

THE NATION'S HOPE IN THE DEMOCRACY---HISTORIC LESSONS  
FOR CIVIL WAR.

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SPEECH

OF

HON. S. S. COX, OF OHIO,

ON

THE BILL OF H. WINTER DAVIS, "TO GUARANTEE TO CERTAIN STATES, WHOSE GOVERNMENTS ARE USURPED OR OVERTHROWN, A REPUBLICAN FORM OF GOVERNMENT."

DELIVERED

IN THE HOUSE OF REPRESENTATIVES,

MAY, 1864.

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"We know of no great revolution which might not have been prevented by compromise early and graciously made. Firmness is a great virtue in public affairs, but it has its proper sphere. Conspiracies and insurrections in which small minorities are engaged, the outbreakings of popular violence unconnected with any extensive project or any durable principle, are best repressed by vigor and decision. To shrink from them is to make them formidable. But no wise ruler will confound the pervading taint with the slight local isolation. The neglect of this distinction has been fatal even to governments strong in the power of the sword."—*Macaulay*.

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## S P E E C H

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MR. SPEAKER: My heart's desire and prayer to God is for peace and Union to this distracted land. While urging undiminished and increased exertions by our army and navy, to secure union, I have been ever ready to heal the wounds and check the ravages of war by all rational methods used among civilized nations. To those who can entertain but one idea at a time, this position has seemed inconsistent; but to those who have read history, it will appear that war is made for peace, and that to consummate peace in the midst of war, and to restore harmony in civil or international conflict, negotiation and friendliness are indispensable.

During the long and anxious years I have served here—from almost a youth to almost middle age—I have never failed to warn against the great crisis of force which came in 1861. These auguries have been unhappily too fully fulfilled. What could be done by an humble representative to avert this strife, that I did. My constituents know this; and I might be content to leave this arena, conscious of their approbation for duty done. Since this war began I have sought, but found no place for compromise in the dominant party. Hence I have mournfully though constantly by vote and voice, upheld the sword, lest even a worse alternative—eternal separation and prolonged strife—should be our fate. The miseries which this war has entailed, have not been the work of the Northern Democracy; and if Disunion comes through the open doors of Janus—if recognition of Southern independence comes through war or its disasters, the Democracy are not responsible for the odium, and with my word and aid shall never be held responsible. Those who are swift to recognize Southern independence may do so; but by all the memories of our conflicts with secession and abolition, I will never, never, be counted among those who have aided in the dismemberment of the Republic. Would that I could see in our present policy a gleam of hope for our future. How gladly would I hail it! But until that policy is reversed, all our future is shrouded. Like my distinguished friend from Indiana [Mr. VORHEES] whose dirge-like speech still haunts my memory, I see in the continuance of the present misrule, only the throes of this giant nation—writhing in the despair of dissolution. The bloody sweat, the feverish pulse, the delirious raving and the muscular agony, go before that prostration, which “Death the Skeleton and Time the Shadow” have consummated for all Republics, which have in evil hours, yielded the sceptre of the people to the grasp of Passion and the greed of Power. The eloquent requiem which my friend pronounced, sounding like the wail of the bereaved among the tombs of the dead—should, if heeded, teach us, before too late, how beyond all price, is the boon which is passing from us forever. He finds hope in autumn, for the spring will bring its bloom; hope in the storm, for the cloud will pass and the sun shine again; but no hope in the grave of our Republic—none, none for our dying Republic. Mr. Speaker, sadly as his thoughts have impressed me, I can yet see some hope for our Nation; for I believe in the immortality of civilization and the grace of the Christian religion. While to him the future is

black with a pall, I look beyond his prospect of the hearse and the tomb—the mourners and the darkened window—to the resurrection! The grave shall lose its sting, and death its victory. The mourner shall be comforted. The light of a better dawn shall enter into the darkened chamber. I too go to holy writ as he did, but I go for the purpose of cheer and not of despondency; for I read there that “*Good tidings shall bind up the broken hearted, and to them that mourn in Zion, give unto them beauty for ashes and the oil of joy for mourning and the garment of praise for heaviness \* \* \* and they shall build the old wastes, they shall raise up the former desolations, as the earth bringeth forth her bud and the garden causeth things that are sown in it to spring forth.*” \* \* \* “*Go through, go through the gates, prepare ye the way of the People; cast up, cast up the highway;—lift up a standard for the PEOPLE!*”

Sir, that standard for the people shall be high advanced! My friend himself will bear it to the West. In the honest yeomanry of the Mississippi Valley, and in the eternal principles of constitutional Democracy and regulated freedom, do I read a more cheering horoscope! I will not, do not and cannot despair. I would rather die in my simple faith in popular intelligence and republican institutions, than yield my heart to the sadness which freights each passing hour with its gloom.

There is one hope left. If the bayonet shall be unfixed at our polls, if no persuasive appliances of money shall attain an honest election, I do not despair of a verdict in favor of that party whose principles I have loved for their national history and unsectional spirit. Fond as I am of historic research, I cannot follow my friend in mourning over the dust of departed empire. I read in the decline and fall of republican governments lessons of wisdom and hope for our own guidance. In the remarks which I shall submit I propose to show from history how statesmanship has saved the falling columns of constitutional liberty, how the victories of war have been crowned by the more renowned, important and difficult victories of peace, and how allegiance has been rekindled by the sweet breath of kindness fanning the almost dying embers of patriotism.

This may seem like a thankless and useless task, in view of the convulsions and prejudices of the hour; but the issue to be presented next November demands such an exposition. That issue is—shall freedom, peace, and Union be restored by a change of rulers and policy, or shall we set aside the teachings of the past, and permit the work of disintegration and ruin to go on?

The Executive has proposed an amnesty. I would not turn away from its contemplation. As each day may offer the chance of conciliation, I welcome any sign of peace, though the bow of promise be dim and unsubstantial, and though it be wreathed over the very cataract of our national doom!

The message of the President should be welcomed, not so much for what it is, as for what it pretends to be. It is his first adventure, beyond the line of force into the field of conciliation. As his former policy showed a will to change and crush civil relations by the iron hand, so the present policy is but its continuance; for he only draws over the mailed hand a silken, though transparent glove. His plan is the will of the commander, while pretending to be the wisdom of the civilian. The war power, as illustrated by the administration, has no more foundation in our Government than this peace power, assuming to pardon crime without conviction, and revivify dead States which are indestructible. But duty demands a thorough sifting of this pretentious amnesty. The Democratic party have worn the stigma, as it has been deemed, of leaning too much toward conciliation. Our gravest fault has been that we are suspected somewhat of having read the Sermon on the Mount, and that we have believed in the gentleness and effectiveness of our religion. Even such Democrats as have favored the superaddition of clemency to the engineering of war as a means of reunion have been ostracized, while those who have found no elements of union save in affection, without coercion, have been imprisoned and exiled. It would be ungracious in us, therefore, to dismiss even this semblance of pacification without examination. Let us examine it in the light of history. If it be right it shall not be rejected because it comes from a President not in our favor. If it sound hollow,—if it be the Trojan horse, full of armed men, ready to surprise the citadel of our Constitution, let us drag its insidious features to the light for condemnation.

To test the genuineness of this amnesty: Five months have gone, but we see no signs of thousands of southern citizens rushing to embrace this amnesty. Indeed, it is conceded that the rebellion is now more formidable than ever. Unlike the acts of grace granted by kings to their reculant subjects, of which history is full, there is no general taking of the oath, no genuine movement toward the restoration of the seceded States, but a fiercer spirit of resistance, produced by the unwise and exasperating policy of the Executive. The President's plan has been widely published in the papers south, as the *Richmond Sentinel* says, to “*animate their popular patriotism.*” The forgiveness offered by the President is deemed a mockery and its terms an insult. What a delusion to hold out such a dead sea apple—ashes to the lip, and hardly fruit to the eye. How many people in the North would take an oath to support those negro policies of the past two years! I never, never would. I would as soon think of swearing allegiance to secession. I would as soon tie my soul to the body of death. And can you expect the southern people in

their present temper, saddened by loss and irate with revenge, to do what our *constituents*—one million and a half of northern voters—would scorn us for doing? There could have been no hope of a returning South by such a plan.

It is an amnesty which is a juggle, for it pleases no one who is to be reached. It is based on a proclamation which is a delusion, for no one was freed by it whom our armies had not enfranchized. It is the old unsoundness, newly daubed with untempered mortar.

There is one chief defect in the President's plan. It is the structure built upon his proclamation of emancipation. The same defect is observable in the bill of the gentleman from Maryland, [Mr. DAVIS.] That too is based on the one-tenth system and the policy of forced emancipation. He proposes to "guarantee to certain States, whose governments have been usurped or overthrown, a Republican form of Government." This is the title of his bill. I deny 1st, that these State Governments are overthrown; and 2d, that his plan substitutes a Republican form. His plan is to appoint provisional brigadier governors who are to be charged with the civil administration until a State Government shall be recognized as his bill provides. He requires an oath to the Constitution to be taken, which is very well; but by whom? By one-tenth of the people. They shall be sufficient to construct the new State, whose Republican form of Government is already dictated to them by the bill of the gentleman from Maryland. They "*shall*" abolish slavery. Then the other steps are to be taken, and the new Republican State is to be recognized.

In some of its features this bill is an improvement upon the rickety establishment proposed by the President; but it is obnoxious to the same objection. It is a usurpation of the sovereignty of the people by the federal functionaries, and it regards the old States as forever destroyed.

The plans proposed are objectionable, because of the mode of construction and the kind of fabric to be rebuilt. As the emancipation proclamation, or the emancipation act of the gentleman, can never be reconciled with the normal control of the States over their domestic institutions, so all oaths to sustain the same are oaths to subvert the old governments, Federal and State. The oath required, both of loyal and disloyal men in the South, is an oath of infidelity to the very genius of our federative system, for it is an oath to aid anarchy, and out of anarchy create a "new nation!" It receives no countenance from those who are wedded to the Constitution as it is and the States as they were; but it lifts the hand to God in attestation of a design to subvert both! The President's plan therefore, whether intended or not, is an oath to encourage treason, and the plan of the gentleman from Maryland is a plan to consummate revolution.

By no State of War, by no act of secession, by no military power, by no possible or actual condition, can this change in our policy be allowed without a total subversion of our government, and without breaking down the principle of permanence and reinstating a new and worse revolution. Who is there to deny the "normal supremacy of the States over their domestic affairs?" Is it the jurist? I refer him to repeated decisions of the Supreme Court, and of every other respectable authority in the jurisprudence of America. Is it the historian? I refer him to the debates of the constitutional convention and the history of our States, both the original thirteen and those afterwards admitted. Is it the diplomatist? I refer him to Mr. Seward's despatch, wherein he says:

"The rights of the States and the condition of every human being in them will remain precisely the same, whether the revolution shall succeed or whether it shall fail. In one case the States would be federally connected with the new confederacy; in the other they would, as now, be members of the United States; *but their constitutions and laws, customs, habits, and institutions, in either case will remain the same.*"

Is it an old line whig? I refer him to Henry Clay, who held that to break down the incontestible power of the State over its own institutions was to break down both Federal and State Constitutions, and, beneath their ruin, to bury forever the liberty of both white and black races. Is it a Democrat? Read your platforms for thirty years and learn again the language of Jefferson and Madison and the practical teachings of Douglas in his great contest for extending popular sovereignty over domestic matters from the States to the territories. Is it a Republican? I refer him to the Chicago platform, which resolves that "the maintenance, inviolate of the rights of the States and especially the rights of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depends." Is it the members of the last Congress? I refer them to the Crittenden resolution, as to the rights, dignity, and equality of the States. Is it you, Mr. Speaker, the exponent of the will of this body? I refer you to the resolution you voted: "That neither the Federal Government nor the people, or the governments of non slaveholding States, have a purpose or a *constitutional right* to legislate upon or interfere with slavery in any of the States of the Union." Is it the President himself? Oh! shameful treachery! Shame to himself and treachery to the trusting! Shall I recall his repeated sayings by proclamation, calling on soldiers to peril their lives, or by message, giving us his solemn convictions of duty? Shall I refer to his message wherein he repudiated the idea of dis-

turbing the system of slavery, as foreign to his inclination and his duty, or to his direction to Mr. Seward to inform foreign powers that any effort to disturb that system "on his part would be unconstitutional?" Is it the philosophic thinker? I refer him to the exposition of M. De Tocqueville, (Vol. 1. page 69,) who, better than any one abroad, has examined the complex nature of our Government, beginning with the township and rising through many grades to the Federal authority, and who found here, "two governments, completely separate and almost independent—the one fulfilling the ordinary duties and responding to the daily and indefinite calls of a community, the other circumscribed within certain limits, and only exercising an exceptional authority over the general interests of the country."

These expressions were made in view of or in time of war. The independent spheres of National and State Governments were ever regarded, in words, if not in acts, by the very party in power: and now their test of loyalty is an oath to forswear their own oaths! Now their touch-stone of patriotism is—an oath to commit political turpitude! And this is called an amnesty! This oath which is to be taken at once by loyal and disloyal men, is to be the sweet oblivious balm over past crime by a clement Executive! This battering down of the Constitution is to be the Aladdin witchery, which in a night is to reconstruct a "perpetual cosmos of beauty and power, out of the chaos of civil conflict." Because we do not shout hosannahs to this new cosmos, Democrats are reproached as favoring slavery. No, sir. We do not like slavery. For one, I say again as I have said before, let it die, if die it must, not by the rough usages of war, not by the starvation, miscegenation or extirpation of the black race, not by the strangulation of State and popular sovereignty; but by the voluntary and legal action of the States, when they are in a condition freely to express their choice. Why use the sentiment against slavery to crush out the fundamental principles of our Government? Why, in striving to destroy slavery drag down the pillars of the Constitution? When to kill slavery you destroy the "balance of powers on which the perfection and endurance of our political fabric depends," I must, and will denounce you. How many expressions from the other side of the chamber have I been called upon to denounce, because they urge the abandonment of our old and rare political fabric. These expressions are all imperaled by an exquisite thinker of the radical school—Senator Gratz Brown, when he says:

"Who cares for the Union of the past—a Union traught with seeds of destruction—bitter with humiliations and disappointments? Who believes in the grief of these hired mourners, so lachrymose before the world? They are not even self-deceived. It is likewise with reconstructions—a free masonry that imagines it has only blocks and stones to deal with, or a child's play, that would build up as they have tumbled down its card-castles, putting affably the court cards on top again. Foolish craftsmen, seeing not that it is the life arteries and the thews and the sinews of a nation's being that are dealt with, and that it must be regeneration or death."

The Union thus dismissed with so much scorn, is the same Union which Lord Brougham called (*Political Philosophy*, part III, page 336) "the very greatest refinement in social policy, to which any state of circumstances had ever given rise or to which any age has ever given birth,"—which deserved his eulogy, because, as he held there was in it, the means for keeping its integrity as a Federacy, by the maintenance of the rights and powers of the individual States.

The Union as it should be—the Union of the "wise craftsmen" of to-day and not of the foolish fathers who made it—is not the Union I have learned to admire and loved to cherish; not the Union, which for the past seven years, I have plead here to maintain without blood and perpetuate without peril.

These plans of regeneration involve a change in the structure of the Government. They break down the spirit of municipal independence, in destroying which, as De Tocqueville has shown, you destroy the spirit of liberty. No matter what form is left, the despotic tendency will inevitably appear, when the local authority is usurped. If you leave any form of Government, it is the will of the Executive, it is a despotic centralization: Russian, Asiatic, the rule of Military Bashaws, or provincial Kinglets. Whether appointed by Congress or the President—they hold their power from Washington, and they must remain at the head of their troops, and at the call of their chief. Our Republic then, deserves not its name. It is no longer the "United States." It is a United State, a geographical unit, holding together subject provinces by the brute force of petty tyrants.

Believing that the scope and aim of the proclamation will not restore the Union, nor propitiate any portion of the South, except demagogues and hirelings, who sell their birthright for the price of power, let us inquire what motive could have induced the President to proclaim it, in a moment of success to our arms and depression to the South. One suggestion will satisfy as to the motive. I am sorry to believe it; but the President desires renomination. He is a man whose mind has every angle, but the right angle. In his nature—cunning contends with fanaticism. From the time he developed his irrepressible conflict doctrine, so much praised by the gentleman from Illinois, (Mr. Arnold) until its latest expression in his last message, his course has been equivocal. But meanwhile how shrewdly he has balanced between the factions of his party. His inaugural recognized his obligations to the Constitution. He would not interfere

with slavery. How prodigal were his promises to the Border. How quick to plant his foot on Phelps, Hunter and Fremont for playing Augustulus. He desired some day to play Augustus. Abolitionism should be hatched under no influences but his own. How he lectured one of his editors for impatience. Conservatives held up his hands, while he prevailed against these Radicals. He toyed with emigration, colonization and compensation schemes. He made a gradual emancipation theory with a short fuse which soon exploded. It hurt no one. But the time came for him to play revolutionist; and with seeming reluctance, he issued the Proclamation of Emancipation. He desired the people to pass on it. They did. They condemned it in 1862. He adhered to it. In his Springfield letter, and in his late message, he dedicates all power to its execution. Meanwhile, a contest springs up as to the State suicide doctrine. It divides his party; and even the Cabinet. He has Missouri on his hands. Radicals are rampant. He acts Conservative awhile until the days of November 1864 begin to approach; then, lo! this message as the climax of his long series of ambiguities. That I may do the President no injustice, I quote from his own partizan—Senator POMEROY, in his circular, who says: “The people have lost all confidence in Mr. Lincoln’s ability to suppress the rebellion and restore the Union. He has been weak and vacillating, wasteful of national blood and treasure, profligate and corrupt.”

There is only one solution for these inconsistencies. He is trying to please both wings of his party, to secure his nomination. With dexterious chicanery he has phrased and framed his late plan, so that it may admit of two voices. He will not give up his Emancipation Proclamation or the Confiscation and penal laws. “To abandon them now,” he says, “would be not only to relinquish a lever of power, but would also be a cruel and an astounding breach of faith.” This should suit the Radicals. For a lighter shade of his party he promises what is a mere delusion—an adjudication of the questions of their legality by the Supreme Court. True, he has declared all means like these which he now promulgates, unconstitutional; yet he would submit them to the court! When and how? Why, after he has made the slave a freedman by the sword! What a mockery is such a submission. But it will do to make him a candidate; and more than that. It might elect him President. If his plan of making one-tenth rule in the States should succeed, then he will have ready at hand, the electoral votes of Florida, Arkansas, Louisiana, Tennessee, North Carolina, and other States. He began this business in Florida the other day, and the blood which flowed at Olustee is the result of this scheme of personal ambition!

Nine States, without South Carolina, representing 679,310 voters in 1860, will now, by this peculiar republican form of reconstruction, cast electoral votes for the 67,931, who, as one-tenth are to be registered. How many of these will be stipendiaries, or how many bona fide citizens of the States? But, surely a candidate with so fair a chance for a gigantic, almost a continental fraud as this, must commend himself to a party, whose use of power has made a debt of two billions and an expenditure equal to the expenditure of all former administrations. Hence, when this amnesty to rebels was announced, it was regarded as a political movement only, and the excitement did not equal that of a prize fight. No one was affected by it. No opponent was changed to, and no friend alienated from the administration, either North or South. If it had been an act of good faith and not a partizan manœuvre, it ought to have bound closer to the administration every friend, and challenged the admiration of every opponent. The bells should have been rung, the bon-fires blazed, and huzzahs have rent the air—as the throb of hope pulsed through the fevered viens of our nation. No such thing. It was nothing but a bold attempt to perpetuate power, at the hazard of revolutionary war in the North and protracted war in the South. For as surely as the great States of New York, New Jersey, Pennsylvania and the Northwest, are overborne by the coalition of these bastard States and rotten boroughs South, with New England abolition, so surely will the tocsin of inevitable necessity sound the alarm of resistance throughout the land. The people may sleep now, drugged by the opiate of temporary prosperity, but the excitement of the Presidential election will stir to its very depth the popular disaffection, and in wild saturnalia the vessel of our hopes may founder forever in a sea of blood.

The pretence of the President is to reconstruct the Union. Where did he get his authority to build anew—what we can never agree has been destroyed? Is it a part of the war power, or the pardoning power? It is the “best mode the Executive can suggest, with his present impressions.” Will any one point out the clause of the Constitution which would even create an “impression” that the Executive has the function either of Supreme Law Giver, State Constructor or Supreme Dictator! His meekness in referring to Congress and the Judiciary, the legality of his acts, after they are accomplished, is a piece of effrontery, to which Louis Napoleon has not yet arrived. Where did this unfledged Caesar get his warrant to create Sovereignty?

In discussing this plan, it would be sufficient without questioning the right of the President to construct States on condition or pardon on terms, simply, to discuss whether the conditions and terms are wise, practical and likely to do good. But I propose somewhat in detail to discuss the President’s plan, in the following order:

1st, the oath; 2d, the republican form of the government to be reconstructed; 3d, the question whether the State governments in the rebel States are vital; 4th, some wise and practical plan such as will aid in restoring the Union under the Constitution.

I. *The oath.*—There is a sort of *odium historicum* attached to all political test oaths. They are not original with the President. They have been the bane and foil of good government ever since bigotry began and revenge ruled. You cannot make eight millions of people, nearly all in revolt at what they regard as the detestable usurpations of abolition, forswear their hatred to abolition. You force by this oath the freed negro into the very nostrils of the Southern man, whose submission to law you seek.

The conditions of the pardon only inflame and do not quench rebellion. The rebellion was in such a state when the amnesty was offered that it was a golden opportunity for magnanimous statesmanship to proffer generous terms. An amnesty based on another kind of oath, (if oaths you would have that Heaven would not record as perjury,) might avail. I mean an oath to support the Constitution of the United States, and all laws made in pursuance thereof! But what does this amnesty in fact say? To all citizens South, whether loyal or disloyal, it proclaims that one-tenth of the voters of 1861, and “*excluding all others*, shall re-establish a State government, which shall be republican and in no wise contravening said oath;” that such establishment “shall be recognized as the true government of the State,” which is to be considered republican in form under the Constitution.

The abolition oath is the basis of the new republican form of government. All who do not agree to that are excluded. All who do not agree to the pestilent theory of State death are also excluded. Hence, this plan would allow any recent rebel who takes the oath to make a unit in the one tenth, and excludes the Union man, who has not forsworn his faith in the vitality of the States, and who will not swear to support policies and laws to which he can never adhere. What becomes of the many thousand loyal men of Tennessee, of Texas, of North Carolina, of Arkansas, of Louisiana? They are set aside for those whose oaths will bind them long enough to vote, and who, to save their lives and property, will swear with facility. The oath is tendered to men of patriotic probity, who will and ought to spurn the test oath of the traitor. Going upon the doctrine that all the rebellious districts are unsound, assuming the ground that the territory South being belligerent, outlaws all, whether loyal or not,—the President applies this bitter cup to the Union men who have never flinched in their love for the flag. The men who have stood the brunt of this red tempest, whose homes have been blackened by fire and whose families have been destroyed by sword, whose ties of natural affection toward brothers and sons in the rebel army—never made them swerve in their patriotic devotion; who have even withstood the fear of death and destruction, and in spite of the treachery and unkindness of this Administration have kept the standard of stars high advanced amid swamps and caves and mountains—these men must quaff the cup of bitter waters before they can stand before the world as the builders of the new temple proposed by the President! If they were worthy of association in this great cohort of States, they would scorn re-enfranchisement by such a plan. If there were no other reason to reject this juggling scheme, justice to “the faithful found among the faithless” South, would demand its rejection.

II. As to the republican form of government to be made by this plan. Republicanism is founded on the will of the people. How does the plan work out this will? Suppose Tennessee to-morrow should register one tenth of her 145,348 voters in 1860, viz., 14,534. They make an anti-slavery constitution; a majority of the 14,534 adopt, to wit: 7,268 citizens. They may have all been rebels; no matter. They may the day after the constitution is adopted change its free clause into a slavery clause, or the State into rebellion again; no matter. There may remain 130,804 voters who do not agree to the constitution, who took no part in its manufacture. They may be mixed of Union and rebel proclivities. They, however, seek to return to their old allegiance. The spirit of Jackson and the fire of patriotism illumine their wasted hearthstones, and they—the nine tenths—agree to restore the old constitution of Tennessee under the Federal Constitution as it is; or they may even abolish, as they have the right, slavery in their midst; yet the President binds himself to hold them in forced submission to the 14,534, or its majority!

The truth is, a test oath to require citizens to support his policy as to slaves is, not an oath of allegiance to republican government, but to the Republican party. It is an oath of fealty to Abraham Lincoln. He sends out heralds to proclaim: “Ho! ye; all who will prepare to forswear your sentiments and enter into an arrangement to make new States with one tenth over nine tenths, and thus form electoral colleges to vote for me, I swear by my army and navy, that you, though you are pardoned criminals, shall be the cornerstones in the new State, and shall have the shield of the Executive and the protection of the flag!” In vain we search Spanish American annals for so shameless a pronouncement for revolution and anarchy. It is thus, Mr. Speaker, that your party seeks to unhinge the massive portals which lead within the chambers of reserved popular power,



—those doors which for so many years on golden hinges turning, opened so readily to the States as they entered within the sacred adytum of our political faith.

There is one answer to these propositions always on the lip of the anti-slavery devotee. He holds that no slave State can be accounted republican. This would be news, indeed, to the Jeffersons, Washingtons, Madisons, and Adamases, who established these States as republican, twelve out of thirteen being slave at the outset. This would be news, indeed, to the pioneers of the Northwest, to the early settlers of Ohio, who remember the deed of cession of Virginia, whereby our sovereignty was forever declared to be equal to and inviolate as that of the slave State of Virginia!

But what sort of republicanism is that which builds a State from a small minority of its people? The majority of a people, expressing its own will, forms a republic. A minority, or even a majority, following the will of a despot, forms a monarchy. One tenth of the legal voters ruling nine tenths, is an oligarchy. Reconstruction of republican governments on such a basis is as absurd as the structures built by the architects in Gulliver, who began their houses at the roof in the air! The President quotes the guaranty of the Constitution as to republican State governments; and promises under its sanction protection to these pseudo-republics! But he forgets that if the southern States are deceased, or out of the Union, there is the third section of article fourth of the Constitution, which provides for the admission of States. Does the President, in his theory, propose to disregard this clause? Unless Congress consent, all these scaffoldings, erected by his own will, will tumble to naught. If States can be declared dead, or burned out by the fires of war, perhaps, New England may some day find her theory come home, in a reconstruction of her six States into one, and the reduction of her twelve Senators into two! Lines of longitude, as well as of latitude, may sometime reconstruct States. The basis of our Federal Government is *States*, having constitutions and laws—the emanation of the popular will. This will is expressed through suffrage. This suffrage in States is regulated by their own constitution and laws. State voters thus qualified, and they only, can vote for members of Congress. When, therefore, the President undertakes to breathe into a State the breath of life by a new code of suffrage, even if the State were defunct, he usurps a power never granted, and a sovereignty belonging solely to the people. If these States in rebellion are destroyed—if the *tabula rasa* remains, upon which the President can write new constitutions, with new qualifications for voters—then secession and revolution have done legally what no one but a rebel or traitor ever believed could be done.

III. This brings me to the radical question of the day. The message of the President and the bill of the gentleman from Maryland, assume that the State governments in the rebel States are out of existence or usurped, and that the territory should be governed as such by the United States, until new State governments shall be formed. The President does not commit himself to this plan as the only one: "Saying one thing, he does not mean to say that he would not say another." Very well. But one thing he has assumed—that the old States are gone. But let us do him justice. He suggests that on "reconstructing a loyal State government in any State, the name of the State, the boundary, the subdivisions, &c., may be maintained;" provided, always the abolition policy prevail. This is like the prescript of the old Sultan, who in commanding an obnoxious vizier to be ensacked and thrown into the Bosphorous, generously hoped his turban and clothes might remain unmoistened.

I know it is said that he repudiates the policy of reducing the States to territories. His plan is to select, as nearly as may be, the old building spot; perhaps use some of the old foundations, say one-tenth; but he changes radically the plan and structure of the building, and takes away from its lord the sovereign control of the establishment. He insists that there shall be homogeneity of arrangement in the structure; that for different conditions, classes, systems, climate, and position, the same relations shall be instituted. This plan is not only absurd in philosophy, unsound in economy, but revolutionary in practice? He in fact says: "I shall fight on to keep the Southern States *out* until they conform to my views as to negroes. My abolition condition to Union is inexorable! The proclamation shall be on a par with the Constitution. Let no one bleed for one without dying for the other!" God help the nation, plunged in an abyss of blood, for such crudities!

Surely if the State suicide doctrine be sound this plan of rebuilding is not. Let me consider that State suicide doctrine: It professes to be based on the decision of the Supreme Court in the *Hiawatha* case. That decision is perverted to sustain this theory. The court condemned certain property captured, because the property was within the lines of the enemy, actually holding those lines by force, though without right; and not because of the moral or political relation of the owner. The court decided nothing as to the legal and political status of the owner; but because the property would help the enemy, it was to be taken as prize of war. There is in that decision no recognition of the right of secession; much less of the monstrous and cruel doctrine that rebels in arms can abolish the legal rights of loyal men or the institutions of States.

If war blots out the States insurgent, by virtue of its territorial and belligerent character, then war does by its violence, what secession would do, by its ordinances. The right to expunge a State, is co-ordinate with the right to secede. If a State can be forced out by the vote of its own sovereignty, or by combinations of men, without a constitutional amendment, then any State can be expelled by federal action. If the Union becomes disagreeable to a State, then the State may become disagreeable to the Union; and if a State may retire at pleasure, why cannot a State be repudiated at will? These rights—if they exist, which I deny—co-relate. They are inseparable. Suppose it had been proposed to expel South Carolina from the Union for her contumacy; or Massachusetts for her intermeddling—what a burst of indignation we should have had from each! They would have exclaimed: “Show us the power to throttle our State Sovereignty, by denying us participation in this blessed Union. What! strip us of our American citizenship—place us outside of your navigation and commercial laws and treaties; leave us at the mercy of foreign powers; belittle us to nothing; rob us of our common interests in a common treasure, territory, government, history and glory. Never!” Yet wherein does this claim of holding these States South as conquered provinces by military force; degrading the equal dignity of the States by the creation of a new sovereign power, differ in principle from Secession?

If secession be a nullity, and if the Constitution is not impaired nor the rights of the States destroyed, then I can see how arms—inspired by wise and persuasive measures may in time, redeem the States; but on the other theory—all the tears, miseries, confiscations and blood are in vain, in vain, in vain. Can we be surprised, therefore, that an analytic mind like that of the Post Master General, should have at once descried in these fallacies of abolition, a conspiracy in aid of the rebellion?

IV. I now propose to apply the lessons of history, by inquiring, whether, even admitting all these plans to be legal, and even if decided to be so,—some wiser, better and more practicable plan may not be adopted. Is there no amnesty—no accommodation possible? There is. I believe that the restoration of the Union is possible, if we pursue a proper policy. The restoration of the Union as it was, is only impossible to those, who for other objects, do not desire it. The reconciliation of all the States is possible—nay, probable, with the restoration of the doctrine of local self-government and State sovereignty on matters not delegated to the Federal Government. I know no other hope. If this fail, all is dark and chaotic. Diversity of interests and systems find their unity alone in this system of *laissez faire* to the States.

How then is it possible to restore local and State sovereignty and thus unite our hapless and lacerated country? History never presented so grand a problem for statesmanship. I approach it with something of that awe, which solemnizes the soul, when we enter within some vast and consecrated fabric—vistas and aisles of thought opening on every side—pillars and niches and cells within cells, mixing in seeming confusion, but all really in harmony, and rich with a light streaming through the dim forms of the past, and blest with an effluence from God, though dimmed and half lost in the contaminated reason and passion of man.

Conscious of the magnitude of this rebellion, and oppressed with the feebleness of the policy directed against it, I still believe in the restoration of the old Union. Hence, whatever method I should advocate for the conduct of the war, or the celebration of peace, I am forever concluded against one conclusion: the independence of the South. I believe the principle of unity to be absolutely superior to the right of sectional nationality. The destiny of these United States, is to continue united, and, perhaps, to add other States, until the whole continent is in alliance. Our fate is to expand and not to contract our influence or our limits. All other notions are but transitory and evanescent.

I am happy to be in accord with the President, if indeed he holds yet to the doctrine announced in his Inaugural: “Physically speaking, we cannot separate.” I had adopted the same sentiment, that there were Union foundations, by the very political geology of God, upon which the old Union could and would be rebuilt. In his first message, the President held:

“The two sections could not remove from each other, nor build an impossible wall between them; that intercourse, amicable or hostile, must continue. Is it possible, then, to make that intercourse more advantageous, or more satisfactory, *after* separation than *before*? Can aliens make treaties easier than friends can make laws? Can treaties be more faithfully enforced between aliens than laws can among friends? Suppose you go to war, you cannot fight always; and when, after much loss on both sides and no gain on either, you cease fighting, the identical old questions as to terms of intercourse are again upon you.”

These sentiments are founded in principle, and drawn by correct deductions from history. They are the germ of all true politics. Sorry am I that in a moment of pressure and temptation he should have been drawn from them by the wierd whisperings of ambition under the baleful eclipse of fanaticism.

The argument from physical, and therefore from economic reasons, for the perpetuity of the Union, is powerful. But history and the experience of other nations show that the dissolution of the old Union might consist with a different kind of unity. Any Union

which would leave trade free and locomotion unrestricted between the States north and south, interior and exterior, would answer the mere physical and economic objects of Union. It is well known that Judge Douglas contemplated as among the possibilities an American Zollverein, which would have secured unity of territory for commercial purposes. In an essay which he said had cost him more labor than any work of his life and which death prevented him from giving to his countrymen, he ascribed our situation to the aggressive spirit of abolitionism and held that, for the present, nothing but a commercial union, founded upon the plan of the States of Germany, would be practicable to sustain those influences which made the United States the happiest and most prosperous of nations. But he only contemplated it, as an initial point from which he would, through common interests and kindness, move on to a more intimate Union until in time the Union as it was might again be restored in its primitive fullness and glory! \*

Something more than physical boundaries and commercial reasons must exist to make that old Union possible. The President understands it, without giving it full emphasis, when he says: "*Friends make laws,*" and the "identical old questions as to terms of intercourse" remain after fighting. Fighting may do much, it may be admitted; exhaustion, calamities, and bloodshed may make it the interest of men to coalesce to avoid such horrors; but what can produce in a people the *idem sententiam de republica?*" Can that be forced? If not, what will you add, to and after force, to inspire the common sentiment which we call patriotism?

Many sad and harsh experiences may be ours before that event. Military rule, anarchy, destruction of individual opinion, speech, and liberty; all these may be in the path of the old or of another polity. These will be our experiences, unless we take the straight, short and right line of the Constitution. We may wander forty years in a political wilderness before we attain the promise of our youthful and exultant nationality.

Before attempting to show how this nationality may be restored, it would be best to define it. What then is Nationality? Let the definition of the English logician, John Stuart Mill, answer: "We mean a principle of sympathy, not of hostility; of union, not of separation. We mean a feeling of common interest among those who live under the same Government, and are contained within the same natural or historical boundaries. We mean that one part of the community shall not consider themselves as foreigners with regard to another part; that *they shall cherish the tie which holds them together; shall feel that they are one people; that their lot is cast together; that evil to any of their fellow-countrymen is evil to themselves;* and that they cannot selfishly free themselves from their share of any common inconvenience by severing the connexion."

Is it not strange to a dispassionate thinker, that those who are not hostile in the sense of hate to the South; those who would woo them to the ancient order and Union, by reason, old associations, the allurements of peace and patriotism, to make again of the circle of equal States, the old federal sovereignty, should be held to be the least national; while those who have so far forgotten the common interest of all, under the same Government, who regard themselves as alien to the South, even as the South regard themselves as alien to us, should be held as the most national? I do proclaim it, on the basis of a logic incontestible, that he among us who wishes most evil to any part of the country IS THE MORAL TRAITOR AND SOCIAL ANARCH. They, too, who would selfishly free themselves from their share of any common inconvenience by severing the connection like those of the south, are also enemies to the whole country. What can we think of his national feeling, who would so disregard the interest of one half of his own country, as to wish to see it utterly erased by war; a tabula rasa; its cotton crop, and other exports, worth \$200,000,000 annually, which is required as the basis of our commerce and for the payment of our debts and which gave the nation the advantage of the world, entirely ruined or transferred to other and alien hands; its laborers colonized in tropical lands to benefit foreigners or suddenly freed without benefit to themselves or to the superior race, and its very statehood blotted out, because of the sedition of its people!

We are powerful in proportion as we are national. If we should follow the advice of passion and treat the Southern States now in civil war as England treated Ireland, we become weak and denationalized. If we pursue the South with a licentious uncivic soldiery, gloating with anticipations of the plunder of private effects, or with the promises already held out of parcelling out the lands of the South as the bounty which revenge pays for pillage, thus whetting a tigerish appetite for a great festival of blood and rapine,—we may be sure that the special Nemesis which Herodotus traced through the early eras of history, will haunt the men who instigate and the men who execute such a fell and imbecile policy. If, as in Rome once and in Spanish America now, we bribe one part of the nation by the robbery of another portion; then we may be sure that conflicts will be renewed when exhaustion is overcome, and our flag, like that of old Spain, will typify a river of blood between margins of gold. If we would avoid the constant aggregation and disintegration of feeble masses in different provinces, such as the history of South America demonstrates, we must learn to carry out better than the President has done, his

\* Speech of Hon. Henry May, Feb. 2, 1863.—Globe, 3d session, 37th Congress, p. 687.

own principle of friendly legislation, instead of repellant alienation. Powerful as are our armies—gradually encroaching amidst many mistakes and vicissitudes upon the territory which is insurgent—great as are our Parrott guns, and invulnerable as are our iron clads, one thing we have to learn yet from history, that our best soldiers are not like Charlemagne's paladins, possessed of enchanted weapons. The only weapon which wounds the cause of rebellion and yet which can transmute the rebel into the patriot, is the enchantment of friendship. He who would destroy a part of his own country, as if it were alien, has no more love for it than Saturn had for the children of his own loins whom he destroyed. Such a creature is not a patriot, even if he were a man. Patriotism never desires to weaken or disgrace, but always to strengthen and glorify the country.

From these suggestions it will be apparent that something besides force is needed to reconcile States which are insurgent. What that something is, which I may call the philosophy of Union, can be ascertained by understanding what that element, is which is the philosophy of dissolution. All disturbances of property, person, liberty, home—whether by emancipation, confiscation, extermination, or other repellant policies—can never beget confidence. No plan that debars nine tenths of a people from political privileges, and outlaws them from their own homes and rights, can renew allegiance. But such confidence and allegiance have been begotten and renewed in other lands rent with civil feuds; why not in this? To answer this, I shall consider, *first*, the mode by which such results can be attained, and *secondly* the illustrations from history showing such results.

1st. States or societies are made up of individuals. To reform society or control masses, individuals must be reached. M. Guizot, in his history of civilization, (page 25,) has demonstrated that two elements are comprised in the great fact we call civilization, the progress of society and the progress of individuals. The one is but the external phenomena of which the other is the cause. Society is merely the theatre for the immortal man. Society is made for man, not man for society. Society dies, changes, rots, regrows, and decays again; man blooms in immortal youth beyond this limited destiny. When, therefore, you adopt a policy to restore States or rebuild the dismantled social order, you must begin by reaching the character of men, influencing their literature, their tastes, their maxims, their laws and institutions, their industries, their wealth and its distribution and means of attainment, their occupations, their divisions into classes and all their relations to each other. Whenever you have harmonized these so as to give *contentment*, you may be assured that no military compression or civil oppression can long keep the individuals interested from a common consent to the common government.

Hence, when the philosophic statesman perceives such a civil convulsion as this which arrays the sections of America in deadly conflict, he must accompany his historic researches with the *a priori* reasons grounded in human nature. Thus he may construct his science of social statics and ascertain the requisites of stable political union.

One of these requisites is the habitual discipline and regard for government on the part of rulers and ruled. Let all personal impulses and conscientious convictions be subordinated to the supreme control of the proper government; resist all temptation to break through such control; and you have a tremendous element of patriotic union. Mankind naturally do not like government. Brave men are loth to submit to control. Discipline, aided by religion and a common interest, is the power which keeps men from becoming anarchical.

Combined with this civil discipline is the feeling of allegiance. Without this feeling no state can be permanent. When the rulers fail to give that protection which is the consideration and correlative of allegiance, then allegiance fails, and society declines, despotism supervenes, or foreign conquest is imposed. Let statesmen remember that this is the capital defect of our rulers, and the proximate cause of our troubles. Thus remembering, let them study history with a view to the reinstatement of that protection to labor, liberty, property and life, which assures to the state the allegiance of the people. This feeling is sometimes called "loyalty." The French philosopher, M. Compté, has thus described it:

"This feeling may vary in its objects, and is not confined to any particular form of government; but whether in a democracy or a monarchy, its essence is always the same, viz: that there be in the constitution of the state *something* which is settled, something permanent, and not to be called in question; something which, by general agreement, has a right to be where it is, and to be secure against disturbance, whatever else may change."

The SACRED SOMETHING in *our* political system is the written Federal Constitution, and the system of State governments, both having their basis on the sovereign will of the people of the States. Not less sacred, because not less above discussion, are the reserved rights of the States, and the still more important reservation of sovereignty in the people. This is the essential permanency of society in the United States. This was the relation which all parties, whether at Charleston or Chicago, agreed should not be disturbed; which the President declared should not be disturbed by him, and the fear of whose disturbance has convulsed a nation of thirty millions. This mystic union of the Federal and State systems was the sacramental essence, the divine appointment, above the storms and eddies of discussion. In this was comprehended our ancient liberties and ordinances.

Even the domestic institutions of the State were imbound with it. Indeed, it was the only fundamental law, pervading our society as gravitation pervaded the stellar spaces.

Those, whether North or South, who failed to keep this essence sacred and sealed, are responsible for the consequences. Abolitionism, which lived by the disturbance of this system, was like secession, for both sprung from the same direful agitation and the same disturbance of the Constitution.

But is there no light through the clouds of war? Have we no *solatium* for past wrongs, no immunity for future griefs? Is anger, hatred, scorn, revenge—the brood of wicked passion rankling in the heart,—are these to remain? And shall there be no interregnum for the serene dynasty of peace and love, to walk together white handed through this bleeding and bloody land? Shall no one pour the Lethean wave over the scenes of death and the sorrows of mourning? Shall there be no recantation of the oaths of fierce men, vowing revenge for homes wasted, property confiscated, brethren destroyed and cities ruined? Oh God! Is there no hope that even time may not be allowed to assuage the hates and griefs of this bloody era? Shall the young men of to-day wear the rancor in their hearts till their hairs are whitened for the tomb and teach their children and children's children to perpetuate the hate of the fathers? If this is to be the fate of our Union, then God has mocked His creatures by fixing them in habitations bound together by the same skies, rivers, mountains, and lakes; mocked them by fixing in their hearts the principle of love, and cruelly mocked them by sending to this star a Prince of Peace as an Exemplar and Savior!

Who are the men, or the fiends, who talk of utter extermination? If it were possible, it were execrable! To exterminate the Southern people rather than reach them, as Mr. Lincoln himself proposed, by friendly laws, is a crime more heinous than rebellion. Let the pitiless destruction of the Moors of Andulasia by Philip II; the merciless slaughter of the French in La Vendee; Claverhouse's bloody hunts after the Scottish Covenanters; the stained and cadaverous cheek of Ireland; the bloodshot eye of maddened Poland; the grim submission of revengeful Venetia—teach us by their history that powder cannot cement nor bombs bear messages of love. Superadd to your force, conciliation, and then your force may not be mere brute violence. Force has welded by its blows, but they were tempered in the fire of old and loving associations. "I do not fight the South because I hate her," said Mr. Crittenden; "I love her still." Conquest by force is only physical; subjugation implies mental acquiescence on the part of the vanquished in the ideas of the victor. Such a war, therefore, will produce only the *status quo ante bellum*, leaving an absolute reciprocal negation; each party denying the claims of the other, and leaving no common ground for a truce to intellectual conflict.

How can we reconcile the hostilities of the people thus physically bound to live in peace and union? It is clear that if the arms of both belligerents should in a moment fall from nerveless hands, there would remain to-day the same antagonism of ideas. This antagonism was reconciled on the principles of State sovereignty and local self-government as to all domestic questions, including slavery. Webster, Clay, and even Calhoun, in 1850, saw Union only in this way. Mr. Douglas, Mr. Crittenden, and even Mr. Davis and Mr. Toombs would have preserved it by the same principle in 1861. The compromises of 1861 were drawn from this source,—a final adjustment of the character of all the territory, and a complete non-intervention by Congress with the domestic relations of the Territories and of the States.

This principle would have settled the difficulties. It was defeated by the action of intemperate and blood-desiring men. But the rule of right is eternal, for it is born of God. What was kind and just before the South resorted to arms is right to-day.

The fact that war has come and that separation is impossible, makes more urgent the ascendancy of a party whose first and only preference is for the Union through compromise, and who shall at least be allowed to try the experiment of reconciling the States by guaranties similar to those proposed in 1861. If it be found impossible to restore the old association of States by such negotiation, *then, and not till then, can statesmen begin properly to ponder the other problems connected with subjugation and recognition.* I regret that any one, especially my colleague, (Mr. LONG,) should have anticipated these questions, and in his patriotic despair should have expressed his preference between the alternative of a war of subjugation and a recognition of Southern independence. I regard each alternative as premature. We may yet change the war from the diabolic purposes of those in power, by changing that power to other hands; and we are not ready to sever our Union while that hope remains. Of the two evils of subjugation or recognition, I make my choice of—neither.

2d. That such restorations have been made in other lands rent by civil conflict, I proceed in the last place to show. But such restorations have never taken place in the case of an empire of independent provinces, governed by local laws, all at once absorbed or compounded into a central despotism. War cannot work such restoration; or if war, under some mighty hand, ever does it, the States disintegrate, and fall an easy prey to military will or foreign subjugation. Violence may preside at the birth of dynasties, but violence is at the death bed. Cæsar may defy the Senate and cross the Rubicon;

but Cæsar had his Brutus. The works of violence are soon changed. No juggling plan can help them to success. Order, intelligence, justice and Providence do not consist with violence or fraud, or the results of violence and fraud.

Charlemagne with all his conquests, accomplished nothing; all his works perished with him. He was the meteor athwart the gloom of barbarism and feudality. M. Guizot has displayed his glories and triumphs, his laws and reforms. It has been said that he founded nothing. He founded all the States which sprung from the dismemberment of his Empire. His Empire had great temporary unity; his power and design were grand; but the disorder which sprung from his centralization of power was invincible; and all the unity of force died out with him. Wherever his terrible will did not reach in person, the local authorities ruled, and when he died, his dukes, vassals, counts, vicars, centeniers and scabina, became independent and resolved themselves into local legislatures. His vast means of government did not give liberty nor permanency. In the letters of the intellectual "giant of those days"—Alcuin,—to Charlemagne, we find the secret of Charlemagne's success. That scholar congratulates the Emperor on his victories over the Huns, and gives this advice for their reconciliation: 1st. "sending among them gentle mannered men. 2d. Do not require the tithe of them. It is better to lose the tithe than to prejudice the people." Another writer gave to Charlemagne this advice: "Mortal, always be prepared to treat mortals with mildness; the law of nature is the same for them as for thee. One sacred stream flows for them as for thee." This is the philosophy and religion of amnesty. Thus tutored, power reached the individual by its mildness, like the sun which melted the avalanche. Yet this grand Empire—belted in by a whole zone, under a prince with a diadem more brilliant than that of Alexander, or Napoleon,—where love on the one hand and fear on the other, kept obedience,—an Empire which had Rome for a citadel and the Door Keeper of Heaven as a founder,—on the death of its benignant ruler, was cleft into dismembered and bleeding fragments. What was a Kingdom became a Babel of jarring feudalities. The genius of its cohesion died and the cohesion crumbled. When our Constitution—the sacred greatness of which is beyond human name—shall die, then another Guizot may record of our discordant and divergent States, what he recorded of the great Empire of Charlemagne: "Power and the nation were dismembered, because unity of Power and the nation was impossible."

Truly there are fixed laws for the events of History. Society revolves in an orbit. The tenth century is reproduced in another Era and on another hemisphere. If the principle of cohesion in our country, the Constitution, expires and the sundered States are attempted to be blotted out—lo! a central despotism for a few jarring months or years, to be followed by thirty-four or less crashing organisms! This is the perpetual cosmos of beauty and power, to which America is invited by the Destructives in power?

The history of man for six thousand years teaches that it is impossible in our day or for our race, or indeed for mankind to control immense regions and large masses of men under the exclusive *arbitrium* of one man or one central government, however wise.

The Emperor of Russia understood this in granting to Finland a free Constitution and a local representative assembly; and although he fails to treat Poland with the same enlightened justice, yet in the end, he will be compelled to grant her a local Constitution, or bid her depart in peace. Let us con the lesson. What is the relation of Russia to Poland now, after nearly fifty years of "settlement" by the treaty of 1815. A secret government sets viewless at Warsaw. Without a cannon or a soldier visible, its power is terrible. Russian spies in vain seek for the implacable foe. Executions and confiscations are revenged by assassination and fire. Extermination is the only remedy which Russia has contemplated in her dilemma. What advantage has Russia from such a rule? Has it added to her strength, her stability or her grandeur? The throne before which three hundred languages are spoken, is powerless over a desperate people. Brute force only destroys. What revenue does she derive, which is not absorbed? What can repay her for the odium of her conduct amidst civilized nations? Wherein does the new gospel of extermination in this country differ from that of the Russian policy toward Poland? At the end of thirty years, we may have in the South, what Russia has in Poland, only an army which the population of the South will despise and defy. We may gain the Mississippi; but where is its olden commerce? Where is its golden prosperity? Our difficulties have been great thus far in struggling to hold the military occupation and power we have attained; but our difficulties will have but begun, when we begin this Executive system of amnesty, as an instrument to subjugate and exterminate.

The most absolute empires which the world has witnessed have been but an aggregation of provinces with the power intensely centralized. In proportion to the centralization of their power, was their career brief and calamitous. Sometimes the success and ability of the Ruler has given permanency and strength to the State; but as in the case of Charlemagne, so in the case of the ancient Eastern empires, the death of the Ruler dismembers the realm.

The great Mesopotamian monarchy\* was an Empire which was made up of a con-

\* Bawlinson's Herodotus, vol. I, page 393, *et seq.*

geries of kingdoms. In proportion as these retained their distinct individuality, remaining as they were before their conquest—except the obligations towards the paramount authority—the empire subsisted longest. When the local governments kept their old laws, religion, line of kings, law of succession, their internal organization and machinery, only acknowledging an external suzerainty, they preserved longest their heterogeneous materials in one empire. But even in such an empire, there were elements of dissolution.

These elements bear such a similarity to our own history that I shall examine them, for our profit. "No sooner," says Rawlinson, "does any untoward event occur, as a disastrous expedition, a foreign attack, a domestic conspiracy, or even an untimely or unexpected death of the reigning prince, than the inherent weakness of this sort of government displays itself. The whole fabric of empire falls asunder; each kingdom reasserts its independence, tribute ceases to be paid, and the mistress of a hundred states find herself suddenly thrust back into the primitive condition, stripped of the dominion which has been her strength, and thrown entirely on her own resources. Then the whole task of reconstruction has to be commenced anew; one by one, the rebel countries are overrun—tribute is reimposed—submission reinforced. Progress is of course slow and uncertain where the empire has to be built up again from its foundations, and where at any time, a day may undo the work it has taken centuries to accomplish."

Shall this chapter be the record of our history? Already we approach its fulfillment. I will not go to Virginia, or Tennessee, or Arkansas. Let me take Louisiana, and from one State, learn the fate of others. Go to-day into the rich heart of that tropical State—where the orange blooms in the air of winter—or visit it in the summer, when the woods and fields are luxuriant with their leafy life. You will find the fields, no longer opulent with corn, cane or the cotton. There is the luxuriance of weeds and decay. The undrained plantation is becoming the swampy pleasure ground of the alligator and moccasin. A few acres of corn, a few bursting pods of cotton, mark the spot where government farms, with disinterested benevolence, by means of freed labor! The sparse crops are choked by the growth of weeds. The speculator with his haste for "one crop any how," is despoiling all. The infusion of new life, the restoration of the past prosperity which we were promised, is sadly evidenced by the ruin of houses and estates and the appearance of a speckled hybrid population—the half-breed bastards born of barbarism, whose mothers have ceased to be slaves with the largest liberty to be—worse! The imperial city of New Orleans, which was the fitting entrepot for the resources of the great valley of the Mississippi, still remains, but alas! how changed! The scream of the steam pipe, the song of the boatmen, the bustle of the levees and the busy throng of the marts of commerce are all gone, for order has been established where Butler has revelled!

Military power is the same to-day which it was under the satrapies of the Orient. There is in it no element of allegiance and no resuscitation of nationality, for it is a system of constraint and does not reach the individual, except to exasperate and oppress. Our radical reasoners have talked glibly of their military governors for rebellious provinces, when subjugated. But Mr. SUMNER has become frightened at the apparition of Cromwell's Irish bashaws, and favors instead the congressional rule of the conquered provinces. The gentleman from Maryland would send a provisional brigadier to the States. Mr. Lincoln sets up one tenth over the nine tenths, and his own will over all. They forget the principle involved. They ignore the history I have given. It is not who shall thus govern, but shall this sort of government be allowed to any one? "Shall Congress assume jurisdiction of the rebel States?" is the question of Mr. SUMNER. He holds that the States are blasted as senseless communities, who have sacrificed their corporate existence, which made them living, component members of our Union of States; that the States having abdicated, the right to rule them is transferred to Congress. Mr. Lincoln holds that himself and an oligarchy of one tenth shall perform the same function. Suppose, then, Congress governs them: by what agents will it govern? Men selected by the people of the States? Not at all. That is what is sought to be avoided. Wherein, then, will such congressional government differ from the military satraps or bashaws selected by the President; or even by the tenth of the people selected for their anti-slavery oaths?

If the States are obliterated and the source of power is centralized at the Federal capital, wherein does such a government differ from the rankest oriental despotism? What will be our fate, with such despotism? History is like Merlin's magic mirror, in which we may read our own future. The seeming strength of such a system as conquered provinces, or oligarchical States, to take the place of the Constitution and local State governments, is its weakness. Such a system is not to be commended for the imitation of Anglo Saxon people. Be assured, Representatives, that the people of America will never accept such a system in lieu of their old, any more than they will accept presidential edicts for legislation, State suicide for State resuscitation, or an abolition tithe suffrage for the sovereignty of the people!

With such a programme of tyranny against the States South, how is it possible to pre-

serve the liberties of the people North? Can such an image, part brass and part clay stand? Will not a government despotic as an oriental empire toward one half of the nation, become intolerable and oppressive to the other half? Let the experience of the people under the war power, answer. Let the stifling of free speech and free thought, the censorship of the telegraph and surveillance of the mails, the arbitrary seizure and imprisonment of opposing partizans and the military control over ballot-boxes, courts, and people answer! Shall the attempt to restore the States therefore be given up? Shall our armies be disbanded in the presence of rebellious armies? Not at all.

To restore allegiance and inspire nationality, let the individual rebel in arms against us be reached by the arm of our soldier, and when a noncombatant by the moderation and paternal care of the Government. Let the military power of the confederates be broken. Use those and only those severities of war which civilization warrants and which will make the military power of the South feel the power of the nation; but do not place any longer in their hands the armament of despair. They have had that weapon for over two years. Let our rulers forego their ostracism of the misguided citizen. Let an amnesty be tendered which has hope in its voice. Give forgiveness to the erring, hope to the desponding, protection to the halting and allay even fancied apprehensions of evil by the measures of moderation. Thus, by confiscating confiscation, abolishing abolition and cancelling proclamations, by respecting private property and State rights, prepare that friendliness which will beget confidence in the individual citizen. Thus will minorities be transferred into majorities South, and the States discarding the rebel authorities betake themselves to their normal and proper sphere under the old order. If this cannot be done by the present rulers, let other rulers be selected. History teaches in vain, if it does not contain lessons of moderation in civil wars. How were the feuds of the Grecian federation accommodated? How were the civil wars of Rome ended? How were the intestine troubles of England assuaged? How was La Vendee pacified by the generous Hoche? How is it ever that unity of empire and consentaneity of thought are induced? How, except by the practice of that mildness which cares for and does not curse the people? When Athens undertook to succor Mitylene from the Persian grasp, a confederacy was formed between them. Athens used her power despotically. Mitylene revolted. Athens regrasped her. Perfidy began. Destructive malignants—the Jacobins of that day, led by Cleon—instigated Athens to doom the citizens of Mitylene to death, their women to servitude and their lands to desolation. But another and a better party arose, who strove to assuage grievances, prevent rebellion, and save the honor and unity of the Republic. “When all hopes of success have vanished,” said one of the wiser orators, “your rebellious subjects will never be persuaded to return to their duty; they will seek death in the field rather than await it from the hand of the executioner. Gathering courage from despair, they will either repel your assaults or fall a useless prey.” Wisdom prevailed, and the glory of the Grecian States remained untarnished.

But a more conspicuous analogy to our own revolution is to be found in the Marsian war of Rome. The Marsians claimed the privileges of Rome, whose Empire they had enlarged and supported by their arms. They were the bravest soldiers of the Empire, but they were denied equal rights in the State, which had been raised to eminence by their prowess. This war consumed above 300,000 of the youth of Italy. Finally, Rome conquered by recruiting her strength from the “Border States,” to whom she communicated her privileges. The only thing, says the historian, which saved Rome, was the fact that the Latin colonies remained faithful; for immediately after the commencement of the war, the Romans made up their minds to reward them with all the rights of Roman citizens. This decree is called the *lex Julia*. These allies were won by something more than an amnesty of hate. The grandest Empire of the past was rescued from internal feuds by the wise moderation of its statesmen.

When again Rome was racked by civil war, the wisest statesman of that turbulent and ambitious era, Cicero, summed up the duty of the patriot in this sentiment, which we might ponder with profit:

“I shall willingly adopt your advice and show every lenity, and use my endeavors to conciliate Pompey. Let us try it, by these means, we can regain the affections of all people, and render our victory lasting. Let this be a new method of conquering, to fortify ourselves with kindness and liberality.”

The closest analogy to our condition is to be found in the English civil war beginning in 1640. The English people are our ancestors. They had what we have—a similar code of personal freedom, great municipal independence and a popular parliament. The causes of the war were complicated by religious controversy; but the questions involved concerning the royal prerogative and the popular privilege are closely allied to our struggle. We know how the first Charles lost his head; how Cromwell's iron hand resened, for a time, England from anarchy. At his death, eleven military governments, under Major Generals, like Monk, held almost absolute sway. The three nations were represented in one parliament, which, on Cromwell's death, had been dissolved for indocility. Conspirators had been punished with death. Confiscations were common. Yet a counter revolution began. Terror began it. Cromwell's grasp was relaxed. His son, wiser than most men in power, convoked a parliament. The army still reigned. It had been



corrupted by power. The result of intrigues for the general safety was a union of the royalist and presbyterian. But before the old authority of the Stuarts could be restored one element was wanting. It was supplied. Party vengeance was rampant then as now, but the people's representatives considered that they had to decide between a new civil war and a restoration. The latter was represented as clement, unexact, prudent, and determined to adapt itself to the manners and wants of the time. Then came the famous declaration of Charles II from Breda. It removed all hesitation, and the restoration began. The King in that paper declared that he desired to compose the distraction and confusion of his kingdom, to assume his ancient rights, and accord to them their ancient liberties, without further "blood letting." He therefore granted an amnesty to all who would return to their obedience. He gave his kingly word that "no crime whatsoever committed against us or our royal father shall ever rise in judgment to the least endamage of them, either in their lives, liberties, or estates; we desiring and ordaining that henceforward all notes of discord, separation, and difference of parties be abolished. He *conjured* them to a PERFECT UNION for the resettlement of all rights, under a free parliament."

When this declaration was read in parliament—though it was the false word of a designing tyrant—yet the restoration of the second Charles was voted by acclamation! It was alleged that the declaration not only comprehended the motives but the conditions of the recall. Perhaps the people's representatives were precipitate in not first settling conditions by a "free parliament." But the amnesty and declaration were none the less powerful. Nor would the same sort of declaration from Abraham Lincoln be less powerful to restore the sovereign States to their old allegiance, especially if followed by a National Convention and the restoration of a party not unfriendly to the entire union of all the States, with their "just rights." No distrust followed this declaration of the English King. He came to England. His journey to London was one perpetual fête—one continued shout of rejoicing! Faction ceased. History records that cavaliers were reconciled with roundheads. Exiles showed no resentment in the joy of their return. A violent reaction against revolution began; war ceased; and the foundation was then laid for the permanent stability which 1688 gave to England.

On the contrary, what a lesson may we learn from the connection of Ireland with England, and the policy of the latter in striving to subjugate the former! From the time of the first and second Charles—under all rules—discontent and warfare has prevailed. The union purchased through perfidy and fraud, by appeals to the mercenary motives of men, has been a mockery. When Strafford ruled Ireland, he placed his captains and officers as burgesses in parliament, who "swayed between the two parties," and thus began the corruption which ended in Irish subjugation. In spite of the eloquence of Grattan and Plunkett, Ireland at length became a dependency of the British crown. True, she had been despoiled before the Union. From the time when the Puritans overrun Ireland to exterminate and destroy, sending thousands into tropical slavery and many thousands into that other country where crime breeds no more of its offspring—down to the first of January, sixty-two years ago, when the imperial standard floating from Dublin Castle announced to Ireland the depth of her degradation, and from that period to the present, there has been no union, no peace, no justice, no content for Ireland. That union, thus mis-begotten of force and fraud, was weakness to England and ruin to Ireland. In one rebellion alone—that of 1798, there were 20,000 loyal lives lost, and 50,000 insurgents, and property worth \$15,000,000. A conspiracy here, a plot there, a rebellion at the capital, a rising at the extremities, public waste, private impoverishment, general corruption, periodical starvation, political turpitude and national bankruptcy,—these are the features of national thraldom which Ireland presents for our warning, when we talk of subjugation and confiscation.

How much better would it have been for both countries, had the sagacious advice of Sidney Smith been followed, when he said:

"How easy it is to shed human blood; how easy it is to persuade ourselves that it is our duty to do so, and that the decision has cost us a severe struggle; how much, in all ages, have wounds and shrieks, and tears been the cheap and vulgar resources of the rulers of mankind. The vigor I love consists in finding out wherein subjects are aggrieved, in relieving them, in studying the temper and genius of a people, in consulting their prejudices, in selecting proper persons to lead and manage them, in the laborious, watchful, and difficult task of increasing public happiness by allaying each particular discontent."

The wiser statesmen of England once learned this lesson. They strove to apply it to America in the revolution of 1776. Every argument in favor of an unrelenting and exterminating policy by the British ministry was used and acted upon. In vain Chatham, Barré and Burke appealed. Chatham, though provoked at our contumacy, as we are provoked at the conduct of the South, still felt that provocation could no longer be treated as such when it came from one united province, and when it was supported by eleven provinces more. Accordingly in February 1775, he introduced a bill, whose conclusion was: "So shall true reconciliation avert impending calamity." We know the sequel; but do we heed the teaching? When in 1860 our wiser men strove

to avert calamities by true reconciliation, who prevented? Who yet stand in the path of reconciliation, with flaming two edged sword, barring all ingress to the blessings of peace? Who clamor yet for a dictatorial regime? Who shout for death penalties, outlawry, forfeitures, and all the barbarous schemes of vulgar despotism? Or who on the other hand, still hope for victory without reprisals; success without the tarnish or breach of the Constitution; equality of rights, without irresponsible tyranny; free opinions freely expressed—the only reward which a union restored can grant, worthy of the great sacrifices which the noble soldiers of the Republic have made!

Let us have done with juggling amnesties and ambitious schemes, with philanthropic ferocity and enforced elections. Under no such policy, pitched in the key note of the President's proclamation, or chaunted in the mellifluous tones of the gentleman from Maryland, (Mr. DAVIS,) can the South ever be held in honorable alliance and harmony? A government inspired thus, would be out of all relations to the States of this Union. It would have neither "the nerves of sensation which convey intelligence to the intellect of the body politic, nor the ligaments and muscles which hold its parts together and move them in harmony." It would be as Russia is to Poland, as England to Ireland, the government of one people by another. It would never succeed with our race. It would never succeed with a territory, whose configurations are so peculiar and whose interests are so varied as ours.

No citizenship is worth granting to those who dishonor themselves to receive it. No common bond of allegiance or nationality is possible on such terms. Mean and degrading conditions which unfit the citizen for manly equality are more despicable than rebellion. You cannot expel the poison of sedition by adding to its virulence. You can not draw men from crime by stimulating the motive which led to it. Not thus—not thus were the early insurrections in our country assuaged. True, these rebellions were pigmies to this gigantic outbreak, but the principle of their settlement is eternal. It is the very gospel of God; the very love which saves mankind. Inspired thus—what might be done if a wise and sagacious executive should extend the same beneficent policy to the factions which are bleeding our beloved land!

Will our rulers heed these lessons in time? While they return to the purpose of the war, as declared by General McClellan, for the sole great object of the restoration of the unity of the nation, the preservation of the Constitution and the supremacy of the laws; and while they conduct it as he declared it should be carried on, in consonance with the principles of humanity and civilization, abjuring all desire of conquest, all projects of revenge and all schemes of mock philanthropy, let them remember, also, that all our labors to rebuild the old fabric will fail, unless out of the "brotherly dissimilitudes" of section and interest, we evoke the spirit of fraternity, which has its true similitude in the perfect spirit of Christian fellowship!

Pursuing such a course, we may, like the fugitive prophet upon Mount Horeb, approach and interrogate DERRY itself in our despondency and for our deliverance. And though, like him, we may hear the roar of the wave and the whirlwind of war, though we may tremble amidst the earthquake of its wrath, and though God may not be in the storm, the wind, or the earthquake; yet we may find Him in the still, small voice—sweet, clear, electric,

Speaking of peace, speaking of love,  
Speaking as angels speak above,

whose depth and sweetness are not those of tempestuous force or elemental strife, but soft as an angel's lute, or a seraph's song, promising redress for wrong and deliverance from calamity. Horeb stands as a monumental lesson to our rulers forever, for it stands amidst the shadows of Sinai,—speaking the still, small voice of divine conciliation, amidst the thunders of the law and the forces of physical nature! I wait for that voice to be spoken. My soul waiteth for it "more than they that watch for the morning; I say, more than they that watch for the MORNING!"



