party press racking their weak brains, in an effort to direct a body of men who are guided by principles which the hirelings cannot understand, and who are, to say the very least, as intelligent and as independent voters as those of any other religion in this land, is a droll and an amusing spectacle. If we thought that there were among Catholics any class, or any considerable or available number, who are so blind, so ignorant, or stupid, as to be led by the worthless fellows who, in some of the papers, write nonsense of one or of the other, of the presidential candidates, setting forth his pretended claims upon Catholics, as distinguished from their fellow citizens, we would blush for men so entirely unworthy of the church to which they belong. But, as it is, we are well aware that the entire and only effect of these newspaper writers, who sign themselves Catholics, so far as they produce any influence at all, is to disgust those whom they seek to win, and to cause them to look with contempt and aversion at once on the knaves who thus insult them, and on the papers that publish in their columns, (if they do not in their own offices manufacture,) such inane and dishonest letters of pretended Catholics. If there were any question pending, either as to principles or as to men, that required a word to be said to Catholics, as distinguished from other citizens, there are vigilant organs of Catholic opinion and sentiment, that would be very quick to speak out. Or if any Catholic, possessing enough of character as a Catholic, or enough of brains as a man, to be entitled to speak to his fellow Catholics, should choose to write in political party papers on such a subject, it is certain he would either sign his own name to his articles, or would seek for an endorser of his standing, some one known as a Catholic, and not the faithless, truthless slanderers and deceivers that conduct the papers wherein these dishonest appeals are chiefly published. When intelligent

Catholics see such letters as we refer to, they will understand from them one of two things; either that the writers are *Protestants*, who labor under the delusion of supposing that Catholics have no common sense to see through such artifices, or that they are Catholic *underlings* of Protestant employers, who know that what they write will be looked at with contempt by Catholics, but who pretend to their more gullible employers, that they are doing service worthy of a recompense."

These extracts from independent Catholic journals, who are not partisan in politics, pretty fully answer the question put at the commencement of this portion of this paper. The Catholics, as a body, scout this sectarian appeal, and pour on its authors that scorn and contempt they so richly deserve.

### Recapitulation.

We have presented, from authorities that cannot be successfully impugned, as they consist mostly of contemporary records, **FACTS** as to the action of the democracy of New Hampshire and of General Pierce, in relation to the exclusion tests in the constitution of this state. The whig charge, in its modified shape, and in whig language, in relation to the former, is, that it is "*alone responsible*" for its continuance; that this "*odious responsibility*" belongs exclusively to the democratic party; and, as to General Pierce, that he "*took no active steps in favor of its removal.*" It is submitted, these **INDISPUTABLE FACTS** make nothing less than Waterloo havoc with these **WHIG ALLEGATIONS**. At the same time another order of *facts* shows as conclusively the responsibility that attaches to the whigs of New Hampshire for their course in relation to revisions of the *constitution*. These facts prove —

That the exclusion clauses in the New Hampshire constitution were put into it in 1784, before parties had formed, and were retained in it in 1792, when the federal or whig party was in power; and that to expunge them it requires that a convention be called, and that a vote of *two thirds* of the people should accept the amendments it proposes, while it is made a duty of the people to vote on the question of calling a convention every seven years:

That the **DEMOCRATIC JOURNALS** have denounced these *exclusion clauses* as contrary to every principle of **REASON, JUSTICE, and COMMON SENSE**; and constantly advocated a revision of the constitution:

That the leading **DEMOCRATIC POLITICIANS** have taken the same course in their political speeches; and instances are specified where they have, in political meetings, gone from town to town advocating a convention:

That **DEMOCRATIC COUNTY and STATE CONVENTIONS** have, in formal resolutions, **UNEQUALLEDLY REPUDIATED THESE CLAUSES**, and declared in **FAVOR** of a revision of the Constitution, and these resolutions are quoted:

That so united was thought to be *democratic* public opinion *against* them, and so thoroughly

was it in favor of a revision of the Constitution, that its leading organ, the N. H. Patriot, Oct. 17, 1844, declared that THE UNIVERSAL SENSE OF THE DEMOCRATIC PARTY WAS AGAINST THEM; and asserted, Oct. 31, 1844, that it could say, WITH TRUTH, THERE WAS NOT ONE INTELLIGENT MEMBER OF THE DEMOCRATIC PARTY WHO WAS NOT IN FAVOR OF A REVISION OF THE CONSTITUTION:

That in the Convention of 1850, called to revise the Constitution, Judge Woodbury and General Pierce made speeches against this test: and in a second session, after the amendments had been rejected, that they succeeded in getting the question submitted, together with another question, to the people:

That in all these movements General Pierce actively participated: that in the canvass of 1844 he went from town to town urging a revision of the Constitution, and that year was DENOUNCED BY THE WHIGS because he advised all the Democratic votes to be printed in favor of a call for a Convention: that in 1845, he, with others, in a Democratic convention, reported a resolution, which passed, REPUDIATING THE TEST: that in 1850 he labored in the Convention, in both sessions, to repeal it: that in the caucus of the Democrats, at Concord, and in town meeting in Concord, he made speeches in favor of blotting out the test: that he has uniformly, by pen and speech, denounced it AS A STIGMA ON THE STATE:

That the Whig assertion, that the Democratic party could every seven years have repealed this test "for the last sixty years," or "at any time the last quarter of a century," is an enormous falsehood; for facts show that it was not until the sixth septennial period, or 1829, that the Democrats got a permanent majority ascendancy: that within twenty-five years there have been two WHIG GOVERNORS: that in 1838 their majority was but 2800, in 1843 but 1600, and in 1846 they were IN A MINORITY, and that, in a contest, THEY NEVER HAVE HAD THE TWO THIRDS vote required to alter the Constitution; and that, at the ONLY PERIOD when amendments to the Constitution have been voted on since 1792, that is, on the amendments of 1850,

THE DEMOCRATIC PARTY LACKED TEN THOUSAND VOTES OF HAVING TWO THIRDS:

That whig editorials during the canvass of 1844, previous to the convention of 1850, during the sittings of the first session of that convention and at its second session — all which are quoted, and the dates of which are given — either were in OPPOSITION to the call of a convention, or threatened that if amendments approved by them were not adopted, opposition would be made to ALL AMENDMENTS, or endeavored to array the prejudices of the people AGAINST the convention and its amendments, on the ground that of its FORTY THOUSAND DOLLARS EXPENSE, and, forsooth, because the convention chose to pass a SERIES OF COMPROMISE RESOLUTIONS INTRODUCED BY GENERAL PIERCE. There is the language of the whig editorials, and it speaks for itself. All this shows CONCLUSIVELY that while the democratic party, in all the various ways it could, was denouncing the tests, and urging a convention, the whig party was endeavoring to turn democratic action to PARTY ACCOUNT. There is the record, and its force cannot be avoided. The inference is a just and a fair one — had the whig organs forgot party, the tests would have been abolished!

Such is the conclusiveness with which the democratic party and General Pierce can be vindicated from this charge of intolerance, and such is the position of the party that makes this charge! But, setting all this aside, is it too much to invoke the candid and the patriotic, of ALL PARTIES, to brand this business as disgraceful to those who engage in it; and to denounce this special appeal to a SECT IN RELIGION, IN ORDER TO GET ITS MEMBERS TO VOTE A CERTAIN WAY IN POLITICS, as a gross violation of the spirit of our institutions, and a wanton insult alike to the intelligence and patriotism of AMERICAN CITIZENS? This desperate and unparalleled electioneering experiment, for many reasons, deserves a disgraceful defeat.

Again we ask: As TRUTH makes its way in the track of FALSEHOOD, will not the base charge, instead of injuring General Pierce or the democratic party, recoil with fearful effect on those who utter it?