

Vol. 1.]

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[No. 3.

# OLD GUARD,

A MONTHLY JOURNAL;

DEVOTED TO THE PRINCIPLES OF

1776 AND 1787.

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"The Union as it was, and the Constitution as it is."

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PUBLISHED AND EDITED BY  
C. CHAUNCEY BURR.

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**AUGUST, 1862.**

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HACKENSACK, N. J.:

OFFICE, IN C. W. CAMPBELL'S STORE, MAIN STREET.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

REPORT OF THE

COMMISSION ON THE

STATUS OF THE

PHYSICS DEPARTMENT

AND

RECOMMENDATIONS

FOR THE

FUTURE

1955

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FREEMEN OF AMERICA—Friends of the Union—Defenders of the Altars of Liberty—*Wake up!* The Abolitionists, the original disunionists, are about to execute their long-proclaimed threat to destroy so much of the Constitution as relates to slavery, or to destroy the Union forever. They have sworn to disgrace and drive from the field every General who does not lend himself to their revolutionary and destructive schemes, and they assail Mr. Lincoln with the most coarse and unmanly abuse, because he refuses to submit the helm of State entirely to their reckless control.

In one of their late pow-wows at Boston, Wendell Phillips called the President “a turtle,” “a broomstick,” “an imbecile,” and denounced, not merely the administration, but the Government of our country, as “a worthless failure.” He proposes to depose the President, and tells his followers that:

“As long as you keep the present turtle at the head of the Government, you make a pit with one hand and fill it with another.”

He tries to demoralize our army by destroying confidence in its Generals. Hear him:

“McClellan’s balls are not intended to do much damage to the rebels; he could not have done more to help them than he has done. The people need not fear for Richmond: McClellan would not take it. He (Phillips) looked upon the present war, conducted without a reasonable object, as a total loss of blood and treasure. \* \* \* \* Men well acquainted, from positive experience, with the Army of the Potomac, affirm that Richmond could have been taken five different times, had the do-nothing at the head of it permitted; but he preferred to dig dirt in the Chickahominy swamps, and then leave

that locality and its dirt heaps ignominiously. President Lincoln, through coward fear of the border States, keeps this man in the position he holds.”

This speech to the assembly of pestilent traitors winds up with the following words:

“Better the South should go to-day than lose another life to prolong the war upon the present detestable policy. \* \* \* *Let this Union be dissolved in God’s name.* \* \* \* England ought to recognize the Southern confederacy.”

These horrible words were uttered amidst “the most deafening applause of the vast throng,” we are told; and we all know that they breathe the cherished sentiments of the whole body of abolitionists. They are the original disunionists, the starters of the secession treason, and they deserve to be punished equally with the mad fools whom they have driven into rebellious crime in the South.

The project of a dissolution of this Union was started by the abolitionists of New England as long ago as 1837. From that time to the present they have labored, with the vigilance and malice of an army of devils, to compass their treasonable designs.

The proceedings of the American Anti-Slavery Society, which met in this city in May, 1844, are now on our table, and the following are the resolutions which are declared to have been “unanimously passed:”

“*Resolved*, That a political Union, in any form, between a slaveholding and a free community, must necessarily involve the latter in the gulf of slavery. Therefore,

“*Resolved*, That secession from the present United States Government is the

duty of every abolitionist, since no one can take office or deposit a vote under its Constitution without violating his anti-slavery principles, and rendering himself an abettor of the slaveholder in his sin.

“*Resolved*, That fourteen years of warfare against the slave power have convinced us that every act done in support of the American Union rivets the chains of the slave; that the only exodus of the slave to freedom, unless it be one of blood, *must be over the ruins of the present American church, and the grave of the present Union.*”

This is a proclamation against heaven and earth, and every thing else, except hell itself. And these blaspheming traitors have been allowed to expend, on an average, a million and a half of dollars a year, for a quarter of a century, in circulating books, papers, pamphlets, supporting lecturers, male and female, and in holding public meetings in every school district in the non-slaveholding States.

As a specimen of the kind of patriotism tolerated in New England, we give a short extract from a speech by W. O. Duval, of Massachusetts :

“I sincerely hope a civil war will soon burst upon the country. I want to see American slavery abolished in my time. Then my most fervent prayer is, that England, France, and Spain may take this slave-acursed nation into their special consideration; and when the time arrives for the streets of the cities of this ‘land of the free and home of the brave’ to run with blood up to the horses’ bridles, if I be living, there will be one heart to rejoice at the retribution of Heaven.”

Not only in every school district of the North has this kind of murderous treason been talked, but, with the fewest exceptions, our pulpits have been prostituted to the dissemination of the Abolition sedition. Many of the clergy have, indeed, taken the distemper in its mildest form;

and although they have dispensed the poison in minute doses, it has not been less effectual in medicating the public mind. Vast numbers of them have openly preached treason and rebellion in direct terms. In May, 1837, the Rev. Mr. Foss, of New Hampshire, declared that “if the Angel Gabriel had done what our fathers did when they formed the Constitution, he would be a scoundrel.”

Rev. Dr. Bellows, of New York, in a sermon delivered in 1856, which was afterwards printed as a Republican campaign document, said :

“Considered as a question of policy, *it is by no means certain that the dissolution of the Union would be a political evil to us.* The Union is great, precious, sacred! but—yes! we must say it!—*humanity, duty, honor, religion,* are **GREAT-ER THAN THE UNION.** This, then, is the unyielding ground of the Republican party—*there is no evil possible to the country at this crisis as great as the extension of slavery.* Dreadful as disunion is, *the extension of slavery is still more dreadful.* The dissolution of the Union, however deplorable, *is not primarily a question of conscience,* but of policy. We made the Union, *and we have a right to unmake it if we choose.*”

A library of a hundred volumes might be made of such pulpit extracts, showing that the crime of disunion has been for a long time urged on by the pulpits. Indeed, every abolitionist, whether in the pulpit or out of it, is a disunionist. Our present Minister to the Netherlands long ago said :

“I love the Union, *but the time has come when we must declare we love freedom* **BETTER THAN THE UNION.**”

In 1858 Henry Ward Beecher uttered the following treasonable language to an applauding crowd of traitors :

“The Constitution is the cause of every division which this vexed question of slavery has ever occasioned in this country. It has been the fountain and father

our troubles, by attempting to hold together, as reconciled, two opposing principles, which will not harmonize nor agree. The only hope of the slave is *over the ruins of the Government and of the American Church. THE DISSOLUTION OF THE UNION is the abolition of slavery.*"

Judge Spaulding, addressing the Convention which nominated Fremont, said:

"In the case of the alternatives being presented, *of the continuance of slavery* or a dissolution of the Union, I AM FOR DISSOLUTION, and I care not how quick it comes."

Senator Wade, of Ohio, addressing a convention of Abolitionists at Portland, Maine, in 1858, said:

"*There was really NO UNION BETWEEN THE NORTH AND THE SOUTH; and he believed no two nations upon the earth entertained feelings of MORE BITTER RANCOR towards each other than these two sections of the Republic. The only salvation of the Union, therefore, was to be found in divesting it entirely from all taint of SLAVERY. THERE WAS NO UNION IN THE SOUTH. Let us have a Union, or LET US SWEEP AWAY THIS REMNANT which we call a UNION. I go for a Union where all men are equal, or FOR NO UNION AT ALL, and I go for right.*"

But it is needless to multiply extracts, for the whole history of abolitionism is one thing, and every step of its progress has been marked by this dark and bloody determination to destroy the Union, in order to free the negroes.

In 1857 these disunionists held a convention at Worcester, which was announced as a "Disunion Convention," a full report of which was published in the *New York Tribune* of January 24, 1857. At this convention, the following resolutions were passed, as the political platform of the Northern Disunionists:

"*Resolved*, That the meeting of a State Disunion Convention, attended by men of various parties and affinities, gives occasion for a new statement of principles and a new platform of action.

*Resolved*, That the cardinal American principle is now, as always, 'Liberty;' while the prominent fact is now, as always, 'Slavery.'

*Resolved*, That the conflict between this principle of Liberty and this fact of Slavery has been the whole history of the nation for fifty years; while the only result of this conflict has thus far been to strengthen both parties, and prepare the way for a yet more desperate struggle.

*Resolved*, That, in this emergency, we can expect little or nothing from the South itself, because it is sinking deeper into barbarism every year:

Nor from a Supreme Court, which is always ready to invent new securities for slaveholders:

Nor from a President elected almost solely by Southern voters:

Nor from a Senate which is permanently controlled by the slave power:

Nor from a new House of Representatives, which, in spite of our agitation, will be more Pro-Slavery than the present one, though the present one has at length granted all that Slavery asked:

Nor from *political action*, as now conducted; nor the Republican leaders and presses freely admitted, in public and private, that the election of Fremont was (politically speaking) 'the last hope of Freedom;' and even could the North cast an united vote in 1860, the South has before it four years of annexation previous to that time.

*Resolved*, That the fundamental difference between mere political agitation and the action we propose, is this: that the one requires the acquiescence of the Slave Power, and the other only its opposition.

*Resolved*, That the necessity of disunion is written in the whole existing character and condition of the two sections of the country—in their social organization, education, habits, and laws—in the dangers of our white citizens in Kansas, and of our colored ones in Boston—in the wounds of Charles Sumner and the laurels of his assailant; and no government on earth was ever strong enough to hold together such opposing forces.

*Resolved*, That this movement does

not seek merely disunion, but the more perfect union of the Free States by the expulsion of the Slave States from the confederation, in which they have been an element of discord, danger, and disgrace.

*Resolved.* That it is not probable that the ultimate severance of the Union will be an act of deliberation or discussion; but that a long period of deliberation and discussion must precede it; and this we meet to begin.

*Resolved.* That henceforward, instead of regarding it as an objection to any system of policy, that it will lead to the separation of the States, we will proclaim that to be the highest of all recommendations, and the grateful proof of statesmanship; and will support, politically or otherwise, such men and measures as appear to tend most to this result.

*Resolved.* That, by the repeated confession of Northern and Southern statesmen, 'the existence of the Union is the chief guaranty of slavery;' and that the despots of the whole world have every thing to fear, and the slaves of the whole world every thing to hope, from its destruction, and the rise of a Free Northern Republic.

*Resolved.* That the sooner the separation takes place, the more peaceful it will be; but that peace or war is a SECONDARY CONSIDERATION, in view of our present perils. Slavery must be conquered—peaceably, if we can; forcibly, if we must."

In 1854, the New York *Tribune* published the following verses, expressive of the sentiments of the partizans of that paper in relation to our country's FLAG:

### ALL HAIL!

#### TO THE STARS AND STRIPES!

All hail, the flaunting Lie!  
The stars grow pale and dim:  
The stripes are bloody scars—  
A Lie, the vaunting hymn.  
It shields a pirate's deck,  
It binds a man in chains,  
It yokes the captive's neck,  
And wipes the bloody stains.

"Tear down" the flaunting Lie!  
Half-mast the starry flag!  
Insult no sunny sky  
With "hate's polluted rag!  
Destroy it, ye who can!"  
"Deep sink it in the waves!"  
It bears a fellow-man  
To groan with fellow-slaves.

Furl up the boasted Lie!  
Till Freedom lives again,  
To rule once more in truth  
Among untrammell'd men.  
Roll up the starry sheen,  
Conceal its bloody stains;  
For in its folds are seen  
The stamp of rusting chains!

Such have been the sentiments of the abolitionists, from the dawn of their organization, nearly a third of a century ago, to the present moment, when they even threaten to depose the President, because he refuses to gratify their malignant designs against the Union and against the government of our country. In proportion as these traitorous disunionists endeavor to embarrass the Executive, it is the duty of the patriotic masses to stand firmly up to the great work of preserving the Union against every blow that either fanaticism or rebellion can aim at its existence. Let the President preserve a determined hand in rejecting the councils of these foes of the Union, and the democratic masses will, as one mind, rush to sustain him in the glorious work of defending the Constitution and government of our fathers. The President has already had abundant proof that the Democracy of the country will, to the last man, stand up, and face death in defense of the old flag, and for the preservation of the old Union: and he has but to put it to the test, to find that it will defend him from every assault of these Northern disunionists, who are threatening to break down his administration because he will not give himself up entirely to their schemes of



destroying the last hope of preserving the Union as it has descended to us from the great men of the Revolution. Here we stand, and here we will stand, in life or in death, to defend these old altars of liberty, and to preserve the Union whole and complete, as we have received it from our fathers. We are for giving all sections their rights in the Union, but we have nothing to offer out of it.

The abolitionists, the Northern disunionists, are a greater obstacle to the restoration of the Union, than all the armies of the rebels. The most indecent rebel of the South is not in the habit of using such coarse and abusive language in relation to the Constitution, to the Union, to our Generals, and to the President, as the abolitionists use on all occasions. They are the original foes of the Union. Long before Jeff. Davis had a thought of treason towards the Union, these abolitionists were plotting, night and day, for its destruction; and they now send out the infamous cry from Boston—

**"LET THE UNION BE DISSOLVED IN GOD'S NAME! ENGLAND OUGHT TO AC KNOWLEDGE THE SOUTHERN CONFEDERACY!"**

This is the prayer of every abolitionist, except such as cherish the fiendish plan of cutting the throat of every white man, woman, and child in the South! They hate the Constitution—they hate

the Union—they hate every thing but the negro and themselves.

The Hon. Anson Burlingame long ago made the following bloody threat to "EXTERMINATE" even every Northern man who refused to yield to their execrable disunion schemes:

"When we shall have elected a President (as we will) who will not be the President of a party, nor of a section, but the tribune of a people; and after we have EXTERMINATED a few more miserable 'doughfaces' from the North, then, if the pitiful slave senate will not give way, *we will grind it between the upper and nether mill-stones of our power.*"

Said James Watson Webb:

"If we (the Republicans) fail at the ballot-box, what then? We will drive it (slavery) back, sword in hand; and, so help me God! believing that to be right, I am with them."

These Northern disunionists have for years boldly arrayed themselves against the laws of the Federal Union. Of the act of Congress, known as the "Fugitive Slave Law," Senator Sumner said:

"The good citizen, as he reads this act, is filled with horror. Here the path of duty is clear. I AM BOUND TO DISOBEY THIS ACT. Sir, I will not dishonor this home of the Pilgrims, and of the Revolution, by admitting—nay, I cannot believe—that this bill will be executed here in Boston."

THE Massachusetts disunionists held a grand mass meeting on the 15th of June, 1862, and passed the following resolution :

“*Resolved*, That, as abolitionists, devoted to the great work of overthrowing slavery, we renew and repeat our old pledge, “*No Union with slaveholders* ;” no support of any administration or government that permits slavery on any portion of its soil; and we value this war only as we believe it must lead to EMANCIPATION by order of the Federal authorities, or to a dissolution of the Union, which must speedily produce the same result.”

These are the men whose “support,” the President affirms, “the country cannot afford to lose.” Their flat and defiant position is, that they will have either abolition of slavery, or disunion of the States. By these disunionists, Mr. Lincoln was made President. Carl Schurz, who has been made both a Minister and a General by Mr. Lincoln, in his last party speech in New York city, rejoiced that—

“The old Union is dead. If Jef. Davis and his followers were to submit at the foot of Capitol Hill, and repent in sackcloth and ashes, the old Union could not be restored.”

To say that these men are “fighting for the Union,” is to lie, most egregiously and impudently. The honest among

them have never pretended that they were “*fighting for the Union* :” they are fighting to destroy the institutions of the South. And yet the President tells us that he “cannot afford to lose their support.” The only difference between the disunionists of South Carolina and of Massachusetts is, that the one is fighting to *preserve* her own institutions, and the other is fighting to *destroy* them.

If the President continues of the opinion that he cannot afford to lose the support of these Northern disunionists, let him make up his mind to lose the support of the conservative Union-loving masses of the North. The moment these masses perceive that the war is not for the *Union*, but for the *negro*, there will be such an outburst as will drown the eternal thunders of the deep. Those who do not already hear its startling murmurs, nor feel the rising surges of the coming storm, are deaf and senseless. Woe to the abolitionists! Woe to the *Northern* disunionists, as well as the *Southern*! Woe! woe! to abolitionism and disunionism everywhere. The people have supported this war to *SAVE THE UNION*—not to turn loose the negroes; and let those who conduct it see to it, that they *do* save the Union, or make up their minds to answer for every drop of blood they have shed, and for the billions they have spent.

BY JUDGE SPRAGUE, OF MASSACHUSETTS.

WE copy some extracts from a recent decision of Judge Sprague, of Massachusetts, in the final disposition of the questions arising in the case of the *Amy Warwick*. The authority of this distinguished Jurist has been invoked in favor of the power of Congress to confiscate the property of rebels on the land. It will be seen that he entirely repudiates any such doctrine, and also any power in the National Government to destroy the States. Nothing can be more explicit than the following language :

UNITED STATES DISTRICT COURT,  
APRIL, 1862.

THE AMY WARWICK AND CARGO.

*Belligerent Rights of the Government as against its own subjects in civil war.*

SPRAGUE, J.—These claimants (Dunlop, Moncure & Co.) having been permanent residents of Richmond, Va., before and ever since the sailing and capture of this vessel, are in the same condition as were Edmond, Davenport & Co., claimants of the 400 bags of coffee, which have already been condemned. If the opinion given in that case be adhered to, this claim must be dismissed.

An objection to the prize decisions of the District Courts has arisen from an apprehension of radical consequences. It has been supposed that if the Government have the rights of a belligerent, then, after the rebellion is suppressed, it will have the rights of conquest; that a State and its inhabitants may be permanently divested of all political privileges, and treated as foreign territory, acquired by arms. This is an error—a grave and dangerous error.

Conquest of a foreign country gives absolute and unlimited sovereign rights. But no nation ever makes such a conquest of its own territory. If a hostile power, either from without or within a nation, takes possession and holds absolute dominion over any portion of its ter-

ritory, and the nation, by force of arms, expels or overthrows the enemy, and suppresses hostilities, it acquires no new title, but merely regains possession, of which it had been temporarily deprived. The nation acquires no new sovereignty, but merely maintains its previous rights.

Another objection to those decisions of the District Courts is founded upon the apprehension that they may lead to or countenance cruel and impolitic confiscations of private property found on land. This apprehension is unfounded. No such consequence can legitimately follow. Those decisions undoubtedly assert that the United States have the rights of a belligerent. But the extent of those rights on land, or the manner in which they are to be exercised, were not discussed. They were not even adverted to, except to say that enemy's property, found by a belligerent on land, within his own country, on the breaking out of a war, will not be condemned by the Courts, although it would be if found at sea. This distinction, so far as it goes, tends to show that the doctrine of maritime captures is not to be applied to seizures on land. But the danger upon which this objection is founded does not arise from the administration of the prize laws by the Courts, or from the exercise of belligerent rights by military commanders upon military exigencies. The objection really arises from fear of the legislation of Congress. It is apprehended that they may pass sweeping or general acts of confiscation, to take practical effect only after the rebellion shall have been suppressed; that whole estates, real and personal, which have not been seized during the war, may be taken and confiscated upon coming within reach of the Government, after hostilities shall have ceased. This, as we have seen, would not be the exercise of belligerent rights, the war being at an end. Belligerent confiscations take effect only upon property of which possession is taken during the war. As against property which continues under

the control of the enemy, they are wholly inoperative. If possession be acquired by or after the peace, then previous legislation may take effect, but it will be by the right of sovereignty, nor as an act of war. Under despotic governments, the power of municipal confiscation may be unlimited; but under our government, the right of sovereignty over any portion of a State is given and limited by the Constitution, and will be the same after the war as it was before. When the United States take possession of any rebel district, they acquire no new

title, but merely vindicate that which previously existed, and are to do only what is necessary for that purpose.— Confiscations of property, not for any use that has been made of it, which go not against an offending thing, but are inflicted for the personal delinquency of the owner, are punitive; and punishment should be inflicted only upon due conviction of personal guilt. What offences shall be created, and what penalties affixed, must be left to the justice and wisdom of Congress within the limits prescribed by the Constitution.

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### DANIEL WEBSTER A PROPHET!

WHEN the “great Expounder of the Constitution” read the speech of Mr. Seward, which announced “*the irrepressible conflict*,” he exclaimed—

“If these infernal fanatics and abolitionists ever get power in their hands, they will override the Constitution, set Supreme Court at defiance, change and make laws to suit themselves, lay violent hands on those who differ with them in their opinion, or dare question their infallibility; and, finally, bankrupt the country, and deluge it with blood!”

We beg, with due respect, to call Mr. Lincoln’s attention to these words of terrible prophecy, uttered by the immortal Daniel Webster. The flowers have blossomed over the grave of the great statesman but a few summers before his awful words are more than fulfilled. Will Mr. Lincoln deny that abolitionism has already wrought the work of destruction and death then foretold?

NATIONS, once fallen, seldom rise again. The innate vigor of a people, when once it is exhausted, rarely recruits itself for a second youth. Nations, like individuals, have their periods of growth and decay; and when the symptoms of decline or disintegration manifest themselves, it is usually hopeless to arrest their inevitable progress. This sad history has been repeated in many of earth's noblest people. The culminating point in the national development is but a moment; and the same law of progress which had forced it upward, by the effort of successive generations, now, as by an ebb, relentlessly draws it downward, when once that moment is past. In most cases, the backward movement cannot be stayed: the nation sinks irrecoverably to its fall. "For nations," it has been said by a great author, "there is no resurrection."

Why do these reflections—these awful words—fall upon us like a funeral-bell at the present moment? Our nation, though in the throes of revolution, is neither worn out nor exhausted. It is not old, and can have none of the decay of age about it. But there have been nations which, like individuals, have grown old in their youth, and perished ere middle age. There is such a thing as breaking down a nation's constitution in its youth; and what but inevitable decay and ruin lies beyond it then? The very forces of youth, when once the constitutional framework of government is shattered, hurry the whole body of state on to swifter destruction.

We need not go back to hunt up the histories of the fall of constitutional governments to find illustrations. They are here, alas! before us at the present moment. Not even after the fall of the

Roman republic did constitutional liberty suffer so rapid a decline, during the reign of the first two Cæsars, embracing a period of more than sixty years, as we have suffered in a single year. Under the great usurper, Julius Cæsar, who destroyed the Republic, and founded the Empire upon its ruins, the people endured no increase of taxes, and there was not the least restraint imposed upon the personal liberty even of his enemies. There was the largest liberty of speaking and writing. When the abuse of his enemies became unendurable, instead of locking up the offenders, he answered them. Thus, when Cicero published his "*Cato*," which was designed to show up Cæsar as a usurper, he met it with the "*Anti-Cato*." Instead of punishing, he endeavored to refute. When all Rome was full of the most shocking scandals against his deeds and name, and even when he was terribly chagrined to find his own soldiers singing these scandals up and down his own camp, he came out with a public contradiction of them, but he imposed no restraint upon the largest freedom of uttering them. Instead of punishing those who wrote the most bitter lampoons in relation to his connexion with Cleopatra, he caused his friend Oppius to answer them.

The same unrestrained liberty of speech was continued under Augustus Cæsar. Said this great emperor, "Let us not punish words, but deeds only. Let men's words be free." Even caricatures and epigrams on some of the most delicate personal affairs of the monarch were unvisited with punishment. Augustus knew that none but a nation of slaves and cowards would long submit to have their freedom of speech restrained, as that is a point at

which the people most easily realize their loss of liberty. The policy of the Cæsars seems to have been to slide the Republic into the Empire so gracefully and imperceptibly, that the people could take no timely alarm by perceiving the least abridgement of their liberties.—Such is the difference between great and sagacious usurpers and small and foolish men. After the fall of the Roman Republic, and during the first five decades of the Empire, there was little perceptible change in the constitutional structure of the government. It is safe to say, that for fifty years, embracing the fall of the Republic and the beginning of the Empire, the constitutional shocks and changes were not so great as we have permitted in a single year. More men and women have been imprisoned in America within the last year, for exercising the right of speech, than have been imprisoned in Austria, for the same cause, in the last quarter of a century, or than were imprisoned under the tyrants of Rome during the first fifty years of the Empire. And yet we are the sons of those noble sires who, only eighty-six years ago, proclaimed the sacred right of self-government, and established liberty on this continent. Eighty-six years ago! Have we thrown it all away in a single year? A little while will answer that question, and settle the business for us, and for our children, for all time to come.

We are on trial for our national life at this moment. The principles of the right of the people to self-government, on which our nation was founded, are now passing a crisis, in which they must triumph or perish for ever. Each nation has first a period, dating from its birth to its bloom, in which it unfolds its own peculiar principle, and contributes it to the common stock of civiliza-

tion. Then it has its period of decay, in which it admits a foreign principle, loses its inner life, and fades away. Tremblingly we ask, if this nation has already arrived at the fatal turning point, when it must give up its own life-principle, to be reanimated only with a foreign and an antagonistic principle of government? Our nation was born out of the principle that "*governments derive their just powers from the consent of the governed.*" Is there an end of this principle now? This principle gave our nation an individuality—a *soul*, as well as an external form of its own, that distinguished it, and marked it out from all others. Is this soul of self-government now passing out of it? Nay, we may well ask, if the very form of our government is not passing away? The South, we are told, is to be "conquered," "crushed out;" its institutions "swept away," the property of its citizens "confiscated," the inhabitants "destroyed," or "held as colonies." And what does that imply? It implies not only the killing of the free soul of our government, but it also implies the destruction of its very form. When the people cease to have the right of electing their own governors and of making their own laws, and, instead, have military governors sent among them to enforce the laws only at the point of the bayonet, what becomes of the great *voluntary* idea on which the nation was founded—the sacred principle of self-government? "*Military Governor*" is an odd-sounding phrase in a republic erected upon the grand foundation, that all "*governments derive their just powers from the consent of the governed.*" Our Constitution makes no provision for such an officer, and contains no principle out of which such an officer can be created. "*Military Governors,*" "*conquered States,*" "*States held as col-*

onies,"—these are the very things which our forefathers fought against, and conquered. They supposed that they had formed a Constitution that forever banished such names of despotism from the land they left to their children. Where these names have life, the Constitution is dead; and Liberty is dead—dead not only among those States which we attempt to govern with the sword, but dead also with ourselves; for it involves us all in the common destiny of a military government. We cannot govern them with despotic military power, and preserve the old forms of constitutional liberty for ourselves. We must either consent that a military despotism shall take the place of the government which was formed by our fathers, and spread over the whole land—ourselves as well as them—or we must give up this scheme of conquering and holding them as colonies. Suppose we could subjugate or destroy them, it would all end in the subjugation of our own liberty. Would that pay? A divine author asks, "What shall it profit a man, if he gain the whole world, and lose his own soul?" What shall it profit a nation, if it gain all territory, and loses its own soul? What shall it profit us, if we regain our lost territory, and lose our own distinctive national life—the free soul of our government?

The very proposition to subjugate, and hold one-half of the States of this Union as conquered colonies, is itself the announcement of a revolution, a thousand times more dangerous and destructive to liberty, than even the mad rebellion of the South; for *that* may leave us our liberty, and the whole sublime temple of our laws untouched, while *this* crushes the soul—the vitalizing principle of self-government—out of our institutions, and substitutes the Austrian prin-

ciple in its place. Suppose we should succeed in "destroying" the South, would not that be the most terrible defeat of ourselves? Would it not be the establishment of a principle of government destructive of the very genius of the immortal voluntary principle, which alone has most distinguished our institutions from the bloody tyrannies of the old world! In one word, would it not bring to an end the *spirit* and *form* of the government established by Washington? Who dare come into the field, and attempt to answer this question? The fashion has been of late to lock men up when they could not be answered. Alas! what other proof do we seek to convince us that the European principle of government is now fairly launched against the American principle, and is determined to bring to naught the work of our fathers? We know that, for daring to ask this question, the Republican papers will demand that we shall be deprived of our liberty, in imitation of the blackest hour of Spanish despotism. But still we dare to ask it; because we dare to be free, and because we know how to despise and denounce the tyrants who would murder liberty on this continent, and strangle our glorious Republic in its very infancy.

The mighty sentiment of the Revolution, "Give me liberty, or give me death," has not, we pray God, quite perished in this land. In one soul, at least, it has not perished; and, therefore, there is no terror so great as that of being afraid to speak the truth, and of meanly hiding out of sight when the foes of our country are abroad.

But this, we shall be told, is "aiding rebellion." No doubt there is many an honest fool who will think so, and many a dishonest knave who will say so; but no truthful wise man will admit that free

discussion will do harm to anything but tyranny and wrong. The man who will not allow free discussion, is both a tyrant and a coward—more fit for a dungeon himself, than for a post of office among a free people. No! he *aids rebellion* who denies the right of free discussion; for he teaches the people to disregard the Constitution, and himself sets the example of rebelling against the very soul of its existence. If we cannot suppress rebellion without destroying liberty, and abolishing the constitutional form of our government, then rebellion has an indefeasible right to succeed.

But, “have we not a right to preserve the Union?” Yes: that right is sacred—it is eternal—and no man, who loves his country, will count his own life too great a sacrifice for its salvation. If you are saving the Union—if you are preserving the glorious old Constitution which was the bond of our Union—then we shall stand by you in life or in death for the accomplishment of that great end. But, if you are trampling upon that Constitution—if you are making the salvation of the Union an impossible thing—if you prefer the enlargement of negroes to the reconstruction of the “Union as it was”—then we shall not go with you—no, not even though you fill this once free land as full of prisons as perdition is of fiends! Your tyranny we denounce, and your threats we despise. We hold you as *traitors*, more to be condemned than the abhorred rebellion of the South; because you aim, not like it, at the mere territorial integrity of the Union, but at its fundamental life—at the very soul of liberty and self-government. To “destroy” the South, is not to save the Union. To sweep over the territory of revolted States, with all

the savagery of unrestrained vengeance, is not to bring them back. To “exterminate” them, is not to *enforce the laws*, for there are no laws for the extermination of States. Let us understand this matter: once establish the right to *destroy*—to *hold as colonies*—and the government which was established by the great men of the Revolution, perishes forever. This is a thousand times worse than secession; for that makes no war upon either the *spirit* or *form* of the government. To *secede* from a government, is not to *destroy* it. But this thing, that the abolitionists propose to do, sweeps down the whole temple of the Constitution and laws together, and leaves upon its ruins a gigantic despotism, which inaugurates its advent by threatening to cut the throats of all who do not adopt their degrading notions of negro equality with the white race.—Suppose these men should succeed in destroying slaveholders, how long may it be before they will begin to destroy some other portion of the people, who hold opinions different from their own? If we have not a right to differ with them on the subject of negroes, do we not lose the right to differ with them on any subject? If we allow them to strike down our liberty in this matter, where is our liberty in any thing else secure?

To preserve this Union, then, the people have not only to overcome the crime and folly of secession, but they have also to strike down this bloody, liberty-destroying monster of Abolition. The crimes of the secessionists are territorial and external—those of the abolitionists are *fundamental*, striking at the heart of the Constitution, and sweeping away the whole edifice of popular self-government.



*To the Editor of the "Old Guard:"*

IN the present unhappy state of our once-united country, when each section is devising means to injure and traduce the other, reflection reverts to the old colonial time when sympathy and goodwill reigned supreme. Turn with me to that impressive first meeting of the General Congress, when, with closed doors, representatives from the East and South met to mature plans to insure freedom from the tyranny of England. This Congress assembled at Philadelphia, on Monday, the 5th of September, 1775, in a large room in Carpenter's Hall; there were fifty-two delegates. John Adams, who was present, writes of it:—"It is such an assembly as never before came together on a sudden in any part of the world. Here are fortunes, abilities, learning, eloquence, acuteness, equal to any I ever met with in my life;" "here is a diversity of religions, educations, manners, interests, such as it would seem impossible to unite in one plan of conduct." The first question that arose was, by whom should the religious ceremonies be conducted? Mr. Samuel Adams immediately arose, and said "He would willingly join in prayer with any gentleman of piety and virtue, provided he was a friend of his country." The Rev. Mr. Duche, of Philadelphia, an Episcopalian, was then invited to officiate by Mr. Adams, a strong Congregationalist. It will be remembered that this assembly took place three months after the British government had wreaked its spite against Boston, by closing its port, and removing its officers of customs to Salem. The day previous to the meeting, a report reached Philadelphia that Boston had been cannonaded by the British.

It produced a deep excitement, and unusual warmth in the greeting of the Eastern by the Southern delegates attested their sympathy and indignation. Mr. Wirt, in his "*Life of Patrick Henry*," says a long and deep silence followed the organization of that august body; their deep and death-like silence was becoming embarrassing, when Patrick Henry arose, and launched into one of his eloquent appeals. Richard Lee followed, and the business of the first Congress was begun. South Carolinians and Virginians had met to defend Massachusetts, and express their sympathy for her wrongs. Though all the colonies were to suffer by the recent acts of Parliament, yet Massachusetts had been made an especial mark for royal disfavor. Her charter had been meddled with; no public meetings could take place without the consent of the Governor. British troops had been quartered upon her without the permission of the Assembly, and flaunted their uniforms and planted their cannon in the front of the State House and Faneuil Hall. Massachusetts had been insulted and wronged. South Carolinians and Virginians came to the rescue! Noble and dignified in their bearing, masterly and patriotic in their acts, the first Congress indulged in no crimination and recrimination. George Washington, who was present, was not stigmatized as a barbarian because he was a Southerner and a slaveholder, nor was the New England man ridiculed for his Puritan creed. They had come to discuss the grave affairs of the nation, and not to bandy personal abuse. Mr. Adams says: "Every subject was discussed with a mod-

eration, an acuteness, and a minuteness equal to that of Queen Elizabeth's privy council." The talent and wisdom displayed forced from Lord Chatham the following enthusiastic praise:—"When your lordships look at the papers transmitted to us from America; when you consider their decency, firmness, and wisdom, you cannot but respect their cause, and wish to make it your own. For myself, I must declare and avow that, in the master states of the world, I know not the people or senate who, in such a complication of difficult circumstances, can stand in preference to the delegates assembled in General Congress at Philadelphia."

Since that memorable 5th of September, the growth of the States, in extent, in riches, and in power, has been the boast of every American in the land. Orators and patriots have sprung up on

all sides, and, by giving tone to the public virtue, preserved us a people and a country. Pure and uncorrupted Democracy, holding her sway, has produced results grand enough to startle old Europe from her false theories of government. Wisdom, conciliation, compromise, have marked the course of our public councils, and we seemed to be at the climax of grandeur, when the whole melts like a dream, and we look around with horror and affright to see our coffers emptied of their treasure—to see our Congress a den of thieves—to see ourselves taxed in every necessary of life—to see our fair fields deluged with blood—to find ourselves in the midst of civil war! Oh, for the wisdom, the virtue, of that First Congress, to steer our shattered ship of state to a peaceful harbor!

K. V. C.

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### ENLISTING IN NEW JERSEY.

THE STATE OF NEW JERSEY is nobly striving to furnish the whole number of soldiers which the Administration has assigned as its share of the last three hundred thousand by enlistments, so as to avoid the necessity of drafting.—Let each county in the State go to work in earnest, and there is little doubt that this most desirable object will be handsomely accomplished by the 15th of

September, if not some days in advance of that date.

The Democracy, which has, from the beginning, been foremost in prosecuting every constitutional and lawful means for the suppression of the rebellion, is still responding to this last call in a manner which proves that its heart never can fail in any lawful struggle for the salvation of the Union



