Mr. STEWART. Mr. President, I am glad that the time has finally arrived when it is understood that we are to have general legislation on the subject of the removal of disabilities. Special legislation has been attended with more than ordinary embarrassment. It is impossible for Congress to investigate and pass upon the cases of individuals with any degree of fairness and impartiality. It is impossible to ascertain the facts in each case. We have proceeded now for several years relieving those who were under disability and those who were active in making out plausible cases have been relieved, and, as I have been informed, constantly during the whole of that time many of the people we relieved, in order to set themselves right with the people with whom they associated, immediately afterward denied that they had made the application. Thus it has gone on, and frequently we have relieved those in a neighborhood who were the very least deserving, which naturally created a sympathy for those who remained under disabilities.

However we may theorize about this matter of political disabilities, practically it has not tended to tranquilize the South; practically it has presented cases which have caused irritation and created additional dissatisfaction. It must be apparent to all that general legislation is the proper mode of proceeding. The House of Representatives came to that conclusion at the last session, and passed the bill now under consideration here. I hope we may pass the bill substantially as it came from the House, and not add further lists of exceptions as calls for special legislation again, we shall find it as difficult to administer in the future as it has been in the past. I had some experience in the beginning in investigating petitions for the removal of political disabilities. I investigated at first some two thousand applications as well as I could. I undoubtedly recommended the rejection of some who ought to have been relieved and recommended the relief of many who, if we were going to make any discrimination whatever, ought not to have been preferred to their neighbors. I fell into these difficulties, and they accumulated so that I finally asked the Senate to relieve me from any further labor in the matter, and that a special committee take the subject into consideration. That was done. They, too, have met with these difficulties.

Now, I do not believe that in a political point of view the third section of the fourteenth amendment has been of any advantage whatever. I do not wish to be understood as meaning that it was unjust to exclude from office those persons who had participated in the rebellion, for all agree that they had forfeited their rights and that they had no claims on this Government. They had been traitors to it, and were amenable to the law. That it was unjust to them I do not contend; but as a matter of practical execution it was inconvenient and impossible to carry it out fairly. It was impossible to punish millions of men; it was impossible to investigate the relative merits of one above another. The practical execution of the law so as to make it fair and equal, so as to discriminate and do justice in all cases, was impossible. Consequently it has created great irritation, and accomplished very little good.
I am aware of the argument against the removal of disabilities. I am aware of the fact that many of those who are now laboring under disabilities are not good citizens of the United States. I am admonished by the report of my worthy friend from Pennsylvania [Mr. SCOTT] that many of those persons who are still laboring under disabilities and are to be benefited by this bill, have no claim upon this Government for its mercy, and no claims upon the generosity of this Government. But, while that is true, there are others whom we desire to relieve from disabilities, there are others who would undoubtedly be good citizens if relieved; but we have not the machinery and cannot invent it here to ascertain who they are specifically. They are too numerous for individual action, and generally those most meritorious are least likely to press their claims. That mode of action is surrounded by practical difficulties on all hands, and the administration of the law in that way is calculated to produce disquiet because of the discriminations made in passing special bills. That will constantly produce disquiet. It seems to me wiser to end the matter and to pass this bill as it came from the House of Representatives, and free ourselves from the embarrassments that we are placed in when we resort to special legislation. By doing this, we shall take from these men the excuse which they make that justice is not done to all, that bad men are relieved while good men are not. Take this pretext from them, so that they shall have no excuse for alleging that this Government is not generous to all because it has relieved the bad and also relieved the good. Let us take from them all chance for exciting sympathy among their fellows; for, view it as you will, if a citizen who stands well in a particular locality is overlooked, and one who stands badly is relieved, that community will blame Congress and blame the Government and draw a comparison, so that a sympathy will be created for the citizen whose claims have been overlooked.

We cannot produce quiet in that way; and inasmuch as we have direct work to do to suppress violence, let us be rid of this irritating question; let us pass a general relief bill, and direct our attention to those who shall hereafter violate law. We shall find cases enough of that kind. Let us see that the laws are hereafter enforced, and I believe that with this general bill passed we should be stronger, we should find less difficulty in the South in enforcing the laws, for we take away from them so irritating and vexed question which does produce disquiet and dissatisfaction.

I hope the bill will pass as it came from the House of Representatives, substantially. To the amendment of the Senator from Indiana, however, I have no objection.