

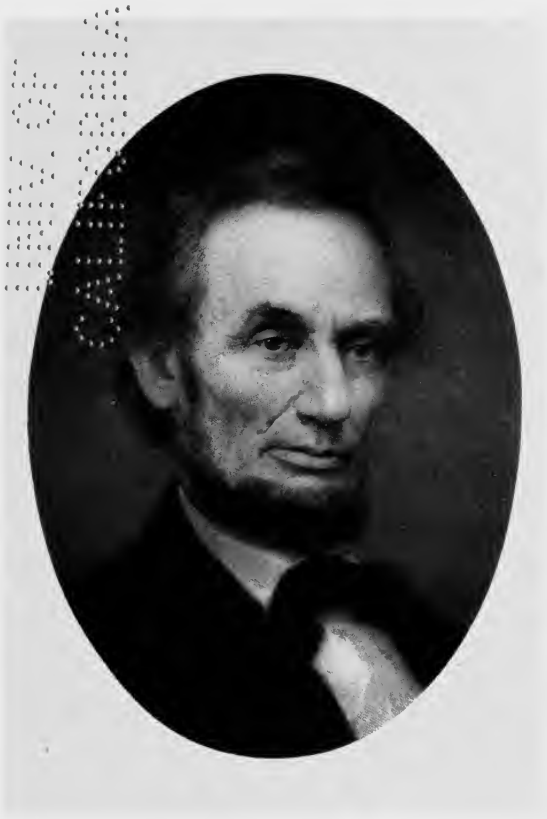


Memorable American
Speeches

IV

Secession, War, Reconstruction





The Lakeside Gazette

Memorable American
Speeches

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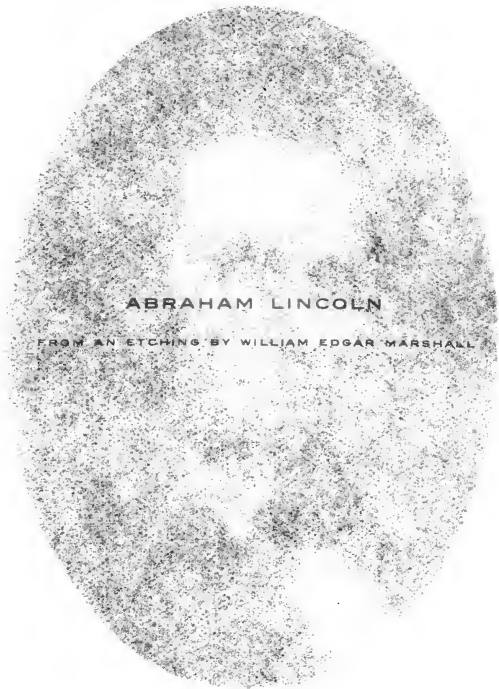
ABRAHAM LINCOLN

FROM A EDITION BY WILLIAM EDGAR MARSHALL

WILSON J. BENTLEY



Cl. Street, N. Y. 10003
W. J. DONNELLY
BRISBANE



ABRAHAM LINCOLN

FROM AN ETCHING BY WILLIAM EDGAR MARSHALL

The Lakeside Classics

Memorable American
Speeches

IV

Secession, War, Reconstruction

COLLECTED AND EDITED
BY

JOHN VANCE CHENEY

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The Lakeside Press, Chicago

R. R. DONNELLEY & SONS COMPANY

CHRISTMAS, MCMX

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TO YINU
ABSO LUNO

Publishers' Preface

THIS volume of the Lakeside Classics concludes the series of Memorable American Speeches. The size of the volumes and their publications but annually have precluded an attempt to exhaust the field of American oratory, but it is hoped that the editor has gathered in convenient form some of the famous speeches of our great statesmen, and that these speeches, showing the earnest part these men took in solving the questions of their generation, are full of human interest to the busy men of to-day.

The series continues to be the handiwork of the boys in the School for Apprentices of the Lakeside Press. The school and apprenticeship system has now become an experienced success, and the publishers take great pride in their practical demonstration that trade and vocational education can be made a practical success.

With this little book again go forth our good wishes to the patrons and friends of the Lakeside Press.

THE PUBLISHERS.

CHRISTMAS, 1910.

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Introductory Note

SIX or seven very unquiet years had just passed, and there were no signs of peace. The House of Representatives was, by a small majority, Republican; the Senate, by a large majority, pro-slavery. Jefferson Davis's recent resolutions, declaring the attitude of the South, were still ringing threateningly in the ears of the people: the election of a President staunchly Republican would be the signal for the disruption of the Union. On May 16 the Republican Convention met in Chicago; on November 6 Lincoln was elected, with a majority in all but three of the States of the North. Fifteen days after the delivery of Hale's address, the Secession Convention at Charleston unanimously ordained that South Carolina was no longer one of the States of the Union.

With this background, it is easy to trace the course of the Secession Period in the first four speeches now presented.

The same number of speeches relate to the War Period; all of them brief, Beecher's excepted, but all of them of special significance. Beecher's address at Liverpool is, while not of itself a great speech, the record of an astonishing elocutionary feat which perhaps no other patriot among us could have performed.

Introductory Note

To the Period of Reconstruction two speeches have been allowed: the close argument of Pendleton and the legal exposition of the "great commoner," Thaddeus Stevens.

While following the history of the momentous times under discussion, it is necessary, for a full realization of the scenes enacted in the Senate, to call before the imagination the old high-domed, galleried chamber, and to scan, one after another, the chief figures of the parliamentary assemblage.

Comely, clear-voiced Hale, for sixteen years a perpetual and dread menace to the advance of slavery; hearty, direct Wade, another valiant friend to the slave, not unwilling to cross swords with the massive-statured and defiant Toombs, were among these notable personages — men to look at as well as to hear.

Indeed, the old Senate chamber was never the theater of more picturesque, more dramatic combatants than strove there on the night of August 1, 1861. Rising in the presence of many of the foremost statesmen and orators of the nation, Breckenridge, impressive of mien, winning of speech, delivered his address, polished, glittering with fire flashed from the whole South of ante-bellum days, and so committed himself and his fortunes to the cause of rebellion.

Hardly had he begun to wind the coils of his art when appeared the martial form of General Baker; the scent of battle in his uniform, and the light of battle on his face.

Introductory Note

“Nothing,” prophesied the Kentuckian, “but ruin, utter ruin, to the North, to the South, to the East, to the West, will follow the prosecution of this contest.”

“It is not every prediction that is prophecy,” was the soldier’s reply. “It is the easiest thing in the world to do; there is nothing easier except to be mistaken when we have predicted.”

“There will be some graves reeking with blood,” admitted Baker further on. Again the truth, and bitter truth: not three months had followed when his own blood was spilled, with that of nearly 900 of his men, as he led the line at the battle of Ball’s Bluff.

It is with such orators that we close this short but—it is hoped—representative series of Memorable American Speeches.

J. V. C.



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Memorable American Speeches

John Parker Hale

(1806-1873)

ON SECESSION

[Delivered December 5, 1860, in the Senate.]

FOR the purpose of saying the very few words that I mean to say,—and I do not intend to say much,—I move to reconsider the vote by which the usual number of the message was ordered to be printed. I voted in the affirmative on that question. That being before the Senate, I take occasion to say that I was very much in hopes, when the message was presented, that it would be a document which would commend itself cordially to somebody. I was not so sanguine about its pleasing myself, but I was in hopes that it would be one thing or another. I was in hopes that the President would have looked in the face the crisis in which he says the country is, and that his message would be either one thing or another. But, sir, I have read it somewhat carefully; I listened to it as it was read at the desk; and if I understand it,—and I think I do,—it is this: South Carolina has just cause for seceding from the Union; that is the first proposition. The second is, that she has no right to secede. The third is, that we have

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no right to prevent her from seceding. That is the President's message, substantially. He goes on to represent this as a great and powerful country, and that no State has a right to secede from it; but the power of the country, if I understand the President, consists in what Dickens makes the English constitution to be, — a power to do nothing at all.

Now, sir, I think it was incumbent on the President of the United States to point out definitely and recommend to Congress some rule of action, and to tell us what he recommended us to do. But, in my judgment, he has entirely avoided it. He has failed to look the thing in the face. He has acted like the ostrich, which hides her head, and thereby thinks to escape danger. Sir, the only way to escape danger is to look it in the face. I think the country did expect from the President some exposition of a decided policy; and I confess that, for one, I was rather indifferent as to what that policy was that he recommended; but I hoped that it would be something; that it would be decisive. He has utterly failed in that respect.

I think we might as well look this matter right clearly in the face; and I am not going to be long about doing it. I think that this state of affairs looks to one of two things: it looks to absolute submission, not on the part of our Southern friends and the Southern States, but of the North, to the abandonment of their

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position; it looks to a surrender of that popular sentiment which has been uttered through the constituted forms of the ballot-box; or it looks to open war. We need not shut our eyes to the fact. It means war, and it means nothing else; and the State which has put herself in the attitude of secession so looks upon it. She has asked no counsel, she has considered it as a settled question, and she has armed herself. As I understand the aspect of affairs, it looks to that, and it looks to nothing else except unconditional submission on the part of the majority. I did not read the paper,— I do not read many papers,— but I understand that there was a remedy suggested in a paper printed, I think, in this city, and it was that the President and Vice-President elect should be inaugurated (that would be a great concession!), and then, being inaugurated, they should quietly resign! Well, sir, I am not entirely certain that that would settle the question. I think that after the President and Vice-President elect should have resigned, there would be as much difficulty in settling who was to take their places as there was in settling it before.

I do not wish, sir, to say a word that shall increase any irritation; that shall add any feeling of bitterness to the state of things which really exists in the country; and I would bear and forbear before I would say anything which would add to this bitterness: but I tell

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you, sir, the plain, true way is to look this thing in the face, — see where we are. And I avow here,—I do not know whether or not I shall be sustained by those who usually act with me,—if the issue which is presented is that the constitutional will of the public opinion of this country, expressed through the forms of the Constitution, will not be submitted to, and war is the alternative, let it come in any form or in any shape. The Union is dissolved, and it cannot be held together as a Union, if that is the alternative upon which we go into an election. If it is preannounced and determined that the voice of the majority, expressed through the regular and constituted forms of the Constitution, will not be submitted to, then, sir, this is not a Union of equals: it is a Union of a dictatorial oligarchy on the one side, and a herd of slaves and cowards on the other. That is it, sir: nothing more; nothing less.

If this discussion is proceeded with, I shall take occasion, by the indulgence of the Senate, once more to address myself to that phase of this controversy which is so constantly, so perseveringly, so continuously held up,—that the Northern States of the Union are the aggressors in producing this unhappy state of things. The Northern States of this Union are the aggressors in one sense: we have a set of presses and a set of politicians among us traitorous to the public voice and the public interests, ministering to a diseased appetite,

John Parker Hale

that lend their energies to the dissemination of aspersions and slanders upon the people among whom they live and upon whom they feed; and I very much fear that our friends upon the other side have listened too much to their aspersions of their fellow-citizens, rather than to their own convictions of what the truth is. I desire, if this discussion proceeds, to show up what I conceive to be the true character of this position of things, so far as relates to the alleged aggressions of the Northern States; but I do not pretend to speak for the Northern States. I have no right to do so; they did not send me here. I was not elected by the Northern States; I am only here to speak for one; and let me say, sir, that I have no fear, not the slightest, no doubt, not the minutest, let the result of this unhappy controversy be what it may; let it be settled in any form it may; drenched in blood, if it may,—I have no fear, no doubt, that that little State which I have the honor in part to represent on this floor, will stand acquit,—not before posterity; I do not care so much about that,—but will stand acquit before the tribunal of the civilized world; will stand acquit before the verdict of Christendom of to-day; will stand acquit before the impartial and independent judgment of the men of to-day. I have no such distrust of the position that State occupies, that I wish to appeal from the present to the future. No, sir. I say that the State which I have the honor in

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part to represent here, upon the Constitution, upon the record, and upon the truth of history, will stand to-day and forever fully acquit of every charge that can be brought against her of looking to the infraction, on her part, of the Constitution, or any of its provisions, be they onerous or otherwise. Let me say further, sir, that if there are gentlemen who look to the settlement of this controversy by further concessions from the North, I think they miscalculate and mistake. I believe the difficulty has been that we have conceded too much; we have compromised too much; and we have got to that position of things that whenever any fault is found, the ever-recurring remedy to the minds of patriots and statesmen is still further concessions from the North. I agree,—I have said it here, I have said it to my own people at home, I am willing to repeat it here,—I agree that under the Constitution of the United States you are entitled to demand and to have an honest and a fair discharge of that obligation which is imposed on all the States in regard to the rendition of fugitive slaves; and I am willing, perfectly willing, that there shall be an honest, fair, and faithful performance of that pledge.

I listened to the Senator from North Carolina yesterday, and I agreed in very much that he said,—more in what he said as general truths than in the particular application that he wished to make; but I can tell that honor-

John Parker Hale

able Senator, if he will sum up every case of injury, of suffering, of aggression, by the whole of the free States upon the right that they have to recapture fugitive slaves, and put it all down in its darkest colors; draw the image as hideous as truth and fancy can make it, — when the sum is all told, I can show him aggressions upon the rights of citizens of the free States, — upon the constitutional right which is conferred on the citizens of each State in every State, — I can show cases of aggressions against that right that will infinitely outweigh and outnumber everything that can be brought in the way of aggression by the free States upon the rights of the South in regard to the recapture of their slaves.

Sir, we are trying an experiment. I believe we are in its crisis. I have never been of that number who have been disposed to sympathize with Fourth-of-July orators, who have been in the habit, for the last half or three quarters of a century, of glorifying this country and telling what great things she had done. I have uniformly said, when I have had occasion to address the public on the subject, “We have done nothing; we are but at the beginning of a great experiment.” We talk of our republic! Why, sir, it has not yet outlived the ages of the soldiers who fought its battles and won its victories; but yet we are boasting of our victory. Sir, I think Rome existed as a republic for six hundred years, and they might well

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boast of something that they had done: but that republic passed away. We have not yet survived the lifetime of the men who fought the battles of liberty, or of the patriots and sages who formed our Constitution of government. What we have obtained, we have obtained by a great effort and a great price. It was not the mere price of the American Revolution; it was not the mere price of the patriot blood that was shed, or of the patriot counsels that formed the Constitution; but away back, centuries upon centuries in English history, where power and principle contended against each other with alternate success and defeat,—in all those centuries there had been going on the contest which is culminating in our experiment here; and no patriot blood that was poured out on the battle-fields in the civil wars of England has been insignificant in relation to this conflict.

Now, sir, I have said nearly all that I propose to say, unless I am provoked by and by to say more, which I hope I shall not be; but, sir, I will add this: we shall present a most humiliating spectacle to the world if, at this time, when by the acknowledgment of the President of the United States the blessings of heaven have descended upon this people in all the channels of their efforts and their business to an unexampled degree; when the bounties of heaven have been showered down upon us with no niggard hand; at a time, too, when by the

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confession of a Senator from Georgia, not now in his seat [Mr. Toombs], made last year on the floor of the Senate,—I cannot quote his very words, but I can his sentiment,—this general government was faithfully performing all its functions in relation to the slave States, and in relation to every State, never more faithfully than at the present time; I say if under such circumstances, with a faithful government, and, I will add, a subservient judiciary, with the blessings of Providence coming down upon us as they are,—if at such a time this confederacy should burst, this glorious fraternity of States be dissevered, and we try by the doubtful contingencies of separate State action, to carry out the great experiment of human liberty, we shall present a most humiliating spectacle. Why, sir, the very day, the very hour, that we are coming to such a result, and thus developing our experiment, the states of Italy, that for centuries have gone through the baptism of fire and blood, groaning beneath the iron heel of despotism, one under this, and another under that, are throwing off the yoke and uniting together, — I say that, at such a time, when the classic states of Italy, taught by the bitter experience of centuries, are seeking, by a consolidated constitutional government, to come together and unite their energies for liberty, for independence, and for progress, if we, untaught by all the past, reckless of the present, and blind

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to the future, should madly dash ourselves upon this dark ocean, whose shores no eye of prophecy or of faith can discern, we shall present a sad spectacle to the world. Sir, I do not know what is to be the future; but I do hope that, if we cannot settle this difficulty in the spirit in which it ought to be settled, we shall at least have the courage and the manhood to look it straight in the face, and understand what it is.

I know nothing, sir, about the policy of the incoming administration. I have never passed a word by mouth or by letter, with the President elect since he has been nominated for the high office to which the people have elected him. It has been my fortune, since I have had a seat upon this floor, to find myself uniformly, constantly, and perseveringly, in opposition to the administration. I am far from certain that I have not got to take the same position in regard to the incoming administration,—very far. One thing is certain: if that administration shall quail in the performance of its duty, if its head shall hesitate, as Mr. Buchanan has done, to look the thing clearly in the face, and mark out a policy consistent with honor and patriotism, he certainly will not find me among the number of his supporters.

Benjamin Franklin Wade

(1800-1878)

ON SECESSION

[Delivered December 17, 1860, in the Senate.]

MR. PRESIDENT:

AT a time like this, when there seems to be a wild and unreasoning excitement in many parts of the country, I certainly have very little faith in the efficacy of any argument that may be made; but at the same time, I must say, when I hear it stated by many Senators in this Chamber, where we all raised our hands to heaven and took a solemn oath to support the Constitution of the United States, that we are on the eve of a dissolution of this Union, and that the Constitution is to be trampled under foot—silence under such circumstances seems to me akin to treason itself.

I have listened to the complaints on the other side patiently, and with an ardent desire to ascertain what was the particular difficulty under which they were laboring. Many of those who have supposed themselves aggrieved have spoken; but I confess that I am now totally unable to understand precisely what it is of which they complain. Why, sir, the party which lately elected their President, and are

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prospectively to come into power, have never held an executive office under the General Government, nor has any individual of them. It is most manifest, therefore, that the party to which I belong have as yet committed no act of which anybody can complain. If they have fears as to the course that we may hereafter pursue, they are mere apprehensions—a bare suspicion—arising, I fear, out of their unwarrantable prejudices, and nothing else.

I wish to ascertain at the outset whether we are right; for I tell gentlemen that, if they can convince me that I am holding any political principle that is not warranted by the Constitution under which we live, or that trenches upon their rights, they need not ask me to compromise it. I will be ever ready to grant redress, and to right myself whenever I am wrong. No man need approach me with a threat that the Government under which I live is to be destroyed; because I hope I have now, and ever shall have, such a sense of justice that, when any man shows me that I am wrong, I shall be ready to right it without price or compromise.

Now, sir, what is it of which gentlemen complain? When I left my home in the West to come to this place, all was calm, cheerful and contented. I heard of no discontent. I apprehended that there was nothing to interrupt the harmonious course of our legislation. I did not learn that, since we

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adjourned from this place at the end of the last session, there had been any new fact intervening that should at all disturb the public mind. I do not know that there has been any encroachment upon the rights of any section of the country since that time; I came here, therefore, expecting to have a very harmonious session. It is very true, sir, that the great Republican party which has been organized ever since you repealed the Missouri Compromise, and who gave you, four years ago, full warning that their growing strength would probably result as it has resulted, have carried the late election; but I did not suppose that would disturb the equanimity of this body. I did suppose that every man who was observant of the signs of the times might well see that things would result precisely as they have resulted. Nor do I understand now that anything growing out of that election is the cause of the present excitement that pervades the country.

Why, Mr. President, this is a most singular state of things. Who is it that is complaining? They that have been in a minority? They that have been the subjects of an oppressive and aggressive government? No, sir. Let us suppose that when the leaders of the old glorious Revolution met at Philadelphia eighty-four years ago to draw up a bill of indictment against a wicked King and his ministers, they had been at a loss what they

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should set forth as the causes of their complaint. They had no difficulty in setting them forth so that the great article of impeachment will go down to all posterity as a full justification of all the acts they did. But let us suppose that, instead of its being these old patriots who had met there to dissolve their connection with the British Government, and to trample their flag under foot, it had been the ministers of the Crown, the leading members of the British Parliament, of the dominant party that had ruled Great Britain for thirty years previous: who would not have branded every man of them as a traitor? It would be said: "You who have had the Government in your own hands; you who have been the ministers of the crown, advising everything that has been done, set up here that you have been oppressed and aggrieved by the action of that very Government which you have directed yourselves." Instead of a sublime revolution, the uprising of an oppressed people, ready to battle against unequal power for their rights, it would have been an act of treason.

How is it with the leaders of this modern revolution? Are they in a position to complain of the action of this Government for years past? Why, sir, they have had more than two thirds of the Senate for many years past, and until very recently, and have almost that now. You—who complain, I ought to

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say—represent but a little more than one fourth of the free people of these United States, and yet your counsels prevail, and have prevailed all along for at least ten years past. In the Cabinet, in the Senate of the United States, in the Supreme Court, in every department of the Government, your officers, or those devoted to you, have been in the majority, and have dictated all the policies of this Government. Is it not strange, sir, that they who now occupy these positions should come here and complain that their rights are stricken down by the action of the Government?

But what has caused this great excitement that undoubtedly prevails in a portion of our country? If the newspapers are to be credited, there is a reign of terror in all the cities and large towns in the southern portion of this community that looks very much like the reign of terror in Paris during the French Revolution. There are acts of violence that we read of almost every day wherein the rights of Northern men are stricken down, where they are sent back with indignities, where they are scourged, tarred, feathered, and murdered, and no inquiry made as to the cause. I do not suppose that the regular Government, in times of excitement like these, is really responsible for such acts. I know that these outbreaks of passion, these terrible excitements, that sometimes pervade a community, are entirely irrepressible by the law

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of the country. I suppose that is the case now; because, if these outrages against northern citizens were really authorized by the State authorities there, were they a foreign Government, everybody knows, if it were the strongest Government on earth, we should declare war upon her in one day.

But what has caused this great excitement? Sir, I will tell you what I suppose it is. I do not (and I say it frankly) so much blame the people of the South because they believe, and they are led to believe by all the information that ever comes before them, that we, the dominant party to-day, who have just seized upon the reins of this Government, are their mortal enemies, and stand ready to trample their institutions under foot. They have been told so by our enemies at the North. Their misfortune, or their fault, is that they have lent a too easy ear to the insinuations of those who are our mortal enemies, while they would not hear us.

Now I wish to inquire, in the first place, honestly, candidly, and fairly, whether the southern gentlemen on the other side of the Chamber, that complain so much, have any reasonable grounds for that complaint,—I mean when they are really informed as to our position.

Northern Democrats have sometimes said that we had personal liberty bills in some few of the States of the North which somehow

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trenched upon the rights of the South under the fugitive bill to recapture their runaway slaves; a position that in not more than two or three cases, so far as I can see, has the slightest foundation in fact; and even of those where it is most complained of, if the provisions of their law are really repugnant to that of the United States, they are utterly void, and the courts would declare them so the moment you brought them up. Thus it is that I am glad to hear the candor of those gentlemen on the other side, that they do not complain of these laws. The Senator from Georgia [Mr. Iverson] himself told us that they had never suffered any injury, to his knowledge and belief, from those bills, and they cared nothing about them. The Senator from Virginia [Mr. Mason] said the same thing; and I believe the Senator from Mississippi [Mr. Brown]. You all, then, have given up this bone of contention, this matter of complaint which northern men have set forth as a grievance more than anybody else.

I do not believe that these laws were enacted with a view to exasperate the South, or to put them in a position of degradation. Why, sir, these laws against kidnapping are as old as the common law itself, as that Senator well knows. To take a free man and forcibly carry him out of the jurisdiction of the State, has ever been, by all civilized countries, adjudged to be a great crime; and in most of

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them, wherever I have understood anything about it, they have penal laws to punish such an offense. I believe the State of Virginia has one to-day as stringent in all its provisions as almost any other of which you complain. I have not looked over the statute-books of the South; but I do not doubt that there will be found this species of legislation upon all your statute-books.

Here let me say, because the subject occurs to me right here, the Senator from Virginia seemed not so much to point out any specific acts that northern people had done injurious to your property, as what he took to be a dishonor and a degradation. I think I feel as sensitive upon that subject as any other man. If I know myself, I am the last man that would be the advocate of any law or any act that would humiliate or dishonor any section of this country, or any individual in it; and, on the other hand, let me tell these gentlemen I am exceedingly sensitive upon that same point, whatever they may think about it. I would rather sustain an injury than an insult or dishonor; and I would be as unwilling to inflict it upon others as I would be to submit to it myself. I never will do either the one or the other if I know it.

I have already said that these gentlemen who make these complaints have for a long series of years had this Government in their own keeping. They belong to the dominant

Benjamin Franklin Wade

majority. I may say that these same gentlemen who rise up on this floor and draw their bill of indictment against us, have been the leaders of that dominant party for many years past. Therefore, if there is anything in the legislation of the Federal Government that is not right, you, and not we, are responsible for it; for we never have been invested with the power to modify or control the legislation of the country for an hour. I know that charges have been made and rung in our ears, and reiterated over and over again, that we have been unfaithful in the execution of your fugitive bill. Sir, that law is exceedingly odious to any free people. It deprives us of all the old guarantees of liberty that the Anglo-Saxon race everywhere have considered sacred — more sacred than anything else.

Mr. President, the gentleman says, if I understood him, that these fugitives might be turned over to the authorities of the State from whence they came. That would be a very poor remedy for a free man in humble circumstances who was taken under the provisions of this bill in a summary way, to be carried—where? Where he came from? There is no law that requires that he shall be carried there. Sir, if he is a free man he may be carried into the market place anywhere in a slave State; and what chance has he, a poor, ignorant individual, and a stranger, of asserting any rights there, even if there were no prejudices or partialities

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against him? That would be the mere mockery of justice and nothing else, and the Senator well knows it. Sir, I know that from the stringent, summary provisions of this bill, free men have been kidnapped and carried into captivity and sold into everlasting slavery. Will any man who has a regard to the sovereign rights of the State rise here and complain that a State shall not make a law to protect her own people against kidnapping and violent seizures from abroad? Of all men, I believe those who have made most of these complaints should be the last to rise and deny the power of a sovereign State to protect her own citizens against any Federal legislation whatever. Those liberty bills, in my judgment, have been passed, not with a view of degrading the South, but with an honest purpose of guarding the rights of their own citizens from unlawful seizures and abductions. I was exceedingly glad to hear that the Senators on the other side had risen in their places and had said that the repeal of those laws would not relieve the case from the difficulties under which they now labor.

How is it with the execution of your fugitive bill? Sir, I have heard it here, I have read it in the papers, I have met it everywhere, that the people of the free States, and especially the great Republican party, were unfaithful on this subject, and did not properly execute this law. It has been said with such a tone and

Benjamin Franklin Wade

under such circumstances here, that, although I was sure that in the State from which I come these insinuations had no foundation in truth, I could not rise here and repel them in the face of those that say, We will not believe a single word you say. I never did, and I never would, until our enemies, those who have ever opposed us and who have censured us upon this subject, had arisen here in their places, and at length, with a magnanimity that I commend, have said that this was not so. My colleague, with a magnanimity for which I give him my thanks, has stood forth here to testify that in the State which I in part represent, the Republican courts and the Republican juries have fulfilled this repulsive duty with perfect faithfulness. So said the Senator from Illinois [Mr. Douglas]; and if I understood him, so also said the Senator from Indiana [Mr. Fitch]. Therefore, sir, this calumny upon us is removed so far as the statement of our political enemies can make the averment good. I know that our courts, when a case is brought before them — I do not care what their politics may be — feel bound to administer the law just as they find it; and let me say to gentlemen from the South upon the other side, where you have lost one slave from the unfaithfulness of our legislative or judicial tribunals, we have had ten men murdered by your mobs, frequently under circumstances of the most savage character.

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Why, sir, I can hardly take up a paper — and I rely, too, upon southern papers — which does not give an account of the cruel treatment of some man who is traveling for pleasure or for business in your quarter; and the lightest thing you do is to visit him with a vigilance committee, and compel him to return: “We give you so long to make your way out of our coast.” “What is the accusation?” “Why, sir, you are from Ohio.” They do not even inquire what party he belongs to, or what standard he has followed. I say this is the case, if I may rely on the statements of your own papers; and many of these outrages occur under circumstances of cruelty that would disgrace a savage; and we have no security now in traveling in nearly one half of the Union, and especially the Gulf States of this Confederacy. I care not what a man’s character may be; he may be perfectly innocent of every charge; he may be a man who never has violated any law under heaven; and yet if he goes down into those States, and it is ascertained that he is from the North, and especially if he differs from them in the exercise of his political rights, if he has voted for Lincoln instead of for somebody else, it is a mortal offense, punishable by indignity, by tar and feathers, by stripes, and even by death; and yet you, whose constituents are guilty of all these things, can stand forth and accuse us of being unfaithful to the Constitution of the

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United States! Gentlemen had better look at home.

Gentlemen, it will be very well for us all to take a view of all the phases of this controversy before we come to such conclusions as seem to have been arrived at in some quarters. I make the assertion here that I do not believe in the history of the world, there ever was a nation or a people where a law repugnant to the general feeling was ever executed with the same faithfulness as has been your most savage and atrocious fugitive bill in the North. You yourselves can scarcely point out any case that has come before any northern tribunal in which the law has not been enforced to the very letter. You ought to know these facts, and you do know them. You all know that when a law is passed anywhere to bind any people, who feel, in conscience, or for any other reason, opposed to its execution, it is not in human nature to enforce it with the same certainty as a law that meets with the approbation of the great mass of the citizens. Every rational man understands this, and every candid man will admit it. Therefore it is that I do not violently impeach you for your unfaithfulness in the execution of many of your laws. You have in South Carolina a law by which you take free citizens of Massachusetts or any other maritime State, who visit the city of Charleston, and lock them up in jail under the penalty, if they cannot pay the jail-fees, of

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eternal slavery staring them in the face—a monstrous law, revolting to the best feelings of humanity, and violently in conflict with the Constitution of the United States. I do not say this by way of recrimination; for the excitement pervading the country is now so great that I do not wish to add a single coal to the flame; but nevertheless I wish the whole truth to appear.

Then, sir, what is it of which complaint is made? You have had the legislative power of the country and you have had the Executive of the country, as I have said already. You own the Cabinet, you own the Senate, and, I may add, you own the President of the United States as much as you own the servant upon your own plantation. I cannot see, then, very clearly, why it is that southern men can rise here and complain of the action of this Government. I have already shown that it is perfectly impossible for you now to point out any act of which the Republican party can possibly be guilty, of which you complain; because at no period yet have they had the power of making rule or regulation or law that could, by possibility, affect you; and, therefore, I understand that when Senators rise up here to justify the overthrow of the Government, to break it up, to resolve it into its original elements, they do so upon the mere suspicion that the Republican party may somehow affect their rights or violate the Constitution.

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Sir, what doctrines do we hold detrimental to you? is the next inquiry that I wish to make. Are we setters forth of any new doctrine under the Constitution of the United States? I tell you nay. There is no principle held to-day by this great Republican party that has not had the sanction of your Government in every department for more than seventy years. You have changed your opinions. We stand where we used to stand. That is the only difference. Upon the slavery question, the only doctrine you can find touching it in our platform or our action, the only position we occupy in regard to it is that formerly occupied by the most revered statesman of this nation. Sir, we stand where Washington stood, where Jefferson stood, where Madison stood, where Monroe stood. We stand where Adams and Jackson, and even Polk stood. That revered statesman, Henry Clay, of blessed memory, with his dying breath asserted the doctrine that we hold to-day. Why, then, are we held up before the community as violators of your rights? You have come in late in the day to accuse us of harboring these opinions.

I ask, then, what doctrine do we hold of which you can rightfully complain? You have pointed out none. You do not complain of the execution of the fugitive slave bill; you do not complain of the liberty bills; you do not complain that Mr. Lincoln is a violent man,

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who will probably do you an injury. The Senator from Georgia told us that he had no apprehensions that Mr. Lincoln, in his administration, would do any act in violation of your rights, or in violation of the Constitution of the United States.

Now, sir, I should like to have the Senators on the other side tell me when ever a Republican has violated, or ever proposed to violate, a right of theirs. I have listened to your arguments here for about a week. They are all in very general terms. They are very loosely drawn indictments, and I do not know where to meet you at all. Is there anything in our platform detrimental to your rights, unless in modern times you have set up a construction of the Constitution of the United States differing from ours?— we following the old beaten track of every department of the Government for more than seventy years, and you switching off, as it were, upon another track, and setting yours as orthodox—that is all. You say that we must follow you. We choose to follow the old landmarks. That is the complaint against us.

Now, Mr. President, I have shown, I think, that the dominant majority here have nothing to complain of in the legislation of Congress, or in the legislation of any of the States, or in the practice of the people of the North, under the fugitive slave bill, except so far as they say certain State legislation furnishes some

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evidence of hostility to their institutions. And here, sir, I beg to make an observation. I tell the Senator, and I tell all the Senators, that the Republican party of the northern States, so far as I know, and of my own State in particular, hold the same opinions with regard to this particular institution of yours that are held by all the civilized nations of the world. We do not differ from the public sentiment of England, of France, of Germany, of Italy, and every other civilized nation on God's earth; and I tell you frankly that you never found, and you never will find, a free community that are in love with your peculiar institution. The Senator from Texas [Mr. Wigfall] told us the other day that cotton was king, and that by its influence it would govern all creation. He did not say so in words, but that was the substance of his remark: that cotton was king, and that it had its subjects in Europe who dared not rebel against it. Here let me say to that Senator, in passing, that it turns out that they are very rebellious subjects, and they are talking very disrespectfully at present of that king that he spoke of. They defy you to exercise your power over them. They tell you that they sympathize in this controversy with what you call the Black Republicans. Therefore I hope that, so far as Europe is concerned at least, we shall hear no more of this boast that cotton is king; and that he is going to rule all the civilized nations of

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the world, and bring them to his footstool. Sir, it will never be done.

But, sir, I wish to inquire whether the southern people are injured by, or have any just right to complain of, that platform of principles that we put out, and on which we have elected a President and Vice-President. I have no concealments to make, and I shall talk to you, my southern friends, precisely as I would talk upon the stump on the subject. I tell you that in that platform we did lay it down that we would, if we had the power, prohibit slavery from another inch of free territory under this Government. I stand on that position to-day. I have argued it probably to half a million people. They stand there, and have commissioned and enjoined me to stand there forever; and, so help me God, I will. I say to you frankly, gentlemen, that while we hold this doctrine, there is no Republican, there is no convention of Republicans, there is no paper that speaks for them, there is no orator that sets forth their doctrines, who ever pretends that they have any right in your States to interfere with your peculiar institution: but, on the other hand, our authoritative platform repudiates the idea that we have any right or any intention ever to invade your peculiar institution in your own States.

Now, what do you complain of? You are going to break up this Government; you are

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going to involve us in war and blood, from a mere suspicion that we shall justify that which we stand everywhere pledged not to do. Would you be justified in the eyes of the civilized world in taking so monstrous a position, and predicating it on a bare, groundless suspicion? We do not love slavery. Did you not know that before to-day? before this session commenced? Have you not a perfect confidence that the civilized world is against you on this subject of loving slavery or believing that it is the best institution in the world? Why, sir, everything remains precisely as it was a year ago. No great catastrophe has occurred. There is no recent occasion to accuse us of anything. But all at once, when we meet here, a kind of gloom pervades the whole community and the Senate Chamber. Gentlemen rise and tell us that they are on the eve of breaking up this Government, that seven or eight States are going to break off their connection with the Government, retire from the Union, and set up a hostile Government of their own, and they look imploringly over to us, and say to us: "You can prevent it; we can do nothing to prevent; but it all lies with you." Well, sir, what can we do to prevent it? You have not even condescended to tell us what you want; but I think I see through the speeches that I have heard from gentlemen on the other side. If we would give up the verdict of the people, and take

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your platform, I do not know but you would be satisfied with it. I think the Senator from Texas rather intimated, and I think the Senator from Georgia more than intimated, that if we would take what is exactly the Charleston platform on which Mr. Breckenridge was placed, and gave up that on which we won our victory, you would grumblingly and hesitatingly be satisfied.

Well, Mr. President, I have disavowed all intention on the part of the Republican party to harm a hair of your heads anywhere. We hold to no doctrine that can possibly work you an inconvenience. We have been faithful to the execution of all the laws in which you have any interest, as stands confessed on this floor by your own party, and as is known to me without their confessions. It is not, then, that Mr. Lincoln is expected to do any overt act by which you may be injured; you will not wait for any; but anticipating that the Government may work an injury, you say you will put an end to it, which means simply, that you intend either to rule or ruin this Government. That is what your complaint comes to; nothing else. We do not like your institution, you say. Well, we never liked it any better than we do now. You might as well have dissolved the Union at any other period as now, on that account, for we stand in relation to it precisely as we have ever stood; that is, repudiating it among ourselves as a matter of policy

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and morals, but nevertheless admitting that where it is out of our jurisdiction, we have no hold upon it, and no designs upon it.

Then, sir, as there is nothing in the platform on which Mr. Lincoln was elected of which you complain, I ask, is there anything in the character of the President elect of which you ought to complain? Has he not lived a blameless life? Did he ever transgress any law? Has he ever committed any violation of duty of which the most scrupulous can complain? Why, then, your suspicions that he will? I have shown that you have had the Government all the time until, by some misfortune or maladministration, you brought it to the very verge of destruction, and the wisdom of the people had discovered that it was high time that the scepter should depart from you, and be placed in more competent hands; I say that this being so, you have no constitutional right to complain; especially when we disavow any intention so to make use of the victory we have won as to injure you at all.

This brings me, sir, to the question of compromises. On the first day of this session, a Senator rose in his place and offered a resolution for the appointment of a committee to inquire into the evils that exist between the different sections, and to ascertain what can be done to settle this great difficulty! That is the proposition, substantially. I tell the Senator that I know of no difficulty; and as to compro-

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mises, I had supposed that we were all agreed that the day of compromises was at an end. The most solemn compromises we have ever made have been violated without a whereas. Since I have had a seat in this body, one of considerable antiquity, that had stood for more than thirty years, was swept away from your statute-books. When I stood here in the minority arguing against it; when I asked you to withhold your hand; when I told you it was a sacred compromise between the sections, and that when it was removed we should be brought face to face with all that sectional bitterness that has intervened; when I told you that it was a sacred compromise which no man should touch with his finger, what was your reply? That it was a mere act of Congress — nothing more, nothing less — and that it could be swept away by the same majority that passed it. That was true in point of fact, and true in point of law; but it showed the weakness of compromises. Now, sir, I only speak for myself; and I say, that in view of the manner in which other compromises have been heretofore treated, I should hardly think any two of the Democratic party would look each other in the face and say “compromise” without a smile. A compromise to be brought about by act of Congress, after the experience we have had, is absolutely ridiculous.

But what have we to compromise? Sir, I am one of those who went forth with zeal to

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maintain the principles of the great Republican party. In a constitutional way we met, as you met. We nominated our candidates for President and Vice-President, and you did the same, for yourselves. The issue was made up; and we went to the people upon it. Although we have been usually in the minority; although we have been generally beaten, yet, this time, the justice of our principles, and the maladministration of the Government in your hands, convinced the people that a change ought to be wrought; and after you had tried your utmost, and we had tried our utmost, we beat you; and we beat you upon the plainest and most palpable issue that ever was presented to the American people, and one that they understood the best. There is no mistaking it; and now, when we come to the Capitol, I tell you that our President and our Vice-President must be inaugurated, and administer the Government as all their predecessors have done. Sir, it would be humiliating and dishonorable to us if we were to listen to a compromise by which he who has a verdict of the people in his pocket, should make his way to the presidential chair. When it comes to that, you have no Government; anarchy intervenes; civil war may follow it; all the evils that may come to the human imagination may be consequent upon such a course as that. The moment the American people cut loose from the sheet anchor of free government and liberty—

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that is, whenever it is denied in this government that a majority fairly given shall rule—the people are unworthy of free government. Sir, I know not what others may do; but I tell you that, with the verdict of the people given in favor of the platform upon which our candidates have been elected, so far as I am concerned, I would suffer anything to come before I would compromise that away. I regard it as a case where I have no right to extend comity or generosity. A right, an absolute right, the most sacred that a free people can ever bestow on any man, is their undisguised, fair verdict, that gives him a title to the office that he is chosen to fill; and he is recreant to the principle of free government who will ask a question beyond the fact whether a man has the verdict of the people, or if he will entertain for a moment a proposition in addition to that. It is all I want. If we cannot stand there, we cannot stand anywhere. Any other principle than that would be as fatal to you, my friends, as to us. On any other principle, anarchy must immediately ensue.

You say that he comes from a particular section of the country. What of that? If he is an honest man, bound by his constitutional duties, has he not as good a right to come from one side as the other? Here, gentlemen, we ought to understand each other's duties a little. I appeal to every candid man upon the other side, and I put this question: If you had elected

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your candidate, Mr. Breckenridge, although we should have been a good deal disheartened, as everybody is that loses his choice in such a matter as this; although it would have been an overthrow that we should have deplored very much, as we have had occasion almost always to deplore the result of national elections, still do you believe that we would have raised a hand against the Constitution of our country because we were fairly beaten in an election? Sir, I do not believe there is a man on the other side who will not do us more credit than to suppose that if the case were reversed, there would be any complaint on our side. There never has been any from us under similar circumstances, and there would not be now. Sir, I think we have patriotism enough to overcome the pride and the prejudice of the canvass, and submit gracefully to the unmistakable verdict of the people; and as I have shown that you have nothing else to complain of, I take it that this is your complaint. Some of you have said that the election of Mr. Lincoln showed hostility to you and your institution. Sir, it is the common fate of parties to differ, and one does not intend to follow exactly the course of policy of the other; but when you talk of constitutional rights and duties, honest men will observe them alike, no matter to what party they belong.

I say, then, that so far as I am concerned, I will yield to no compromise. I do not come

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here begging, either. It would be an indignity to the people that I represent if I were to stand here parleying as to the rights of the party to which I belong. We have won our right to the Chief Magistracy of this nation in the way that you have always won your predominance; and if you are as willing to do justice to others as to exact it from them, you would never raise any inquiry as to a committee for compromises. Here I beg, barely for myself, to say one thing more. Many of you stand in an attitude hostile to this Government; that is to say, you occupy an attitude where you threaten that, unless we do so and so, you will go out of this Union and destroy the Government. I say to you, for myself, that, in my private capacity, I never yielded to anything by way of threat, and in my public capacity I have no right to yield to any such thing; and therefore I would not entertain a proposition for any compromise; for, in my judgment, this long, chronic controversy that has existed between us must be met, and met upon the principles of the Constitution and laws, and met now. I hope it may be adjusted to the satisfaction of all; and I know no other way to adjust it except that way which is laid down by the Constitution of the United States. Whenever we go astray from that, we are sure to plunge ourselves into difficulties. The old Constitution of the United States, although commonly and frequently in direct opposition

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to what I could wish, nevertheless, in my judgment, is the wisest and best Constitution that ever yet organized a free government; and by its provisions I am willing, and intend, to stand or fall. Like the Senator from Mississippi, I ask nothing more. I ask no engrafting upon it. I ask nothing to be taken away from it. Under its provisions a nation has grown faster than any other in the history of the world ever did before in prosperity, in power, and in all that makes a nation great and glorious. It has ministered to the advantages of this people; and now I am unwilling to add or take away anything till I can see much clearer than I can now that it wants either any addition or lopping off.

There is one other subject about which I ought to say something. On that side of the Chamber, you claim the constitutional right, if I understand you, to secede from the Government at pleasure, and set up an adverse government of your own; that one State, or any number of States, have a perfect constitutional right to do it. Sir, I can find no warrant in the Constitution for any doctrine like that. In my judgment, it would be subversive of all constitutional obligation. If this is so, we really have not now, and never have had, a government; for that certainly is no government of which a State can do just as it pleases, any more than it would be of an individual. How can a man be said to be governed by law if he will obey the law or not, just as he sees

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fit? It puts you out of the pale of government, and reduces this Union of ours, of which we have all boasted so much, to a mere conglomeration of States, to be held at the will of any capricious member of it. As to South Carolina, I will say that she is a small State; and probably if she were sunk by an earthquake to-day, we would hardly ever find it out, except by the unwonted harmony that might prevail in this Chamber. But I think she is unwise. I would be willing that she should go her own gait, provided we could do it without an example fatal to all government; but standing here in the highest council of the nation, my own wishes, if I had any, must be under the control of my constitutional duty.

I do not see how any man can contend that a State can go out of this Union at pleasure, though I do not propose now to argue that question, because that has been done by men infinitely more able to argue it than I am. When it was raised some thirty years ago, and challenged the investigation of the best minds of this nation of all parties, it received a verdict that I supposed had put it at rest forever. General Jackson, with all the eminent men that surrounded him in his Cabinet, and in the councils of the nation, with hardly any exception, except Mr. Calhoun, held that the doctrine was a delusion, not to be found in the Constitution of the United States; and not only so, but utterly destructive of all govern-

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ments. Mr. Calhoun held the contrary. Mr. Webster, in his great controversy with Mr. Hayne upon that subject, was supposed to have overthrown him, even upon nullification, so utterly, that it was believed at the time that the doctrine could never arise or sprout up again. But here it is to-day in full bloom and glory: a State has a right to secede. Mr. Calhoun did not hold so. He held that a State had a right to nullify a law of Congress that they believed to be unconstitutional. He took that distinction between the power of a State to nullify a law of Congress and secession. Grounding herself upon the resolutions of 1798-99, he held that a State in her sovereign capacity, judging in the last resort as to whether a law was warranted by the Constitution or not, must be the sole judge of the infraction of the Constitution by the enactment of a law, and also of the mode of remedy. In that, he hardly had a second at that period. But when you come to the doctrine of secession, he himself says that that is not a constitutional remedy. He did not treat it as such. Nay, sir, he goes much further than the President of the United States has gone in his message, in which he declares that the United States has no power to make war upon a seceding State. Mr. Calhoun says we undoubtedly have that power. One remedy he calls peaceable and constitutional, and the other not. I have not the book with me — I

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intended to have brought it, but forgot it— but you will find this doctrine laid down in his famous letter to Governor Hamilton, taking and working out the distinction between peaceable nullification and secession, that puts an end to all the relationship between the General Government and the State, and enables the General Government, if they see fit, to declare war upon such a State. Therefore I take it that a State has no constitutional right to go out of this Government.

I acknowledge, to the fullest extent, the right of revolution, if you may call it a right, and the destruction of the Government under which we live, if we are discontented with it, and on its ruins to erect another more in accordance with our wishes. I believe nobody at this day denies the right; but they that undertake it, undertake it with this hazard: if they are successful, then all is right, and they are heroes; if they are defeated, they are rebels. That is the character of all revolution: if successful, of course, it is well; if unsuccessful, then the Government from which they have rebelled treats them as traitors.

I do not say this because I apprehend that any party intends to make war upon a seceding State. I only assert their right from the nature of the act, if they see fit to do so; but I would not advise nor counsel it. I should be very tender of the rights of a people, if I had full power over them, who are about to

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destroy a Government which they deliberately come to the conclusion they cannot live under; but I am persuaded that the necessities of our position compel us to take a more austere ground, and hold that if a State secedes, although we will not make war upon her, we cannot recognize her right to be out of the Union, and she is not out until she gains the consent of the Union itself; and that the Chief Magistrate of the nation, be he who he may, will find under the Constitution of the United States that it is his sworn duty to execute the law in every part and parcel of this Government; that he cannot be released from that obligation; for there is nothing in the Constitution of the United States that would warrant him in saying that a single star has fallen from this galaxy of stars in the Confederacy. He is sworn not to know that a State has seceded, or pay the least respect to their resolutions that claim they have. What follows? Not that we would make war upon her, but we should have to exercise every Federal right over her if we had the power; and the most important of these would be the collection of the revenues. There are many rights that the Federal Government exercises over the States for the peculiar benefit of the people there, which if they did not want, they could dispense with. If they did not want the mails carried there the President might abolish the offices, and cease to carry their mails. They

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might forego any such duty peculiarly for the benefit of the people. They might not elect their officers and send them here. It is a privilege they have; but we cannot force them to do it. They have the right under the Constitution to be represented upon equal terms with any other State; but if they see fit to forego that right, and do not claim it, it is not incumbent upon the President to endeavor to force them to do an act of that kind.

But when you come to those duties which impose obligations upon them, in common with the other members of the Confederacy, he cannot be released from his duty. Therefore, it will be incumbent on the Chief Magistrate to proceed to collect the revenue of ships entering their ports, precisely in the same way and to the same extent that he does now in every other State of the Union. We cannot release him from that obligation. The Constitution, in thunder tones, demands that he shall do it alike in the ports of every State. What follows? Why, sir, if he shuts up the ports of entry so that a ship cannot discharge her cargo there or get papers for another voyage, then ships will cease to trade; or, if he undertakes to blockade her, and thus collect it, she has not gained her independence by secession. What must she do? If she is contented to live in this equivocal state all would be well, perhaps; but she could not live there. No people in the world could live in

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that condition. What will they do? They must take the initiative and declare war upon the United States; and the moment that they levy war force must be met by force; and they must, therefore, hew out their independence by violence and war. There is no other way under the Constitution, that I know of, whereby a Chief Magistrate of any politics could be released from this duty. If this State, though seceding, should declare war against the United States, I do not suppose there is a lawyer in this body but what would say that the act of levying war is treason against the United States. That is where it results. We might just as well look the matter in the face.

The Senator from Texas says—it is not exactly his language—we will force you to ignominious treaty up in Faneuil Hall. Well, sir, you may. We know you are brave; we understand your prowess; we want no fight with you; but, nevertheless, if you drive us to that necessity, we must use all the powers of this Government to maintain it intact in its integrity. If we are overthrown, we but share the fate of a thousand other Governments that have been subverted. If you are the weakest, then you must go to the wall; and that is all there is about it. That is the condition in which we stand, provided a State sets herself up in opposition to the General Government.

I say that is the way it seems to me, as a lawyer. I see no power in the Constitution

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to release a Senator from this position. Sir, if there was any other, if there was an absolute right of secession in the Constitution of the United States when we stepped up there to take our oath of office, why was there not an exception in that oath? Why did it not run "that we would support the Constitution of the United States unless our State shall secede before our term was out"? Sir, there is no such immunity. There is no way by which this can be done that I can conceive of, except it is standing upon the Constitution of the United States, demanding equal justice for all, and vindicating the old flag of the Union. We must maintain it, unless we are cloven now by superior force.

Well, sir, it may happen that you can make your way out of the Union, and that, by levying war upon the Government, you may vindicate your right to independence. If you should do so, I have a policy in my mind. No man would regret more than myself that any portion of the people of these United States should think themselves impelled, by grievances or anything else, to depart out of this Union and raise a foreign flag and a hand against the General Government. If there was any just cause on God's earth that I could see that was within my reach, of honorable release from any such pretended grievance, they should have it; but they set forth none; I can see none. It is all a matter of

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prejudice, superinduced unfortunately, I believe, as I intimated before, more because you have listened to the enemies of the Republican party and what they said of us, while, from your intolerance, you have shut out all light as to what our real principles are. We have been called and branded in the North and in the South and everywhere else, as John Brown men, as men hostile to your institutions, as meditating an attack upon your institutions in your own States—a thing that no Republican ever dreamed of or ever thought of, but has protested against as often as the question has been up; but your people believe it. No doubt they believe it because of the terrible excitement and reign of terror that prevails there. No doubt they think so, but it arises from false information, or the want of information; that is all. Their prejudices have been appealed to until they have become uncontrolled and uncontrollable.

Well, sir, if it shall be so; if that “glorious Union,” as we all call it, under which the Government has so long lived and prospered, is now about to come to a final end, as perhaps it may, I have been looking around to see what policy we should adopt; and through that gloom which has been mentioned on the other side, if you will have it so, I still see a glorious future for those who stand by the old flag of the nation. There lie the fair fields of Mexico all before us. The people there

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are prejudiced against you. They fear you intend to overrun and enslave them. You are a slavery propaganda, and you are filibusters. That has raised a violent antagonism between you and them. But, sir, if we were once released from all obligation to this institution, in six months they would invite us to take a protectorate over them. They owe England a large debt, and she has been coaxing and inviting us to take the protectorate of that nation. They will aid us in it; and I say to the commercial men of the North, if you go along with me, and adopt this policy, if we must come to this, you will be seven-fold indemnified by the trade and commerce of that country for what you lose by the secession. Talk about eating ice and granite in the North! Why, sir, Great Britain now carries on a commerce with Mexico to the amount of nearly a hundred million dollars. How much of it do we get? Only about eight million. Why so? Because, by our treatment of Mexico, we have led them to fear and to hate us; and they have been compelled, by our illiberal policy, to place themselves under the shadow of a stronger nation for their own protection.

The Senator from Illinois [Mr. Douglas] and my colleague [Mr. Pugh] have said that we Black Republicans were advocates of negro equality, and that we wanted to build up a black government. Sir, it will be one of the

Benjamin Franklin Wade

most blessed ideas of the times, if it shall come to this, that we will make inducements for every free black among us to find his home in a more congenial climate in Central America or in Lower Mexico, and we shall be divested of every one of them; and then, endowed with the splendid domain that we shall get, we will adopt a homestead policy, and we will invite the poor, the destitute, industrious white men from every climate under heaven to come in there and make his fortune. So, sir, we will build up a nation, renovated by this process, of white laboring men. You may build yours up on the compulsory servile labor, and the two will flourish side by side; and we shall very soon see whether your principles, or that state of society, or ours, is the more prosperous or vigorous. I might say, sir, that, divested of this institution, who doubts that the provinces of Canada would knock at our doors in a day? Therefore, my friends, we have all the elements for building up an empire,—a Republic, founded on the great principles of the Declaration of Independence, that shall be more magnificent, more powerful, and more just than this world has ever seen at any other period. I do not know that I should have a single second for this policy; but it is a policy that occurs to me, and it reconciles me in some measure to the threatened loss or secession of these States.

But, sir, I am for maintaining the union of

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these States. I will sacrifice everything but honor to maintain it. That glorious old flag of ours, by any act of mine, shall never cease to wave over the integrity of this Union as it is. But if they will not have it so, in this new, renovated government of which I have spoken, the 4th of July, with all its glorious memories, will never be repealed. The old flag of 1776 will be in our hands, and shall float over this nation forever; and this Capitol, that some gentlemen said would be reserved for the southern republic, shall still be the Capitol. It was laid out by Washington; it was consecrated by him; and the old flag that he vindicated in the Revolution shall still float from the Capitol.

Robert Coombs

(1810-1885)

ON SECESSION

[Delivered January 7, 1861, in the Senate.]

MR. PRESIDENT AND SENATORS:

I OBTAINED the floor last Thursday with a view of addressing this body upon the various propositions which were submitted to the committee of thirteen, of which I was a member. I am indifferent as to this substitution; but not having seen the proposition of the Senator from Kentucky, my remarks will be confined mainly to the action of the committee of thirteen. This, I understand, is somewhat like one of the propositions, though not identically that one, to which I may have occasion to advert in the course of my argument on the propositions submitted by the honorable Senator from Kentucky in the committee of thirteen.

The success of the Abolitionists and their allies, under the name of the Republican party, has produced its logical results already. They have for long years been sowing dragons' teeth, and have finally got a crop of armed men. The Union, sir, is dissolved. That is an accomplished fact in the path of this discussion

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that men may as well heed. One of your confederates has already, wisely, bravely, boldly, confronted public danger, and she is only ahead of many of her sisters because of her greater facility for speedy action. The greater majority of those sister States, under like circumstances, consider her cause as their cause; and I charge you in their name to-day, "Touch not Seguntum." It is not only their cause; but it is a cause which receives the sympathy and will receive the support of tens and hundreds of thousands of honest, patriotic men in the non-slaveholding States who have hitherto maintained constitutional rights, who respect their oaths, abide by compacts, and love justice. And while this Congress, this Senate and this House of Representatives, are debating the constitutionality and the expediency of seceding from the Union, and while the perfidious authors of this mischief are showering down denunciations upon a large portion of the patriotic men of this country, those brave men are coolly and calmly voting what you call revolution — ay, sir, doing better than that: arming to defend it. They appealed to the Constitution, they appealed to justice, they appealed to fraternity, until the Constitution, justice, and fraternity were no longer listened to in the legislative halls of their country, and then, sir, they prepared for the arbitrament of the sword; and now you see the glittering bayonet, and you hear the tramp

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of armed men from your capital to the Rio Grande. It is a sight that gladdens the eyes and cheers the heart of other millions ready to second them. Inasmuch, sir, as I have labored earnestly, honestly, sincerely, with these men to avert this necessity so long as I deemed it possible, and inasmuch as I heartily approve their present conduct of resistance, I deem it my duty to state their case to the Senate, to the country, and to the civilized world.

Senators, my countrymen have demanded no new government; they have demanded no new constitution. Look to their records at home and here from the beginning of this national strife until its consummation in the disruption of the Empire, and they have not demanded a single thing except that you shall abide by the Constitution of the United States, that constitutional rights shall be respected, and that justice shall be done. Sirs, they have stood by your Constitution; they have stood by all its requirements; they have performed all of its duties unselfishly, uncalculatingly, disinterestedly, until a party sprang up in this country which endangered their social system,—a party which they arraign, and which they charge before the American people and all mankind with having made proclamation of outlawry against four thousand millions of their property in the Territories of the United States; with having put them under the ban of the Empire in all the States in which their

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institutions exist, outside of the protection of Federal laws; with having aided and abetted insurrection from within and invasion from without, with the view of subverting those institutions, and desolating their homes and their firesides. For these causes they have taken up arms. I shall proceed to vindicate the justice of their demands, the patriotism of their conduct. I will show the injustice which they suffer, and the rightfulness of their resistance.

I shall not spend much time on the question that seems to give my honorable friend [Mr. Crittenden] so much concern—the constitutional right of a State to secede from this Union. Perhaps he will find out after a while that it is a fact accomplished. You have got it in the South pretty much in both ways. South Carolina has given it to you regularly, according to the approved plan. You are getting it just below there [in Georgia], I believe, irregularly, outside of law, without regular action. You can take it either way. You will find armed men to defend both.

I have stated that the discontented States of this Union have demanded nothing but clear, distinct, unequivocal, well-acknowledged constitutional rights affirmed by the highest judicial tribunals of their country; rights older than the Constitution; rights which are planted upon the immutable principles of natural justice; rights which have been affirmed by the good and the wise of all countries and of

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all centuries. We demand no power to injure any man. We demand no rights to injure our confederate States. We demand no right to interfere with their institutions, either by word or deed. We have no right to disturb their peace, their tranquillity, their security. We have demanded of them simply, solely — nothing else — to give us *equality, security, and tranquillity*. Give us these and peace restores itself. Refuse them, and take what you can get.

I will now read my own demands, acting under my own convictions and the universal judgment of my countrymen. They are considered the demands of an extremist. To hold to a constitutional right now makes one considered an extremist—I believe that is the appellation these traitors and villains, north and south, employ. I accept their reproach rather than their principles. Accepting their designation of treason and rebellion, there stands before them as good a traitor and as good a rebel as ever descended from revolutionary loins.

What do these rebels demand? First, “that the people of the United States shall have an equal right to emigrate and settle in the present or any future acquired territories, with whatever property they may possess (including slaves), and be securely protected in its peaceable enjoyment until such territory may be admitted as a State into the Union,

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with or without slavery, as she may determine, on an equality with all existing States." That is our territorial demand. We have fought for this territory when blood was its price. We have paid for it when gold was its price. We have not proposed to exclude you, though you have contributed very little of either blood or money. I refer especially to New England. We demand only to go into those territories upon terms of equality with you, as equals in this great Confederacy, to enjoy the common property of the whole Union, and receive the protection of the common Government, until the territory is capable of coming into the Union as a sovereign State, when it may fix its own institutions to suit itself.

The second proposition is, "that property in slaves shall be entitled to the same protection from the Government of the United States, in all of its departments, everywhere, which the Constitution confers the power upon it to extend to any other property, provided nothing herein contained shall be construed to limit or restrain the right now belonging to every State to prohibit, abolish, or establish and protect slavery within its limits." We demand of the common Government to use its granted powers to protect our property as well as yours. For this protection we pay as much as you do. This very property is subject to taxation. It has been taxed by you, and sold by you for taxes. The title to thousands and tens of

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thousands of slaves is derived from the United States. We claim that the Government, while the Constitution recognizes our property for purposes of taxation, shall give it the same protection that it gives yours. Ought it not to do so? You say no. Every one of you upon the committee said no. Your Senators say no. Your House of Representatives says no. Throughout the length and breadth of your conspiracy against the Constitution, there is but one shout of no! This recognition of this right is the price of my allegiance. Withhold it, and you do not get my obedience. This is the philosophy of the armed men who have sprung up in this country. Do you ask me to support a Government that will tax my property; that will plunder me; that will demand my blood, and will not protect me? I would rather see the population of my own native State laid six feet beneath her sod than that they should support for one hour such a Government. Protection is the price of obedience everywhere, in all countries. It is the only thing that makes Government respectable. Deny it, and you cannot have free subjects or citizens; you may have slaves.

We demand, in the next place, "that persons committing crimes against slave property in one State, and fleeing to another, shall be delivered up in the same manner as persons committing crimes against other property, and that the laws of the State from which such

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persons flee shall be the test of criminality." That is another one of the demands of an extremist and rebel. The Constitution of the United States, article four, section two, says:

"A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up to be removed to the State having jurisdiction of the crime."

But the non-slaveholding States, treacherous to their oaths and compacts, have steadily refused, if the criminal only stole a negro, and that negro was a slave, to deliver him up. It was refused twice on the requisition of my own State as long as twenty-two years ago. It was refused by Kent and by Fairfield, Governors of Maine, and representing, I believe, each of the then Federal parties. We appealed then to fraternity, but we submitted; and this constitutional right has been, practically, a dead letter from that day to this.

The next case came up between us and the State of New York when the present senior Senator [Mr. Seward] was the Governor of that State; and he refused it. Why? He said it was not against the laws of New York to steal a negro, and therefore he would not comply with the demand. He made a similar refusal to Virginia. Yet these are our confederates; these are our sister States! There is the bargain; there is the compact. You have

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sworn to it. Both these Governors swore to it. The Governor of Ohio swore to it when he was inaugurated. You cannot bind them by oaths. Yet they talk to us of treason; and I suppose they expect to whip freemen into loving such brethren! They will have a good time in doing it! It is natural we should want this provision of the Constitution carried out. The Constitution says slaves are property; the Supreme Court says so; the Constitution says so. The theft of slaves is a crime; they are a subject-matter of felonious asportation. By the text and letter of the Constitution you agreed to give them up. You have sworn to do it, and you have broken your oaths. Of course, those who have done so look out for pretexts. Nobody expected them to do otherwise. I do not think I ever saw a perjurer, however bald or naked, who could not invent some pretexts to palliate his crime, or who could not, for fifteen shillings, hire an Old Bailey lawyer to invent some for him. Yet this requirement of the Constitution is another one of the extreme demands of an extremist and a rebel.

The next stipulation is that fugitive slaves shall be surrendered under the provisions of the fugitive-slave act of 1850, without being entitled either to a writ of *habeas corpus* or trial by jury, or other similar obstructions of legislation, in the State to which he may flee. Here is the Constitution:

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“No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.”

This language is plain, and everybody understood it the same way for the first forty years of your Government. In 1793, in Washington's time, an act was passed to carry out this provision. It was adopted unanimously in the Senate of the United States, and nearly so in the House of Representatives. Nobody then had invented pretexts to show that the Constitution did not mean a negro slave. It was clear; it was plain. Not only the Federal courts, but all the local courts in all the States, decide that this way was a constitutional obligation. How is it now? The North sought to evade it; following the instincts of their national character, they commenced with the fraudulent fiction that fugitives were entitled to *habeas corpus*, entitled to trial by jury in the State to which they fled. They pretended to believe that fugitive slaves were entitled to more rights than their white citizens; perhaps they were right, they know one another better than I do. You may charge a white man with treason, or felony, or other crime, and you do not require any trial by jury before he is given up; there is nothing to determine but that he is legally charged with a crime and that he fled, and then he is to be delivered up upon

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demand. White people are delivered up every day in this way; but not slaves. Slaves, black people, you say, are entitled to trial by jury; and in this way schemes have been invented to defeat your plain constitutional obligations. In January, last year, I argued this question, and presented at the close of my speech a compilation, made by a friend of mine, of the laws of the non-slaveholding States on this point. The honorable gentleman from Vermont [Mr. Collamer] commented upon the reference to his State, and the greater portion of his speech was taken up with a discussion of the particular act which was quoted in my appendix. I have no doubt the Senator did not know of the act of 1858, because certainly this argument would not have been made if he did; he certainly was not informed as to the act of 1858. I will read him one or two of the sections of that act. I referred to and commented on it then in my speech; but in the appendix containing the compilation there was an accidental misreference. That act provides

“That every person who may have been held as a slave, who shall come, or be brought, or be in this State, with or without the consent of his or her alleged master or mistress, or who shall come or be brought, or be in this State, shall be free.”

The Constitution of the United States says they shall not be free; Vermont says they shall; and yet all her legislators are sworn to obey the Constitution. Vermont says, if slaves

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come, voluntarily, or involuntarily, with or without consent; if they flee from service, or come into Vermont in any way, they shall be free. The Constitution says they shall not be discharged from service if they flee; Vermont says they shall be. That is another one of our sisters, for whom it is said we ought to have a deep attachment.

Again:

“Sec. 7. Every person who shall hold, or attempt to hold in this State, in slavery or as a slave, any free person, in any form or for any time, however short, under the pretence that such person is or has been a slave, shall, on conviction thereof, be imprisoned in the State prison for a term not less than five years nor more than twenty years, and be fined not less than \$1,000 nor more than \$10,000.”

This is decidedly fraternal! If a man passes voluntarily through the State of Vermont with his slave, that State, in her fraternal affection, will keep him fifteen years in the State prison, and fine him \$2,000. Fraternal, affectionate Vermont! I have made these references for the benefit of the Senator. Will he say that this was done only to carry out the decision in *Prigg vs. Pennsylvania*?

I have heretofore shown that a plain constitutional provision has been violated by specific acts in thirteen of these States; but in the Pilgrim's Progress they finally do it, I believe, without acts of legislation. Mr. Lincoln and his party have taken an easier position; and

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now such has been the rapid descent into error, as Virgil describes that into hell, "smooth is the descent and easy the way," that now they even refuse to admit that legislative acts are necessary to enable them to defeat the Constitution; they profess to defeat it by circumvention; they think it better to be cunning than strong. Personal liberty bills are the bungling contrivances of a less advanced accomplishment in crime. I should not be surprised if they should repeal all of them; for they do not need them now. Lincoln says they are unnecessary; that by the Constitution it is settled that all men are created free and equal, and that all men are entitled to an equal participation in the Government, and that the Declaration of Independence refers to slaves; that no man shall be deprived of his life and liberty and property without the judgment of his peers or the law of the land. Apply these principles as the Black Republicans intend to apply them, and they have no need for personal liberty bills. They are far in advance of such contrivances. The progressive spirit of the age will not wait upon such devices. They may now dispense with these superseded devices, but I undertake to say here that no Black Republican Legislature that repeals them will ever say that it is their purpose or duty to surrender the fugitive. No, sir, they do not intend to do that. They may delude you in order to get power; they may deceive you to get possession of this Gov-

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ernment; but there is neither faith, nor truth, nor manhood in this conspiracy.

The next demand made on behalf of the South is, "that Congress shall pass efficient laws for the punishment of all persons in any of the States who shall in any manner aid and abet invasion or insurrection in any other State, or commit any other act against the laws of nations, tending to disturb the tranquillity of the people or government of any other State." That is a very plain principle. The Constitution of the United States now requires, and gives Congress express power, to define and punish piracies and felonies committed on the high seas, and offenses against the laws of nations. When the honorable and distinguished Senator from Illinois [Mr. Douglas] last year introduced a bill for the purpose of punishing people thus offending under that clause of the Constitution, Mr. Lincoln, in his speech at New York, which I have before me, declared that it was a "sedition bill"; his press and party hooted at it. So far from recognizing the bill as intended to carry out the Constitution of the United States, it received their jeers and gibes. The Black Republicans of Massachusetts elected the admirer and eulogist of John Brown's courage as their Governor, and we may suppose he will throw no impediments in the way of John Brown's successors. The epithet applied to the bill of the Senator from Illinois is quoted from a deliberate speech

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delivered by Lincoln in New York, for which, it was stated in the journals, according to some resolutions passed by an association of his own party, he was paid a couple of hundred dollars. The speech should therefore have been deliberate. Lincoln denounced that bill. He places the stamp of his condemnation upon a measure intended to promote the peace and security of confederate States. He is, therefore, an enemy of the human race, and deserves the execration of all mankind.

We demand these five propositions. Are they not right? Are they not just? Take them in detail, and show that they are not warranted by the Constitution, by the safety of our people, by the principles of eternal justice. We will pause and consider them; but mark me, we will not let you decide the question for us.

But we are told by well-meaning but simple-minded people that, admit your wrongs, your remedies are not justifiable. Senators, I have little care to dispute remedies with you unless you propose to redress my wrongs. If you propose that in good faith, I will listen with respectful deference; but when the objectors to my remedies propose no adequate ones of their own, I know what they mean by the objection. They mean submission. I tell them, if I have good sight, perhaps the musket will improve my defective remedy. But still, I will as yet argue it with them.

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These thirteen colonies originally had no bond of union whatever; no more than Jamaica and Australia have to-day. They were wholly separate communities, independent of each other, and dependent on the Crown of Great Britain. All the union between them that was ever made is in writing. They made two written compacts. One was known as the Articles of Confederation, which declared that the Union thereby formed should be perpetual — an argument very much relied upon by “the friends of the Union” now. Those Articles of Confederation in terms declared that they should be perpetual. I believe that expression is used in our last treaty with Billy Bowlegs, the chief of the Seminoles. I know it is a phrase used in treaties with all nations, civilized and savage. Those that are not declared eternal are the exceptions; but usually treaties profess to be for “perpetual friendship and amity,” according to their terms. So was that treaty between the States. After a while, though, the politicians said it did not work well. It carried us through the Revolution. The difficulty was, that after the war there were troubles about the regulations of commerce, about navigation, but above all, about financial matters. The Government had no means of getting at the pockets of the people; and but for that one difficulty, this present Government would never have been made. The country is deluded with the nonsense that this bond of

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union was cemented by the blood of brave men in the Revolution. Sir, it is false. It never cost a drop of blood. A large portion of the best men of the Revolution voted against it. It was carried in the convention of Virginia by but ten majority, and among its opponents were Monroe and Henry, and other men who had fought the war, who recorded their judgment that it was not a good bond; and I am satisfied to-day that they were the wiser men. This talk about the blood patriots is intended to humbug the country, to scare the old women. Why, sir, it never cost a drop of blood. It was carried in some of the States by treachery, by men betraying their constituents. That is the history of the times. Five votes would have tied it in Virginia. It passed New York by but three majority. Out of nearly four hundred in the convention of Massachusetts, it passed by nineteen. That is the history of the action of the three greatest States of the Union at that time. Some of the bravest and the boldest and the best men of the Revolution, who fought from its beginning to its end, were opposed to the plan of union; and among them was the illustrious author of the Declaration of Independence himself. Are we to be deterred by the cry that we are laying our unhallowed hands on this holy altar? Sir, I have no hesitation in saying that a very large portion of the people of Georgia, whom I represent, prefer to remain in this Union with their con-

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stitutional rights—I would say ninety per cent of them—believing it to be a good Government. They have lived and prospered in it. Shallow-pated fools have told them this Government was the cause of their prosperity, and they have never troubled themselves to inquire whether or not this were true. I think it had but little to do with their prosperity beyond securing their peace with other nations, and that boon has been paid for at a price that no freeman ought to submit to. These are my own opinions; they have been announced to my constituents, and I announce them here. Had I lived in that day, I should have voted with the majority in Virginia, with Monroe, Henry, and the illustrious patriots who composed the seventy-nine votes against the adoption of the present plan of Government. In my opinion, if they had prevailed, to-day the men of the South would have the greatest and most powerful nation of the earth. Let this judgment stand for future ages.

Senators, the Constitution is a compact. It contains all our obligations and the duties of the Federal Government. I am content, and have ever been content, to sustain it. While I doubt its perfection; while I do not believe it was a good compact, and while I never saw the day that I would have voted for it as a proposition *de novo*, yet I am bound to it by oath and by that common prudence which would induce men to abide by established

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forms rather than to rush into unknown dangers. I have given to it, and intend to give to it, unfaltering support and allegiance; but I choose to put that allegiance on the true ground, not on the false idea that anybody's blood was shed for it. I say that the Constitution is the whole compact. All the obligations, all the chains that fetter the limbs of my people, are nominated in the bond, and they wisely excluded any conclusion against them, by declaring that the powers not granted by the Constitution to the United States, or forbidden by it to the States, belonged to the States respectively or the people. Now I will try it by that standard; I will subject it to that test. The law of nature, the law of justice, would say—and it is so expounded by the publicists—that equal rights in the common property shall be enjoyed. Even in a monarchy the king cannot prevent the subjects from enjoying equality in the disposition of the public property. Even in a despotic government this principle is recognized. It was the blood and the money of the whole people (says the learned Grotius, and say all the publicists) which acquired the public property, and therefore it is not the property of the sovereign. This right of equality being, then, according to justice and natural equity, a right belonging to all States, when did we give it up? You say Congress has a right to pass rules and regulations concerning the territory and other

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property of the United States. Very well. Does that exclude those whose blood and money paid for it? Does "dispose of" mean to rob the rightful owners? You must show a better title than that, or a better sword than we have.

But, you say, try the right. I agree to it. But how? By our judgment? No, not until the last resort. What then; by yours? No, not until the same time. How then try it? The South has always said, by the Supreme Court. But that is in our favor, and Lincoln says he will not have that judgment. Then each must judge for himself of the mode and manner of redress. But you deny us that privilege, and finally reduce us to accepting your judgment. We decline it. You say you will enforce it by executing laws; that means your judgment of what the laws ought to be. Perhaps you will have a good time of executing your judgment. The Senator from Kentucky comes to your aid, and says he can find no constitutional right of secession. Perhaps not; but the Constitution is not the place to look for State rights. If that right belongs to independent States, and they did not cede it to the Federal Government, it is reserved to the States, or to the people. Ask your new commentator where he gets your right to judge for us. Is it in the bond?

The northern doctrine was, many years ago, that the Supreme Court was the judge. That

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was their doctrine in 1800. They denounced Madison for the report of 1790, on the Virginia resolutions; they denounced Jefferson for framing the Kentucky resolutions, because they were presumed to impugn the decisions of the Supreme Court of the United States; and they declared that that court was made, by the Constitution, the ultimate and supreme arbiter. That was the universal judgment, — the declaration of every free State in this Union, in answer to the Virginia resolutions of 1798, or of all who did answer, even including the State of Delaware, then under the Federal control.

The Supreme Court has decided that, by the Constitution, we have a right to go to the Territories, and be protected there with our property. You say, we cannot decide the compact for ourselves. Well, can the Supreme Court decide it for us? Mr. Lincoln says he does not care what the Supreme Court decides, he will turn us out anyhow. He says this in his debate with the honorable Senator from Illinois [Mr. Douglas]. I have it before me. He said he would vote against the decision of the Supreme Court. Then you do not accept that arbiter. You will not take my construction; you will not take the Supreme Court as an arbiter; you will not take the practice of the Government; you will not take the treaties under Jefferson and Madison; you will not take the opinion of Mad-

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ison upon the very question of prohibition in 1820. What, then, will you take? You will take nothing but your own judgment: that is, you will not only judge for yourselves, not only discard the court, discard our construction, discard the practice of the Government, but you will drive us out, simply because you will it. Come and do it! You have sapped the foundations of society; you have destroyed almost all hope of peace. In a compact where there is no common arbiter, where the parties finally decide for themselves, the sword alone at last becomes the real, if not the constitutional, arbiter. Your party says that you will not take the decision of the Supreme Court. You said so at Chicago; you said so in committee; every man of you in both Houses says so. What are you going to do? You say we shall submit to your construction. We shall do it, if you can make us; but not otherwise, or in any other manner. That is settled. You may call it secession, or you may call it revolution; but there is a big fact standing before you, ready to oppose you—that fact is, freemen with arms in their hands. The cry of the Union will not disperse them, we have passed that point; they demand equal rights: you had better heed the demand.

You have no warrant in the Constitution for this declaration of outlawry. The court says you have no right to make it. The treaty says you shall not do it. The treaty of 1803 de-

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clares that the property of the people shall be protected by the Government until they are admitted into the Union as a State. That treaty covers Kansas and Nebraska. The law passed in 1804 or 1805, under Mr. Jefferson, protects property in slaves in that very territory. In 1820, when the question of prohibition came up, Mr. Madison declared it was not warranted by the Constitution, and Mr. Jefferson denounced its abettors as enemies of the human race. Here is the court; here are our fathers; here is contemporaneous exposition for fifty years, all asserting our right. The Black Republican party say, "We care not for your precedents or practices; we have progressive politics as well as a progressive religion. Behold Spooner! We care not for the fathers; we care not for the judges." They have said more: their leaders on this floor have said they will get rid of the court as James II got rid of the honest judges when they decided against the dispensing power of the Crown. One set refused; he turned them out and put in another; they refused; he turned them out and got another. They mocked the constitution and the laws, and decided for the Crown. What was the result? He became, and justly, a wanderer and an outcast; and his posterity were wanderers and outcasts, houseless and homeless. The heir of his race—the son of Mary of Modena, the last scion of a perfidious race—died

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a pensioner of Rome. Read, then, the record of this reckless king, and profit by his example. When you appoint judges to make decisions, you make a mockery of all justice, and of all decisions with freemen everywhere. Our ancestors told us how to treat such oppressions in 1688. We have not forgotten the lesson.

To come back from this digression, I will now read your proclamation of outlawry from the Chicago platform, to wit :

“ That the normal condition of the territory of the United States is that of freedom; that as our republican fathers, when they abolished slavery in our national territory, ordained that no person should be deprived of life, liberty, or property, without due process of law, it becomes our duty, by congressional legislation, whenever such legislation becomes necessary, to maintain this provision of the Constitution against all attempts to violate it; and we deny the authority, of Congress, of a Territorial Legislature, of any individual or association of individuals, to give legal existence to slavery in any Territory of the United States.”

There you declare that the treaties made by Mr. Jefferson in 1803 are null, void, and no law; there you declare that the acts by which property in slaves was protected and allowed, both by territorial and congressional acts, in Florida, in Louisiana, in Arkansas, in Missouri, in Mississippi, and in Alabama, were all null, void, and no law. You declare that the decision of the Supreme Court is null, void, and no law; that there is no constitu-

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tion but the Chicago platform; yet you propose to come here and take possession of this Government, and swear to maintain the Constitution with this reading, and you are quite astonished at our having any objections to the peaceful proceeding—at least the Senator from Oregon [Mr. Baker] was, the other day. I suppose that orator has just come out of the woods. I do not know where he has kept himself, if he has never heard any more of this question than he told us. But no matter what may be our grievances, the honorable Senator from Kentucky [Mr. Crittenden] says we cannot secede. Well, what can we do? We cannot revolutionize; he will say that is treason. What can we do? Submit? They say they are the strongest, and they will hang us. Very well, I suppose we are to be thankful for that boon. We will take that risk. We will stand by the right; we will take the Constitution; we will defend it by the sword with the halter around our necks. Will that satisfy the honorable Senator from Kentucky? You cannot intimidate my constituents by talking to them about treason. They are ready to fight for the right with the rope around their necks, and meet the Black Republicans and their allies upon whatever ground they may select. Treason? Bah!

The Black Republicans denounce Mr. Buchanan because he has constructed the relation of master and slave “to involve an unqualified

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property in persons." Mr. Lincoln approves their censure. So far as this denounces the language employed by the President, it is a simple denial of all property in slaves; but, with characteristic knavery, this party put enough of falsehood to misrepresent his real meaning. Upon the point referred to, the President has gone no further than the Supreme Court; and his declaration may be safely left to judicial vindication.

But I have promised to show that Lincoln has refused obedience to judicial interpretations of a constitutional question. In his speech of 10th July, 1856, he said:

"If I were in Congress, and a vote should come up on the question whether slavery should be prohibited in a new Territory, in spite of the Dred Scott decision, I would vote that it should."

I omitted to remark in its proper place that not only Mr. Lincoln repudiates the propositions which I submitted to the committee of thirteen of the Senate, but they were all voted against by the five members representing the Black Republican party in the Senate of the United States upon the committee of thirteen, and I presumed they were not extreme men. Some of them, I had been led to believe, were the moderate men who were among, and not of, the organization. But every principle which was proposed received the condemnation of every one of them. A resolution involving the same principles, introduced by a

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distinguished colleague of mine in the House of Representatives, was voted down, I believe, by a unanimous vote of all the members of that House belonging to the Republican party. The same lesson is taught by every declaration they make, even by the treacherous silence which has been maintained by their most extreme men on this floor and elsewhere, on these subjects, since the beginning of this session. Probably some of them thought it was best to be calm, supposing that perhaps the foot which was upon the neck of slavery was insecure. Possibly "the jubilant Senator from the Northwest" [Mr. Doolittle] thought the domination might not be perpetual, and that it was well to bring coils of power, of place, of armies, of navies, and of legality around us, in order to tighten our chains before we were alarmed. We understand this danger, and we will anticipate it. You will have to use your strength, not ours, to rivet our chains; spend your own money and your own blood, not ours, to consolidate your power.

I have, then, established the proposition — it is admitted — that you seek to outlaw \$4,000,000,000 of property of our people in the Territories of the United States. Is not that a cause of war? Is it a grievance that \$4,000,000,000 of the property of the people should be outlawed in the Territories of the United States by the common Government?

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What, then, is our reliance? Your treachery to yourselves? I will not accept that guarantee. I know you are treacherous to us, but I see no reason but justice why you should betray each other; and that will not avail you. I think, therefore, you will do what you say on that question; at least there can be no harm in my accepting your declarations as true. I believe that however hostile nations may be, they take the warlike declarations of the enemy as true and sufficient for their action. Then you have declared, Lincoln declares, your platform declares, your people declare, your legislatures declare — there is one voice running through your entire phalanx — that we shall be outlawed in the Territories of the United States. I say we will not be; and we are willing to meet the issue; and rather than submit to such an outlawry, we will defend our territorial rights as we would our household goods.

But, although I insist upon this perfect equality in the Territories, yet, when it was proposed, as I understand the Senator from Kentucky now proposes, that the line of $36^{\circ} 30'$ shall be extended, acknowledging and protecting our property on the south side of that line, for the sake of peace — permanent peace — I said to the committee of thirteen and I say here, that, with other satisfactory provisions, I would accept it. If that or some other satisfactory arrangement is not made, I

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am for immediate action. We are as ready to fight now as we ever shall be. I am willing, however, to take the proposition of the Senator as it was understood in committee, putting the North and the South on the same ground, prohibiting slavery on one side, acknowledging slavery and protecting it on the other, and applying that to all future acquisition, so that the whole continent to the North Pole shall be settled upon the one rule, and to the South Pole under the other. I will not buy a shameful peace. I will have equality or war. Georgia is on the warpath, and demands a full and final settlement this time.

Yet, not only did your committee refuse that, but my distinguished friend from Mississippi [Mr. Davis]—another moderate gentleman like myself—proposed simply to get a recognition that we had the right to our own; that man could have property in man; and it met with the unanimous refusal even of the most moderate, Union-saving, compromising portion of the Republican party. They do not intend to acknowledge it. How could they? Mr. Lincoln says that, according to the Declaration of Independence, all men are born free and equal. You do not want any fugitive-slave law; all you want is a *habeas corpus*; with this you can set them free in Georgia. According to this notion Spooner is right in contending that the Federal Constitution authorizes the abolition of slavery. Mr.

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Lincoln thus accepts every cardinal principle of the Abolitionists; yet he ignorantly puts his authority for abolition upon the Declaration of Independence, which was never made any part of the public law of the United States. It is well known that these "glittering generalities" were never adopted into the Constitution of the United States.

And what a spectacle does Mr. Lincoln present of the fathers of the Republic by his absurd theory! There sat the representatives of thirteen slaveholding colonies, declaring that all men were free and equal, and endowed by the Creator with the same rights. You say they meant their slaves. Every State then held slaves, and most of the gentlemen who were around that board themselves held them. Did those fathers, who pledged to God and to mankind their lives, their fortunes, and their sacred honors, mean to cheat the human race? Did they falsely and fraudulently utter that sentiment, and still hold on to their slaves as long as they lived? That is the way you construe it. Washington, during all his lifetime, held hundreds of slaves. He kept them as long as he lived, and left them to his wife, with the provision, that after her death, they should be free—a very common custom with gentlemen in our country who have no immediate descendants, and from attachment to their slaves are reluctant to let them pass even into the hands of collateral relatives. So

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strong was that sentiment, that my State was compelled to pass a law to prohibit emancipation or, by this time, a large portion of the slaves might have been free under the operation of that sentiment. Jefferson held slaves all his lifetime, and left them to his heirs. Madison held them, and they went to his heirs. And these men are now quoted as meaning to include their own slaves in the Declaration of Independence; and seem, in Republican argument, base enough to hold on to "the sum of all villainies," to rob freemen of their wages, and plunder them to the day of their death. With your doctrines, you have the audacity to pretend to think well of such men. Shall we give you credit for sincerity?

Yes, Mr. Lincoln says it is a fundamental principle that all men are entitled to equality in Government everywhere. That idea seems to be a hobby of his. Very well; you not only want to break down our constitutional rights; you not only want to upturn our social system; your people not only steal our slaves and make them freemen to vote against us; but you seek to bring an inferior race in a condition of equality, socially and politically, with our own people. Well, sir, the question of slavery moves not the people of Georgia one half as much as the fact that you insult their rights as a community. You Abolitionists are right when you say that there are thousands and tens of thousands of men in Georgia, and

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all over the South who do not own slaves. A very large portion of the people of Georgia own none of them. In the mountains there are comparatively but few of them; but no part of our people are more loyal to their race and country than our bold and brave mountain population: and every flash of the electric wires brings me cheering news from our mountain-tops and our valleys, that these sons of Georgia are excelled by none of their countrymen in loyalty to the rights, the honor, and the glory of the commonwealth. They say, and well say: This is our question; we want no negro equality, no negro citizenship; we want no mongrel race to degrade our own; and as one man they would meet you upon the border with the sword in one hand and the torch in the other. They would drive you from our borders, and make you walk over the blighted ruins of their fair land. We will tell you when we choose to abolish this thing; it must be done under our direction and according to our will; our own, our native land shall determine this question, and not the Abolitionists of the North. That is the spirit of our freemen; beware of them.

It was in this spirit of intermeddling and mischief that sixty-eight members of your party in the other House, and at least one member of the Senate, signed a recommendation to circulate as a campaign document an infamous publication to excite these very non-slave-

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holders of the South to insurrection against their fellow-citizens. I allude to the Helper book. This Republican party sometimes say, "We are not an abolition party." Take away their Abolitionists, and they are nobody. They would be beaten even in New England. All Abolitionists are Republicans, whether all Republicans are Abolitionists or not. We understand that. There may be perhaps an exception to abolition unanimity, and that is in regard to one class, an honest class,—composed of the New England or Boston anti-slavery society, headed by Garrison. Garrison looks at it squarely and honestly. He says to these very Abolitionists of the other sort, the political Abolitionists, "Your Government is a pro-slavery Government; you take oaths and you violate them; we will not take these oaths, because we will not break them." That is the difference between you and them. One of the most able, and eloquent, and well written *exposés* of the position of the Garrison Abolitionists that I have seen anywhere is to be found in a late annual report of the Massachusetts anti-slavery society; and they say that "the Constitution is a pro-slavery instrument which does recognize slavery, and you perjure yourselves when you take oaths to support it and break them. We cannot vote, we cannot take office, because we will not take oaths to break them; we cannot vote for you, because we will not vote for men who

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will take oaths and break them." That is an authoritative exposition from this class of Abolitionists. So it seems that the Abolitionists with whom we have to deal are so base that the honest Abolitionists themselves will not trust them.

I have already adverted to the proposition in regard to giving up criminals who are charged with stealing negroes, and I have referred to the cases of Maine, New York, and Ohio. I come now to the last specification, — the requirement that laws should be passed punishing all who aid and abet insurrection. These are offenses recognized by the laws of nations as inimical to all society; and I will read the opinions of an eminent publicist when I get to that point. I said that you had aided and abetted insurrection. John Brown certainly invaded Virginia. John Brown's sympathizers, I presume, are not Democrats. Two of the accomplices of John Brown fled — one to Ohio, one to Iowa. The Governors of both States refused to give up the fugitives from justice. The party maintained them. I am aware that, in both cases, pretexts were gotten up to cover the shame of the transaction. I am going to show you that their pretexts were hollow, unsubstantial, not against constitutional law but against the law of nations. I will show you that it was their duty to seize them under the law of nations, and bring them to their confederate

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States, or even to a friendly State. The first authority I will read is Vattel on the law of nations. If there had been any well-founded ground, if the papers had been defective, if the case had been defectively stated, what was the general duty of a friendly State without any constitutional obligation? This general principle is, that one State is bound to restrain its citizens from doing anything tending to create disturbance in another State, to foment disorder, to corrupt its citizens, or to alienate its allies. Vattel says (page 162):

“And since the latter [the sovereign] ought not to suffer his subjects to molest the subjects of other States, or to do them an injury, much less to give open, audacious offense to foreign powers, he ought to compel the transgressor to make reparation for the damage or injury, if possible, or to inflict on him an exemplary punishment; or, finally, according to the nature and circumstances of the case, to deliver him up to the offended State, to be there brought to justice. This is pretty generally observed with respect to great crimes, which are equally contrary to the laws and safety of all nations. Assassins, incendiaries, and robbers are seized everywhere, at the desire of the sovereign in whose territories the crime was committed, and are delivered up to his justice. The matter is carried still further in States that are more closely connected by friendship and good neighborhood. Even in cases of ordinary transgressions, which are only subject of civil prosecution, either with a view to the recovery of damages, or the infliction of a slight civil punishment, the subjects of two neighboring States are reciprocally obliged to appear before the magistrate of the place where they are accused of having failed in their duty.

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Upon a requisition of that magistrate, called letters rogatory, they are summoned in due form by their own magistrate, and obliged to appear. An admirable institution, by means of which many neighboring States live together in peace, and seem to form only one republic ! This is in force through all Switzerland. As soon as the letters rogatory are issued in form, the superior of the accused is bound to enforce them. It belongs not to him to examine whether the accusation be true or false ; he is to presume on the justice of his neighbors, and not to suffer any doubts on his own part to impair an institution so well calculated to preserve harmony and good understanding between the States."

That is the law of nations, as declared by one of its ablest expounders ; but, besides, we have this principle embodied in the Constitution ; we have there the obligation to deliver up fugitives from justice ; and, though it is in the Constitution, though it is sanctioned, as I said, by all ages and all centuries, by the wise and the good everywhere, our confederate States are seeking false pretexts to evade a plain, social duty, in which are involved the peace and security of all civil society. If we had no Constitution, this obligation would devolve upon friendly States. If there were no Constitution, we ought to demand it. But instead of giving us this protection, we are met with reproaches, reviling, tricks, and treachery, to conceal and protect incendiaries and murderers.

This man Brown and his accomplices had sympathizers. Who were they ? One of

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them, as I have before said, who was, according to his public speeches, a defender and a laudator of John Brown—is Governor of Massachusetts. Other officials of that State applauded Brown's heroism, magnified his courage, and, no doubt, lamented his ill success. Throughout the whole North, public meetings, immense gatherings, triumphal processions, the honors of the hero and the conqueror, were awarded to this incendiary and assassin. They did not condemn the traitor; think you they abhorred the treason?

Yet, I repeat, when a distinguished Senator from a non-slaveholding State [Mr. Douglas] proposed to punish such attempts at invasion and insurrection, Lincoln and his party come before the world and say, "Here is a sedition law." To carry out the Constitution, to protect States from invasion and suppress insurrection, to comply with the laws of the United States, is a "sedition law," and the chief of this party treats it with contempt; yet, under the very same clause of the Constitution which warranted this important bill, you derive your power to punish offenses against the laws of nations. Under this warrant you have tried and punished our citizens for meditating the invasion of foreign States. You have stopped illegal expeditions. You have denounced our citizens as pirates, and commended them to the bloody vengeance of a merciless enemy.

Under this principle alone you protect our

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weaker neighbors of Cuba, Honduras, and Nicaragua. By this alone are we empowered and bound to prevent our people from conspiring together, giving aid, giving money, or arms, to fit out expeditions against any foreign nation. Foreign nations get the benefit of this protection; but we are worse off in the Union than if we were out of it. Out of it, we should have the protection of the neutrality laws. Now you can come among us; raids may be made; you may put the incendiary's torch to our dwellings, as you did last summer for hundreds of miles on the frontiers of Texas; you may do what John Brown did, and when the miscreants escape to your States, you will not punish them; you will not deliver them up. Therefore we stand defenseless. We must cut loose from the accursed "body of this death," even to get the benefit of the law of nations. Hence we are armed, and hence we will stay so, until our rights are respected, and justice is done. We must take up arms to get the rights that the laws of nations give us.

Mr. Lincoln's speech, to which I referred as some indication of the jeers and the gibes of this "conservative gentleman," charges us with a multitude of imaginary offenses :

"This is a natural and apparently adequate means; but what will convince them?"—

That he does not intend to hurt us?

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“This, and this only: Cease to call slaveholding wrong, join them in calling it right; and this must be done thoroughly; done in acts as well as words. Silence will not be tolerated. We must place ourselves avowedly with them. Douglas’s new sedition law must be enacted and enforced.”

I say so too. I say I will not stay in the Union that gives me less rights than it gives to a foreign nation. I will meet you on this issue. I will have these rights in the Union, or I will not stay in it.

“Douglas’s new sedition laws must be enacted and enforced”—

It must be before I will make peace.

“—suppressing all declarations of hostility to slavery, whether made in politics, in presses, in pulpits, or in private.”

That is a very adroit way to state the case. We have never sought to interfere with your discussion of any questions in your own country. The standing laws of my own State only punish the words and acts that are intended to incite insurrection among any class of people. But you write, and speak, and form societies and claim the right to become a nest of incendiaries, in order to assail your neighbors; and you say you have the right to do it under the liberty of speech guaranteed by the Constitution. I will not interfere with your rights, but you must so use them as not to injure us.

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You will not regard confederate obligations; you will not regard constitutional obligations; you will not regard your oaths. What, then, am I to do? Am I a freeman? Is my State, a free State, to lie down and submit because political fossils raise the cry of the glorious Union! Too long already have we listened to this delusive song. We are freemen. We have rights; I have stated them. We have wrongs; I have recounted them. I have demonstrated that the party now coming into power has declared us outlaws, and is determined to exclude four thousand million of our property from the common Territories; that it has declared us under the ban of the Empire, and out of the protection of the laws of the United States everywhere. They have refused to protect us from invasion and insurrection by the Federal Power, and the Constitution denies to us in the Union the right either to raise fleets or armies for our own defense. All these charges I have proven by the record; and I put them before the civilized world, and demand the judgment of to-day, of to-morrow, of distant ages, and of heaven itself, upon the justice of these causes. I am content, whatever it be, to peril all in so noble, so holy a cause. We have appealed, time and time again, for these constitutional rights. You have refused them. We appeal again. Restore us these rights as we had them, as your court adjudges them to be, just as all our

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people have said they are; redress these flagrant wrongs, seen of all men, and it will restore fraternity, and peace, and unity to all of us. Refuse them, and what then? We shall then ask you to "let us depart in peace." Refuse that, and you present us war. We accept it; and inscribing upon our banners the glorious words, "liberty and equality," we will trust to the blood of the brave and the God of battles for security and tranquillity.

Samuel Sullivan Cox

(1824-1889)

ON SECESSION

[Delivered January 14, 1861, in the House of Representatives.]

MR. CHAIRMAN :

I SPEAK from and for the Capital of the greatest of the States of the great West. That potential section is beginning to be appalled at the colossal strides of revolution. It has immense interests at stake in this Union, as well from its position as its power and patriotism. We have had infidelity to the Union before, but never in such a fearful shape. We had it in the East during the late war with England. Even so late as the admission of Texas, Massachusetts resolved herself out of the Union. That resolution has never been repealed; and one would infer, from much of her conduct, that she did not regard herself as bound by our covenant. Since 1856, in the North, we have had infidelity to the Union, more by insidious infractions of the Constitution than by open rebellion. Now, sir, as a consequence, in part, of these very infractions, we have rebellion itself, open and daring, in terrific proportions, with dangers so formidable as to seem almost remediless.

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From the time I took my seat this session, I have acted and voted in every way to remove the causes of discontent and to stop the progress of revolution. At the threshold I voted to raise the committee from each State; and I voted against excusing the members who sought to withdraw from it, because I believed then that such a committee, patriotically constituted, had in it much of hope and safety; and because, to excuse members from serving on it, upon the ground of secession, was to recognize the heresy. I am ready to vote now for any salutary measure which will bring peace and preserve the Union. Herodotus relates that when Mardonius was encamped in Bœotia, before the battle of Plataea, he and fifty of his officers were invited to meet the same number of Thebans at a banquet, at which they reclined in pairs, a Persian and a Theban upon each couch. During the entertainment one of the Persians, with many tears predicted to his Theban companion the speedy and utter destruction of the invading army, and when asked why he used no influence with Mardonius to avert it, he answered:

“When one would give faithful counsel, nobody is willing to believe him. Although many of us Persians are aware of the end we are coming to, we still go on, because we are bound to our destiny; and this is the very bitterest of a man’s griefs, to see clearly, but to have no power to do anything at all.”

I believe, sir, that the events now transpir-

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ing are big with disaster to my country. I have done my humble part for years to prevent them; but I do not see now that any effort on my part can avail; and this is the bitterest of a man's grief. It is in such a peril as this that the heart spontaneously prays for a nearer communication with a divine prescience. We long for some direction from a superior power, in whose great mind the end is seen from the beginning. At least, one might wish for some magic mirror of Merlin, in which to see the foes of our country approach, so as rightly to guard against them.

Four States have, in so far as they could by their own act, separated from our Federal Union. This is one of the stern facts which this Congress has to encounter. The Government is passing through one of those historic epochs incident to all nationalities. Our prosperity has made us proud, rich, intolerant, and self-sufficient; and therefore prone to be rebellious. We have waxed fat—are doing well, “tempestuously well.” Ascending to the height of national glory, through national unity, we are in danger of falling by our own dizziness. We are called upon to break down and thrust aside the very means of our ascent,—the Constitution itself.

In such a time, the bitter crimination and vain threats of party and of sections are out of place. They should not turn the people of the North from doing their whole duty to the

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South; nor the South from a more deliberate review of its past, and a more prudential view of its perilous future. No man has the right to say or do aught that will further exasperate the public sentiment of the South. No good man in the North can oppose any measure of honorable recession from wrong. I cannot speak of South Carolina in the tone and temper of some. She has been a part of our national life. Her blood is in our veins; her Marions, Sumters, and Pinckneys are ours. Eutaw, Cowpens, and Camden; are they not a part of that glory which can no more be separated from the Union than the dawn from the sun? Whatever may be our indignation against her, or our duty to ourselves, let us remember that public sentiment is not to be reached by threat or denunciation. Our Government depends for its execution on public sentiment. To that sentiment alone, in its calmer mood, are we to look for a restoration of a better feeling. When that feeling comes, it will be hailed like the sea-bird which visited the sea-tossed caravel of Columbus—as the harbinger of a firm-set footing beyond. Other facts of a similar perilous character will soon transpire. Georgia, Texas, and Louisiana will assuredly follow the erratic course of South Carolina. This fact must soon be encountered. South Carolina has been singing her Marseillaise, and the waves of the Gulf make accordant music in the revolutionary anthem. It but

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echoes the abolitionism of the North and West; for scarcely had the song died away on the shores of Lake Erie before South Carolina took it up with a wilder chorus! Extremes thus meet. Extremes North have aided, if not conspired with, extremes South, in the work of disintegration.

That work will go on. I know that we are very slow to believe in any sign of dissolution. We have faith in our luck. We have trust in a certain inventive faculty which has never yet failed us, either in mechanical or political expedients. Our politics are plastic to emergencies. Still I must warn the people that it is the well-grounded fear, almost the foregone conclusion of the patriotic statesmen here, that the work of breaking up will go on, until the entire South shall be arrayed against the entire North.

In view of these facts, I will discuss these propositions: 1. That secession is not a right in any possible relation in which it can be viewed; to tolerate it in theory or practice is moral treason to patriotism and good government. 2. That while it may not involve such direful consequences as other revolutions, still it is revolution. 3. That every effort of conciliation should be exhausted to check it before force is applied. 4. That if the North does not do her part fully in recession from aggression; it will be impossible to unite the northern people, or any portion of the southern people,

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in repressing secession. 5. That if the South will make a patient endeavor, equal to the great occasion, to secure her rights in the Union, I believe that she will succeed; and if she is then repulsed, it will be impossible for her to receive any detriment from the North; but she will depart in peace. 6. If she go inconsiderately, as some States are going, the country may incur the fearful hazard of war. 7. If the South press the one hard overmastering question upon the North, and follow it up with seizure of forts and revenue, cannonading of our vessels, and other aggressive acts, without giving an opportunity for conciliation, there will be no power in the conservatism of the North to restrain the people. No sacrifice will be considered too great to make in the protection and defense of the Union. 8. That, in the present state of facts, so long as the revenues can be collected on land or sea, and the forts and harbors can be commanded by the Federal Government, that Government must be, as to these matters, the Government *de facto*, as well as *de jure*; and that so long as this status can be maintained by the Executive, it should be done by all the legal forces of the Government.

I would not exaggerate the fearful consequences of dissolution. It is the breaking up of a federative union; but it is not like the breaking up of society. It is not anarchy. A link may fall from the chain, and the link may still

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be perfect, though the chain has lost its length and its strength. In the uniformity of commercial regulations, in matters of war and peace, postal arrangements, foreign relations, coinage, copyrights, tariff, and other federal and national affairs, this great Government may be broken; but in most of the essential liberties and rights which Government is the agent to establish and protect, the seceding State has no revolution, and the remaining States can have none. This arises from that refinement of our polity which makes the States the basis of our instituted order. Greece was broken by the Persian power; but her municipal institutions remained. Hungary has lost her national crown; but her home institutions remain. South Carolina may preserve her constituted domestic authority; but she must be content to glimmer obscurely remote, rather than shine and revolve in a constellated band. She even goes out by the ordinance of a so-called sovereign convention, content to lose, by her isolation, that youthful, vehement, exultant, progressive life, which is our nationality! She foregoes the hopes, the boasts, the flags, the music, all the emotions, all the traits, and all the energies, which, when combined in our United States, have won our victories in war and our miracles of national advancement. Her Governor, Colonel Pickens, in his inaugural, regretfully "looks back upon the inheritance South Carolina had in the common glories and triumphant

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power of this wonderful Confederacy, and fails to find language to express the feelings of the human heart as he turns from the contemplation." The ties of brotherhood, interests, lineage, and history are all to be severed, No longer are we to salute a South Carolinian with the "*idem sententiam de republica*," which makes unity and nationality. What a prestige and glory are here dimmed and lost in the contaminated reason of man!

Can we realize it? Is it a masquerade, to last for a night, or a reality to be managed with rough, passionate handling? It is sad and bad enough; but let us not overtax our anxieties about it as yet. It is not the sanguinary regimen of the French revolution; not the rule of assignats and guillotine; not the cry of "*Vivent les Rouges! A mort les gendarmes!*" but as yet, I hope I may say, the peaceful attempt to withdraw from the burdens and benefits of the Republic. Thus it is unlike every other revolution. Still it is revolution. It may, according as it is managed, involve consequences more terrific than any revolution since government began.

If the Federal Government is to be maintained, its strength must not be frittered away by conceding the theory of secession. To concede secession as a right, is to make its pathway one of roses and not of thorns. I would not make its pathway so easy. If the Government has any strength for its own pres-

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ervation, the people demand it should be put forth in its civil and moral forces. Dealing, however, with a sensitive public sentiment, in which this strength reposes, it must not be rudely exercised. It should be the iron hand in a glove of velvet. Firmness should be allied with kindness. Power should assert its own prerogative, but in the name of law and love. If these elements are not thus blended in our policy, as the Executive purposes, our Government will prove either a garment of shreds or a coat of mail. We want neither.

Our forts have been seized; our property taken; our flag torn down; our laws defied; our jurisdiction denied; and, that worse phase of revolution, our ship, sent under our flag to the relief of a soldier doing his duty, fired upon and refused an entrance at one of our own harbors. Would that were all! The President informs us, in his last message, that

“In States which have not seceded, the forts, arsenals, and magazines of the United States have been seized. This is far the most serious step which has been taken since the commencement of the troubles. This public property has long been left without garrisons and troops for its protection, because no person doubted its security under the flag of the country in all the States of the Union. Besides, our small army has scarcely been sufficient to guard our remote frontiers against the Indian incursions. The seizure of this property, from all appearances, has been purely aggressive, and not in resistance to any attempt to coerce a State or States to remain in the Union.”

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All that the President has done is defensive ; all that he has resisted has been aggression. He proposes no aggression ; nor would I favor it. He would maintain the laws and protect property ; what else can he do ?

The facts have to be met—how ? By the conquest of all the people of a State ? By the declaration and wager of war ? I answer, by the enforcement of the laws and the protection of our property in a constitutional manner. This is the answer I have already voted in this House, in voting for the resolution of the gentleman from New Jersey. But it is asked, how will you enforce the laws and keep forts and property without war ? I will answer : First, repeal here every law making ports of entry at the recusant cities or towns ; and thus avoid as much trouble as possible. That is in our power. Second, libel and confiscate in admiralty every vessel which leaves such ports without the Federal clearance. Third, collect the revenue and preserve the property, and only use such force as will maintain the defensive. But again it is asked, is not this coercion against a Government *de facto*, established by the consent of all the people of a State under an assumed legal right ? I answer, South Carolina is not *de facto* the Government as to these Federal matters so long as the Federal Government can hold her harbors, shut in her ships, and collect the revenue. Who can deny that proposition ? But still it is asked ; will not

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the use of force in executing the laws, and preserving our property, result in civil war? Is there any practical difference between the enforcement of law when resisted by so large an aggressive power, and the actual state of war? Here is the Sphinx of our present anomalous situation. I do not choose now to say what I will do in case a certain result follows the performance of the present duty. It is enough for me now to do that duty of the present. But that judgment which makes no discrimination between the enforcement of the laws and defense of property, and the actual state of war, must be palsied by undue fear of consequences. There is nothing more plainly distinguished by precedent and in experience than the difference between the civil authority and the war-making power. True, the military arm may be invoked to aid the civil authority but it must be subordinate to it in many most essential particulars. It is then the sword of the magistrate and not of the soldier. Says Chief Justice Taney, in the Rhode Island case :

“Unquestionably, a State may use its military power to put down an armed insurrection too strong to be controlled by the civil authority. The power is essential to the existence of every Government; essential to the preservation of order and free institutions; and is as necessary to the States of this Union as to any other Government.”—7 *Howard*, 45.

This Government has had insurrections, and

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has quelled them by the civil authority, with the aid of the militia, and without martial law. The Shays rebellion and the whiskey insurrection were put down by the *posse comitatus*. The writ of *habeas corpus* was not suspended by the United States. But even in extreme cases, where the President called out the militia to suppress actual array and violence without a law of Congress authorizing it, the force was only to be used with a view to cause the laws to be duly executed. All arrests were made under civil authority. Trials were had as in civil cases. In Pennsylvania, in 1793, the expedition was not in its nature belligerent; but it was to assist the marshal. (7 Howard, 80 and 81.) Washington enjoined strictly the subordination of the military to the civil power, and went in person to see that his orders were obeyed. The very genius and structure of our Constitution would forbid the making of war, in its sense of aggression, against any State of the Confederacy. But unless the power to enforce reside somewhere in the Government, it is virtually no government at all: it is a garment of shreds. If the force is of that irresponsible kind called war, the Government is then worse than a failure. It then wears a coat of mail. But if it have the force to maintain itself, and subordinate to itself the military which it may use in its defense, then it is a government. It then wears the robe of State!

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The time does not yet call for threats of coercion by martial or other means. It only calls for defense from those who are aggressive. I would reserve this power of coercion, as King Arthur did his diamond shield. He ever kept it out of sight covered with a veil, and only uncovered it to fight monsters and alien enemies.

I call this secession revolution. I will not in an American Congress, with an oath on my conscience to support the Constitution, argue the right to secede. No such right can ever be had, except by amendment of the Constitution, legalizing such secession. It is a solecism to speak of the right of secession. It is revolution; and the burden of proof is on him who begins it to show why he seeks the change. The combined reason of the ages has fixed in its maxims of thought rules to govern the actions of men and nations, which no one can overrule without great criminality. These rules require first that revolution must have no light and transient cause. To overthrow a despotism, the cause must be of grave weight. *A fortiori*, what must be the grievance to justify a revolt against a government so free as ours! Besides, there must be a reasonable hope of a happy and successful termination. Otherwise, history, with her judicial prescript, will ban those who begin it to an eternity of retribution.

There must be in every State some power

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to which all others yield, competent to meet every emergency. No nation can be consigned to anarchy by some absurd contrivance, either in the shape of personal liberty bills or secession ordinances. In America, we have a national Constitution. Under it, we have United States citizenship. To it we owe and swear allegiance. It may be a compact; but it is a government also. It may be a league; but it has authority, "operative," as Mr. Madison holds, "directly on the people." It may reach States as States; but it does more; it reaches the people of the States through its executive, judicial, and legislative departments. If it cannot declare war against a State, it is because a State is a part of itself, and not *quoad hoc* a foreign and independent state. Its Constitution is the supreme law of the land; and though, as Chief Justice Marshall says (1 *Wheaton*, 304), "the sovereign powers vested in the State governments by their respective constituencies remain unaltered and unimpaired, yet they remain so, except so far as they were granted to the Government of the United States." I could cite Marshall, Jefferson, Madison, Jackson, Story, Duer, and Webster, almost every student, expounder, and executor of the Constitution, to show these conclusions to be irrefragable. It is an absurdity to contend that States, which voluntarily surrendered such portions of their sovereignties as were requisite for a national government, can be

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the equal in power of that national government. In the name of the people, the Constitution asserts its own supremacy and that of the laws made in pursuance thereof. It is supreme, by the consent of South Carolina herself, "over the constitutions and laws of the several States." If, then, South Carolina attempt, as she has by her ordinance, to annul her connection with this national system, does she not usurp a power of the General Government? Does she not infringe on the rights of Ohio? Is it not a plain violation of the permanent obligation she is under as one of its members? Nay, she not only breaks her oath of fealty to the United States Constitution, but she breaks her oath to her own constitution, which requires that oath.

Am I referred by the members of my own party to our platform and principles indorsing the Kentucky and Virginia resolutions? Am I told that the sacred principles of State rights declared by Jefferson and Madison, as a check against the usurpations of a consolidated Federal Power, allow that each State may so judge of the infraction of the Constitution, and the means and measures of redress, that it may go out of the Union? These Virginia and Kentucky resolutions are misinterpreted. Judge Marshall, however federal his views, in a letter to Judge Story of July 31, 1833 (Story's *Life and Letters*, p. 135), is an honest witness to this misinterpretation. He says:

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“The word ‘State rights,’ as expounded by the resolutions of 1798 and the report of 1799, construed by our Legislature, has a charm against which all reasoning is vain. Those resolutions and that report constitute the creed of every politician who hopes to rise in Virginia; and to question them, or even to adopt the construction given by their author, is deemed political sacrilege.”

This Government was intended to be perpetual. It was adopted *in toto*, and forever. Says Mr. Madison: “The idea of reserving the right to withdraw was started, considered, and abandoned; worse than rejected.” Judge Marshall says: “The instrument was not intended to provide merely for the exigencies of a few years, but was to endure through a long lapse of ages, the events of which were locked up in the inscrutable decrees of Providence.” It was, therefore, provided with means for its own amendment. By the Legislatures of three fourths of the States, there is a means of amendment; and in that way alone can a State withdraw. Nullification and secession, said Mr. Madison, are twin heresies, and should be buried in the same grave. General Jackson held that secession does not break a league, but it destroys the unity of a nation; hence, he argued that it is an offense against the whole Union. To say that a State may constitutionally secede is to say that the constitutional elements were poisoned at the birth of the nation, and, of malice prepense, were intended to kill our national life! Such reason-

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ing overthrows all government. It is to affirm that the tribunal appointed for the arbitrament of mooted questions under the Constitution, or that the means for its own amendment, shall be set aside at the pleasure of one of the parties to be affected. Monstrous sophistry! Are gentlemen of the South aware that it is from this twin heresy that the Republicans have drawn their arguments for their personal liberty bills, and for their repudiation of the fugitive slave law? The very chief justice of Ohio, so recently reindorsed for his seditious decision in the Oberlin fugitive case, bases his adjudication on the usurpations of the Federal Government. He, like South Carolina, denies that "the decisions of the usurping party, in favor of the validity of its own assumptions, can settle anything." (*Ex parte* Bushnell, 9 *Ohio State Reports*, 227.) He warns against the "practical omnipotence of the Federal Government by making authoritative the judgment of its judicial tribunals." He sang *The Marseillaise* in his ermine from the Supreme bench, as South Carolina sings it in her convention.

I would, therefore, guard against the least recognition of this right of secession, or of nullification, which is the lesser type of the same disease. It would, I say, destroy all government. It would dissolve the united mass of powers now deposited in the Union into thirty-three separate and conflicting

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States; each with a flag, a tariff, an army, a foreign policy, a diversity of interests, and an idiosyncrasy of ideas. Nay, that would be tolerable; but it would do more and worse. It would disintegrate States, counties, towns; tear cities from their places on the map; disorder finances, taxes, revenue, tariffs; and convert this fabric, now so fair and firm that it seems built on the earth's base, and pillared with the firmament, into a playhouse of cards, built on a base of stubble. It would thus destroy the established order. And is such order among men, with a view to permanency, nothing? The North has rights, property, interests, relations in the South, not to be sundered without loss; and the South in the North, *vice versa*. Is this nothing? Is depreciation of property, depression of business, loss and lack of employment, withdrawal of capital, derangement of currency, increase of taxes, miscarriage of public works and enterprise, destruction of State credit, the loss of that national symmetry, geography, strength, name, honor, unity, and glory, which publicists tell us are themselves the creators and guardians of cash, credit, and commerce — are these consequences nothing? Surely such a mass of complicated interests — the growth of years, clinging, with root and fiber, to the eternal rocks of public stability — cannot be upturned without great struggle and stupendous crime.

I wish that I could contemplate secession

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as a peaceful remedy. But I cannot. It must be a forcible disruption. The Government is framed so compactly in all its parts, that to tear away one part you tear the whole fabric asunder. It cannot be done by consent. There is no authority to give consent. The Constitution looks to no catastrophe of the kind. It is a voluntary, violent, and *ex parte* proceeding. A majority of the States, and a great majority of the people, are hostile to it. In this angry and warlike disruption of the compact, where shall we find our more perfect Union, the establishment of justice, domestic tranquillity, provision for the common defense, the promotion of the general welfare, and the security of the blessings of liberty to ourselves and posterity? In this light, the ordinance of South Carolina becomes an offense; and in case a sufficient number of others followed, to the injury of any, it would be worse than an offense. In the cases of Texas and Florida, Louisiana and California, for which millions were paid, the inquiry would be made whether it would not be a fraud so colossal that neither language nor law can measure it.

If, then, South Carolina can dispense with an amendment of the Constitution to which she solemnly acceded on the 23d of May, 1788, cannot she dispense with other portions of that instrument; ay, even with this American Congress? The whole framework of our

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Government, by the action of separate States, may thus be swept away. This Congress may be dissolved, if not by the military usurpation which dissolved the Long Parliament, or expelled the Council of Five Hundred from the Orangery of St. Cloud, yet by the very impotence of its organism, as the Confederation dissolved under its imperfect articles, to give place to this more perfect Union.

What justification does South Carolina offer for this act? "Fifteen States," says her declaration, "have deliberately refused for years to fulfil their constitutional obligations." It refers to the fourth article of the Constitution for the specific cause of grievance. But is there not now, since the vote in this House the other day on the personal liberty bills, when the demands of returning public justice made even the gentleman from Illinois [Mr. Lovejoy] recede from his ultraism, a reasonable hope of curing these evils? Again, is there not the Supreme Court, as to whose fidelity no question is raised in the South? And are these peculiar wrongs remediless in that forum? The Governor of Kentucky has already arraigned the recreant executive of Ohio for his delinquency under a kindred constitutional clause. Why may you not exhaust your remedies in the courts before you raise the ensign of revolt if you would have public opinion correct the errors of the North as to fugitives from justice and labor? Already assurances come from all

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quarters that such remedy will be given. Republican Governors and Legislators are beginning to recede from their aggressive acts. Already Ohio has begun this work of redress.

The fugitive slave law may be the ostensible reason for secession, or ancillary to the real grievance. Aside from certain economic reasons, which have ever impelled South Carolina, and which I will not now consider, the real grievance consists in the apprehension of slave insurrections and abolition, under the auspices of an Executive who, though not yet inaugurated, was elected on a principle of hostility to the social system of the South. Or, to give it the strongest statement, which I find in a pamphlet signed by the member from Arkansas [Mr. Hindman], "the Republican candidates were elected upon a platform destructive of our rights, branding our institutions as infamous, decreeing the equality of the negro with ourselves and our children, and dooming us in the end, with murderous certainty, to all the horrors of insurrection and servile war." He holds "that to imprison slavery for ever in the States where it now exists, will, in time, overburden the land with the predominating increase in the ratio of blacks to whites, until there will be conflict for supremacy of races, and the blacks will be exterminated; or else the white man must abandon his country for ever to the negro." I will grant the full force of this *fear*, though

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not the sufficiency of this or any mere fear, as a cause to justify revolution. The Union men of the North began to warn against the dawning of this dangerous geographical movement in 1856. They repeated then, and then not in vain, the farewell words of Washington. From every press and hustling which a Democrat could command, this evil day was prophesied. But we were Cassandras. Unbelieving men derided us as doughfaces, and sneered at us as Union-savers. The patriotic Choate, in one of his weird and wondrous prophecies, in 1855, with the pain of anxiety upon his brow, put on record his deliberate and inextinguishable opposition to this geographical party. He regarded the contest then as the stupendous trial and peril of our national life. Admitting faults South and faults North, yet turning to the battle years of the Republic and its baptism of fire, he shrank aghast at the moral treason of attempting to weave and plait the two northern wings of the old national parties into a single northern one, and cut the southern wing off altogether, as neither farsighted nor safe, however new and bold. Let me give his statement of the complaint, for he stated it in advance as strongly as it can now be stated :

“ To combine these parties, thus against each other geographically — to take the whole vast range of the free States, lying together, sixteen out of thirty-one, seventeen millions out of five or six and twenty millions — the most populous, the strongest, the

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most advancing — and form them in battalion against the fewer numbers and slower growth and waning relative power on the other side; to bring this sectional majority under party drill and stimulus of pay and rations; to offer to it, as a party, the government of our country, its most coveted honors, its largest salaries, all its sweets of patronage and place; to penetrate and fire so mighty and so compact a mass with the still more delicious idea that they are moving for human rights and the equality of man; to call out their clergy from the pulpit, the library, the bedside of the dying, the chair of the anxious inquirer, the hearth of the bereaved, to bless such a crusade; to put in requisition every species of rhetoric and sophistry to impress on the general mind the sublime and impressive dogma that all men are born free and equal; and that such a geographical party is a well-adapted means to that end — does this strike you as altogether in the spirit of Washington and Franklin, and the preamble to the Constitution, and the Farewell Address? Does it strike you that if carried out it will prove to be a mere summer excursion to Moscow? Will there be no bivouac in the snow, no avenging winter hanging on retreat; no Leipsic, no Waterloo?”

Has the avenging winter indeed come? God in his mercy forbid!

That crusade failed in 1856. What a risk we ran then! It succeeded in 1860. What a peril is now upon us! What a crusade it was which has produced it! I well remember that my own Republican competitor for this seat was quoted in Blackwood's magazine, with Tory delight over the anti-slavery revolution which he preached in this House in 1856, and which he would have ushered in with Bunker Hills and other battle-fields of freedom.

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But admitting the source of this great peril to lie in Republican ascendancy, still, I ask, is it remediless in the Union? Admitting all you claim of danger to your States from this sectional triumph; admitting that you are right in concerting for your own protection—yet is it right, fair, or just to rush forward, regardless alike of friends and foes, to a chasm where no guarantee can be asked or offered? Give us one more chance to appeal to the returning reason of the North, now that it is startled by the fulfilment of these prophecies and warnings. If you do not, what then? You will give to your enemies the advantage which belongs to you and to us. They are already eager to seize the legislative as well as the executive departments. They talk of reforming the Supreme Court for their purposes. They who have taught and practiced the breaches of civil discipline are becoming the conservators of public order. On your retiring, they will filch from its old guard the ensign of the Constitution. Why, to break up this Government before a full hearing of the grievances, is to be worse even than Red Republicanism! Shall it be said that our own friends of the South are worse than the Red Communists of France? So it would seem, and so I will proceed to prove.

Apprehension of evil! It was the argument of despotism in France in 1851. Louis Napoleon used it for his bad purposes; but the

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French Republicans denounced it. Let me draw the analogy. In article forty-five of the French Constitution, it was enacted:

“Le Président de la République est élu pour quatre ans, et n'est rééligible qu'après un intervalle de quatre années.” — *Annuaire Historique*, 1848. *Appendice*, p. 43.

In article one hundred and ten it was further enacted:

“Lorsque, dans la dernière année d'une Législature, l'Assemblée nationale aura émis le vœu que la Constitution soit modifiée en tout ou en partie, il sera procédé à cette revision de la manière suivante.

“Le vœu exprimé par l'Assemblée ne sera converti en résolution définitive qu'après trois délibérations successives, prises chacune à un mois d'intervalle et au trois quarts des suffrages exprimés.

“Le nombre des votants ne pourra être moindre de cinq cents.”

Thus, in 1848, Louis Napoleon was elected President for four years, the constitutional term. He was, by the one hundred and tenth article, ineligible to a re-election except after an interval of four years. His term would have expired in May, 1852. The summer of 1851, in France, was signalized by vague apprehensions of a revolt, when the President should constitutionally go out. Under this apprehension the National Legislature were summoned to change the Constitution. It required three express ballots of the Assembly, taken at a month's interval, with three fourths

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of the Assembly, and at least five hundred votes to be given, before that Constitution could be so changed as to continue Napoleon in power. Hereupon arose a parliamentary struggle, unequalled in any forum. It was before the giant intellects of France were exiled by the perfidy of its ruler. Here was a country like France, with sixty years of political vicissitude, wherein every tradition and compact had been violated; and yet even there the Constitution of the new Republic was invested with such a sanctity that it defied the majority of the Assembly to change it. The Lafayettes, the Hugos, the Lamartines, the African Generals, Lamoricière, Changarnier, Cavaignac, Bedeau, and Le Flo, struggled against this change with an eloquence radiant with French fervor, and inspired with the genius of great deeds. Their President had sworn to be "faithful to the Democratic Republic, one and indivisible, and to fulfil the duties imposed by the Constitution." At length a vote was taken. There were 446 for the amendment; only 278 against it; a majority of 168; but not enough; not the required three fourths; the crafty President, finding he could not change the Constitution in the constitutional manner, began to ply the popular will for his purposes. The Conseils Généraux demanded, and two million people petitioned for, the change. But the Republicans, moderate and red, stood their ground.

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Even Proudhon, blood-red Communist, from his prison of St. Pélagie, wrote to Girardin that universal suffrage would not be price enough for such a breach of the Constitution. The great question was referred to a committee, of which De Tocqueville was chairman. He, too, withstood the pressure of power. The will of the minority, for whose protection constitutions are made, became, through the constituted mode of amendment, the will of the majority; nay, of the State. Just as nine States in this Union hold our Constitution in *statu quo*, against the will of the remainder. These loyal Frenchmen appealed to the nation, against the adherents of the Bourbon, Orleans, and Bonaparte. "No," they said, "we will not give up the repose of France, at the price of quieting apprehension of future revolt." They thus confined the enemies of the Republic to the circle of the Constitution, from which they could not break without crime. They declared that the prolongation of the term of Napoleon was a crime, impious and parricidal. When it was said that Napoleon would override the Constitution with force in 1852, if not before, they answered: "Such a crisis will be revolution, arising from a violation of the fundamental compact. In that case we declare that, enveloped in the flag of France, we will do the duty which the salvation of the Republic imposes!" On the other hand, it was urged, as it is here urged, that if the

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Constitution was not broken, there would be dangers more fatal. By a foreknowledge of disaster, it was urged that the end of Napoleon's term must be a convulsion, which the Assembly, acting on an apprehension, ought to bind in advance. To save him from perjury, a majority of the Assembly were willing to commit it themselves. So, now, according to my theory, South Carolina would break the Constitution and her oath of fealty, in apprehension of an aggression which the President elect, even if he would, has no power to commit.

The summer of 1851 passed in France. Again and again had the minority of the Assembly rescued the Constitution from civil dethronement. They triumphed in the forum of reason. But stay! In a night—in the midst of the debates of the Assembly—on that fatal December night, the usurper seized the reins of power, and like a thief, by a nocturnal surprise, he silenced every voice but his own, muzzled the press, struck down the Assembly, transported its leaders without judgment, made his senate of mock dukes, and surrounded himself with the bastards of his race. He illustrated the glory of a reign based on nullification, force, perjury, and fraud! And is this the banquet to which the American people is invited, by those among us who hate Red Republicans even worse than Black? Let the American freeman from this example remember this lesson: If political compacts like our

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Constitution be broken, the limits of authority are effaced. Right succumbs to force. It signifies little whether such acts are done by Executive usurpations, military compression, Congressional action or State secession; the Government is gone! States which will not keep inviolate the fixed principles of constitutional right, repudiate their own strength, assassinate their own life, tarnish their own glory, and will receive and deserve the ill-starred fate of France! In whatever form these infractions may come, history has but one answer for their effect. When law is defied successfully, division will come armed with tenfold terror. Force will be arrayed against force. The brute rules, and reason dies. If not resisted, there is but one alternative; yokes of wood instead of cords of silk, and yokes of iron instead of yokes of wood. The red specter of revolution, or the gentler movements of acquiescent infraction of the organic law. There is but one step from the Capitol to the Tarpeian rock. After centuries of brave struggle, thus France lost the Republic. What shall we say of America, with her several years crowded with the trophies of her success and greatness? Read the prophetic warning of Judge Story (Vol. ii., p. 138, of his *Life and Letters*) in his introduction to his *Commentaries on the Constitution*:

“ The influence of the disturbing causes which, more than once in the Convention, were on the point

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of breaking up the Union, have since immeasurably increased in concentration and vigor. The very inequalities of a Government, confessedly founded on a compromise, were then felt with a strong sensibility; and every new source of discontent, whether accidental or permanent, has since added increased activity to the painful sense of these inequalities. The North cannot but perceive that it has yielded to the South, a superiority of representatives, already amounting to twenty-five, beyond its due proportion; and the South imagines that, with all this preponderance in representation, the other parts of the Union enjoy a more perfect protection of their interests than her own. The West feels her growing power and weight in the Union, and the Atlantic States begin to learn that the sceptre must one day depart from them. If, under these circumstances, the Union should once be broken up, it is impossible that a new Constitution should ever be formed embracing the whole territory. We shall be divided into several nations or confederacies, rivals in power and interests, too proud to brook injury, and too close to make retaliation distant or ineffectual. Our very animosities will, like those of all other kindred nations, become more deadly, because our lineage, laws, and language are the same. Let the history of the Grecian and Italian republics warn us of our dangers. The national Constitution is our last and our only security. United we stand, divided we fall."

Ah! it is easier to commit than to justify such a parricide! But to justify it on an apprehension is neither courageous nor safe. Let South Carolina beware! Charles Cotesworth Pinckney, on the 17th January, 1788, in the South Carolina Convention on the adoption of the Federal Constitution, said:

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“We are so weak that, by ourselves, we could not form a union strong enough for the purpose of effectually protecting each other. Without union with the other States, South Carolina must soon fall. Is there any one among us so much of a Quixote as to suppose that this State could long maintain her independence if she stood alone, or was only connected with the other southern States?” (Elliott’s *State Convention Debates*, Vol. iv., p. 275.) The same statesman, on page 290, in paying a compliment to the Declaration of Independence, says: “The separate independence and individual sovereignty of the several States were never thought of by the enlightened band of patriots who framed this declaration. The several States are not even mentioned by name in any part of it, as if it was intended to impress the maxim on America that our freedom and independence arose from our Union, and that, without it, we could neither be free nor independent. Let us then consider all attempts to weaken this Union, by maintaining that each State is separately and individually independent, as a species of political heresy which can never benefit us, but may bring on us the most serious distresses.” God is just, and history inexorable. In leaving the ensign of the stars and stripes, South Carolina will find no repose beneath her little palm. It is from Augustus to Augustulus. Her only renown and strength are

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in the clustered States — the *Bundesstaat*, as the Germans term it — not in selfish, unfraternal, and hostile loneliness. When she rends the bonds of the Constitution, she opens her peace to the chances of that dark future so vividly anticipated by the gentleman from Arkansas.

I do not now say that I would vote means and money to repress her revolution. But am I not bound by my oath to support the Constitution of the United, and not of the dis-United States? If I do not do my part to carry on this Government, and to enforce its laws, have I any business here? Neither can I withhold my respect from magistrates because they are not my choice. Private opinions must give place to public authority. The election of Abraham Lincoln, under the forms of the Constitution, however deplorable, cannot be questioned with argument or arms. Judge Douglas exhausted the argument in his reply to the Norfolk questions; and I have no such poor opinion of any portion of our people as to believe that they will question it with arms. South Carolina herself participated in this election, giving her voice for her favorite. When, therefore, she would ignore this election, and break the established order for this and other unjustifiable causes, she runs a fearful risk. Her destiny becomes a raffle. The insurrection of her slaves will then only become a question of opportunity. The slave

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trade will not help, only hasten and aggravate, her ills. Perhaps, in the eye of Providence, it was her wisest act, when she yielded her assent to that Federal covenant which was and is a restraint against herself and her slaves and for herself and her safety. That assent and covenant were the highest expression of the popular will; for they were the voice of the majority, which Jefferson called the vital principle of Republics, and from which there is no appeal but to force—the vital principle and immediate parent of despotism.

Before risking such chances, cannot the South await the returning justice of the North? Unless disunion be determined upon in spite of every effort at harmony, I do not see why, after having so long acquiesced in the breach of the fourth article of the Constitution, any State should go out upon that ground, even though, as Mr. Webster held, its breach be treason. And as for the North, so long as the Federal laws remain unbroken, and no serious detriment to the public property and peace is threatened, cannot she, too, tolerate these heated appeals, rebellious ordinances, and too careless handling of gunpowder at Point Morris, with equanimity, for the chance only of the rehabilitation of the seceding States? At least, until the North repeal their nullification laws, would not such equanimity be magnanimity? Let the South desist from further attempts to obstruct the

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collection of the Federal revenue, and despoil the property of the Government; let there be no attempt to exclude the people North and West from this Federal District and Capitol, and no attempt to shut us who are inland from the Gulf or sea; and then what occasion is there likely to arise in which the North will dare take up arms to shoot or bayonet southern citizens into the Union, which they only leave, we may hope, constructively?

If, as Mr. Douglas, argued, war is disunion, cannot we, who love it so well, afford to be patient for the Union? But what a danger is here! Once let the fealty to this Government be broken, and who can restrain the excesses incident thereto? If such excesses be committed, there would be aroused a martial spirit which, in rushing to the defense of Major Anderson and his men in Fort Sumter, or to avenge their death, would do and dare all in the name of our Great Republic. Touch not a hair of his head! He is sacred to-day. He embodies the patriotism of millions. Accident has made him defender of that flag which has floated from Bunker Hill to Mexico. His death would open a gulf into which the people would pour, in vengeance even if in vain, their treasures and their children.

Or if a confederation South proposes to control the mouths of the Mississippi and its bank, do you believe it could be done without a protest of arms? Do you know the history of

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that acquisition, and its vital necessity to the Northwest! I hope you have listened to the able recital of my friend from Illinois [Mr. McClernand] touching these points. It would seem, from the news we have to-day, that a system of espionage and detention by force has already been begun in Mississippi, upon steamers from the North. That mighty river, of two thousand miles extent, one of whose tributaries doubles the parent stream in its length, with its \$60,000,000 worth of steamers, doing the business of twelve States with an area of one million two hundred thousand square miles drained by its waters—from the snows and timbers of the North to the sun and blooms of the South—will ever remain in the Union! It was the necessity for its use and outlet which, in part, called for the Constitution seventy-five years ago. As the veteran General Cass told me, the sparse population in my own State, of which he was one, were even then ready to rise in arms, in consequence of a provisional treaty with Spain which did not adequately provide for the coveted riparian privileges. And now, after a usufruct of three quarters of a century, not only the commerce, the honor, and the rights of the West, but the protesting voices of nature, calling from valley and hill in summer rains, in gold-washing streams and smiling cultivation; nay, progress itself, which is the life of the West—which has made it deserve

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the poet's phrase, applied to ancient Latium, *potens armis atque ubere glebæ*—progress, which is the stride of a god across the continent—all these agencies would conspire to redden the Mississippi to float our unequaled produce between its banks to the sea! It is industry which would thus decree; and it would execute its own edict. With us, not gold, nor cotton, but industry is king! However homely its attire, it wears the purple, and on its brow the coronal of bearded grain, imperaled with the priceless sweat of independence. It will stretch its scepter from the river unto the ends of the earth! Neither imposts, nor tariffs, nor obstructions, nor foreign control, nor hazard of foreign war, shall hedge in its empire. These rights of transit and outlet are ours by use, by purchase, by possession; and ours they will remain. Leaving these elements of strife unstirred, the secession movement may vanish into a foolish dream—a specter of the night, which will depart when the dawn shall again environ us in the cycle of its felicities!

But as to these vague apprehensions of aggressions from the President elect. Would it not be best to await his entrance into power? What overt act has he yet done, or his party, in a *Federal* way? If you resist now, it should be against the States whose legislation is hostile, not against the General Government, which has done you no wrong. When that overt act

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is done which you fear, you will find the Northern Democracy ready to join in the defense of your rights and the vindication of your equality of privilege. Will southern statesmen look a few facts in the face, not with that dumb gaze which deadens the will and paralyzes the intellect, but with that large roundabout common sense which distinguished her early statesmen? Is not Mr. Lincoln powerless for harm? Elected by about two million out of five million votes, he is in a minority of a million. The minority diminishes with every hour of northern misery, want, and bankruptcy. In that million there are antagonizing elements, without power morally or politically. More than half of that million will show a feeling of fraternity, which no partisanship can overwhelm. They will unite with that gallant band of Democrats and Americans in the North, who have ever warned and worked against the impending catastrophe. They will stand in the next Senate and House as a bulwark against the further advances of sectionalism. In my own State there are two hundred thousand patriots already as a nucleus for this great party of Union and justice. These men, sir, will welcome any honorable settlement. For myself, I have a preference. I would prefer Judge Douglas's propositions even to the border State *project*. But I will vote for either, for they answer every reasonable demand with respect to the fugitive slave law,

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slavery in this District, and on other points. In reference to the Territories, the border *project* provides :

“That the line of thirty-six degrees thirty minutes shall be run through all the existing territory of the United States; that in all north of that line slavery shall be prohibited, and that, south of that line, neither Congress nor the Territorial Legislature shall hereafter pass any law abolishing, prohibiting, or in any manner interfering with African slavery, and that when any Territory containing a sufficient population for one member of Congress in any area of sixty thousand square miles, shall apply for admission as a State, it shall be admitted, with or without slavery, as its Constitution may determine.”

But, if this will not answer, let the proposition of Mr. Douglas or of Mr. Rice be adopted. Nay, further, if it be the only alternative to preserve this Union, I would vote for the proposition of Mr. Crittenden. Much as I dislike, in this age of progress, an irrevocable law, still I would write it in the Constitution, if thus only you can preserve that instrument. It provides for an irrevocable division of the territory. The President says of it :

“The proposition to compromise, by letting the North have exclusive control of the territory above a certain line, and giving southern institutions protection below that line, ought to receive universal approbation. In itself, indeed, it may not be entirely satisfactory; but when the alternative is between a reasonable concession on both sides, and the destruction of the Union, it is an imputation on the patriotism of Congress to assert that its members will hesitate for a moment.”

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Shall this appeal for compromise be ineffectual? It may be a sacrifice of northern sentiment. But, sir, the conservative men will sacrifice much for the Union. Sacrifice and compromise are convertible terms. They are words of honorable import. The one gave us Calvary, the other the Constitution. Nothing worth having was ever gained without them. Even the father compromised with the prodigal son, despite the meanness of the elder brother. He saw him afar off, ran to him, and with the evidences of affection, restored him to his heirship and honor. Sacrifice for our political salvation! Heaven will smile upon it. The dove of peace will rest upon it. If the Republicans will only bestow on us a few of their conservative votes in this House, we will do our part to make compromise honorable. If you dislike the word compromise, and are content with the offices and power it will insure you, very well. You may bear away the booty; we will carry the banner; we will not quarrel, nor need we taunt each other. You may enjoy the honors and patronage of administration; to us will belong the laureled crown of the Revolution, and the civic wreath of the great Convention!

Our southern friends do not know the Republicans as we do. They will be content with the tricks, and I trust will allow us the honors. They will be as harmless in office as most men are. When General Wilson talks of

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grinding the slave power to powder, he never intends to use the powder, only to enjoy the power. When the gentleman from Illinois [Mr. Lovejoy] would speak to the God of battles, he is only praying to an unknown God. When Senator Wade, at Belfast, Maine, four years ago, proclaimed that there was no Union, that the pretended Union was meretricious; and when he proposed to drive "slavery back to her own dark dominions, and there to let her rot, and damn all who foster her," he was only illustrating that Christian sweetness of temper and fragrant sentiment which is now offered up as incense on the only altar he knows—that of a meretricious Union, whose shew-bread he would eat, and whose precious emblems he would plunder! The John Brown and Helper characteristics are convenient garments among them, to be put on to proselyte the churches and the old women, and to be put off to please wide-awakes and old Whigs. They do this for office. They do not think of its effect upon the South. It is a trick to be ignored when in office. These defiant men at home will become sucking doves in power. It is not instinct to fight over provender. If the South could understand them, and not take them at their word too rashly.

It is said that the reason why the South opposes the rule of Republicanism is that their tenets are misrepresented in the South. I will not now show you what the Republicans

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profess at home. I hope they will fully disavow, under the composing sweets of fat jobs and offices, their bad acts and worse avowals when out of office. And is there not reason for hope? Patience! Already they are willing to forego their Congressional provisos against slavery! They have already proposed to drop intervention by Congress. They are willing to accept New Mexico as a slave state. Courage, gentlemen! I do not taunt, I applaud, this spirit of conciliation. The Republican party would enjoy its power. In this it is not peculiar, perhaps. It is a way men and parties have. It will remember that to retain power—in the matter of personal liberty bills, non-delivery of criminals, judicial decisions, and other aggressions on the Constitution—these wrongs cannot stand. It is as revolutionary to try to keep such things as they are, as it is to upset the Government because of them. There is nothing so convulsive or unnatural as the strain to keep wrong in the ascendant. Mr. Lincoln in the White House may not be the rail-splitter out of it. Abraham, in faith, may offer up his “irrepressible” offspring. He will be conservative, with a total oblivion of the radical. The one will “conflict” with the other; and the former will become all one thing, without the other. He may disappoint the South as much as the abolition wing of his party. In their abolition platforms, it would seem as if the Republicans would hold

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this Union together by the running noose of John Brown gibbets, but when they approach the august presence of power, and undertake to rule thirty-one millions of people, as already demonstrated here, they hold up the faces of the Republic and wonder why we ever misunderstood or misrepresented their innocency!

Their success is the result of passionate appeals. Passion soon subsides. This is the old and avowed means of the anti-slavery party. It began in England, as you will see by the London "Times" of November 3, 1832, when hired orators went over Britain under pay of an anti-slavery propagandism. It was then said that George Thompson, who was sent to this country as its apostle, was "the very lecturer we want, because his lectures are addressed to the passions. We are so satisfied of the goodness of our cause, that we do not want to consult the reason or judgment of the people. If they vote for us we do not care whether their votes come through their passions or not." This brute appeal to the passions succeeded in England, as her ruined West Indies testify; for philanthropy there is great in proportion to its distance from its object. But here the sense of a brotherly people will reprehend such appeals. They see the African here in his relation of servitude. They know what he becomes in the North when free. They know that it is impossible to manumit him speedily without

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injury irreparable to white and black. They will not sacrifice this Government of twenty-seven and a half million whites to do no good to three and a half million blacks. Even many of those who oppose slavery find in it the relation which the eagle and the lamb sustained in the air. It might have been wrong for the eagle to have seized the lamb. The eagle, while holding it, may return to a consciousness of the wrong he is doing; but it does not follow that he should let it drop from his talons to the earth. It seems impossible for any one to view the philosophy of Republican principles, and not revolt in sober reason from its inevitable and suicidal results. There is hope that it will be as timid in power as it is destructive in principle. Heaven will smile on such timidity. Nay, it will cease to be such, if prompted by an honest desire to establish justice by the retraction of wrong. It will become moral courage.

When Mr. Giddings writes to Mr. Ewing, that none but cowards, none but unvirile minions of the slave power, like himself, are afraid of dissolution, he begins to show the impotence of rage at a fracture already begun in the party which he originated. The Republican party, it is to be hoped, under the lead of Bates, Raymond, Corwin, Ewing, Weed, ay, and Seward and Lincoln also, will drown the Giddings crew, even if they have to scuttle their own party ship, and go down

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with it. Time, patience, fidelity to your old and tried friends, gentlemen of the South, and all will be well! Let us exhaust every effort at an accommodation. There is wisdom in the letter of George Washington, of July 27, 1798, accepting the command in chief, in the threatened war against the French Directory. Said he :

“Satisfied that you have sincerely endeavored to avert war, and exhausted to the last drop the cup of reconciliation, we can, with pure hearts, appeal to Heaven for the justice of our cause.”

When you have drained the cup of reconciliation dry and have not justice, you will find a majority of northern men ready to fight your battle on our ground. Never, never will the Democrats of Ohio, so long as their Republican governors, legislatures, and judges do not retrace their steps and do justice to the Constitution, which they have annulled; never will these Democrats, the best, I will not say the *only*, fighting element of Ohio, thrust Republican wrongs down the throats of the South at the point of the bayonet! Am I answered that no such wrongs exist? If there be an Ohio Republican on this floor who so answers, I throw down the glove and will lift the veil from the spotted leprosy of our Republican rule. I will not sit here in silent acquiescence of the disgraceful conduct of my own State. I have no State pride in the action of our legislative, judicial, and executive officers.

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Let the supporters of Brinkerhoff, Sutliff, Denison, and their companions, take up the glove! If they would call South Carolina to account, let them first remove the beam from their own eye. They never can, while spotted with moral treason and guilty of deliberate nullification, make Ohio Democrats the tools of their vengeance—never, never! When they denounce the mad precipitancy of the South, let them remove its cause! I know and ponder what I say. You will have justice if you will have patience, and permit reconciliation.

Whatever the legal powers of the Federal Government may be, they derive all their efficiency from the popular will. The Constitution gives the Government force to execute the law; but it is a force, after all, which resides in the people, and which they will withhold in an unjust cause. We have no army to execute the edict of Republican injustice. Our bayonets think. We have in the West, beneath a sheathen roughness, a keen saber ready to flash in defence of the Union to which our people owe so much, and which is the best beloved of their heart. And if no time be left for conciliation; if you of the South desert your friends and the Union to their fate; if you leave to be decided but the one great overmastering problem, union or disunion; if in the presence of this hard solitary question, they are left to decide

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it, and peril come from their decision, which conservative men cannot avert, there will ring out from the yearning patriotic heart of the mighty West, it may be in agony and despair: The Union, now and forever, one and indivisible — it must and shall be preserved!

I warn the Republican party that they will need the aid of the patriotic men of the North to sustain their Executive. This revolution is reserving its more effectual overt acts for Republican rule. What then? It will have become strong by coöperation. No Republican Administration can enforce the law unless the Republican State authorities first place themselves right before the people, and reconstruct the moral bases of their Governments. By the 4th of March, South Carolina will have the Gulf States united. It will appeal to that economic law which is stronger than sentiment. By its appeal to the interests of the cotton States it will succeed in securing coöperation. Before we enter upon a career of force, let us exhaust every effort at peace. Let us seek to excite love in others by the signs of love in ourselves. Let there be no needless provocation and strife. Let every reasonable attempt at compromise be considered. Otherwise we have a terrible alternative. War, in this age and in this country, sir, should be the *ultima ratio*. Indeed, it may well be questioned whether there is any reason in it or for it. What a war! Endless in its

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hate, without truce and without mercy. If it ended ever, it would only be after a fearful struggle; and then with a heritage of hate which would forever forbid harmony. Henry Clay forewarned us of such a war. His picture of its consequences I recall in his own language :

“ I will not attempt to describe scenes which now happily lie concealed from our view. Abolitionists themselves would shrink back in dismay and horror at the contemplation of desolated fields, conflagrated cities, murdered inhabitants, and the overthrow of the fairest fabric of human government that ever rose to animate the hopes of civilized man. Nor should the Abolitionists flatter themselves that, if they can succeed in their object of uniting the people of the free States, they will enter the contest with a numerical superiority that must insure victory. All history and experience proves the hazard and uncertainty of war. And we are admonished by Holy Writ that the race is not to the swift, nor the battle to the strong.

“ But if they were to conquer, whom would they conquer? A foreign foe—one who had insulted our flag, invaded our shores, and laid our country waste? No, sir; no. It would be a conquest without laurels, without glory—a self, a suicidal conquest—a conquest of brothers over brothers, achieved by one over another portion of the descendants of common ancestors, who, nobly pledging their lives, their fortune, and their sacred honor, had fought and bled, side by side, in many a hard battle on land and ocean, severed our country from the British crown, and established our national independence.”

Such a war is the almost unavoidable result of a dissolution of this Confederacy. Mr.

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Madison (No. 61, "Federalist", urged as a reason for the Union, that it destroyed every pretext for a military establishment; "but its dissolution," said he, "will be the date of a new order of things. Fear and ambition would make America copy Europe, and present liberty everywhere crushed between standing armies and perpetual taxes." He augured for a disunited America a worse condition than that of Europe. Would it not be so? Small States and great States; new States and old States; slave States and free States; Atlantic States and Pacific States; gold and silver States; iron and copper States; grain States and lumber States; river States and lake States; — all, having varied interests and advantages, would seek superiority in armed strength. Pride, animosity, and glory would inspire every movement. God shield our country from such a fulfilment of the prophecy of the revered founders of the Union. Our struggle would be no short, sharp struggle. Law, and even religion herself, would become false to their divine purpose. Their voice would no longer be the voice of God, but of his enemy. Poverty, ignorance, oppression, and its handmaid, cowardice, breaking out into merciless cruelty; slaves false; freemen slaves; and society itself poisoned at the cradle and dishonored at the grave — its life, now so full of blessings, would be gone with the life of a fraternal and united statehood.

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What sacrifice is too great to prevent such a calamity? Is such a picture overdrawn? Already its outlines appear. What means the inaugural of Governor Pickens, when he says, "From the position we may occupy toward the northern States, as well as from our own internal structure of society, the Government may, *from necessity, become strongly military* in its organization?" What means the minute-men of Governor Wise? What the southern boast that they have a rifle or shot-gun to each family? What means the Pittsburg mob? What this alacrity to save Forts Moultrie and Pinckney? What means the boast of the southern men of being the best-armed people in the world, not counting the two hundred thousand stand of United States arms stored in southern arsenals? Already Georgia has her arsenals, with eight thousand muskets! What mean these lavish grants of money by southern Legislatures to buy more arms? What mean these rumors of arms and force on the Mississippi? These few facts have already verified the prophecy of Madison.

Mr. Speaker, he alone is just to his country; he alone has a mind unwarped by section, and a memory unparalyzed by fear, who warns against precipitancy. He who would hurry this nation to the rash wager of battle, is not fit to hold the seat of legislation. What can justify the breaking up of our institutions

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into belligerent factions? Better this marble Capitol were leveled to the dust; better were this Congress struck dead in its deliberations; better an immolation of every ambition and passion which have here met to shake the foundations of society, than the hazard of these consequences!

As yet, I do not believe that the defensive conduct of the Executive involves these consequences. Nay, I hope that firmness in resisting aggression, with the kindness which he has endeavored to show, may do much to avert them. Certainly weakness and indecision now will not avail to check the rising tide of public sentiment, and preserve the public peace. I agree with much that my friends from Illinois [Mr. McClernand], New York [Mr. Sickles], and Ohio [Mr. Vallandigham] have said as to the interests, dignity, and rights of their own sections. I will not now go into any calculation or contemplation about the results of a disseverance of this Union. Long may it be averted—that picture of Ohio, as the narrow isthmus between a broken East and a divided West, with a hostile southern border! Long may it be averted—that sad picture of New York, a great free emporium, trading to all the world, and closed against the interchange of her own inland! We have gloom enough without these new schemes of division. I invoke the better spirit of Washington, who never spoke

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so truly prophetic as a statesman as when he said:

“In contemplating the causes which may disturb our Union, it occurs as a matter of serious concern, that any ground should have been furnished for characterizing parties by geographical discriminations, northern and southern, Atlantic and Western, whence designing men may endeavor to incite a belief that there is a real difference of local interests and views. You cannot shield yourselves too much against the jealousies and heart-burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection.”

In these days of anticipated trouble, when financial disaster tracks the step of political infidelity; when the violation of compact is followed close by the intemperate zealotry of revolution; when even the property of our Union is seized, and our flag is torn down under its impulses; when, as if premonitory of some great sacrifice, the veil of our political temple seems rent, and the earth about us quakes, and the very graves give up their dead, who come forth to warn, beseech, advise, and moderate, in this hour of our country's deepest gloom and peril—let us heed, with an all-embracing and all-compromising patriotism, the warning of Washington, whose voice, though he be dead, yet speaketh from yonder tomb at Mount Vernon, and whose august presence I would summon here as the Preserver of that country whose greatest pride it is to hail him as its Father!

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In his sacred name, and on behalf of the people who have ever heeded his warning, and never wavered in the just defense of the South or of the North, I appeal to southern men who contemplate a step so fraught with hazard and strife, to pause. Clouds are about us! There is lightning in their frown! Cannot we direct it harmlessly to the earth? The morning and evening prayer of the people I speak for in such weakness rises in strength to that Supreme Ruler who, in noticing the fall of a sparrow, cannot disregard the fall of a nation, that our States may continue to be—as they have been—one; one in the unreserve of a mingled national being; one as the thought of God is One.

These emblems above us, in their canopy of beauty, each displaying the symbol of State interest, State pride, and State sovereignty, let not one of them be dimmed by the rude breath of passion, or effaced by the ruder stroke of enmity. They all shine, like stars, differing in glory, in their many-hued splendors, by the light of the same orb, even as our States receive their luster from the Union, which irradiates and glorifies each and all.

Our aspirations and hopes center in the proud title of American citizen. Whether we hail from the land of granite or the everglade of flowers; from the teeming bosom of the West, the sea-washed shore of the East, or

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the gold-bearing Sierras of the Pacific slope — all are imbound by the same rigol of American patriotism. Abroad, at home, in palace or in cabin, in shop or on land, we rejoice in that proud distinction of American citizen. We look upon our nationality as the actual of that ideal described by Edmund Burke in a strain of finished eloquence and sublimest philosophy — as something better than a partnership in trade, to be taken up for a temporary interest and dissolved at the fancy of the parties. We look upon it with other reverence, because it is not a partnership in things subservient only to a gross animal existence of a perishable nature. It is a partnership in all science; a partnership in all art; a partnership in every virtue and in all perfection. As the ends of such a partnership cannot be obtained in many generations, it becomes a partnership not only between those who are living, but between those who are living, those who are dead, and those who are to be born. Each contract of each State is but a clause in the great primeval contract of Eternal Society linking the lower with the higher natures, connecting the visible with the invisible world, according to a fixed compact, sanctioned by the inviolable oath which holds all physical, all moral natures each in their appointed place. Thus regarding our nationality as more than a life, as the association of many lives in one, as an immortality rather than a life, the people of

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this country will cling to it with a tenacity of purpose and an energy of will as to the very cross of their temporal salvation, and revere it as the impersonation of their sovereign upon earth, whose throne is this goodly land, and whose mighty minstrelsy, ever playing before it, is the voice of an intelligent, happy, and free people.

Abraham Lincoln

(1809-1865)

[Address in Independence Hall, Philadelphia, February 22, 1861.]

I AM filled with deep emotion at finding myself standing in this place, where were collected together the wisdom, the patriotism, the devotion to principle, from which sprang the institutions under which we live. You have kindly suggested to me that in my hands is the task of restoring peace to our distracted country. I can say in return, sir, that all the political sentiments I entertain have been drawn, so far as I have been able to draw them, from the sentiments which originated in and were given to the world from this hall. I have never had a feeling, politically, that did not spring from the sentiments embodied in the Declaration of Independence. I have often pondered over the dangers which were incurred by the men who assembled here and framed and adopted that Declaration. I have pondered over the toils that were endured by the officers and soldiers of the army who achieved that independence. I have often

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inquired of myself what great principle or idea it was that kept this Confederacy so long together. It was not the mere matter of separation of the colonies from the motherland, but that sentiment in the Declaration of Independence which gave liberty not alone to the people of this country, but hope to all the world, for all future time. It was that which gave promise that in due time the weights would be lifted from the shoulders of all men, and that all should have an equal chance. This is the sentiment embodied in the Declaration of Independence. Now, my friends, can this country be saved on that basis? If it can, I will consider myself one of the happiest men in the world if I can help to save it. If it cannot be saved upon that principle, it will be truly awful. But if this country cannot be saved without giving up that principle, I was about to say I would rather be assassinated on this spot than surrender. Now, in my view of the present aspect of affairs, there is no need of bloodshed and war. There is no necessity for it. I am not in favor of such a course; and I may say in advance that there will be no bloodshed unless it is forced upon the Government. The Government will not use force unless force is used against it.

My friends, this is wholly an unprepared speech. I did not expect to be called on to say a word when I came here. I supposed I

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was merely to do something toward raising a flag. I may, therefore, have said something indiscreet. But I have said nothing but what I am willing to live by, and, if it be the pleasure of Almighty God, to die by.



John Cabell Breckenridge

(1821-1875)

AND

Edward Dickinson Baker

(1811-1861)

ON THE INSURRECTION AND SEDITION BILL

[Debate August 1, 1861, in the Senate.]

MR. BRECKENRIDGE. I do not know how the Senate may vote upon this question; and I have heard some remarks which have dropped from certain Senators which have struck me with so much surprise that I desire to say a few words in reply to them now.

This drama, sir, is beginning to open before us, and we begin to catch some idea of its magnitude. Appalled by the extent of it, and embarrassed by what they see before them and around them, the Senators who are themselves the most vehement in urging on this course of events are beginning to quarrel among themselves as to the precise way in which to regulate it.

The Senator from Vermont objects to this bill because it puts a limitation on what he considers already existing powers on the part

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of the President. I wish to say a few words presently in regard to some provisions of this bill, and then the Senate and the country may judge of the extent of those powers of which this bill is a limitation.

I endeavored, Mr. President, to demonstrate a short time ago, that the whole tendency of our proceedings was to trample the Constitution under our feet, and to conduct this contest without the slightest regard to its provisions. Everything that has occurred since demonstrates that the view I took of the conduct and tendency of public affairs was correct. Already both Houses of Congress have passed a bill virtually to confiscate all the property in the States that have withdrawn, declaring in the bill to which I refer that all property of every description employed in any way to promote or aid in the insurrection, as it is denominated, shall be forfeited and confiscated. I need not say to you, sir, that all property of every kind is employed in those States, directly or indirectly, in aid of the contest they are waging, and consequently that bill is a general confiscation of all property there.

As if afraid, however, that this general term might not apply to slave property, it adds an additional section. Although they were covered by the first section of the bill, to make sure of that, however, it adds another section, declaring that all persons held to service or

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labor, who shall be employed in any way to aid or promote the contest now waging, shall be discharged from such service and become free. Nothing can be more apparent than that that is a general act of emancipation; because all the slaves in that country are employed in furnishing the means of subsistence and life to those who are prosecuting the contest; and it is an indirect, but perfectly certain, mode of carrying out the purposes contained in the bill introduced by the Senator from Kansas [Mr. Pomeroy]. It is doing under cover and by indirection, but certainly, what he proposes shall be done by direct proclamation of the President.

Again, sir: to show that all these proceedings are characterized by an utter disregard of the Federal Constitution, what is happening around us every day? In the State of New York, some young man has been imprisoned by executive authority upon no distinct charge, and the military officer having him in charge refused to obey the writ of *habeas corpus* issued by a judge. What is the color of excuse for that action in the State of New York? As a Senator said, is New York in resistance to the Government? Is there any danger to the stability of the Government there? Then, sir, what reason will any Senator rise and give on this floor for the refusal to give to the civil authorities the body of a man taken by a military commander in the State of New York?

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Again: the police commissioners of Baltimore were arrested by military authority without any charges whatever. In vain they had asked for a specification. In vain they have sent a respectful protest to the Congress of the United States. In vain the House of Representatives, by resolution, requested the President to furnish the Representatives of the people with the grounds of their arrest. He answers the House of Representatives that, in his judgment, the public interest does not permit him to say why they were arrested, on what charges or what he has done with them — and you call this liberty and law and proceedings for the preservation of the Constitution! They have been spirited off from one fortress to another, their locality unknown; and the President of the United States refuses, upon the application of the most numerous branch of the national Legislature, to furnish them with the grounds of their arrest, or to inform them what he has done with them.

Sir, it was said the other day by the Senator from Illinois [Mr. Browning] that I had assailed the conduct of the Executive with vehemence, if not with malignity. I am not aware that I have done so. I criticized, with the freedom that belongs to the representative of a sovereign State and the people, the conduct of the Executive. I shall continue to do so as long as I hold a seat upon this floor, when, in my opinion, that conduct deserves

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criticism: Sir, I need not say that, in the midst of such events as surround us, I could not cherish personal animosity towards any human being. Towards that distinguished officer, I never did cherish it. Upon the contrary, I think more highly of him, as a man and an officer, than I do of many who are around him and who, perhaps, guide his counsels. I deem him to be personally an honest man, and I believe that he is trampling upon the Constitution of his country every day, with probably good motives, under the counsels of those who influence him. But, sir, I have nothing now to say about the President. The proceedings of Congress have eclipsed the actions of the Executive; and if this bill shall become a law, the proceedings of the President will sink into absolute nothingness in the presence of the outrages upon personal and public liberty which have been perpetrated by the Congress of the United States.

The Senator from Vermont objects to the bill because it puts a limitation upon already existing powers. Sir, let us look for a moment at the provisions of this bill. I shall speak presently of the Senator's notions of the laws of war. That first section of the bill authorizes the President of the United States to declare any of the military districts in a state of insurrection or actual rebellion against the United States. Those military districts are composed of States and of parts of States.

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When the President shall so declare, and he is authorized to do it in his discretion—there may, or there may not, be insurrection or rebellion. The President may say there is, and no man shall challenge his assertion. When that is done, the military commanders in those respective States or military districts shall give notice thereof, and what then follows? It provides in the second section that any military commander in one of those States or districts shall make and publish such police rules and regulations, conforming as nearly as may be to previously existing laws and regulations—not mere police rules and regulations, but just such rules and regulations as he may desire, conforming as nearly as he may choose, in his discretion, to the existing laws of the several States or military districts, “and all the civil authorities within said districts shall be bound to carry said rules and regulations into effect.” They are subordinated, at the discretion of the President, to the dictation of any of his subordinate military commanders.

The third section provides:

“That if, from any cause whatever, the said civil authorities fail to execute the said rules and regulations”—

so made by this subordinate military commander—

“the said military commander shall cause them to be executed and enforced by the military force under his command.”

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The fourth section authorizes, not the President, but any military commander in any of these districts, generals, colonels, majors, captains—if one of them should be the commander of a military district, in his discretion to suspend the writ of *habeas corpus*, and make return that he will not obey, to any judge that may issue it.

Then, sir, if any person—not a camp-follower, not any one subject to the rules and articles of war—but if any person—

“Shall be found in arms against the United States, or otherwise aiding and abetting their enemies or opposers, within any district or country to which it relates, and shall be taken by the forces of the United States, shall be either detained as prisoners for trial on the charge of treason or sedition, or other crimes and offenses which they may have committed whilst resisting the authority of the United States; or may, according to the circumstances of the case”—

this is to be judged of by this military commander—

“be at once placed before a court-martial, to be dealt with according to the rules of war in respect to unorganized and lawless armed bands, not recognized as regular troops.”

Or in his discretion may be discharged upon parole. The Constitution of the United States declares that the crime of treason and all other crimes shall be tried by a jury, and not by a military commander, or a drum-head court-martial. The power to suspend the *habeas corpus*, which Congress may do by the Consti-

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tution, but cannot delegate to the President, or any one else, it is proposed by this bill to authorize the President to delegate to any subordinate military authority—a power which he does not himself possess.

The sixth section provides that—

“No sentence of death pronounced by a court-martial upon any person or persons taken in arms as aforesaid, shall be executed before it has been submitted to the commander of the military department within which the conviction has taken place, or to the Commanding General of the Army of the United States.”

Sentence of death may be passed upon any person under these circumstances, with the approval either of the General-in-Chief of the Army, or of the subordinate military commander who may have the control of the district in which he is taken.

Sir, I do not at present comment upon the seventh section, in regard to persons put upon parole; nor the eighth section, which provides that any military commander may cause any person suspected of disloyalty to the United States to be brought before him, and may administer, or cause to be administered, to such persons an oath of allegiance—a very peculiar oath—an oath not alone to support the Constitution of the United States, but to bear true allegiance to many other things not provided for in the Constitution of the United States. There is no legitimate oath which can be put upon any one except an officer under

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the Government, and that oath is limited to the support of the Constitution of the United States; and I think the public liberties are at a low ebb when any military commander may seize, throughout the length and breadth of the land, any citizen suspected merely, and compel him to take such an oath as is prescribed in this bill.

Then, Mr. President, without discussing the other points at present, how does it sum up? Let me take the State of Kentucky, for example. That State is a military district. Suppose that, for any cause, the President may choose to say that that State is in a condition of insurrection or rebellion—though she has suffered enough from violations of the Constitution committed by the Executive; although she has been clinging with her characteristic fidelity to the Union of the States—he is to be the sole judge of the facts; he is to declare that Kentucky, for example, is in a state of insurrection or rebellion. What follows?

The military commander in charge of the United States forces in the district may then publish just such rules and regulations for the government of that Commonwealth as he may choose, making them conform as nearly as he may, in his discretion, to the existing laws of the State; and the civil authorities of that State are to be bound by the rules and regulations of this military commander, and if they do not execute them, he is then to see that they are

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executed by the military force under his command.

What is it, sir, but vesting first in the discretion of the President, to be by him detailed to a subaltern military commander, the authority to enter the Commonwealth of Kentucky, the Legislature, and the judiciary, and to substitute just such rules for the government of its people as that military commander may choose? Well might the Senator from Delaware [Mr. Saulsbury] say that this bill contains provisions conferring authority which never was exercised in the worst days of Rome, by the worst of her dictators. I have wondered why the bill was introduced. I have sometimes thought that possibly it was introduced for the purpose of preventing the expression of that reaction which is now evidently going on in the public mind against these procedures so fatal to constitutional liberty. The army may be thus used, perhaps, to collect the enormous direct taxes for which preparation is now being made by Congress; and if in any part of Illinois, or Indiana, or New York, or any State north or south, there shall be difficulty or resistance, the President in discretion may declare it to be in a state of insurrection, all the civil authorities may be overthrown, and his military commander may make rules and regulations, collect taxes, and execute the laws at his pleasure.

Mr. President, gentlemen talk about the Union as if it was an end instead of a means.

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They talk about it as if it was the union of these states which alone had brought into life the principles of public and of personal liberty. Sir, they existed before, and they may survive it. Take care that in pursuing one idea you do not destroy not only the Constitution of your country, but sever what remains of the Federal Union. These eternal and sacred principles of public and of personal liberty, which lived before the Union and will live for ever and ever somewhere, must be respected; they cannot with impunity be overthrown; and if you force the people to the issue between any form of government and these priceless principles, that form of government will perish; they will tear it asunder as the irrepressible forces of nature rend whatever opposes them.

Mr. President, I shall not long detain the Senate. I shall not enter now upon an elaborate discussion of all the principles involved in this bill, and all the consequences which, in my opinion, flow from it. A word in regard to what fell from the Senator from Vermont, the substance of which has been uttered by a great many Senators on this floor. What I tried to show some time ago has been substantially admitted. One Senator says that the Constitution is put aside in a struggle like this. Another Senator says that the condition of affairs is altogether abnormal, and that you cannot deal with them on constitutional principles, any more than you can deal, by any of the regu-

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lar operations of the laws of nature, with an earthquake. The Senator from Vermont says that all these proceedings are to be conducted according to the laws of war; and he adds that the laws of war require many things to be done which are absolutely forbidden in the Constitution; which Congress is prohibited from doing, and all other departments of the Government are forbidden from doing by the Constitution; but that they are proper under the laws of war, which must alone be the measure of our action now. I desire the country, then, to know this fact: that it is openly avowed upon this floor that constitutional limitations are no longer to be regarded; but that you are acting just as if there were two nations upon this continent, one arrayed against the other, some eighteen or twenty million on one side, and some ten or twelve million on the other side, as to whom the Constitution is naught, and the laws of war alone apply.

Sir, let the people, already beginning to pause and reflect upon the origin and nature and the probable consequences of this unhappy strife, get this idea fairly lodged in their minds—and it is a true one—and I will venture to say that the brave words which we now hear every day about crushing, subjugating, treason, and traitors, will not be so uttered the next time the Representatives of the people and the States assemble beneath the dome of this Capitol.

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Then, sir, if the Constitution is really to be put aside, if the laws of war alone are to govern, and whatever may be done by one independent nation at war with another is to be done, why not act upon that practically? I do not hold that the clause of the Constitution which authorizes Congress to declare war, applies to any internal difficulties. I do not believe it applies to any of the political communities bound together under the Constitution, in political association. I regard it as applying to external enemies. Nor do I believe that the Constitution of the United States ever contemplated the preservation of the union of these States by one half the States warring on the other half. It details particularly how military force shall be employed in this Federal system of Government, and it can be employed properly in no other way; it can be employed in aid of the civil tribunals. If there are no civil tribunals, if there is no mode by which the laws of the United States may be enforced in the manner prescribed by the Constitution, what follows? The remaining States may, if they choose, make war, but they do it outside of the Constitution; and the Federal system as determined by the principles and terms of that instrument, does not provide for the case. It does provide for putting down insurrections, illegal uprisings of individuals, but it does not provide, in my opinion, either in its spirit or in its terms, for

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raising armies by one half of the political communities that compose the Confederacy, for the purpose of subjugating the other half; and the very fact that it does not is shown by the fact that you have to avow on the floor of the Senate the necessity for putting the Constitution aside, and conducting the whole contest without regard to it and in obedience solely to the laws of war.

Then, if we are at war, if it is a case of war, treat it like war. Practically, it is being treated like war. The prisoners whom the United States have taken are not hung as traitors. The prisoners which the other States have taken are not hung as traitors. It is war. The Senator is right in saying it is war; but in my opinion, it is not only an unhappy but an unconstitutional war. Why, then, all these proceedings upon the part of the Administration, refusing to send or to receive flags of truce; refusing to recognize the actual condition of affairs; refusing to do those acts which, if they do not terminate, may at least ameliorate the unhappy condition in which we find ourselves placed?

So much, then, we know. We know that admitted violations of the Constitution have been made, and are justified. We know that we have conferred by legislation, and are, perhaps, still further by legislation to confer, authority to do acts not warranted by the Constitution of the United States. We have

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it openly avowed that the Constitution of the Union, which is the bond of association, at least, between those States that still adhere to the Federal Union, is no longer to be regarded. It is not enough to tell me that it has been violated by those communities that have seceded. Other States have not seceded; Kentucky has not seceded; Illinois has not seceded; some twenty States yet compose the Federal Union, nominally under this Constitution. As to them that instrument, in its terms and in its spirit, is the bond of their connection under the Federal system. They have a right, as between themselves and their co-members of the Confederacy to insist upon its being respected. If, indeed, it is to be put aside, and we are to go into a great continental struggle, they may pause to inquire what is to become of their liberties, and what their political connections are to be in a contest made without constitutional warrant, and in derogation of all the terms of the instrument. How can this be successfully controverted? Though you may have a right to trample under foot the Constitution, and to make war (as every power has a right to make war) against the States that have seceded, have you a right to violate it as to any of the adhering States, who insist upon fidelity to its provisions? No, sir.

Mr. President, we are on the wrong tack; we have been from the beginning. The people begin to see it. Here we have been hurling

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gallant fellows on to death, and the blood of Americans has been shed — for what? They have shown their prowess, respectively — that which belongs to the race — and shown it like men. But for what have the United States soldiers, according to the exposition we have heard here to-day, been shedding their blood and displaying their dauntless courage? It has been to carry out principles that three fourths of them abhor; for the principles contained in this bill, and continually avowed on the floor of the Senate, are not shared, I venture to say, by one fourth of the army.

I have said, sir, that we are on the wrong tack. Nothing but ruin, utter ruin, to the North, to the South, to the East, to the West, will follow the prosecution of this contest. You may look forward to innumerable armies; you may look forward to countless treasures — all spent for the purpose of desolating and ravaging this continent, at the end leaving us just where we are now; or if the forces of the United States are successful in ravaging the whole South, what on earth will be done with it after that is accomplished? Are not gentlemen now perfectly satisfied that they have mistaken a people for a faction? Are they not perfectly satisfied that, to accomplish their object, it is necessary to subjugate, to conquer — ay, to exterminate — nearly ten millions of people? Do you not know it? Does not everybody know it? Does not the world know

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it? Let us pause, and let the Congress of the United States respond to the rising feeling all over this land in favor of peace. War is separation; in the language of an eminent gentleman now no more, it is disunion; eternal and final disunion. We have separation now; it is only made worse by war, and an utter extinction of all those sentiments of common interest and feeling which might lead to a political reunion founded upon consent and upon a conviction of its advantages. Let the war go on, however, and soon, in addition to the moans of widows and orphans all over this land, you will hear the cry of distress from those who want food and the comforts of life. The people will be unable to pay the grinding taxes which a fanatical spirit will attempt to impose upon them. Nay, more, sir; you will see further separation. I hope it is not "the sunset of life gives me mystical lore," but in my mind's eye I plainly see "coming events cast their shadows before." The Pacific slope now, doubtless, is devoted to the union of States. Let this war go on till they find the burdens of taxation greater than the burdens of a separate condition, and they will assert it. Let the war go on until they see the beautiful features of the old Confederacy beaten out of shape and comeliness by the brutalizing hand of war, and they will turn aside in disgust from the sickening spectacle, and become a separate nation. Fight twelve months longer, and the already

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opening differences that you see between New England and the great Northwest will develop themselves. You have two confederacies now. Fight twelve months, and you will have three: twelve months longer, and you will have four.

I will not enlarge upon it, sir. I am quite aware that all I say is received with a sneer of incredulity by the gentlemen who represent the far Northeast; but let the future determine who was right and who was wrong. We are making our record here; I, my humble one, amid the sneers and aversion of nearly all who surround me, giving my votes, and uttering my utterances according to my convictions, with but few approving voices, and surrounded by scowls. The time will soon come, Senators, when history will put her final seal upon these proceedings, and if my name shall be recorded there, going along with yours as an actor in these scenes, I am willing to abide, fearlessly, her final judgment.

MR. BAKER. Mr. President, it has not been my fortune to participate in at any length, indeed, not to hear very much of, the discussion which has been going on—more, I think, in the hands of the Senator from Kentucky than anybody else—upon all the propositions connected with this war; and, as I really feel as sincerely as he can an earnest desire to preserve the Constitution of the United States for everybody, South as well as North, I have listened for some little time past to what he

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has said with an earnest desire to apprehend the point of his objection to this particular bill. And now — waiving what I think is the elegant but loose declamation in which he chooses to indulge — I would propose with my habitual respect for him (for nobody is more courteous and more gentlemanly), to ask him if he will be kind enough to tell me what single particular provision there is in this bill which is in violation of the Constitution of the United States, which I have sworn to support — one distinct, single proposition to the bill.

MR. BRECKENRIDGE. I will state, in general terms, that every one of them is, in my opinion, flagrantly so, unless it may be the last. I will send the Senator the bill, and he may comment on the sections.

MR. BAKER. Pick out that one which is in your judgment most clearly so.

MR. BRECKENRIDGE. They are all, in my opinion, so equally atrocious that I dislike to discriminate. I will send the Senator the bill, and I tell him that every section, except the last, in my opinion, violates the Constitution of the United States; and of that last section I express no opinion.

MR. BAKER. I had hoped that respectful suggestion to the Senator would enable him to point out to me one, in his judgment, most clearly so, for they are not all alike — they are not equally atrocious.

MR. BRECKENRIDGE. Very nearly. There

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are ten of them. The Senator can select which he pleases.

MR. BAKER. Let me try, then, if I must generalize as the Senator does, to see if I can get the scope and meaning of this bill. It is a bill providing that the President of the United States may declare, by proclamation, in a certain given state of fact, certain territory within the United States to be in a condition of insurrection and war; which proclamation shall be extensively published within the district to which it relates. That is the first proposition. I ask him if that is unconstitutional? That is a plain question. Is it unconstitutional to give power to the President to declare a portion of the territory of the United States in the state of insurrection or rebellion? He will not dare to say it is.

MR. BRECKENRIDGE. Mr. President, the Senator from Oregon is a very adroit debater, and he discovers, of course, the great advantage he would have if I were to allow him, occupying the floor, to ask me a series of questions, and then have his own criticisms made on them. When he has closed his speech, if I deem it necessary, I may make some reply. At present, however, I will answer that question. The State of Illinois, I believe, is a military district; the State of Kentucky is a military district. In my judgment, the President has no authority, and, in my judgment, Congress has no right to confer

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upon the President authority to declare a State in a condition of insurrection or rebellion.

MR. BAKER. In the first place, the bill does not say a word about States. That is the first answer.

MR. BRECKENRIDGE. Does not the Senator know, in fact, that those States compose military districts? It might as well have said "States" as to describe what is a State.

MR. BAKER. I do; and that is the reason why I suggest to the honorable Senator that this criticism about States does not mean anything at all. That is the very point. The objection certainly ought not to be that he can declare a part of a State in insurrection and not the whole of it. In point of fact, the Constitution of the United States, and the Congress of the United States acting upon it, are not treating of States, but of the territory comprising the United States; and I submit once more to his better judgment that it cannot be unconstitutional to allow the President to declare a county or a part of a county, or a town or a part of a town, or part of a State, or the whole of a State, or two States, or five States, in a condition of insurrection, if in his judgment that be the fact. That is not wrong.

In the next place, it provides that that being so, the military commander in that district may make and publish such police rules and regulations as he may deem necessary to suppress the rebellion and restore order and preserve

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the lives and property of citizens. I submit to him, if the President of the United States has power, or ought to have power, to suppress insurrection and rebellion, is there any better way to do it, or is there any other? The gentleman says, do it by the civil power. Look at the fact. The civil power is utterly overwhelmed; the courts are closed; the judges banished. Is the President not to execute the law? Is he to do it in person or by his military commanders? Are they to do it with regulation or without? That is the only question.

Mr. President, the honorable Senator says there is a state of war. The Senator from Vermont agrees with him; or rather, he agrees with the Senator from Vermont in that. What then? There is a state of public war; none the less war because it is urged from the other side; not the less war because it is unjust; not the less war because it is a war of insurrection and rebellion. It is still war, and I am willing to say it is public war—public as contradistinguished from private war. What then? Shall we carry that war on? Is it his duty as a Senator to carry it on? If so, how? By armies, under command; by military organization and authority, advancing to suppress insurrection and rebellion? Is that wrong? Is that unconstitutional? Are we not bound to do, with whoever levies war against us, as we would do if he was a foreigner? There is no distinction

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as to the mode of carrying on war ; we carry on war against an advancing army just the same, whether it be from Russia or from South Carolina. Will the honorable Senator tell me if it is our duty to stay here, within fifteen miles of the enemy seeking to advance upon us every hour, and talk about nice questions of constitutional construction as to whether it is war or merely insurrection? No, sir. It is our duty to advance, if we can; to suppress insurrection; to put down rebellion; to dissipate the rising; to scatter the enemy; and when we have done so, to preserve, in the terms of the bill, the liberty, lives, and property of the people of the country, by just and fair police regulations. I ask the Senator from Indiana [Mr. Lane], when we took Monterey, did we not do it there? When we took Mexico, did we not do it there? Is it not a part, a necessary, an indispensable part of war itself that there shall be military regulations over the country conquered and held? Is that unconstitutional?

I think it was a mere play of words that the Senator indulged in when he attempted to answer the Senator from New York. I did not understand the Senator from New York to mean anything else substantially but this, that the Constitution deals generally with a state of peace, and that when war is declared it leaves the condition of public affairs to be determined by the law of war, in the country where the war exists. It is true that the Constitution

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of the United States does adopt the laws of war as a part of the instrument itself, during the continuance of war. The Constitution does not provide that spies shall be hung. Is it unconstitutional to hang a spy? There is no provision for it in terms in the Constitution; but nobody denies the right, the power, the justice. Why? Because it is part of the law of war. The Constitution does not provide for the exchange of prisoners; yet it may be done under the law of war. Indeed, the Constitution does not provide that a prisoner may be taken at all; yet his captivity is perfectly just and constitutional. It seems to me that the Senator does not, will not, take that view of the subject.

Again, sir, when a military commander advances, as I trust, if there are no more unexpected great reverses, he will advance, through Virginia and occupies the country, there, perhaps, as here, the civil law may be silent; there perhaps the civil officers may flee as ours have been compelled to flee. What then? If the civil law is silent who shall control and regulate the conquered district — who but the military commander? As the Senator from Illinois has well said, shall it be done by regulation or without regulation? Shall the general, or the colonel, or the captain, be supreme, or shall he be regulated and ordered by the President of the United States? That is the sole question. The Senator has put it well.

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I agree that we ought to do all we can to limit, to restrain, to fetter the abuse of military power. Bayonets are at best illogical arguments. I am not willing, except as a case of sheerest necessity, ever to permit a military commander to exercise authority over life, liberty, and property. But, sir, it is a part of the law of war; you cannot carry in the rear of your army your courts; you cannot organize juries; you cannot have trials according to the forms and ceremonial of the common law amid the clangor of arms, and somebody must enforce police regulations in a conquered or occupied district. I ask the Senator from Kentucky again, respectfully, is that unconstitutional; or if in the nature of war it must exist, even if there be no law passed by us to allow it, is it unconstitutional to regulate it? That is the question, to which I do not think he will make a clear and distinct reply.

Now, sir, I have shown him two sections of the bill, which I do not think he will repeat earnestly are unconstitutional. I do not think that he will seriously deny that it is perfectly constitutional to limit, to regulate, to control, at the same time to confer and restrain authority in the hands of military commanders. I think it is wise and judicious to regulate it by virtue of powers to be placed in the hands of the President by law.

Now, a few words, and a few only, as to the Senator's predictions. The Senator from

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Kentucky stands up here in a manly way in opposition to what he sees is the overwhelming sentiment of the Senate, and utters reproof, malediction, and prediction combined. Well, sir, it is not every prediction that is prophecy. It is the easiest thing in the world to do; there is nothing easier except to be mistaken when we have predicted. I confess, Mr. President, that I would not have predicted three weeks ago the disasters which have overtaken our arms; and I do not think (if I were to predict now) that six months hence the Senator will indulge in the same tone of prediction which is his favorite key now. I would ask him what would you have us do now—a confederate army within twenty miles of us, advancing or threatening to advance, to overwhelm your Government; to shake the pillars of the Union; to bring it around your head, if you stay here, in ruins? Are we to stop and talk about an uprising sentiment in the North against the war? Are we to predict evil, and retire from what we predict? Is it not the manly part to go on as we have begun, to raise money and levy armies, to organize them, to prepare to advance; when we do advance, to regulate that advance by all the laws and regulations that civilization and humanity will allow in time of battle? Can we do anything more? To talk to us about stopping is idle; we will never stop. Will the Senator yield to rebellion? Will he shrink from armed insur-

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rection? Will his State justify it? Will its better public opinion allow it? Shall we send a flag of truce? What would he have? Or would he conduct this war so feebly that the whole world would smile at us in derision? What would he have? These speeches of his, sown broadcast over the land: what clear distinct meaning have they? Are they not intended for disorganization in our very midst? Are they not intended to dull our weapons? Are they not intended to destroy our zeal? Are they not intended to animate our enemies? Sir, are they not words of brilliant, polished treason, even in the very Capitol of the Confederacy?

What would have been thought if, in another Capitol, in another Republic, in a yet more martial age, a Senator as grave, not more eloquent or dignified than the Senator from Kentucky, yet with the Roman purple flowing over his shoulders, had risen in his place, surrounded by all the illustrations of Roman glory, and declared that advancing Hannibal was just, and that Carthage ought to be dealt with in terms of peace? What would have been thought if, after the battle of Cannæ, a Senator there had risen in his place and denounced every levy of the Roman people, every expenditure of its treasure, and every appeal to the old recollections and the old glories? Sir, a Senator, himself learned far more than myself in such lore [Mr. Fessenden], tells me, in a

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voice that I am glad is audible, that he would have been hurled from the Tarpeian Rock. It is a grand commentary upon the American Constitution that we permit these words to be uttered. I ask the Senator to recollect, too, what, save to send aid and comfort to the enemy, do these predictions of his amount to? Every word thus uttered falls as a note of inspiration upon every confederate ear. Every sound thus uttered is a word (and falling from his lips, a mighty word) of kindling and triumph to a foe that determines to advance. For me, I have no such word as a Senator to utter. For me, amid temporary defeat, disaster, disgrace, it seems that my duty calls me to utter another word, and that word is, bold, sudden, forward, determined war, according to the laws of war, by armies, by military commanders clothed with full power, advancing with all the past glories of the Republic urging them on to the conquest.

I do not stop to consider whether it is subjugation or not. It is compulsory obedience, not to my will; not to yours, sir; not to the will of any one man; not to the will of any one State; but compulsory obedience to the Constitution of the whole country. The Senators chose the other day again and again to animadvert on a single expression in a little speech which I delivered before the Senate, in which I took occasion to say that if the people of the rebellious States would not govern themselves

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as States, they ought to be governed as Territories. The Senator knew full well then, for I explained it twice — he knows full well now — that on this side of the Chamber; nay, in this whole Chamber; nay, in this whole North, and West; nay, in all the loyal States in all their breadth, there is not a man among us all who dreams of causing any man of the South to submit to any rule, either as to life, liberty, or property, that we ourselves do not willingly agree to yield to. Did he ever think of that! Subjugation for what? When we subjugate South Carolina, what shall we do? We shall compel its obedience to the Constitution of the United States, that is all. Why play upon words? We do not mean, we have never said, any more. If it be slavery that men should obey the Constitution their fathers fought for, let it be so. If it be freedom, it is freedom equally for them and for us; we propose to subjugate rebellion into loyalty; we propose to subjugate insurrection into peace; we propose to subjugate confederate anarchy into constitutional Union liberty. The Senator well knows that we propose no more. I ask him, I appeal to his better judgment now, what does he imagine we intend to do, if, fortunately, we conquer Tennessee or South Carolina — call it “conquer,” if you will, sir — what do we propose to do? They will have their courts still; they will have their ballot-boxes still; they will have their elections still; they will have their

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representatives upon this floor still; they will have taxation and representation still; they will have the writ of *habeas corpus* still; they will have every privilege they ever had and all we desire. When the confederate armies are scattered; when their leaders are banished from power; when the people return to a late repentant sense of the wrong they have done to a Government they never felt but in benignancy and blessing, then the Constitution made for all will be felt by all, like the descending rains from heaven which bless all alike. Is that subjugation? To restore what was, as it was, for the benefit of the whole country and of the whole human race, is all we desire and all we can have.

Gentlemen talk about the Northeast. I appeal to Senators from the Northeast, is there a man in all your States who advances upon the South with any other idea but to restore the Constitution of the United States in its spirit and its unity? I never heard that one. I believe no man indulges in any dream of inflicting there any wrong to public liberty; and I respectfully tell the Senator from Kentucky that he persistently, earnestly, I will not say wilfully, misrepresents the sentiment of the North and West when he attempts to teach these doctrines to the confederates of the South.

Sir, while I am predicting I will tell you another thing. This threat about money and

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men amounts to nothing. Some of the States which have been named in that connection, I know well. I know, as my friend from Illinois will bear me witness, his own State very well. I am sure that no temporary defeat, no momentary disaster, will swerve that State either from its allegiance to the Union, or from its determination to preserve it. It is not with us a question of money or of blood; it is a question involving considerations higher than these. When the Senator from Kentucky speaks of the Pacific, I see another distinguished friend from Illinois, now worthily representing one of the States on the Pacific [Mr. McDougall], who will bear me witness that I know that State too, well. I take the liberty — I know I but utter his sentiments in advance — joining with him to say that that State, quoting from the passage the gentleman himself has quoted, will be true to the Union to the last of her blood and her treasure. There may be there some disaffected; there may be some few men there who would “rather rule in hell than serve in heaven.” There are such men everywhere. There are a few men there who have left the South for the good of the South; who are perverse, violent, destructive, revolutionary, and opposed to social order. A few, but a very few, thus formed and thus nurtured, in California and in Oregon, both persistently endeavor to create and maintain mischief; but the great portion of our population are loyal to the

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core and in every chord of their hearts. They are offering through me—more to their own Senators every day from California, and indeed from Oregon—to add to the legions of this country, by the hundred and the thousand. They are willing to come thousands of miles with their arms on their shoulders, at their own expense, to share with the best offering of their heart's blood in the great struggle of constitutional liberty. I tell the Senator that his predictions, sometimes for the South, sometimes for the Middle States, sometimes for the Northeast, and then wandering away in airy visions out to the far Pacific, about the dread of our people, as for loss of blood and treasure, provoking them to disloyalty, are false in sentiment, false in fact, and false in loyalty. The Senator from Kentucky is mistaken in them all. Five hundred million dollars! What then? Great Britain gave more than two thousand million in the great battle for constitutional liberty which she led at one time almost single-handed against the world. Five hundred thousand men! What then? We have them; they are ours; they are the children of the country. They belong to the whole country; they are our sons; our kinsmen; and there are many of us who will give them all up before we will abate one word of our just demand or will retreat one inch from the line which divides right from wrong.

Sir, it is not a question of men or of money

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in that sense. All the money, all the men, are, in our judgment, well bestowed in such a cause. When we give them, we know their value. Knowing their value well, we give them with the more pride and the more joy. Sir, how can we retreat? Sir, how can we make peace? Who shall treat? What commissioners? Who would go? Upon what terms? Where is to be your boundary-line? Where the end of the principles we shall have to give up? What will become of constitutional government? What will become of public liberty? What of past glories? What of future hopes? Shall we sink into the insignificance of the grave—a degraded, defeated, emasculated people, frightened by the results of one battle, and scared at the visions raised by the imagination of the Senator from Kentucky upon this floor? No, sir; a thousand times, no, sir! We will rally—if, indeed, our words be necessary—we will rally the people, the loyal people of the whole country. They will pour forth their treasure, their money, their men, without stint, without measure. The most peaceable man in this body may stamp his foot upon this Senate Chamber floor, as of old a warrior and a Senator did, and from that single tramp there will spring forth armed legions. Shall one battle determine the fate of empire, or a dozen? the loss of one thousand men or twenty thousand, or \$100,000,000 or \$500,000,000? In a year's peace, in ten

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years, at most, of peaceful progress, we can restore them all. There will be some graves reeking with blood, watered by the tears of affection. There will be some privation; there will be some loss of luxury; there will be somewhat more need for labor to procure the necessaries of life. When that is said, all is said. If we have the country, the whole country, the Union, the Constitution, free government — with these there will return all the blessings of well-ordered civilization; the path of the country will be a career of greatness and of glory such as, in the olden time, our fathers saw in the dim visions of years yet to come, and such as would have been ours now, to-day, if it had not been for the treason for which the Senator too often seeks to apologize.

MR. BRECKENRIDGE. I shall detain the Senate, sir, but a few moments in answer to one or two of the observations that fell from the Senator from California —

MR. BAKER. Oregon.

MR. BRECKENRIDGE. The Senator seems to have charge of the whole Pacific coast, though I do not mean to intimate that the Senators from California are not entirely able and willing to take care of their own State. They are. The Senator from Oregon, then.

Mr. President, I have tried on more than one occasion in the Senate, in parliamentary and respectful language, to express my opin-

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ions in regard to the character of our Federal system, the relations of the States to the Federal Government, to the Constitution, the bond of the Federal political system. They differ utterly from those entertained by the Senator from Oregon. Evidently, by his line of argument, he regards this as an original, not a delegated Government, and he regards it as clothed with all those powers which belong to an original nation, not only with those powers which are delegated by the different political communities that compose it, and limited by the written Constitution that forms the bond of Union. I have tried to show that, in the view that I take of our Government, this war is an unconstitutional war. I do not think the Senator from Oregon has answered my argument. He asks, what must we do? As we progress southward and invade the country, must we not, said he, carry with us all the laws of war? I would not progress southward and invade the country.

The President of the United States, as I again repeat in my judgment, only has the power to call out the military to assist the civil authority in executing the laws; and when the question assumes the magnitude and takes the form of a great political severance, and nearly half the members of the Confederacy withdraw themselves from it, what then? I have never held that one State or a number of States have a right without cause to break the

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compact of the Constitution. But what I mean to say is that you cannot then undertake to make war in the name of the Constitution. In my opinion they are out. You may conquer them; but do not attempt to do it under what I consider false political pretenses. However, sir, I will not enlarge upon that. I have developed these ideas again and again, and I do not care to reargue them. Hence the Senator and I start from entirely different standpoints, and his pretended replies are no replies at all.

The Senator asks me, "What would you have us do?" I have already intimated what I would have us do. I would have us stop the war. We can do it. I have tried to show that there is none of that inexorable necessity to continue this war which the Senator seems to suppose. I do not hold that constitutional liberty on this continent is bound up in this fratricidal, devastating, horrible contest. Upon the contrary, I fear it will find its grave in it. The Senator is mistaken in supposing that we can reunite these States by war. He is mistaken in supposing that eighteen or twenty million upon the one side can subjugate ten or twelve million upon the other; or, if they do subjugate them, that you can restore constitutional government as our fathers made it. You will have to govern them as Territories, as suggested by the Senator, if ever they are reduced to the dominion of the United States, or, as the Sen-

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ator from Vermont called them, "those rebellious provinces of this Union," in his speech to-day. Sir, I would prefer to see these States all reunited upon true constitutional principles to any other object that could be offered me in life; and to restore, upon the principles of our fathers, the Union of these States, to me the sacrifice of one unimportant life would be nothing; nothing, sir. But I infinitely prefer to see a peaceful separation of these States, than to see endless, aimless, devastating war, at the end of which I see the grave of public liberty and of personal freedom.

The Senator asked if a Senator of Rome had uttered these things in the war between Carthage and that power, how would he have been treated? Sir, the war between Carthage and Rome was altogether different from the war now waged between the United States and the Confederate States. I would have said—rather than avow the principle that one or the other must be subjugated, or perhaps both destroyed—let Carthage live and let Rome live, each pursuing its own course of policy and civilization.

The Senator says that these opinions which I thus expressed, and have heretofore expressed, are but brilliant treason; and that it is a tribute to the character of our institutions that I am allowed to utter them upon the Senate floor. Mr. President, if I am speaking

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treason, I am not aware of it. I am speaking what I believe to be for the good of my country. If I am speaking treason, I am speaking it in my place in the Senate. By whose indulgence am I speaking? Not by any man's indulgence. I am speaking by the guarantees of that Constitution which seems to be here now so little respected. And, sir, when he asked what would have been done with a Roman Senator who had uttered such words, a certain Senator on this floor, whose courage has much risen of late, replies in audible tones, "He would have been hurled from the Tarpeian Rock." Sir, if ever we find an American Tarpeian Rock, and a suitable victim is to be selected, the people will turn, not to me, but to that Senator who, according to the measure of his intellect and his heart, has been the chief author of the public misfortunes. He, and men like him, have brought the country to its present condition. Let him remember, too, sir, that while in ancient Rome the defenders of the public liberty were sometimes torn to pieces by the people, yet their memories were cherished in grateful remembrance; while to be hurled from the Tarpeian Rock was ever the fate of usurpers and tyrants. I reply with the just indignation I ought to feel at such an insult offered on the floor of the Senate Chamber to a Senator who is speaking in his place.

Mr. President, I shall not longer detain the

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Senate. My opinions are my own. They are honestly entertained. I do not believe that I have uttered one opinion here, in regard to this contest, that does not reflect the judgment of the people I have the honor to represent. If they do, I shall find my reward in the fearless utterance of their opinions; if they do not, I am not a man to cling to the forms of office and to the emoluments of public life against my convictions and my principles; and I repeat what I uttered the other day, that if indeed the Commonwealth of Kentucky, instead of attempting to mediate in this unfortunate struggle, shall throw her energies into the strife, and approve the conduct and sustain the policy of the Federal Administration in what I believe to be a war of subjugation, and which is being proved every day to be a war of subjugation and annihilation, she may take her course. I am her son, and will share her destiny, but she will be represented by some other man on the floor of this Senate.

MR. BAKER. Mr. President, I rose a few minutes ago to endeavor to demonstrate to the honorable Senator from Kentucky that all these imaginations of his as to the unconstitutional character of the provisions of this bill were baseless and idle. I think every member of the Senate must be convinced, from the manner of his reply, that that conviction is beginning to get into his own mind; and I shall

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therefore leave him to settle the account with the people of Kentucky, about which he seems to have some predictions, which, I trust, with great personal respect to him, may, different from his usual predictions, become prophecy after the first Monday of August next.

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(1813-1887)

SPEECH AT LIVERPOOL

[Delivered in Philharmonic Hall, October 16, 1863.]

FOR more than twenty-five years I have been made perfectly familiar with popular assemblies in all parts of my country except the extreme South. There has not for the whole of that time been a single day of my life when it would have been safe for me to go south of Mason's and Dixon's line in my own country, and all for one reason: my solemn, earnest, persistent testimony against that which I consider to be the most atrocious thing under the sun,—the system of American slavery in a great free republic. [*Cheers.*] I have passed through that early period, when right of free speech was denied to me. Again and again I have attempted to address audiences that, for no other crime than that of free speech, visited me with all manner of contumelious epithets; and now since I have been in England, although I have met with greater kindness and courtesy on the part of most than I deserved, yet, on the other hand, I perceive that the Southern influence prevails to some extent in England. [*Applause and uproar.*]

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It is my old acquaintance; I understand it perfectly [*laughter*], and I have always held it to be an unfailing truth that where a man had a cause that would bear examination he was perfectly willing to have it spoken about. [*Applause.*] And when in Manchester I saw those huge placards, "Who is Henry Ward Beecher?" [*laughter, cries of "Quite right," and applause*] and when in Liverpool I was told that there were those blood-red placards, purporting to say what Henry Ward Beecher had said, and calling upon Englishmen to suppress free speech, I tell you what I thought. I thought simply this, "I am glad of it." [*Laughter.*] Why? Because if they had felt perfectly secure that *you* are the minions of the South and the slaves of slavery, they would have been perfectly still. [*Applause and uproar.*] And, therefore, when I saw so much nervous apprehension that, if I were permitted to speak [*hisses and applause*]*—*when I found they were afraid to have me speak [*hisses, laughter, and "No, no!"*]*—*when I found that they considered my speaking damaging to their cause [*applause*]*—*when I found that they appealed from facts and reasonings to mob law [*applause and uproar*] I said: no man need tell me what the heart and secret counsel of those men are. They tremble, and are afraid. [*Applause, laughter, hisses, "No, no!" and a voice, "New York mob!"*] Now, personally, it is a matter of very little consequence to me

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whether I speak here to-night or not. [*Laughter and cheers.*] But one thing is very certain—if you do permit me to speak here to-night you will hear plain talking. [*Applause and hisses.*] You will not find a man [*interruption*—you will not find me to be the man that dared to speak about Great Britain 3,000 miles off, and then is afraid to speak to Great Britain when he stands on her shore. [*Immense applause and hisses.*] And if I do not mistake the tone and the temper of Englishmen, they had rather have a man who opposes them in a manly way [*applause from all parts of the hall*], than a sneak that agrees with them in an unmanly way. [*Applause and “Bravo!”*] Now, if I can carry you with me by sound convictions, I shall be immensely glad [*applause*]; but if I cannot carry you with me by facts and sound arguments, I do not wish you to go with me at all; and all that I ask is simply *fair play*. [*Applause, and a voice, “You shall have it, too.”*] Those of you who are kind enough to wish to favor my speaking—and you will observe that my voice is slightly husky, from having spoken almost every night in succession for some time past—those who wish to hear me will do me the kindness simply to sit still, and to keep still; and I and my friends the secessionists will make all the noise. [*Laughter.*]

There are two dominant races in modern history,—the Germanic and the Romanic races.

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The Germanic races tend to personal liberty, to a sturdy individualism, to civil and to political liberty. The Romanic race tends to absolutism in government; it is clannish; it loves chieftains; it develops a people that crave strong and showy governments to support and plan for them. The Anglo-Saxon race belongs to the great German family, and is a fair exponent of its peculiarities. The Anglo-Saxon carries self-government and self-development with him wherever he goes. He has popular government and popular industry, for the effects of a generous civil liberty are not seen a whit more plain in the good order, in the intelligence, and in the virtue of a self-governing people, than in their amazing enterprise and the scope and power of their creative industry. The power to create riches is just as much a part of the Anglo-Saxon virtues as the power to create good order and social safety. The things required for prosperous labor, prosperous manufactures, and prosperous commerce are three. First—liberty; second, liberty; third, liberty. [*“Hear, hear!”*] Though these are not merely the same liberty, as I shall show you.

First, there must be liberty to follow those laws of business, which experience has developed, without imposts or restriction, or governmental intrusions. Business simply wants to be let alone. [*“Hear, hear!”*] Then, secondly, there must be liberty to distribute and

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exchange products of industry in any market without burdensome tariffs, without imposts, and without vexatious regulations. There must be these two liberties; liberty to create wealth, as the makers of it think best according to the light and experience which business has given them; and then liberty to distribute what they have created without unnecessary vexatious burdens. The comprehensive law of the ideal industrial condition of the world is free manufacture and free trade. [*"Hear, hear!"* A voice, *"The Morrill tariff!"* Another voice, *"Monroe!"*] I have said there were three elements of liberty. The third is the necessity of an intelligent and free race of customers. There must be freedom among producers; there must be freedom among the distributors; there must be freedom among the customers. It may not have occurred to you that it makes any difference what one's customers are, but it does in all regular and prolonged business. The condition of the customer determines how much he will buy, determines of what sort he will buy. Poor and ignorant people buy little, and that of the poorest kind. The richest and the intelligent, having the more means to buy, buy the most, and always buy the best. Here then are the three liberties,—liberty of the producer, liberty of the distributor, and liberty of the consumer. The first two need no discussion, they have been long thoroughly and brilliantly illustrated by the

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political economists of Great Britain, and by her eminent statesmen; but it seems to me that enough attention has not been directed to the third; and with your patience, I will dwell on that for a moment, before proceeding to other topics.

It is a necessity of every manufacturing and commercial people that their customers should be very wealthy and intelligent. Let us put the subject before you in the familiar light of your own local experience. To whom do the tradesmen of Liverpool sell the most goods at the highest profit? To the ignorant and poor, or to the educated and prosperous? [*A voice: "To the Southerners!"*] *Laughter.*] The poor man buys simply for his body; he buys food, he buys clothing, he buys fuel, he buys lodging. His rule is to buy the least and the cheapest that he can. He goes to the store as seldom as he can, he brings away as little as he can, and he buys for the least he can. [*Much laughter.*] Poverty is not a misfortune to the poor only who suffer it, but it is more or less a misfortune to all with whom he deals. On the other hand, a man well off—how is it with him? He buys in far greater quantity. He can afford to do it; he has the money to pay for it. He buys in far greater variety; because he seeks to gratify not merely physical wants, but also mental wants. He buys for the satisfaction of sentiment and taste, as well as of sense. He buys silk, wool, flax, cotton; he

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buys all metals,—iron, silver, gold, platinum, —in short, he buys for all necessities and of all substances. But that is not all. He buys a better quality of goods. He buys richer silks, finer cotton, higher grained wools. Now, a rich silk means so much skill and care of somebody's that has been expended upon it to make it finer and richer; and so of cotton, and so of wool. That is, the price of the finer goods runs back to the very beginning, and remunerates the workman as well as the merchant. Now, the whole laboring community is as much interested and profited as the mere merchant in this buying and selling of the higher grades in the greater varieties and quantities. The law of price is the skill; and the amount of skill expended in the work is as much for the market as are the goods. A man comes to market and says, "I have a pair of hands," and he obtains the lowest wages. Another man comes and says, "I have something more than a pair of hands; I have truth and fidelity." He gets a higher price. Another man comes and says, "I have something more; I have hands and strength and fidelity and skill," He gets more than either of the others. The next man comes and says, "I have got hands and strength and skill and fidelity; but my hands work more than that. They know how to create things for the fancy, for the affections, for the moral sentiment." He gets more than either of the others. The last man

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comes and says, "I have all these qualities, and have them so highly that it is a peculiar genius"; and genius carries the whole market and gets the highest price. [*Loud applause.*] So that both the workman and the merchant are profited by having purchasers that demand quality, variety, and quantity. Now, if this be so in the town or the city, it can only be so because it is a law. This is the specific development of a general or universal law; and therefore, we should expect to find it as true of a nation as of a city like Liverpool. I know it is so, and you know that it is true of all the world; and it is just as important to have customers educated, intelligent, moral, and rich out of Liverpool as it is in Liverpool. [*Applause.*] They are able to buy; they want variety; they want the very best; and those are the customers you want. That nation is the best customer that is freest, because freedom works prosperity, industry, and wealth. Great Britain, then, aside from moral considerations, has a direct commercial and pecuniary interest in the liberty, civilization, and wealth of every people and every nation on the globe. [*Loud applause.*] You have also an interest in this, because you are a moral and a religious people. You desire it from the highest motives; and godliness is profitable in all things, having the promise of the life that is, as well as of that which is to come; but if there were no hereafter, and if man had no progress in this life, and if there

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were no question of civilization at all, it would be worth your while to protect civilization and liberty, merely as a commercial speculation. To evangelize has more than a moral and religious import; it comes back to temporal relations. Wherever a nation that is crushed, cramped, degraded under despotism, is struggling to be free, you, Leeds, Sheffield, Manchester, Paisley, all have an interest that that nation should be free. When depressed and backward people demand that they may have a chance to rise — Hungary, Italy, Poland — it is a duty for humanity's sake, it is a duty for the highest moral motives, to sympathize with them; but besides all these there is a material and an interested reason why you should sympathize with them. Pounds and pence join with conscience and with honor in this design.

Now, Great Britain's chief want is — what? They have said that your chief want is cotton. I deny it. Your chief want is consumers. [*Applause and hisses.*] You have got skill, you have got capital, and you have got machinery enough to manufacture goods for the whole population of the globe. You could turn out fourfold as much as you do, if you only had the market to sell in. It is not so much the want, therefore, of fabric, though there may be a temporary obstruction of it; but the principal and increasing want — increasing from year to year — is, where shall we find men to buy what we can manufacture so fast? [*Interruption,*

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and a voice, "*The Morrill tariff!*" and *applause.*] Before the American war broke out, your warehouses were loaded with goods that you could not sell. [*Applause and hisses.*] You had over-manufactured; what is the meaning of over-manufacturing but this, that you had skill, capital, machinery to create faster than you had customers to take goods off your hands? And you know that, rich as Great Britain is, vast as are her manufactures, if she could have fourfold the present demand, she could make fourfold riches to-morrow; and every political economist will tell you that your want is not cotton primarily, but customers. Therefore, the doctrine how to make customers is a great deal more important to Great Britain than the doctrine how to raise cotton. It is to that doctrine I ask from you, business men, practical men, men of fact, sagacious Englishmen—to that point I ask a moment's attention. [*Shouts of "Oh, oh!" hisses, and applause.*]

There are no more continents to be discovered. [*"Hear, hear!"*] The market of the future must be found—how? There is very little hope of any more demand being created by new fields. If you are to have a better market, there must be some kind of process invented to make the old fields better. [*A voice, "Tell us something new!" shouts of "Order!" and interruption.*] Let us look at it, then. You must civilize the world in order to make a better class of purchasers. [*Interruption.*]

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If you were to press Italy down again under the feet of despotism, Italy, discouraged, could draw but very few supplies from you. But give her liberty, kindle schools throughout her valleys, spur her industry, make treaties with her by which she can exchange her wine, and her oil, and her silk for your manufactured goods; and for every effort that you make in that direction there will come back profit to you by increased traffic with her. [*Loud applause.*] If Hungary asks to be an unshackled nation, if by freedom she will rise in virtue and intelligence, then by freedom she will acquire a more multifarious industry, which she will be willing to exchange for your manufactures. Her liberty is to be found—where? You will find it in the Word of God, you will find it in the code of history; but you will also find it in the Price Current [*“Hear, hear!”*]; and every free nation, every civilized people—every people that rises from barbarism to industry and intelligence—becomes a better customer. A savage is a man of one story, and that one story a cellar. When the man begins to be civilized, he raises another story. When you Christianize and civilize the man, you put story upon story, for you develop faculty after faculty; and you have to supply every story with your productions. The savage is a man one story deep; the civilized man is thirty stories deep. [*Applause.*] Now, if you go to a lodging-house, where there are

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three or four men, your sales to them may, no doubt, be worth *something*; but if you go to a lodging-house like some of those which I saw in Edinburgh, which seemed to contain about twenty stories—[“*Oh, oh!*” and interruption]—every story of which is full, and all who occupy buy of you—which is the best customer, the man who is drawn out, or the man who is pinched up? [*Laughter.*]

There is in this a great and sound principle of political economy. [“*Yah! yah!*” from the passage outside the hall, and loud laughter.] If the South should be rendered independent—[at this juncture mingled cheering and hisses became immense; half the audience rose to their feet, waving hats and handkerchiefs, and in every part of the hall there was the greatest commotion and uproar]. You have had your turn; now let me have mine again. [*Loud applause and laughter.*] It is a little inconvenient to talk against the wind; but, after all, if you will just keep good-natured—I am not going to lose my temper; will you watch yours? [*Applause.*] Besides all that, it rests me, and gives me a chance, you know, to get my breath. [*Applause and hisses.*] And I think that the bark of those men is worse than their bite. They do not mean any harm; they don't know any better. [*Loud laughter, applause, hisses, and continued uproar.*] I was saying, when these responses broke in, that it was worth our while to consider both alternatives. What will

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be the result if this present struggle shall eventuate in the separation of America, and making the South [*loud applause, hisses, hooting, and cries of "Bravo!"*] a slave territory exclusively [*cries of "No, no," and laughter*], and the North a free territory? What will be the first result? You will lay the foundations for carrying the slave population clear through to the Pacific Ocean. That is the first step. There is not a man that has been a leader of the South any time within these twenty years that has not had this for a plan. It was for this that Texas was invaded, first by colonists, next by marauders, until it was wrested from Mexico. It was for this that they engaged in the Mexican War itself, by which the vast territory reaching to the Pacific was added to the Union. Never have they for a moment given up the plan of spreading the American institutions, as they call them, straight through toward the west, until the slave who has washed his feet in the Atlantic shall be carried to wash them in the Pacific. [*Cries of "Question!" and uproar.*] There, I have got that statement out, and you cannot put it back. [*Laughter and applause.*] Now, let us consider the prospect. If the South become a slave empire, what relation will it have to you as a customer? [*A voice: "Or any other man."* *Laughter.*] It would be an empire of 12,000,000 of people. Now, of these 8,000,000 are white and 4,000,000 black. [*A*

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voice: "How many have you got?" *Applause and laughter.* Another voice: "Free your own slaves." Consider that one third of the whole are miserably poor, unbuying blacks. [*Cries of "No, no," "Yes, yes," and interruption.*] You do not manufacture much for them. [*Hisses, "Oh, no!"*] You have not got machinery coarse enough. [*Laughter and "No!"*] Your labor is too skilled by far to manufacture bagging and linsey-woolsey. [*A Southerner: "We are going to free them, every one."*] Then you and I agree exactly. [*Laughter.*] One other third consists of a poor, unskilled, degraded white population; and the remaining one third, which is a large allowance, we will say, intelligent and rich. Now here are twelve millions of people, and only one third of them are customers that can afford to buy the kind of goods that you bring to market. [*Interruption and uproar.*] My friends, I saw a man once, who was a little late at a railway station, chase an express train. He did not catch it. [*Laughter.*] If you are going to stop this meeting, you have got to stop it before I speak; for after I have got the things out, you may chase as long as you please—you will not catch them. [*Laughter and interruption.*] But there is luck in leisure; I'm going to take it easy. [*Laughter.*] Two thirds of the population of the Southern States to-day are non-purchasers of English goods. [*A voice: "No, they are not." "No, no!" and*

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uproar.] Now you must recollect another fact,—namely, that this is going on clear through to the Pacific Ocean; and if by sympathy or help you establish a slave empire, you sagacious Britons [*“Oh, oh!” and hooting.*]—If you like it better, then I will leave the adjective out [*laughter, “Hear,” and applause*]—are busy in favoring the establishment of an empire from ocean to ocean that should have fewest customers and the largest non-buying population. [*Applause, “No, no!” A voice: “I thought it was the happy people that populated fastest.”*] Now, for instance, just look at this, the difference between free labor and slave labor to produce cultivated land. The State of Virginia has 15,000 more square miles of land than the State of New York; but Virginia has only 15,000 square miles improved, while New York has 20,000 square miles improved. Of unimproved land Virginia has about 23,000 square miles, and New York only about 10,000 square miles. Now, these facts speak volumes as to the capacity of the territory to bear population. The smaller is the quantity of soil uncultivated, the greater is the density of the population [*“Hear, hear!”*]; and upon that, their value as customers depends. Let us take the States of Maryland and Massachusetts. Maryland has 2,000 more square miles of land than Massachusetts; but Maryland has about 4,000 square miles of land improved, Massachusetts

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has 3,200 square miles. Maryland has 2,800 unimproved square miles of land, while Massachusetts has but 1,800 square miles unimproved. But these two are little States. Let us take greater States: Pennsylvania and Georgia. The State of Georgia has 12,000 more square miles of land than Pennsylvania. Georgia has only about 9,800 square miles of improved land, Pennsylvania has 13,400 square miles of improved land, or about 2,300,000 acres more than Georgia. Georgia has about 25,600 square miles of unimproved land, and Pennsylvania has only 10,400 square miles, or about 10,000,000 acres less of unimproved land than Georgia. The one is a slave State and the other is a free State. I do not want you to forget such statistics as those, having once heard them. [*Laughter.*] Now, what can England make for the poor white population of such a future empire, and for her slave population? What carpets, what linens, what cottons can you sell to them? What machines, what looking-glasses, what combs, what leather, what books, what pictures, what engravings? [*A voice: "We'll sell them ships."*] You may sell ships to a few, but what ships can you sell to two-thirds of the population of poor whites and blacks? [*Applause.*] A little bagging and a little linsey-woolsey, a few whips and manacles, are all that you can sell for the slave. [*Great applause and uproar.*] This very day, in the slave States of America there

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are eight millions out of twelve millions that are not, and cannot be, your customers from the very laws of trade.

There are some apparent drawbacks that may suggest themselves. The first is that the interests of England consist in drawing from any country its raw material. [*A voice: "We have got over that."*] There is an interest, but it is not the interest of England. The interest of England is not merely where to buy her cotton, her ores, her wool, her linens, and her flax. When she has put her brains into the cotton, and into the linen and flax, and it becomes the product of her looms, a far more important question is, "What can be done with it?" England does not want merely to pay prices for that which brute labor produces, but to get a price for that which brain labor produces. [*"Hear, hear!" and applause.*] Your interest lies beyond all peradventure; therefore, if you should bring over so much cotton from the slave empire—[*"Yah, yah!"*—]—you cannot sell back again to the slave empire. [*A voice: "Go on with your subject; we know all about England."*] Excuse me, sir, I am the speaker, not you; and it is for me to determine what to say. [*"Hear, hear!"*] Do you suppose I am going to speak about America except to convince Englishmen? I am here to talk to you for the sake of ultimately carrying you with me in judgment and in thinking—[*"Oh! oh!"*—]—and, as to this logic of

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cat-calls, it is slavery logic,—I am used to it. [*Applause, hisses, and cheers.*] Now, it is said that if the South should be allowed to be separate there will be no tariff, and England can trade with her; but if the South remain in the United States, it will be bound by a tariff, and English goods will be excluded from it. [*Interruption.*] Now, I am not going to shirk any question of that kind. In the first place, let me tell you that the first tariff ever proposed in America was not only supported by Southern interests and votes, but was originated by the peculiar structure of Southern society. The first and chief difficulty—after the Union was formed under our present Constitution—the first difficulty that met our fathers was, how to raise taxes to support the Government; and the question of representation and taxes went together; and the difficulty was, whether we should tax the North and South alike, man for man *per caput*, counting the slaves with whites. The North having fewer slaves in comparison with the number of its whites, the South, which had a larger number of blacks, said, “We shall be over-taxed if this system be adopted.” They therefore proposed that taxes and representation should be on the basis of five black men counting as three white men. In a short time it was found impossible to raise these taxes in the South, and then they cast about for a better way, and the tariff scheme was submitted.

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The object was to raise the revenue from the ports instead of from the people. The tariff, therefore, had its origin in Southern weaknesses and necessities, and not in the Northern cities. [*Loud applause.*] Daniel Webster's first speech was against it; but after it was carried by Southern votes (which for more than fifty years determined the law of the country), New England accepted it, and saying, "It is the law of the land," conformed her industry to it; and when she had got her capital embarked in mills and machinery, she became in favor of it. But the South, beginning to feel, as she grew stronger, that it was against her interest to continue the system, sought to have the tariff modified, and brought it down; though Henry Clay, a Southern man himself, was the immortal champion of the tariff. All his lifetime he was for a high tariff, till such a tariff could no longer stand; and then he was for moderating the tariffs. And there has not been for the whole of the fifty years a single hour when any tariff could be passed without the South. The opinion of the whole of America was tariff, high tariff. I do not mean that there were none that dissented from that opinion, but it was the popular and prevalent cry. I have lived to see the time when, just before the war broke out, it might be said that the thinking men of America were ready for free-trade. There has been a steady progress throughout America for free-trade ideas.

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How came this Morrill tariff? The Democratic administration, inspired by Southern counsels, left millions of millions of unpaid debts to cramp the incoming of Lincoln; and the Government, betrayed to the Southern States, found itself unable to pay those debts, unable to build a single ship, unable to raise an army; and it was the exigency, the necessity, that forced them to adopt the Morrill tariff, in order to raise the money which they required. It was the South that obliged the North to put the tariff on. [*Applause and uproar.*] Just as soon as we begin to have peace again, and can get our national debt into a proper shape as you have got yours [*laughter*] the same cause that worked before will begin to work again; and there is nothing more certain in the future than that the American is bound to join with Great Britain in the world-wide doctrine of free-trade. [*Applause and interruption.*]

Here, then, so far as *this* argument is concerned, I rest my case, saying that it seems to me that in an argument addressed to a commercial people it was perfectly fair to represent that their commercial and manufacturing interests tallied with their moral sentiments; and as by birth, by blood, by history, by moral feeling, and by everything, Great Britain is connected with the liberty of the world, God has joined interest and conscience, head and heart, so that you ought to be in favor of lib-

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erty everywhere. [*Great applause.*] There! I have got quite a speech out already, if I do not get any more. [*Hisses and applause.*]

Now then, leaving this for a time, let me turn to some other nearly connected topics. It is said that the South is fighting for just that independence of which I have been speaking. [*"Hear, hear!"*] The South is divided on that subject. [*"No, no!"*] There are twelve millions in the South. Four millions of them are asking for their liberty. [*"No, no!" hisses, "Yes!" applause and interruption.*] Four millions are asking for their liberty. [*Continued interruption, and renewed applause.*] Eight millions are banded together to prevent it. [*"No, no!" hisses and applause.*] That is what they asked the world to recognize as a strike for independence. [*"Hear, hear!" and laughter.*] Eight million white men fighting to prevent the liberty of four million black men, challenging the world. [*Uproar, hisses, applause, and continued interruption.*] You cannot get over the fact. There it is; like iron, you cannot stir it. [*Uproar.*] They went out of the Union because slave property was not recognized in it. There were two ways of reaching slave property in the Union: the one by exerting the direct Federal authority; but they could not do that, for they conceived it to be forbidden. The second was by indirect influence. If you put a candle under a bowl it will burn as long as the fresh air lasts, but

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it will go out as soon as the oxygen is exhausted; and so, if you put slavery into a State where it cannot get more States, it is only a question of time how long it will live. By limiting slave territory you lay the foundation for the final extinction of slavery. [*Applause.*] Gardeners say that the reason why crops will not grow in the same ground for a long time together, is that the roots excrete poisoned matter which the plants cannot use, and thus poison the grain. Whether this is true of crops or not, it is certainly true of slavery; for slavery poisons the land on which it grows. Look at the old slave States, Delaware, Maryland, Virginia, Kentucky, Tennessee, and even at the newer State of Missouri. What is the condition of slavery in those States? It is not worth one cent except to breed. It is not worth one cent so far as productive energy goes. They cannot make money by their slaves in those States. The first reason with them for maintaining slavery is, because it gives political power; and the second, because they breed for the Southern market. I do not stand on my own testimony alone. The editor of the *Virginia Times*, in the year 1836, made a calculation that 120,000 slaves were sent out of the State during that year; 80,000 of which went with their owners, and 40,000 were sold at the average price of 600 dollars, amounting to 24,000,000 dollars in one year out of the State of Virginia. Now, what does

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Henry Clay, himself a slave owner, say about Kentucky? In a speech before the Colonization Society, he said: "It is believed that nowhere in the farming portion of the United States would slave labor be generally employed if the proprietary were not compelled to raise slaves by the high price of the Southern market," and the only profit of slave property in Northern farming slave States is the value they bring. [*A voice: "Then if the Northerners breed to supply the South, what's the difference?"*] So that if you were to limit slavery, and to say, it shall go so far and no farther, it would be only a question of time when it should die of its own intrinsic weakness and disease. Now, this was the Northern feeling. The North was true to the doctrine of constitutional rights. The North refused, by any Federal action within the States, to violate the compacts of the Constitution, and left local compacts unimpaired; but the North, feeling herself unbound with regard to what we call the territories,—free land which has not yet State rights,—said there should be no more territory cursed with slavery. [*Applause.*] With unerring instinct the South said, "The Government administered by Northern men on the principle that there shall be no more slave territory, is a Government fatal to slavery"; and it was on that account that they seceded—["*No, no!*" "*Yes, yes!*" *applause, hisses, and uproar*]
—and the first step which

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they took when they assembled at Montgomery was to adopt a constitution. What constitution did they adopt? The same form of constitution which they had just abandoned. What changes did they introduce? A trifling change about the presidential term, making it two years longer; a slight change about some doctrine of legislation, involving no principle whatever, but merely a question of policy. But by the constitution of Montgomery they legalized slavery, and made it the organic law of the land. The very Constitution which they said they could not live under when they left the Union they took again immediately afterwards, only altering it on one point, and that was, making the fundamental law of the land to be slavery. [“*Hear, hear!*”] Let no man undertake to say in the face of intelligence — let no man undertake to delude an honest community by saying that slavery had nothing to do with the secession. Slavery is the framework of the South; it is the root and the branch of this conflict with the South. Take away slavery from the South, and she would not differ from us in any respect. There is not a single antagonistic interest. There is no difference of race, no difference of language, no difference of law, no difference of constitution; the only difference between us is that free labor is in the North and slave labor in the South. [*Loud applause.*]

But I know that you say you cannot help

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sympathizing with a gallant people. [*"Hear, hear!"*] They are the weaker people, the minority; and you cannot help going with the minority who are struggling for their rights against the majority. Nothing could be more generous when a weak party stands for its own legitimate rights against imperious pride and power than to sympathize with the weak. But who ever yet sympathized with a weak thief because three constables had got hold of him? [*"Hear, hear!"*] And yet the one thief in three policemen's hands is the weaker party. I suppose you would sympathize with him. [*"Hear, hear!"* laughter and applause.] Why, when that infamous King of Naples, Bomba, was driven into Gaeta by Garibaldi with his immortal band of patriots, and Cavour sent against him the army of northern Italy, who was the weaker party then? The tyrant and his minions; and the majority was with the noble Italian patriots, struggling for liberty. I never heard that Old England sent deputations to King Bomba; and yet his troops resisted bravely there. [*Laughter and interruption.*] To-day the majority of the people of Rome is with Italy. Nothing but French bayonets keeps her from going back to the kingdom of Italy, to which she belongs. Do you sympathize with the minority in Rome or the majority in Italy? [*A voice: "With Italy."*] To-day the South is the minority in America, and they are fighting for *independence!* For

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what? [*Uproar. A voice: "Three cheers for independence!" and hisses.*] I could wish so much bravery had had a better cause, and that so much self denial had been less deduced; that that poisonous and venomous doctrine of State rights might have been kept aloof; that so many gallant spirits, such as Jackson, might still have lived. [*Great applause and loud cheers, again and again renewed.*] The force of these facts, historical and incontrovertible, cannot be broken except by diverting attention by an attack upon the North. It is said that the North is fighting for union, and not for emancipation. The North is fighting for union, for that ensures emancipation. [*Loud cheers, "Oh, oh!" "No, no!" and cheers.*] A great many men say to ministers of the Gospel, "You pretend to be preaching and working for the love of the people. Why, you are all the time preaching for the sake of the church." What does the minister say? "It is by means of the church that we help the people"; and when men say that we are fighting for the Union, I too say we are fighting for the Union. [*"Hear, hear!" and a voice: "That's right."*] But the motive determines the value; and why are we fighting for the Union? Because we never shall forget the testimony of our enemies. They have gone off, declaring that the Union in the hands of the North was fatal to slavery. [*Loud applause.*] There is testimony

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in court for you. [*A voice: "See that," and laughter.*]

We are fighting for the Union because we believe that preamble which explains the very reason for which the Union was constituted. I will read it: "We"—not the States—"We, the people of the United States, in order to form a more perfect union"—[*uproar*]
—I don't wonder you don't want to hear it—[*laughter*]
—"in order to form a more perfect union, establish justice, assure domestic tranquillity—[*uproar*]
—provide for the common defense, promote the general welfare, and secure the blessings of liberty, —[*"Oh, oh!"*]
—to ourselves and our posterity, do ordain and establish this Constitution of the United States of America." [*A voice: "How many States?"*]
It is for the sake of that justice, that common welfare, and that liberty for which the national Union was established, that we fight for the Union. [*Interruption.*]
Because the South believed that the Union was against slavery, they left it. [*Renewed interruption.*]
Yes. [*Applause, and "No, no."*]
To-day, however, if the North believed that the Union was against liberty, they would leave it. [*"Oh, oh!" and great disturbance.*]
Gentlemen, I have traveled in the West, ten or twelve hours at a time, in the mud knee-deep. It was hard toiling my way, but I always got through my journey. I feel to-night as though I were traveling over

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a very muddy road; but I think I shall get through. [*Cheers.*]

Well, next it is said that the North treats the negro race worse than the South. [*Applause, cries of "Bravo!" and uproar.*] Now, you see I don't fear any of these disagreeable arguments. I am going to face every one of them. In the first place, I am ashamed to confess that such was the thoughtlessness—[*interruption*—such was the stupor of the North—[*renewed interruption*—you will get a word at a time; to-morrow will let folks see what it is you don't want to hear—that for a period of twenty-five years she went to sleep, and permitted herself to be drugged and poisoned with the Southern prejudice against black men. [*Applause and uproar.*] The evil was made worse, because, when any object whatever has caused anger between political parties, a political animosity arises against that object, no matter how innocent in itself; no matter what were the original influences which excited the quarrel. Thus the colored man has been the football between the two parties in the North, and has suffered accordingly. I confess it to my shame. But I am speaking now on my own ground, for I began twenty-five years ago, with a small party, to combat the unjust dislike of the colored man. [*Loud applause, dissension, and uproar. The interruption at this point became so violent that the friends of Mr. Beecher*

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throughout the hall rose to their feet, waving hats and handkerchiefs, and renewing their shouts of applause. The interruption lasted some minutes.] Well, I have lived to see a total revolution in the Northern feeling; I stand here to bear solemn witness of that. It is not my opinion; it is my knowledge. [*Great uproar.*] Those men who undertook to stand up for the rights of all men—black as well as white—have increased in number; and now what party in the North represents those men that resist the evil prejudices of past years? The Republicans are that party. [*Loud applause.*] And who are those men in the North that have oppressed the negro? They are the Peace Democrats; and the prejudice for which in England you are attempting to punish me is a prejudice raised by men who have opposed me all my life. These pro-slavery Democrats abused the negro. I defended him, and they mobbed me for doing it. Oh, justice! [*Loud laughter, applause, and hisses.*] This is as if a man should commit an assault, maim and wound a neighbor, and, a surgeon being called in, should begin to dress his wounds, and by-and-by a policeman should come and collar the surgeon and haul him off to prison on account of the wounds which he was healing.

Now, I told you I would not flinch from anything. I am going to read you some questions that were sent after me from Glas-

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gow, purporting to be from a working man. [*Great interruption.*] If those pro-slavery interrupters think they will tire me out, they will do more than eight millions in America could. [*Applause and renewed interruption.*] I was reading a question on your side, too.

“Is it not a fact that in most of the Northern States laws exist precluding negroes from equal civil and political rights with the whites? That in the State of New York the negro has to be the possessor of at least two hundred and fifty dollars worth of property to entitle him to the privileges of a white citizen? That in some of the Northern States the colored man, whether bond or free, is by law excluded altogether, and not suffered to enter the State limits under severe penalties? and is not Mr. Lincoln’s own State one of them? And in view of the fact that the \$20,000,000 compensation which was promised to Missouri in aid of emancipation was defeated in the last Congress [the strongest Republican Congress that ever assembled], what has the North done towards emancipation?”

Now, then, there’s a dose for you. [*A voice: “Answer it.”*] And I will address myself to the answering of it.

And first, the bill for emancipation in Missouri, to which this money was denied, was a bill which was drawn by what we call “log rollers,” who inserted in it an enormously disproportioned price for the slaves. The Republicans offered to give them \$10,000,000 for the slaves in Missouri, and *they* outvoted it because they could not get \$12,000,000. Already half the slave population had been “run”

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down South, and yet they came up to Congress to get \$12,000,000 for what was not worth ten millions, nor even eight millions.

Now as to those States that had passed "black" laws, as we call them; they are filled with Southern emigrants. The southern part of Ohio, the southern part of Indiana, where I myself lived for years, and which I knew like a book, the southern part of Illinois, where Mr. Lincoln lives—[*great uproar*—these parts are largely settled by emigrants from Kentucky, Tennessee, Georgia, Virginia, and North Carolina; and it was their vote, or the Northern votes pandering for political reasons to theirs, that passed in those States the infamous "black" laws, and the Republicans in these States have a record, clean and white, as having opposed these laws in every instance as "infamous."

Now as to the State of New York, it is asked whether a negro is not obliged to have a certain freehold property, or a certain amount of property, before he can vote. It is so still in North Carolina and Rhode Island for *white* folks—it is so in New York State. [*Mr. Beecher's voice slightly failed him here, and he was interrupted by a person who tried to imitate him, cries of "Shame!" and "Turn him out!"*] I am not undertaking to say that these faults of the North, which were brought upon them by the bad example and influence of the South, are all cured; but I do say that they

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are in a process of cure which promises, if unimpeded by foreign influence, to make all such odious distinctions vanish.

“Is it not a fact that in most of the Northern States laws exist precluding negroes from equal civil and political rights with the whites?” I will tell you. Let us compare the condition of the negro in the North and the South, and that will tell the story. By express law the South takes away from the slave all attributes of manhood and calls him “chattel,” which is another word for “cattle.” [*“Hear, hear!” and hisses.*] No law in any Northern State calls him anything else but a person. [*Applause.*] The South denies the right of legal permanent marriage to the slave. There is not a State of the North where the marriage of the slave is not as sacred as that of any free white man. [*Immense cheering.*] Throughout the South, since the slave is not permitted to live in anything but in concubinage, his wife, so called, is taken from him at the will of his master, and there is neither public sentiment nor law that can hinder most dreadful and cruel separations every year in every county and town. There is not a State, county, or town, or school district in the North where, if any man dare to violate the family of the poorest black man, there would not be an indignation that would overwhelm him. [*Loud applause. A voice: “How about the riots?”*] Irishmen made that entirely. [*Laughter.*] In the South by statu-

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tory law, it is a penitentiary offense to teach a black man to read and write. In the North not only are hundreds and thousands of dollars expended of State money in teaching colored people, but they have their own schools, their own academies, their own churches, their own ministers, their own lawyers. [*Cheers and hisses.*] In the South, black men are bred, exactly as cattle are bred in the North, for the market and for sale. Such dealing is considered horrible beyond expression in the North. In the South the slave can own nothing by law —[*interruption*]— but in the single city of New York there are ten million dollars of money belonging to free colored people. [*Loud applause.*] In the South no colored man can determine —[*uproar*]— no colored man can determine in the South where he will work, nor at what he will work; but in the North—except in the great cities, where we are crowded by foreigners,—in any country part the black man may choose his trade and work at it, and is just as much protected by the laws as any white man in the land. [*Applause.*] I speak with authority on this point. [*Cries of "No!"*] When I was twelve years old, my father hired Charles Smith, a man as black as lampblack, to work on his farm. I slept with him in the same room. [*"Oh, oh!"*] Ah, that don't suit you. [*Uproar.*] Now, you see, the South comes out. [*Loud laughter.*] I ate with him at the same table; I sang with him out of the same hymn-

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book ["*Good!*"]; I cried when he prayed over me at night; and if I had serious impressions of religion early in life, they were due to the fidelity and example of that poor humble farm-laborer, black Charles Smith. [*Tremendous uproar and cheers.*] In the South, no matter what injury a colored man may receive, he is not allowed to appear in court, nor to testify against a white man. [*A voice: "That's a fact."*] In every single court of the North a respectable colored man is as good a witness as if his face were white as an angel's robe. [*Applause and laughter.*] I ask any truthful and considerate man, whether, in this contrast, it does not appear that, though faults may yet linger in the North uneradicated, the state of the negro in the North is not immeasurably better than anywhere in the South? [*Applause.*] And now, for the first time in the history of America [*great interruption*],—for the first time in the history of the United States a colored man has received a commission under the broad seal and signature of the President of the United States. [*Loud applause.*] This day—[*renewed interruption*],—this day, Frederick Douglas, of whom you all have heard here, is an officer of the United States [*loud applause*],—a commissioner sent down to organize colored regiments on Jefferson Davis's farm in Mississippi. [*Uproar and applause, and a voice, "You put them in the front of the battle, too."*]

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There is another fact that I wish to allude to—not for the sake of reproach or blame, but by way of claiming your more lenient consideration—and that is, that slavery was entailed upon us by your action. [*“Hear, hear!”*] Against the earnest protests of the colonists the then government of Great Britain—I will concede, not knowing what were the mischiefs—ignorantly, but in point of fact, forced slave traffic on the unwilling colonists. [*Great uproar, in the midst of which one individual was lifted up and carried out of the room amidst cheers and hisses.*]

I was going to ask you, suppose a child is born with hereditary disease; suppose this disease was entailed upon him by parents, who had contracted it by their own misconduct, would it be fair that those parents, who had brought into the world the diseased child, should rail at that child because it was diseased? [*“No, no!”*] Would not the child have a right to turn around and say, “Father, it was your fault that I had it, and you ought to be pleased to be patient with my deficiencies.”

Applause and hisses, and cries of “Order”; great interruption and great disturbance here took place on the right of the platform; and the chairman said that if the persons around the unfortunate individual who had caused the disturbance would allow him to speak alone, but not assist him in making the disturbance, it might soon be put an end to. The interruption was continued until another person was carried out of the hall.

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I do not ask that you should justify slavery in us because it was wrong in you two hundred years ago; but having ignorantly been the means of fixing it upon us, now that we are struggling with mortal struggles to free ourselves from it, we have a right to your tolerance, your patience, and charitable construction.

I am every day asked when this war will end. [*Interruption.*] I wish I could tell you; but remember, slavery is the cause of the war. [*"Hear, hear!" applause, "Yes!" "No!"*] Slavery has been working for more than one hundred years, and a chronic evil cannot be suddenly cured; and as war is the remedy, you must be patient to have the conflict long enough to cure the inveterate hereditary sore. [*Hisses, loud applause, and a voice: "We'll stop it."*] But of one thing I think I may give you assurance: this war won't end until the cancer of slavery is cut out by the roots. [*Loud applause, hisses, and tremendous uproar.*] I will read you a word from President Lincoln. [*Renewed uproar.*] It is a letter from Theodore Tilton. [*Hisses and cheers.*] Won't you hear what President Lincoln thinks? [*"No, no!"*] Well, you can hear it or not. It will be printed whether you hear it or hear it not. [*"Hear!" and cries of "Read, read!"*] Yes, I will read. "A talk with President Lincoln revealed to me a great growth of wisdom. For instance, he said he was not going to press the colonization idea any longer, nor the

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gradual scheme of emancipation, expressing himself sorry that the Missourians had postponed emancipation for seven years. He said, 'Tell your anti-slavery friends that I am coming out all right.' He is desirous that the Border States shall form free constitutions, recognizing the proclamation, and thinks this will be made feasible by calling on loyal men." [A voice: "What date is that letter?" and interruption.]

Ladies and gentlemen, I have finished the exposition of this troubled subject. [*Renewed and continued interruption.*] No man can unveil the future; no man can tell what revolutions are about to break upon the world; no man can tell what destiny belongs to France, nor to any of the European powers; but one thing is certain that in the exigencies of the future there will be combinations and re-combinations, and that those nations that are of the same faith, the same blood, and the same substantial interests, ought not to be alienated from each other, but ought to stand together. [*Immense cheering and hisses.*] I do not say that you ought not to be in the most friendly alliance with France or with Germany; but I do say that your own children, the offspring of England, ought to be nearer to you than any people of strange tongue. [A voice: "Degenerate sons," *applause and hisses*; another voice: "What about the Trent?"] If there have been any feelings of bitterness in America, let

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me tell you they have been excited, rightly or wrongly, under the impression that Great Britain was going to intervene between us and our own lawful struggle. [*A voice: "No!" and applause.*] With the evidence that there is no such intention all bitter feelings will pass away. [*Applause.*] We do not agree with the recent doctrine of neutrality as a question of law. But it is past, and we are not disposed to raise that question. We accept it now as a fact, and we say that the utterance of Lord Russell at Blairgowrie — [*applause, hisses, and a voice: "What about Lord Brougham?"*] — together with the declaration of the government in stopping war-steamers here — [*great uproar and applause*] — has gone far towards quieting every fear, and removing every apprehension from our minds. [*Uproar and shouts of applause.*] And now in the future it is the work of every good man and patriot not to create divisions, but to do the things that will make for peace. [*"Oh, oh!" and laughter.*] On our part it shall be done. [*Applause and hisses, and "No, no!"*] On your part it ought to be done; and when in any of the convulsions that come upon the world, Great Britain finds herself struggling single-handed against the gigantic powers that spread oppression and darkness — [*applause, hisses, and uproar*] — there ought to be such cordiality that she can turn and say to her first-born and most illustrious child, "Come!" [*"Hear, hear!" applause,*

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tremendous cheers and uproar.] I will not say that England cannot again, as hitherto, single-handed manage any power [*applause and uproar*], but I will say that England and America together, for religion and liberty [*a voice: "Soap, soap!" uproar, and great applause*], are a match for the world. [*Applause; a voice: "They don't want any more soft soap."*]

Now, gentlemen and ladies—[*a voice: "Sam Slick"; and another voice: "Ladies and gentlemen, if you please"*]—when I came I was asked whether I would answer questions, and I very readily consented to do so, as I had in other places; but I will tell you it was because I expected to have the opportunity of speaking with some sort of ease and quiet. [*A voice: "So you have."*] I have for an hour and a half spoken against a storm—[*"Hear, hear!"*] and you yourselves are witnesses that, by the interruption, I have been obliged to strive with my voice so that I no longer have the power to control this assembly. [*Applause.*] And although I am in spirit perfectly willing to answer any question, and more than glad of the chance, yet I am by this very unnecessary opposition to-night incapacitated physically from doing it. [*A voice: "Why did Lincoln delay the proclamation of slavery so long?"*—*Another voice: "Habeas Corpus."* *A piece of paper was here handed to Mr. Beecher.*]

I am asked a question. I will answer this one. "At the auction of sittings in your

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church, can the negroes bid on equal terms with the whites? [*Cries of "No, no!"*] Perhaps you know better than I do. [*"Hear, hear!"*] But I declare that they can. [*"Hear, hear!" and applause.*] I declare that, at no time for ten years past—without any rule passed by the trustees, and without even a request from me—no decent man or woman has ever found molestation or trouble in walking into my church and sitting where he or she pleased. [*Applause.*] Are any of the office-bearers in your church negroes? No, not to my knowledge. Such has been the practical doctrine of amalgamation in the South that it is very difficult nowadays to tell who is a negro. [*"Hear, hear!" and "No, no!"*] Whenever a majority of my people want a negro to be an officer, he will be one; and I am free to say that there are a great many colored men that I know who are abundantly capable of honoring any office of trust in the gift of our church. [*Applause.*] But while there are none in my church there is in Columbia county a little church where a negro man, being the ablest business man, and the wealthiest man in that town, is not only a ruler and elder of the church, but also contributes about two thirds of all the expenses of it. [*"Hear, hear!" and a voice: "That is the exception, not the rule."*] I am answering these questions, you see, out of gratuitous mercy: I am not bound to do so.

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It is asked whether Pennsylvania was not carried for Mr. Lincoln on account of his advocacy of the Morrill tariff, and whether the tariff was not one of the planks of the Chicago platform on which Mr. Lincoln was elected. I had a great deal to do with that election; but I tell you that whatever local—*[here the interruption became so noisy that it was found impossible to proceed. The Chairman asked how they could expect Mr. Beecher to answer questions amid such disturbance. When order had been restored, the lecturer proceeded]*—I am not afraid to leave the treatment I have received at this meeting to the impartial judgment of every fair playing Englishman. When I am asked questions, gentlemanly courtesy requires that I should be permitted to answer them. *[A voice from the farther end of the room shouted something about the inhabitants of Liverpool.]* I know that it was in the placards requested to give Mr. Beecher a reception that should make him understand what the opinion of Liverpool was about him. *["No, no!" and "Yes, yes!"]* There are two sides to every question; and Mr. Beecher's opinion about the treatment of him by Liverpool citizens is worth as much as your opinion about Mr. Beecher. Let me say, that if you wish me to answer questions you must be still; for, if I am interrupted, that is the end of the matter. *["Hear, hear!" and "Bravo!"]*

I have this to say, that I have no doubt the

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Morill tariff, or that which is now called so, did exercise a great deal of influence, not alone in Pennsylvania, but in many other parts of the country; because there are many sections of our country—those especially where the manufacture of iron and wool are the predominating industries—that are yet very much in favor of protective tariffs; but the thinking men and the influential men of both parties are becoming more and more in favor of free-trade.

“Can a negro ride in a public vehicle in New York with a white man?” I reply that there are times when politicians stir up the passions of the lower classes of men and the foreigners, and there are times just on the eve of an election when the prejudice against the colored man is stirred up and excited, in which they will be disturbed in any part of the city; but taking the period of the year throughout, one year after another, there are but one or two of the city horse-railroads in which a respectable colored man will be molested in riding through the city. It is only on one railroad that this happened, and it is one which I have in the pulpit and the press always held up to severe reproof. At the Fulton Ferry there are two lines of omnibuses, one white and the other blue. I had been accustomed to go in them indifferently; but one day I saw a little paper stuck upon one on them, saying, “Colored people not allowed to ride in this

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omnibus." I instantly got out. There are men who stand at the door of these two omnibus lines, urging passengers into one or the other. I am very well known to all of them, and the next day, when I came to the place, the gentleman serving asked, "Won't you ride, sir?" "No," I said, "I am too much of a negro to ride in that omnibus." [*Laughter.*] I do not know whether this had any influence, but I do know, that after a fortnight's time I had occasion to look in, and the placard was gone. I called the attention of every one I met to that fact, and said to them, "Don't ride in that omnibus, which violates your principles, and my principles, and common decency at the same time." I say still further, that in all New England there is not a railway where a colored man cannot ride as freely as a white man. [*"Hear, hear!"*] In the whole city of New York, a colored man, taking a stage or railway, will never be inconvenienced or suffer any discourtesy. Ladies and gentlemen, I bid you good evening.



Abraham Lincoln

GETTYSBURG ADDRESS

[Delivered at the dedication of the Gettysburg National Cemetery, November 19, 1863.]

FOURSCORE and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field as a final resting-place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

But, in a large sense, we cannot dedicate, we cannot consecrate, we cannot hallow, this ground. The brave men, living and dead, who struggled here have consecrated it far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here. It is for us, the living, rather, to be dedicated here to the unfinished work which

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they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us,—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom; and that government of the people, by the people, for the people, shall not perish from the earth.

George Hunt Pendleton

(1825-1889)

ON RECONSTRUCTION

[Delivered May 4, 1864, in the House of Representatives.]

MR. SPEAKER :

I AVAIL myself of the indulgence granted me by the House to enforce quite at length the views which I deem pertinent to this debate. The details of this bill require examination as well as its general policy. It provides that in all the States whose governments are usurped or overthrown by persons in rebellion the President shall appoint a military governor, whose pay and emoluments shall be those of a brigadier-general; that so soon as this governor is satisfied that the people of the State shall have "sufficiently returned to their obedience to the Constitution and laws of the United States," he shall cause an enrollment to be made of all the white male citizens resident in their respective counties by the marshal and his deputies, who shall tender to each one the oath to support the Constitution. If one tenth part of the persons enrolled in each county shall take this oath, he shall by proclamation "invite the loyal people of the State to elect delegates to a convention."

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He shall then divide the State into election districts, assign to each its number of delegates, designate the day and the place for holding the election, appoint commissioners to superintend the voting, and *provide an adequate force to keep the peace*. The bill prescribes the qualifications of electors. They must be loyal white male citizens of the United States resident in the county, enrolled as aforesaid, and must have taken the oath prescribed by the act of 1862; and no person who has held any office, civil or military, State or Confederate, under the rebel usurpation, or who has voluntarily borne arms against the United States, shall be entitled to vote for or to be elected as a delegate. The oath shall be taken by every person before he shall be allowed to vote, and his vote shall be excluded if the commissioners, notwithstanding his oath, shall believe that he has held any such office or voluntarily borne arms. The returns of election shall be made to the governor, who shall canvass them, declare the result, convene the delegates, administer to each of them the said oath, and preside over their deliberations. The bill then provides that the convention shall declare :

First. That no person who has held or exercised any office, civil or military, State or confederate, under the usurping power shall vote for or be a member of the Legislature or Governor.

Second. That involuntary servitude is forever

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prohibited, and the freedom of all parties is guaranteed in said State.

Third. No debt, State or confederate, created by or under the sanction of the usurping power, shall be recognized or paid by the State.

And having done so it shall proceed to establish a State constitution which shall embody these provisions, and which shall be submitted for ratification to the electors who chose the delegates. If the constitution shall be ratified by them it shall be certified to the President, who shall, with the assent of Congress, by proclamation recognize the State government and constitution as the constitutional government of such State, and from and after such recognition Representatives, Senators, and electors for the President and Vice-President may be elected in such State according to the laws of the State and of the United States.

If the convention refuse to make the required declaration, the governor shall dissolve it; but a new convention may at any time afterwards be ordered by him under the advice of the President.

The governor shall see that the laws of the United States, and the laws of the State in force when the State government was overthrown, shall be faithfully executed; he shall assess and collect the same amount of taxes as was provided for by the State in the year preceding its secession; and shall apply the

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money so collected to the expenses of his administration, and shall pay over the balance to the Treasury of the United States. The President shall appoint such officers as were provided for in the State constitution, but neither they nor the governor shall recognize or regard any law or custom whereby any person was held to involuntary servitude in the State.

The bill then provides that involuntary servitude is forever abolished in all the States in rebellion, that persons held in bondage are set free, that they shall be discharged by *habeas corpus*, and that to restrain them of their liberty shall be punishable by fine and imprisonment; and by the last section it is enacted that any person who, after its passage, shall hold any office, civil or military, State or Confederate, in the rebel service shall not be a citizen of the United States.

These are the provisions of this bill. The gentleman from Maryland [Mr. Davis] facetiously entitles it "a bill to guarantee to certain States whose governments have been usurped or overthrown a republican form of government."

At last the mask has been thrown off. At last the pretenses have all been laid aside. Three years of war have done their work, and the purposes and objects of the Republican party have been at last acknowledged. This bill is the consummation of its statesmanship,

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the fruit of its experience, the demonstration of its purposes. The gentleman from Maryland introduced it; it is understood to be distasteful to some of his party friends; but it is a party measure; it will be voted for by every member of the Republican organization; it marks their policy of restoration; it defines their ideas of union; it interprets their construction of the Constitution. As such I accept it. We have had double-dealing, hypocrisy, and fraud for the last three years. We have had false professions, false names, and double-faced measures. We have had armies raised, taxes collected, battles fought, under the pretense that the war was for the Union, the old Union, the Union of the Constitution. These were the catch-words for the patriotic people. In the secret council-chambers of the party they were sneered at as devices with which to ensnare the innocent, to deceive the ignorant, to coax the obstinate. They were to be discarded as soon as, in the heat of the war, in the exasperation of passion, in the exultation of victory, or in the bitterness of defeat and disaster and oppression, it would be safe to divulge the great conspiracy against the Union, the constitutional confederation, the principles of free government.

That time has come. The veil is drawn aside. We see clearly. The party in possession of the powers of the Government is revolutionary. It seeks to use those powers to

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destroy the Government, to change its form, to change its spirit. It seeks under the forms of law to make a new Government, a new Union, to ingraft upon it new principles, new theories, and to use the powers of the law against all who will not be persuaded. It is in rebellion against the Constitution; it is in treasonable conspiracy against the Government. It differs in nothing from the armed enemies except in the weapons of its warfare. They fight to overthrow its authority over them, while it seeks to overthrow that authority at home. They would curtail the limits of the jurisdiction of the Federal Government; it would extend those limits, but change the basis and principles upon which it rests. If revolt against constituted authority be a crime, if patriotism consist in upholding in form and spirit the Government our fathers made, those in power here to-day are as guilty as those who in the seceded States marshal armed men for the contest.

“Revolutions move onward.” That is true. But call things by their true names. Admit you are in revolution; admit you are revolutionists; admit that you do not desire to restore the old order; admit that you do not fight to restore the Union. Take the responsibility of that position. Avow that you exercise the powers of the Government because you control them; that you are not bound by the Constitution, but by your own sense of

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right. Avow that resistance to your schemes is not treason, but war. Dissolve the spell which you have woven around the hearts of our people by the cunning use of the words conservatism, patriotism, union. And we will cease all criminations, we will hush all reproaches for oaths violated, pledges falsified, faith betrayed. We will meet you on your own ground, we will fight you with your weapons; and by the issue of that contest, whether of argument or of arms, we will abide.

Am I to be told that I misrepresent the Republican party? The gentleman who has just taken his seat [Mr. Boutwell], an able and honored member of that party, has said in your hearing, "If I could direct the force of public sentiment and the policy of this Government, South Carolina as a State and with a name should never reappear in this Union. Georgia deserves a like fate. Florida does not deserve a name in this Union."

The gentleman from Maryland felt that this charge could be truthfully made. He sought to answer it in advance. He denied that the provisions of the bill contravened any clause of the Constitution. Where is the authority for it? Where is the authority to declare State governments overthrown? Where is the authority to appoint a governor; to call a convention to remodel their constitutions; to fix the qualifications of its members; to prescribe the condition of their organic law; and

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until a *new* constitution shall be made, to administer by Federal officers such parts of the old constitution and laws as the governor, or the President, or the Congress may select? Where is the authority to prescribe the qualification of electors or State officers; to dictate what debts the State shall or shall not pay; or whether there shall or shall not be slavery or involuntary servitude within its limits.

The gentleman from Maryland quotes the language of the Constitution, "The United States shall guarantee to every State in this Union a republican form of government." The language is *shall*, not *may*; it is mandatory, not permissive; it enjoins a duty; it does not grant a privilege merely. And the duty is clearly defined. Mr. Madison, in discussing this clause, said:

"In a confederacy founded on republican principles and composed of republican members, the superintending Government ought clearly to possess authority to defend the system against aristocratic or monarchical innovations. The more intimate the nature of such a union may be the greater interest have the members in the political institutions of each other, and the greater right to insist that the forms of government under which the compact was entered into should be substantially maintained."

This power was given to prevent changes toward monarchy or aristocracy in the members of the Union. It assumed that the governments then existing were republican in form, that changes in them were proper, might become

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necessary, were certainly within the reserved rights of the States, and entirely consistent with the maintenance of republican forms of government. This power was not given to prevent such changes, nor to maintain the relation of the States to the Federal Government, nor to protect the State from invasion, nor yet from domestic violence. It was given for the sole purpose of preventing changes in the forms of State government which would make it anti-republican. Our fathers dealt not in subtle devices nor used equivocal language. They knew the then existing governments were republican in form; they intended to give to the Federal Government no power to change them; they intended to impose no limit on the right of the States to change them, except that none of the changes should be anti-republican, and this intention they carried out in the language of the Constitution. The States may have any form of government so long as it remains republican, and the Federal Government shall not intervene.

It is true that the question whether a form of government is republican is to be decided by the political power, and the judicial department cannot revise its decision; but the discretion of the political power is not unlimited, supreme, subject to no control. It is subject to rule; and the first rule is, that so long as the old State constitutions and forms of government are maintained they must be held to be repub-

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lican; and the second rule is, that all other constitutions similar in spirit and provisions are also republican, and that so long as the States preserve such form of government the condition on which Federal interference is provided for does not exist. Slavery existed in each of the States, except perhaps one, at the time of the formation of this Constitution. Its existence, therefore, was clearly not inconsistent with a republican government at that time, and if not inconsistent then it cannot be inconsistent now. The States at that time had their State debts; they had entire control of them; they paid what they pleased; they repudiated or scaled what they pleased; they have done so ever since. This power therefore was clearly not inconsistent with a republican form of government at that time, and certainly, therefore, cannot be so now. The right to declare who shall be electors for State offices, and who shall be eligible thereto, was committed entirely to the State; by the terms of the Constitution the electors for Representatives should "have the qualifications requisite for electors of the most numerous branch of the State Legislature, and those who vote for presidential electors should have such qualifications as the Legislature might prescribe." This power was then and is now not only consistent with but is indispensable to a republican form of government.

And yet the advocates of this bill propose

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to deprive the States of power over the question of slavery, power over their own indebtedness, power to regulate the elective franchise and the right to hold office, under the pretence that they thereby execute the provisions that the United States must guarantee a republican form of government to the States.

The gentleman from Massachusetts [Mr. Boutwell] has shown how he would execute it. South Carolina, Georgia, and Florida should never again appear as a State or in name in this Confederation. Is their exclusion a guarantee to them of a republican government?

Has any gentleman asserted in this debate that these powers are incompatible with republican government? Not one. Not one would venture so far. Then I submit that the condition in which Congress may act has not arisen. If Congress may insist upon the three fundamental conditions prescribed in this bill, in the case of the States resuming their relations to the Union, then I submit that, by a parity of reasoning, it ought to insist upon their incorporation into the constitution of the States remaining steadfast by the Union. If they are essential to republicanism in the one class of States, they are equally so in all.

Gentlemen do not assert, but they do assume, and this is the basis of the whole argument, that because the Federal Government must guarantee a republican form of govern-

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ment, it may therefore prescribe what particular form of republican government a State must adopt. This is obviously wrong. Mr. Madison in *The Federalist* refutes it:

“As long, therefore, as the existing republican forms are continued by the States, they are guaranteed by the Federal Constitution. Whenever the States may choose to substitute other republican forms they have a right to do so, and to claim the Federal guarantee for the latter. The only restriction imposed on them is that they shall not exchange republican for anti-republican constitutions; a restriction which it is presumed will hardly be considered as a grievance.”

The conclusion, then, to which I am forced is, that under the language of this clause of the Constitution, Congress has no authority to prescribe the conditions asserted in this bill, whatever may be the relation of the seceded States to the Federal Government, and whatever may be the effect of their secession upon the Constitution and State government then existing. I have chosen thus far to argue this question on the lower grade of the mere construction of the letter and the obvious spirit of the Constitution. I have done so because the gentleman from Maryland asserted over and over again that he found his authority to pass the bill in the clause of the Constitution which I have cited; and he deduced from that source all the powers which are claimed to belong to the Federal Government for the purposes of this war. The question rises, how-

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ever, far higher; and I propose to follow the gentleman in his discussion of it into other regions.

The gentleman maintains two propositions, which lie at the very basis of his views on this subject. He has explained them to the House, and enforced them on other occasions. He maintains that, by reason of their secession, the seceded States and their citizens "have not ceased to be citizens and States of the United States, though incapable of exercising political privileges under the Constitution, but that Congress is charged with a high political power by the Constitution to guarantee republican government in the States, and that this is the proper mode of exercising it." This act of revolution on the part of the States has evoked the most extraordinary theories upon the relation of the States to the Federal Government. This theory of the gentleman is one of them. The ratification of the Constitution by Virginia established the relation between herself and the Federal Government; it created the link between her and all the States; it announced her assumption of the duties, her title to the rights, of the confederating States; it proclaimed her interest in, her power over, her obedience to the common agent of all the States. If Virginia had never ordained that ratification she would have been an independent State; the Constitution would have been as perfect and the Union between the ratifying

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States would have been as complete as they now are. Virginia repeals that ordinance of ratification, annuls that bond of union, breaks that link of confederation. She repeals but a single law, repeals it by the action of a sovereign convention; leaves her constitution, her laws, her political and social polity untouched. And the gentleman from Maryland tells us that the effect of this repeal is not to destroy the vigor of that law, but is to subvert the State government, and to render the citizens "incapable of exercising political privileges"; that the Union remains, but that one party to it has thereby lost its corporate existence, and the other has advanced to the control and government of it.

Sir, this cannot be. Gentlemen must not palter in a double sense. These acts of secession are either valid or they are invalid. If they are valid they separate the State from the Union. If they are invalid, they are void; they have no effect; the State officers who act upon them are rebels to the Federal Government; the States are not destroyed; their constitutions are not abrogated; their officers are committing illegal acts, for which they are liable to punishment; the States have never left the Union, but so soon as their officers shall perform their duties or other officers shall assume their places, will again perform the duties imposed and enjoy the privileges conferred by the Federal compact, and this not by virtue of

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a new ratification of the Constitution, nor a new admission by the Federal Government, but by virtue of the original ratification, and the constant, uninterrupted maintenance of position in the Federal Union since that date.

Acts of secession are not invalid to destroy the Union, and valid to destroy the State governments and the political privileges of their citizens. We have heard much of the twofold relation which citizens of the seceded States may hold to the Federal Government—that they may be at once belligerents and rebellious citizens. I believe there are some judicial decisions to that effect. Sir, it is impossible. The Federal Government may possibly have the right to elect in which relation it will deal with them; it cannot deal with them at one and the same time in inconsistent relations. Belligerents being captured are entitled to be treated as prisoners of war; rebellious citizens are liable to be hanged. The private property of belligerents, according to the rules of modern war, shall not be taken without compensation; the property of rebellious citizens is liable to confiscation. Belligerents are not amenable to the local criminal law, nor to the jurisdiction of courts which administer it; rebellious citizens are, and the officers are bound to enforce the law, and to exact the penalty of its infraction. The seceded States are either in the Union or out of it. If in the Union, their constitutions are untouched, their State governments are

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maintained; their citizens are entitled to all political rights, except so far as they may be deprived of them by the criminal law which they have infringed. This seems incomprehensible to the gentleman from Maryland. In his view the whole State government centers in the men who administer it; so that when they administer it unwisely, or put it in antagonism to the Federal Government, the State government is dissolved, the State constitution is abrogated, and the State is left, in fact and in form *de jure* and *de facto*, in anarchy, except so far as the Federal Government may rightly intervene. This seems to be substantially the view of the gentleman from Massachusetts [Mr. Boutwell]. He enforces the same position, but he does not use the same language.

I submit that these gentlemen do not see with their usual clearness of vision. If by a plague or other visitation of God every officer of a State government should at the same moment die, so that not a single person clothed with official power should remain, would the State government be destroyed? Not at all. For the moment it would not be administered, but as soon as officers were elected, and assumed their respective duties, it would be instantly in full force and vigor.

If these States are out of the Union their State Governments are still in force unless otherwise changed. And their citizens are to

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the Federal Government as foreigners, and it has in relation to them the same rights, and none other, as it had in relation to British subjects in the war of 1812, or to the Mexicans in 1846. Whatever may be the true relation of the seceded States, the Federal Government derives no power in relation to them or their citizens from the provisions of the Constitution now under consideration, but in the one case derives all its power from the duty of enforcing the "supreme law of the land" and in the other from the power "to declare war."

The second proposition of the gentleman from Maryland is this. I use his language:

"That clause vests in the Congress of the United States a plenary, supreme, unlimited political jurisdiction, paramount over courts, subject only to the judgment of the people of the United States, embracing within its scope every legislative measure necessary and proper to make it effectual; and what is necessary and proper the Constitution refers in the first place to our judgment, subject to no revision but that of the people."

The gentleman states his case too strongly. The duty imposed on Congress is doubtless important, but Congress has no right to use a means of performing it forbidden by the Constitution, no matter how necessary or proper it might be thought to be. But, sir, this doctrine is monstrous. It has no foundation in the Constitution. It subjects all the States to the will of Congress; it places their institutions at

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the feet of Congress. It creates in Congress an absolute unqualified despotism. It asserts the power of Congress in changing the State governments to be "plenary, supreme, unlimited"—"subject only to revision by the people of the whole United States." The rights of the people of the States are nothing, their will is nothing. Congress first decides, the people of the whole Union revise. My own State of Ohio is liable at any moment to be called in question for her constitution. She does not permit negroes to vote. If this doctrine be true, Congress may decide that this exclusion is anti-republican, and by force of arms abrogate that constitution and set up another permitting negroes to vote. From that decision of the Congress there is no appeal to the people of Ohio, but only to the people of Massachusetts, and New York, and Wisconsin, at the election of Representatives; and if a majority cannot be elected to reverse the decision the people of Ohio must submit. Woe be to the day when that doctrine shall be established, for from its centralized despotism we will appeal to the sword!

Sir, the rights of the States were the foundation corner of the Confederation. The Constitution recognized them, maintained them, provided for their perpetuation. Our fathers thought them the safeguard of our liberties. They have proved so. They have reconciled liberty with empire; they have reconciled the

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freedom of the individual with the increase of our magnificent domain. They are the test, the touchstone, the security of our liberties. This bill, the avowed doctrine of its supporters, sweeps them all instantly away. It substitutes despotism for self-government; despotism the more severe because vested in a numerous Congress elected by a people who may not feel the exercise of its power. It subverts the Government, destroys the Confederation, and erects a tyranny on the ruins of the republican governments. It creates unity — it destroys liberty — it maintains integrity of territory, but destroys the rights of the citizen.

Sir, if this be the alternative of secession, I should prefer that secession should succeed. I should prefer to have the Union dissolved, the Confederate States recognized; nay, more, I should prefer that secession should go on, if need be, until each State resumes its complete independence. I should prefer thirty-four republics to one despotism. From such republics, while I might fear discord and wars, I would enjoy individual liberty, and hope for reunion on the true principles of confederation. From one strong centralized despotism, overriding the rights of the people, overriding the rights of the States, I can see no escape except in apathetic contentment with slavery, or the oft-repeated, often-failing, always bloody struggle of despairing hope. I would rather

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live a free citizen of a republic no larger than my native county of Hamilton, than be the subject of a more splendid empire than a Cæsar in his proudest triumphs ever ruled, or Napoleon in his loftiest flights ever conceived.

Sir, I cling to the hope that these evils may yet be averted. While I would prefer separation to the unity which this bill would create, I would fain hope that we may not be compelled to accept either alternative. If before it is too late the people will see the designs of those now in power, and will replace them with men who do not wish revolution, but do heartily wish a restoration of the Union, men who will seek by peace the results which war has rendered well-nigh impossible — who will try to attain by conciliation the ends which never can be reached by subjugation — who will seek in consent the foundation of the right of the Government, in States rights the guarantees of the liberty of the citizen — in the Constitution the measure of the power of the Government and the extent of the surrender of perfect freedom imposed by the citizen upon himself — we may hope that we may again have union and liberty; that interest, which alone binds together nations occupying a territory like our own, will assert its power and heal the wounds of war, and bring us again into the bonds of fraternal peace.

But if they will not now see these designs and avert them, however long and bloody and

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desolating this war, it will end—I predict it now while the thunders of battle ring in our ears and the exultant shouts of victory rise upon the air—in recognition of the Confederacy, in final separation, and in a longer, bloodier, and more desolating war on the part of our people—of your constituents, sir, and mine—to throw off the despotism which will ere then have been firmly established over them.

Thaddeus Stevens

(1792-1868)

ON RECONSTRUCTION

[Delivered December 18, 1865, in the House of Representatives.]

A CANDID examination of the power and proper principles of reconstruction can be offensive to no one, and may possibly be profitable by exciting inquiry. One of the suggestions of the message which we are now considering has special reference to this. Perhaps it is the principle most interesting to the people at this time. The President assumes, what no one doubts, that the late rebel States have lost their constitutional relations to the Union, and are incapable of representation in Congress except by permission of the Government. It matters but little, with this admission, whether you call them States out of the Union, and now conquered territories, or assert that because the Constitution forbids them to do what they did do, that they are therefore only dead as to all national and political action, and will remain so until the Government shall breathe into them the breath of life anew, and permit them to occupy their former position. In other

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words, that they are not out of the Union, but are only dead carcasses lying within the Union. In either case, it is very plain that it requires the action of Congress to enable them to form a State government and send representatives to Congress. Nobody, I believe, pretends that with their old constitutions and frames of government they can be permitted to claim their old rights under the Constitution. They have torn their constitutional States into atoms, and built on their foundations fabrics of a totally different character. Dead men cannot raise themselves. Dead States cannot restore their own existence "as it was." Whose especial duty is it to do it? In whom does the Constitution place the power? Not in the judicial branch of Government, for it only adjudicates and does not prescribe laws. Not in the Executive, for he only executes, and cannot make, laws. Not in the commander-in-chief of the armies, for he can only hold them under military rule until the sovereign legislative power of the conqueror shall give them law.

There is fortunately no difficulty in solving the question. There are two provisions in the Constitution, under one of which the case must fall. The fourth article says :

"New States may be admitted by the Congress into this Union."

In my judgment this is the controlling pro-

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vision in this case. Unless the law of nations is a dead letter, the late war between two acknowledged belligerents severed their original compacts, and broke all the ties that bound them together. The future condition of the conquered power depends on the will of the conqueror. They must come in as new States or remain as conquered provinces. Congress—the Senate and House of Representatives, with the concurrence of the President—is the only power that can act in the matter. But suppose, as some dreaming theorists imagine, that these States have never been out of the Union, but have only destroyed their State governments so as to be incapable of political action; then the fourth section of the fourth article applies, which says :

“The United States shall guarantee to every State in this Union a republican form of government.”

Who is the United States? Not the judiciary; not the President; but the sovereign power of the people, exercised through their representatives in Congress, with the concurrence of the Executive. It means the political Government—the concurrent action of both branches of Congress and the Executive. The separate action of each amounts to nothing, either in admitting new States or guaranteeing republican governments to lapsed or outlawed States. Whence springs the preposterous idea that either the President, or

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the Senate, or the House of Representatives, acting separately, can determine the right of States to send members or Senators to the Congress of the Union?

To prove that they are, and for four years have been, out of the Union for all legal purposes, and being now conquered, subject to the absolute disposal of Congress, I will suggest a few ideas and adduce a few authorities. If the so-called "Confederate States of America" were an independent belligerent, and were so acknowledged by the United States and by Europe, or had assumed and maintained an attitude which entitled them to be considered and treated as a belligerent, then, during such time, they were precisely in the condition of a foreign nation with whom we were at war; nor need their independence as a nation be acknowledged by us to produce that effect. In the able opinion delivered by that accomplished and loyal jurist, Mr. Justice Grier, in the prize cases, all the law on these points is collected and clearly stated. (*2 Black*, page 66.) Speaking of civil wars, and following Vattel, he says:

"When the party in rebellion occupy and hold in a hostile manner a certain portion of territory; have declared their independence; have cast off their allegiance; have organized armies; have commenced hostilities against their former sovereign, the world acknowledges them as belligerents, and the contest a war."

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And

“The parties belligerent in a public war are independent nations. But it is not necessary, to constitute war, that both parties should be acknowledged as independent nations or foreign States. A war may exist where one of the belligerents claims sovereign rights as against the other.”

The idea that the States could not and did not make war because the Constitution forbids it, and that this must be treated as a war of individuals, is a very injurious and groundless fallacy. Individuals cannot make war. They may commit murder, but that is no war. Communities, societies, states, make war. Phillimore says (volume three, page 68):

“War between private individuals who are members of a society cannot exist. The use of force in such a case is trespass and not war.”

But why appeal to reason to prove that the seceded States made war as States, when the conclusive opinion of the Supreme Court is at hand? In the prize cases already cited, the Supreme Court says :

“Hence, in organizing this rebellion they have acted as States claiming to be sovereign over all persons and property within their respective limits, and asserting a right to absolve their citizens from their allegiance to the Federal Government. Several of the States have combined to form a new Confederacy, claiming to be acknowledged by the world as a sovereign state. Their right to do this is now being decided by wager of battle. The ports and

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territory of each of these States are held in hostility to the General Government. It is no loose, unorganized insurrection, having no defined boundary or possession. It has a boundary marked by lines of bayonets, and which can be crossed only by force. South of this line is enemies' territory, because it is claimed and held in possession by an organized hostile and belligerent power."

Again, the court says, what I have been astonished that any one should doubt :

"The proclamation of blockade is itself official and conclusive evidence to the court that a state of war existed."

Now, what was the legal result of such war?

"The conventions, the treaties, made with a nation are broken or annulled by a war arising between the contracting parties." (*Vattel*, 372, *Halleck*, 371, section 23.)

If gentlemen suppose that this doctrine applies only to national and not to civil wars, I beg leave to refer them to *Vattel*, page 423. He says :

"A civil war breaks the bands of society and government, or at least suspends their force and effect; it produces in the nation two independent parties, who consider each other as enemies, and acknowledge no common judge. These two parties must therefore be considered as thenceforward, constituting, at least for a time, two separate bodies; two distinct societies. They stand, therefore, in precisely the same predicament as two nations who engage in a contest, and being unable to come to an agreement have recourse to arms."

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At page 427 :

“And when a nation becomes divided into two parties absolutely independent, and no longer acknowledge a common superior, the state is dissolved and the war between the two parties stands on the same ground, in every respect, as a public war between two different nations.”

But must the belligerent be acknowledged as an independent nation, as some contend? That is answered in the case referred to in *2 Black*, as follows :

“It is not the less a civil war, with belligerent parties in hostile array, because it may be called an ‘insurrection’ by one side, and the insurgents be considered as rebels or traitors. It is not necessary that the independence of the revolted province or state be acknowledged in order to constitute it a party belligerent in a war, according to the law of nations.”

This doctrine, so clearly established by publicists, and so distinctly stated by Mr. Justice Grier, has been frequently reiterated since by the Supreme Court of the United States. In Mr. Alexander’s case (*2 Wallace*, 419) the present able Chief Justice, delivering the opinion of the court, says :

“We must be governed by the principle of public law so often announced from this bench as applicable to civil and international wars, that all the people of each State or district in insurrection against the United States must be regarded as enemies until by the action of the Legislature and Executive, or otherwise, that relation is thoroughly and permanently changed.”

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After such clear and repeated decisions it is something worse than ridiculous to hear men of respectable standing attempting to nullify the law of nations, and declare the Supreme Court of the United States in error, because, as the Constitution forbids it, the States could not go out of the Union in fact. A respectable gentleman was lately reciting this argument, when he suddenly stopped and said, "Did you hear of that atrocious murder committed in our town? A rebel deliberately murdered a Government official." The person addressed said, "I think you are mistaken." "How so? I saw it myself." "You are wrong; no murder was or could be committed, for the law forbids it."

The theory that the rebel States, for four years a separate power and without representation in Congress, were all the time here in the Union, is a good deal less ingenious and respectable than the metaphysics of Berkeley, which proved that neither the world nor any human being was in existence. If this theory were simply ridiculous, it would be forgiven; but its effect is deeply injurious to the stability of the nation. I cannot doubt that the late Confederate States are out of the Union to all intents and purposes for which the conqueror may choose so to consider them.

But on the ground of estoppel, the United States have the clear right to elect to adjudge them out of the Union. They are estopped

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both by matter of record and matter *in pais*. One of the first resolutions passed by seceded South Carolina in January, 1861, is as follows:

“Resolved, unanimously, That the separation of South Carolina from the Federal Union is final, and she has no further interest in the Constitution of the United States; and that the only appropriate negotiations between her and the Federal Government are as to their mutual relations as foreign States.”

Similar resolutions appear upon all their State and Confederate government records. The speeches of their members of Congress, their generals and executive officers, and the answers of their government to our shameful suings for peace, went upon the defiant ground that no terms would be offered or received except upon the prior acknowledgment of the entire and permanent independence of the Confederate States. After this, to deny that we have a right to treat them as a conquered belligerent, severed from the Union in fact, is not argument but mockery. Whether it be our interest to do so is the only question hereafter and more deliberately to be considered.

But suppose these powerful but now subdued belligerents, instead of being out of the Union, are merely destroyed, and are now lying about, a dead corpse, or with animation so suspended as to be incapable of action, and wholly unable to heal themselves by any unaided movements of their own. Then they may fall under the provision of the Constitution which says “the

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United States shall guarantee to every State in the Union a republican form of government.” Under that power can the judiciary, or the President, or the commander-in-chief of the army, or the Senate or House of Representatives, acting separately, restore them to life and readmit them into the Union? I insist that if each acted separately, though the action of each was identical with all the others, it would amount to nothing. Nothing but the joint action of the two Houses of Congress and the concurrence of the President could do it. If the Senate admitted their senators, and the House their members, it would have no effect on the future action of Congress. The Fortieth Congress might reject both. Such is the ragged record of Congress for the last four years.

In *Luther vs. Borden* (7, *Howard*, 1-42) the Supreme Court says:

“Under this article of the Constitution [the one above cited] it rests with Congress to decide what government is the established one in a State. For as the United States guarantee to each State a republican government, Congress must necessarily decide what government is established in the State before it can determine whether it is republican or not.”

Congress alone can do it. But Congress does not mean the Senate, or the House of Representatives, and President, all acting severally. Their joint action constitutes Congress. Hence a law of Congress must be passed be-

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fore any new State can be admitted ; or any dead ones revived. Until then no member can be lawfully admitted into either House. Hence it appears with how little knowledge of constitutional law each branch is urged to admit members separately from these destroyed States. The provision that "each House shall be the judge of the elections, returns, and qualifications of its own members" has not the most distant bearing on this question. Congress must create States and declare when they are entitled to be represented. Then each House must judge whether the members presenting themselves from a reorganized State possess the requisite qualifications of age, residence, and citizenship ; and whether the election and returns are according to law. The Houses, separately, can judge of nothing else. It seems amazing that any man of legal education could give it any larger meaning.

It is obvious from all this that the first duty of Congress is to pass a law declaring the condition of these outside or defunct States, and providing proper civil governments for them. Since the conquest they have been governed by martial law. Military rule is necessarily despotic, and ought not to exist longer than is absolutely necessary. As there are no symptoms that the people of these provinces will be prepared to participate in constitutional government for some years, I know

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of no arrangement so proper for them as territorial governments. There they can learn the principles of freedom, and eat the fruit of foul rebellion. Under such governments, while electing members to the territorial legislatures, they will necessarily mingle with those to whom Congress shall extend the right of suffrage. In territories Congress fixes the qualifications of electors; and I know of no better place nor better occasion for the conquered rebels and the conqueror to practise justice to all men, and accustom themselves to make and to obey equal laws.

As these fallen rebels cannot at their option re-enter the heaven which they have disturbed, the garden of Eden which they have deserted, and flaming swords are set at the gates to secure their exclusion, it becomes important to the welfare of the nation to inquire when the doors shall be reopened for their admission.

According to my judgment they ought never to be recognized as capable of acting in the Union, or as being counted as valid States, until the Constitution shall have been so amended as to make it what its framers intended; and so as to secure perpetual ascendancy to the party of the Union; and so as to render our republican Government firm and stable forever. The first of those amendments is to change the basis of representation among the States from Federal numbers to actual voters. Now, all the colored freemen in the slave States,

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and three fifths of the slaves, are represented, though none of them have votes. The States have nineteen representatives of colored slaves. If the slaves are now free then they can add, for the other two fifths, thirteen more, making the slave representation thirty-two. I suppose the free blacks in those States will give at least five more, making the representation of non-voting people of color about thirty-seven.

The whole number of representatives now from the slave States is seventy. Add the other two fifths, and it will be eighty-three.

If the amendment prevails, and those States withhold the right of suffrage from persons of color, it will deduct about thirty-seven, leaving them but forty-six. With the basis unchanged the eighty-three southern members, with the Democrats that will in the best times be elected from the North, will always give them a majority in Congress and in the Electoral College. They will at the very first election take possession of the White House and the halls of Congress. I need not depict the ruin that would follow. Assumption of the rebel debt, or repudiation of the Federal debt, would be sure to follow. The oppression of the freemen; the reamendment of their State constitutions, and the re-establishment of slavery would be the inevitable result. That they would scorn and disregard their present constitutions, forced upon them in the midst of martial law, would be both natural and just. No one who

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has any regard for freedom of elections can look upon these governments, forced upon them in duress, with any favor. If they should grant the right of suffrage to persons of color, I think there would always be Union white men enough in the South, aided by the blacks, to divide the representation, and thus continue the Republican ascendancy. If they should refuse to thus alter their election laws, it would reduce the representatives of the late slave States to about forty-five, and render them powerless for evil. It is plain that this amendment must be consummated before the defunct States are admitted to be capable of State action, or it never can be.

The proposed amendment to allow Congress to lay a duty on exports is precisely in the same situation. Its importance cannot well be overstated. It is very obvious that for many years the South will not pay much under our internal revenue laws. The only article on which we can raise any considerable amount is cotton. It will be grown largely at once. With ten cents a pound export duty it would be furnished cheaper to foreign markets than they could obtain it from any other part of the world. The late war has shown that. Two million bales exported, at five hundred pounds to the bale, would yield \$100,000,000. This seems to be the chief revenue we shall ever derive from the South. Besides, it would be a protection to that amount to our domestic

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manufactures. Other proposed amendments — to make all laws uniform; to prohibit the assumption of the rebel debt — are of vital importance and the only thing that can prevent the combined forces of copperheads and secessionists from legislating against the interests of the Union whenever they may obtain accidental majority.

But this is not all that we ought to do before these inveterate rebels are invited to participate in our legislation. We have turned, or are about to turn, loose four million slaves without a hut to shelter them or a cent in their pockets. The infernal laws of slavery have prevented them from acquiring education, understanding the commonest laws of contract, or of managing the ordinary business of life. This Congress is bound to provide for them until they can take care of themselves. If we do not furnish them with homesteads, and hedge them around with protective laws; if we leave them to the legislation of their late masters, we had better have left them in bondage. Their condition would be worse than that of our prisoners at Andersonville. If we fail in this great duty now, when we have the power, we shall deserve and receive the execration of history and of all future ages.

Two things are of vital importance:

- I. So to establish a principle that none of the rebel States shall be counted in any of the amendments of the Constitution until they are

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duly admitted into the family of States by the law-making power of their conqueror. For more than six months the amendment of the Constitution abolishing slavery has been ratified by the legislatures of three-fourths of the States that acted on its passage by Congress, and which had legislatures, or which were States capable of acting, or required to act, on the question.

I take no account of the aggregation of whitewashed rebels, who without any legal authority have assembled in the capitals of the late rebel States, and simulated legislative bodies. Nor do I regard with any respect the cunning by-play into which they deluded the Secretary of State by frequent telegraphic announcements that "South Carolina has adopted the amendment"; "Alabama has adopted the amendment, being the twenty-seventh State," etc. This was intended to delude the people, and accustom Congress to hear repeated the names of these extinct States as if they were alive; when, in truth, they have now no more existence than the revolted cities of Latium, two thirds of whose people were colonized and their property confiscated, and their right of citizenship withdrawn by conquering and avenging Rome.

2. It is equally important to the stability of this Republic that it should now be solemnly decided what power can revive, re-create, and reinstate these provinces into the family of States, and invest them with the rights of

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American citizens. It is time that Congress should assert its sovereignty, and assume something of the dignity of a Roman Senate. It is fortunate that the President invites Congress to take this manly attitude. After stating with great frankness in his able message his theory, which, however, is found to be impracticable, and which I believe very few now consider tenable, he refers the whole matter to the judgment of Congress. If Congress should fail firmly and wisely to discharge that high duty, it is not the fault of the President.

This Congress owes it to its own character to set the seal of reprobation upon a doctrine which is becoming too fashionable, and unless rebuked will be the recognized principle of our Government. Governor Perry and other provisional governors and orators proclaim that "this is the white man's Government." The whole copperhead party, pandering to the lowest prejudices of the ignorant, repeat the cuckoo cry, "This is the white man's Government." Demagogues of all parties, even some high in authority, gravely shout, "This is the white man's Government." What is implied by this? That one race of men are to have the exclusive right forever to rule this nation, and to exercise all acts of sovereignty, while all other races and nations and colors are to be their subjects, and have no voice in making the laws and choosing the rulers by whom they are to be governed. Wherein does this dif-

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fer from slavery except in degree? Does not this contradict all the distinctive principles of the Declaration of Independence? When the great and good men promulgated that instrument, and pledged their lives and sacred honors to defend it, it was supposed to form an epoch in civil government. Before that time it was held that the right to rule was vested in families, dynasties, or races, not because of superior intelligence or virtue, but because of a divine right to enjoy exclusive privileges.

Our fathers repudiated the whole doctrine of the legal superiority of families or races, and proclaimed the equality of men before the law. Upon that they created a revolution, and built the Republic. They were prevented by slavery from perfecting the superstructure whose foundation they had thus broadly laid. For the sake of the Union they consented to wait, but never relinquished the idea of its final completion. The time to which they looked forward with anxiety has come. It is our duty to complete their work. If this Republic is not now made to stand on their great principles, it has no honest foundation, and the Father of all men will still shake it to its center. If we have not yet been sufficiently scourged for our national sin to teach us to do justice to all God's creatures, without distinction of race or color, we must expect the still more heavy vengeance of an offended Father, still increasing his inflictions as he increased the severity of

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the plagues of Egypt until the tyrant consented to do justice. And when that tyrant repented of his reluctant consent, and attempted to re-enslave the people, as our southern tyrants are attempting to do now, he filled the Red Sea with broken chariots and drowned horses, and strewed the shores with dead carcasses.

Mr. Chairman, I trust the Republican party will not be alarmed at what I am saying. I do not profess to speak their sentiments, nor must they be held responsible for them. I speak for myself, and take the responsibility, and will settle with my intelligent constituents.

This is not a "white man's Government," in the exclusive sense in which it is used. To say so is political blasphemy, for it violates the fundamental principals of our gospel of liberty. This is man's Government; the Government of all men alike; not that all men will have equal power and sway within it. Accidental circumstances, natural and acquired endowment and ability, will vary their fortunes. But equal rights to all the privileges of the Government is innate in every immortal being, no matter what the shape or color of the tabernacle which it inhabits.

If equal privileges were granted to all, I should not expect any but white men to be elected to office for long ages to come. The prejudice engendered by slavery would not soon permit merit to be preferred to color. But it would still be beneficial to the weaker races.

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In a country where political divisions will always exist, their power, joined with just white men, would greatly modify, if it did not entirely prevent, the injustice of majorities. Without the right of suffrage in the late slave States (I do not speak of the free States), I believe the slaves had far better been left in bondage. I see it stated that very distinguished advocates of the right of suffrage lately declared in this city that they do not expect to obtain it by congressional legislation, but only by administrative action, because, as one gallant gentleman said, the States had not been out of the Union. Then they will never get it. The President is far sounder than they. He sees that administrative action has nothing to do with it. If it ever is to come, it must be constitutional amendments or congressional action in territories, and in enabling acts.

How shameful that men of influence should mislead and miseducate the public mind! They proclaim, "This is the white man's Government," and the whole coil of copperheads echo the same sentiment, and upstart, jealous Republicans join the cry. Is it any wonder ignorant foreigners and illiterate natives should learn this doctrine, and be led to despise and maltreat a whole race of their fellow-men?

Sir, this doctrine of a white man's Government is as atrocious as the infamous sentiment that damned the late Chief Justice to everlasting fame; and, I fear, to everlasting fire.

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Page 13. — JOHN PARKER HALE.

This speech was made on the motion of Senator Clingman, of North Carolina, to print President Buchanan's message, in which was discussed at length the condition of the country, with special reference to secession. — *Editor*.

In Congress Mr. Hale sided with the opponents of slavery. In a published letter in January 1845, he strongly denounced, on antislavery grounds, the annexation of Texas, and was declared a traitor to the Democratic party. This defiance of party dictation gave him a strong hold on the favor of the people. On taking his seat in the United States Senate he was almost the only man elected on antislavery grounds, and disconnected with either of the great parties. He stood almost alone on the slavery question; was a ready speaker, and by his wit and humor often succeeded in turning aside the attacks of proslavery senators, and in mitigating party animosity.—DRAKE: *Dictionary of American Biography*.

Page 23. — BENJAMIN FRANKLIN WADE.

This speech was made on the Powell Resolution:

“*Resolved*, That so much of the President's message as relates to the present agitated and distracted condition of the country, and the grievances between the slaveholding and the non-slaveholding States, be referred to a special committee of thirteen members; and that said committee be instructed to inquire into the present condition of the country, and report by bill or otherwise.”

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Wade's speech derives its significance from the circumstance that it may be taken as a pretty accurate index of the sentiment of the great mass of the Republicans in respect to the crisis. The tone of their press for the last ten days accords with the anti-compromise tone of this speech. The current, indeed, seems setting more and more strongly in that direction. The ground on which a majority of the Republican party stands to-day is earnest opposition to any further compromises, combined with entire willingness to accord to the South every right guaranteed to it by the Constitution.—*New York World*, December 19, 1860.

Wade was United States senator from 1851 to 1869. Prominent in that body as a leader of the anti-slavery Whigs, and then of the Republicans; he advocated the Homestead Bill and the repeal of the Fugitive-Slave Law; opposed the Kansas-Nebraska Bill of 1854, the Lecompton Constitution for Kansas in 1858, the purchase of Cuba, and, in December 1860, the making of any new concessions to the slave-power.

During the Rebellion he labored incessantly for a more vigorous prosecution of the war; in 1861-1862 he was chairman of the joint committee on the conduct of the war, and was active in urging the passage of a confiscation bill. As chairman of the Committee on Territories, he reported a bill in 1862 abolishing slavery in all the territories. On the question of the reconstruction of the Southern States, after the war, he was decidedly radical. After the assassination of President Lincoln in April, 1865, he became president *pro tem.* of the Senate, and acting vice-president of the United States.—DRAKE: *Dictionary of American Biography*.

Page 61. — ROBERT TOOMBS.

This speech was made on Crittenden's resolution: "Whereas, the Union is in danger, and owing to the unhappy divisions existing in Congress, it would

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be difficult, if not impossible, for that body to concur in both its branches by the requisite majority so as to enable it either to adopt such measures of legislation, or to recommend to the States such amendments to the Constitution as are deemed necessary and proper to avert that danger; and whereas, in so great an emergency the opinion and judgment of the people ought to be heard, and would be the best and surest guide to their representatives; therefore,

“*Resolved*, That provision ought to be made by law without delay for taking the sense of the people and submitting to their vote the following resolutions as the basis for the final and permanent settlement of those disputes that now disturb the peace of the country and threaten the existence of the Union.”

Toombs was a member of Congress from 1845 to 1853; entered the Senate during the 33d Congress; was re-elected in 1859, and expelled March 14, 1861. In Congress he served on important committees; was a prominent member of the extreme Southern party, and, after the election of President Lincoln, was a leader in the secession of Georgia. He strongly advocated secession in a speech at Milledgeville, November 15, 1860, and in the United States Senate, January 7, 1861. He was a member of the Confederate Congress which met at Montgomery, February 4; was provisional secretary of state from February 21 to September 1861; and was a brigadier-general in the Confederate army. Up to 1850 he belonged to the Whig party. — DRAKE: *Dictionary of American Biography*.

Robert Toombs was far more amenable to reason than his rough manner and boisterous logic indicated. He was a man of commanding person, reminding one of Mirabeau. Bating his broad Africanese dialect, he was fiercely eloquent in the epigrammatic force of his expression. — COX: *Three Decades of Federal Legislation*, p. 70.

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Page 103.—SAMUEL SULLIVAN COX.

Mr. Cox, following Mr. McClernand, speaks on a bill of appropriations for the army for the year ending June 30, 1862.

This speech was delivered in the midst of the excitement of actual secession. It was a difficult duty for a Representative, who stood between the extremes and appealed to them for moderation, to reach a class of men whose characteristics were immoderation and violence. Anxious to keep the peace and avert war, and at the same time unyielding as to the Union, I was compelled to weigh carefully each word, lest what was intended for oil on the waters, might be oil on the flames.—Cox, S. S.: *Eight Years in Congress*, p. 188.

In penning this inscription from a distant city, aloof from old associations, and devoted to new pursuits, memories of you throng, cheer, and sweeten my thoughts. Not only do I recall the kindly courtesies, and personal attachments at your firesides and meetings, but the unwavering trust you reposed, from the first effort which I made against sectionalism to the present time, when the consequences of that sectionalism, so sanguinary and terrible, yet remain. I represented you truly, when I warned and worked from 1856 to 1860 against the passionate zealotry of North and South; when I denounced, in and out of Congress, the bad fallacy and worse conduct of the secessionists; when I voted to avert the impending war by every measure of adjustment; and when, after war came, by my votes for money and men, I aided the Administration in maintaining the Federal authority over the insurgent States. Sustained by you, I supported every measure which was constitutional and expedient, to crush rebellion. At the same time I have freely challenged the conduct of the Administration in the use of the means committed to it by a devoted people. Believing that a proper use of such means would bring peace and union, and believing in no peace as permanent

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unless it were wedded to the Union, in love and contentment, I have omitted no opportunity to forward these objects. This I have done in spite of threat and violence. For doing it your confidence has not been diminished, but increased.

I know that the popular heart for some years will love to dwell most upon the deeds of the war. The Doers will, and perhaps should, outshine the Talkers. Our defenders in the field will be elevated above those in the forum. Men are prone to admire the hero. When he has the solid elements of courage and virtue, added to the glitter of martial success, admiration becomes worship. Napoleon understands this. To aggrandize the great founder of his family, he makes the Cæsars create events, rather than events create the Cæsars. But it is as true that the French Revolution was indebted to Rousseau for its seminal idea, as that its events developed the greatness of Buonaparte. The great captains of our war, McClellan, Grant, Sherman, Sheridan, Farragut, and Porter, whose names will shine most upon the historic roll, were but the blossoms of that growth of ideas, whose antagonism and elucidation have been the work of the Press, Pulpit, and Forum.—Cox, S. S.: *Eight Years in Congress*, p. iii; *To my Constituents in Ohio*.

Page 161. — JOHN C. BRECKENRIDGE.

Member of Congress from 1851 to 1855. The Mission to Spain was tendered him by President Pierce, but was declined. He became Vice-President in March, 1857. One of his first public performances was the delivery of a eulogy on Henry Clay. He entered the Senate in 1861 as successor of J. J. Crittenden. Candidate of the Southern Democrats for President in 1860, and was defeated; expelled from the Senate, December 4, 1861; made a major-general of the Confederate States of America, August 5, 1862.—DRAKE: *Dictionary of American Biography*.

But what a company of conspicuous men answered

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to the roll-call on the 6th of December, 1860, in the Thirty-sixth Congress. At the head of the Senate stands John C. Breckenridge, offering his name, so proudly connected with the history of Kentucky, to the task of dismemberment. He was among the last to leave his home to take the sword for the South. He was, after the war, a fugitive upon English soil, pleading with his stricken confederates to do the best by submission to Federal rule. His health had been impaired by his exertions in the field. The writer saw him some time before his decease. He was sojourning at the Thousand Isles, in New York. His spirit was peaceful, calm, and exalted,—fit companion of a form upon which God had set His seal. He lives not only in the spirit of those whose admiration he engrossed, but in his sons, one of whom is in the present Congress from Arkansas. — COX: *Three Decades of Federal Legislation*, p. 65.

Page 161. — EDWARD D. BAKER.

Born in London, February 24, 1811; killed in the battle of Ball's Bluff, October 21, 1861. His family came to the United States about 1815, and settled in Philadelphia, but in 1825 removed to Illinois. The son studied law, was admitted to practice in Greene County, Illinois; removed to Springfield; in 1837 was chosen to the legislature; was State senator from 1840 to 1844, and then member of Congress until the breaking out of the Mexican War, when he resigned, and became colonel of Illinois Volunteers. He shared in the siege of Vera Cruz, commanded with great gallantry a brigade at Cerro Gordo and all the subsequent conflicts, and after the war removed to Galena, and aided in the nomination of General Taylor to the presidency. In 1848-1849, he was again in Congress, but, becoming connected with the Panama Railroad Co., declined a re-election, settled in the successful practice of law in California in 1852, and connected himself with the Republican party. When Senator Broderick was killed in a duel in 1859,

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he delivered a funeral oration over the body of his friend in the public square of San Francisco, and soon after removed to Oregon, where in 1860, by a coalition between the Republicans and Douglas Democrats in the legislature, he was elected to the United States Senate. On the breaking out of the Civil War in 1861, he raised the "California" regiment in New York and Philadelphia, and, declining to be appointed a general, went into the field at its head. At Ball's Bluff he commanded a brigade, and fell in advance of the line while serving a piece of artillery. — DRAKE: *Dictionary of American Biography*.

In the Senate he took at once the part of orator. His voice was not full and sonorous, but sharp and clear. It was penetrating rather than commanding, and yet, when touched by his ardent nature, became sympathetic and even musical. Countenance, body, and gesture all shared the unconscious inspiration of his voice, and he went on, master of his audience, master also of himself. All his faculties were completely at command. — SUMNER: *Complete Works*, vol. 7, p. 372.

Sumner, continuing, refers to the present speech: The occasion was peculiar. A senator, with treason in his heart, if not on his lips, had just sat down. Our lamented senator, who had entered the Chamber direct from his camp, rose at once to reply. He began simply and calmly; but, as he proceeded, the fervid soul broke forth in words of surpassing power. On the former occasion he presented the well-ripened fruits of study; but now he spoke with the spontaneous utterance of his natural eloquence, meeting the polished traitor at every point with weapons keener and brighter than his own. — SUMNER: *Complete Works*, vol. 7, p. 374.

Page 201. — HENRY WARD BEECHER.

Mr. Beecher prefixed to a report of his speeches in England, published in 1863, the following note:

"I have been asked to revise the speeches re-

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cently delivered by me in Great Britain, and to allow them to be published together.

“In compliance with that request, I have partially revised the speeches delivered in the Free Trade Hall, Manchester, in the City Hall, Glasgow, and in the Free Church Assembly Hall, Edinburgh; the others not at all.

“I must leave them with all the imperfections incidental to speeches delivered under circumstances, in several cases, not favourable to literary excellence or reportorial correctness.

“To avoid any mistake hereafter, I specify those speeches which, in addition to the above, I permit to be published; and this I deem necessary on account of one of my morning addresses being so inaccurately reported, unintentionally I believe, as to misrepresent what I did say, and attribute to me that which I did not say.

“The speech in the Philharmonic Hall, Liverpool, I leave as a curiosity. It may relieve the reading of the others to follow the course of a speech delivered under difficulties.”

Liverpool was worse than all the rest put together. My life was threatened, and I had had communications to the effect that I had better not venture there. The streets were placarded with the most scurrilous and abusive cards, and I brought home some of them, and they are in the Brooklyn Historical Society now. It so happened, I believe, that the Congregational Association of England and Wales was in session there, and pretty much all of the members were present on the platform. I suppose there were five hundred people on the platform behind me. There were men in the galleries and boxes who came armed, and some bold men on our side went up into those boxes and drew their knives and pistols and said to these young bloods, “The first man that fires here will rue it.” I heard a good many narratives of that kind afterwards, though I knew nothing of it at the time. But of all

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confusions and turmoils and whirls I never saw the like. I got control of the meeting in about an hour and a half, and then I had a clear road the rest of the way. We carried the meeting, but it required a three hours' use of my voice at its utmost strength. I sometimes felt like a shipmaster attempting to preach on board of a ship through a speaking trumpet with a tornado on the sea and a mutiny among the men. By this time my voice was pretty much all used up and I had yet got to go to Exeter Hall in London.—BEECHER: *Patriotic Addresses*, edited by John R. Howard, p. 646-647.

Page 247.—GEORGE H. PENDLETON.

Born in Cincinnati, July 25, 1825. Son of N. G. Pendleton. Member of the Ohio Senate in 1854-1855; member of Congress, 1855-1861 and 1863-1865; Democratic nominee for Vice-President in 1864, he received 21 votes out of 233; candidate for governor of Ohio in 1869, but was defeated.—DRAKE: *Dictionary of American Biography*.

To establish a basis of readjustment, four main theories were put forth: (1) The "presidential theory," held by Lincoln, was that the States were entitled to come back and send members to Congress, as soon as the President decided they had repented. (2) The "state suicide theory," urged by Charles Sumner, was that by secession the States lost statehood and became territories. (3) The "conquered provinces theory," for which Thaddeus Stevens was responsible, looked on the South as a subjugated region with which Congress could deal exactly as though it were a part of a conquered foreign country; it was actually suggested that South Carolina be divided between Georgia and North Carolina and thus be obliterated from the map. (4) The "forfeited rights theory" was that the States still existed and were members of the Union, but through traitorous acts of the community as a whole had made themselves subject to some punishment

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which would reach them *as States*.—HART: *Essentials in American History*, p. 493.

Page 269.—THADDEUS STEVENS.

Two things Stevens did for his adopted State, by which he repaid largely all her hospitality and favor. He taught her to cherish Education for the People, and he taught her respect for Human Rights.

Strong in his cause and in the consciousness of power, he did not shrink from encounter; and when it was joined, he used not only argument and history, but all those other weapons by which a bad cause is exposed to scorn and contempt. Nobody said more in fewer words, or gave to language a sharper bite. Speech was with him at times a cat-o'-nine-tails, and woe to the victim on whom the terrible lash descended!

It is as Defender of Human Rights that Thaddeus Stevens deserves homage. Here he is supreme. On other questions he erred. On the finances his errors were signal. But history will forget these and other failings, as it bends with reverence before the exalted labors by which humanity has been advanced. Already he takes his place among illustrious names which are the common property of mankind. I see him now, as so often during life. His venerable form moves slowly and with uncertain steps; but the gathered strength of years is in his countenance, and the light of victory on his path.—SUMNER: *Complete Works*, vol. 17, pp. 3, 4, 9.

To those who judged of the personal appearance of the deceased only as they looked on him bearing the burden of years and stricken with disease, though he still stood with eye undimmed and will undaunted, I may say that in his prime he was a man physically well proportioned, muscular and strong, of clear and ruddy complexion, with face and feature of great mobility and under perfect command and control. In his youth and early manhood, notwithstanding his lameness, he entered

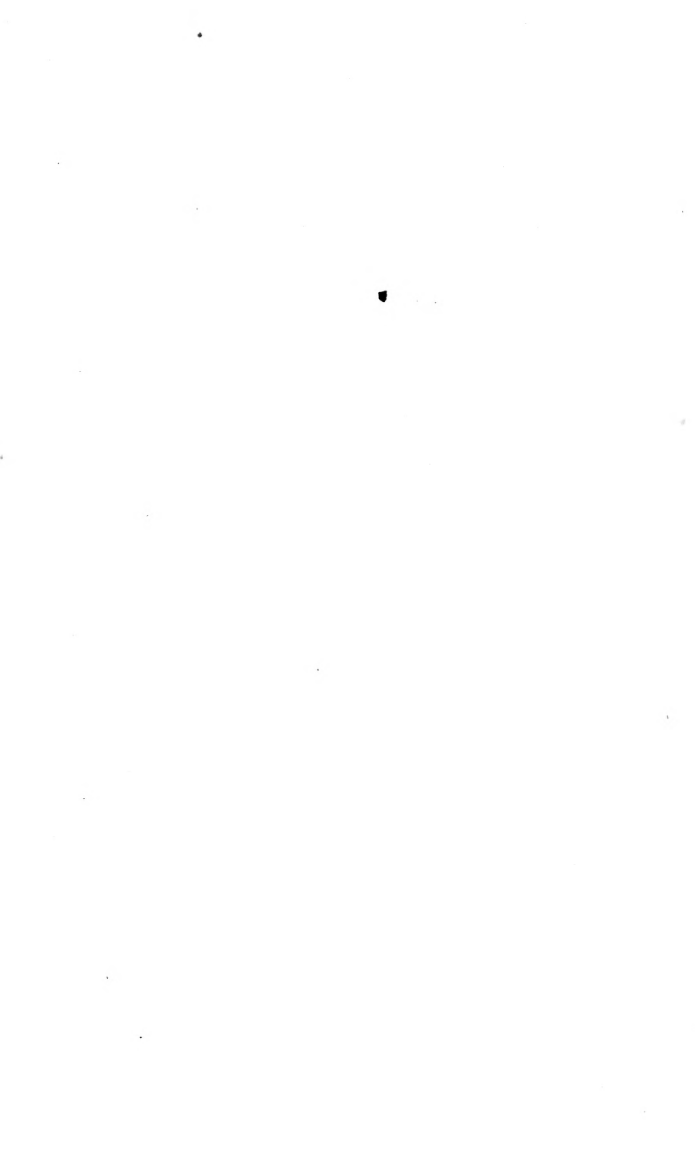
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with zest into almost all of the athletic games and sports of the time. He was an expert swimmer and an excellent horseman. When residing at Gettysburg he followed the chase, and kept his hunters and hounds. — *Memorial Addresses on the Life and Character of Thaddeus Stevens, delivered in the House of Representatives*, p. 6: *Remarks of Mr. Dickey*.

Thaddeus Stevens was the unquestioned leader of the House of Representatives from July 4, 1861, when it assembled at the call of Lincoln, until his death, which occurred in 1868. The legislative work of that period stands unapproached in difficulty and importance in the history of Congress, if not, indeed, of any parliamentary body in the world. Stevens was the chairman of the Committee on Ways and Means during the war, and afterwards of the Committees on Appropriations and Reconstruction. He was, therefore, especially identified with the financial measures of the war, including the legal tender acts, also with reconstruction, with the great constitutional amendments, and with the impeachment of President Johnson.—MCCALL: *Thaddeus Stevens*, p. v.

Stevens was one of the best debaters who ever sat in Congress, but he was absolutely one-sided in politics and thought everybody on the other side a scoundrel.—HART: *Essentials in American History*, p. 496.







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