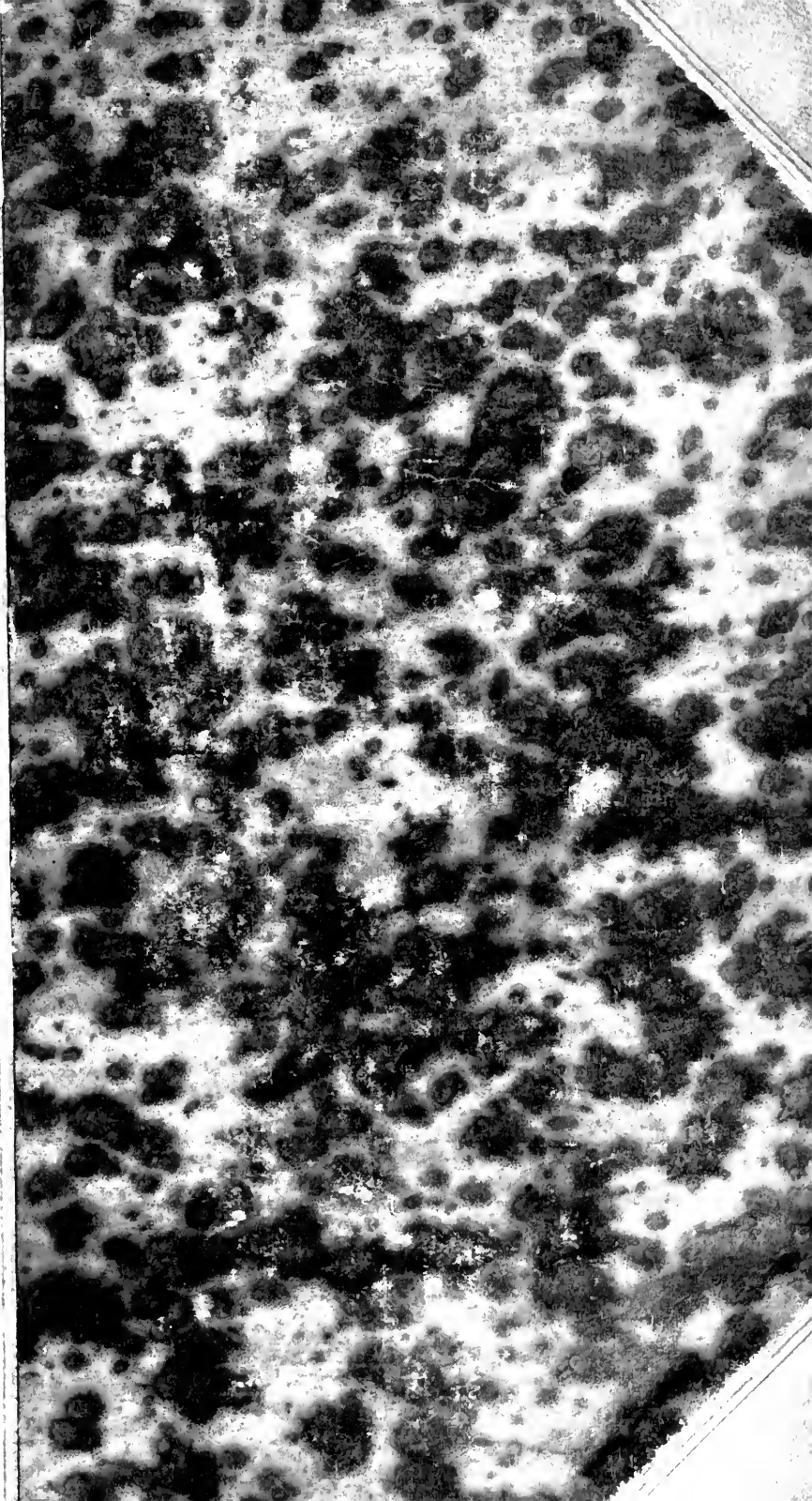


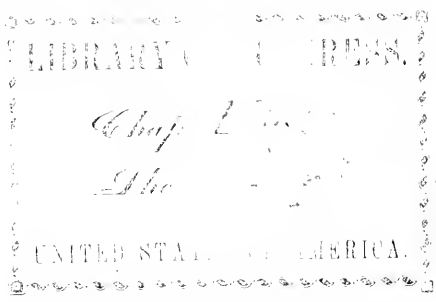
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The ...

UNITED STATES OF AMERICA.



SPEECHES AND LETTERS

OF

GERRIT SMITH

(FROM JANUARY, 1864, TO JANUARY, 1865)

ON THE

REBELLION.

—•••—
VOLUME II.
—•••—

New-York:
AMERICAN NEWS COMPANY,
121 NASSAU STREET.

—
1865.

ON THE CONSTITUTION.



War goes beyond Constitutional Restrictions.

Down with the Rebellion at Whatever Cost to the Constitution.

"The Body is more than Raiment!" The Country is more than the Constitution.

Time now for nothing but to Crush the Rebellion.



TO MY NEIGHBORS :

"DAMN the Constitution!" said one in the hearing of myself and several others. I had always disliked profanity: and I had always honored the Constitution—welcoming every part of it. Nevertheless this exclamation was music in my ears. Why was it? It was because of the connection and spirit in which it burst from the speaker. He was arguing with rapid and fervid eloquence that the Government should ply every possible means for the speediest crushing of the rebellion—when a listening Conservative threw in the qualification: "But all according to the Constitution!" No wonder that the speaker could not brook this interruption. No wonder that an oath should leap forth to attest the indignation of his patriotic soul. It was not contempt for the Constitution, but displeasure at the thrusting of it in his way, which prompted the profanity. Had it been the Bible itself, that was thus impertinently cited, an oath might still have been the consequence.

In a past century a New-England Puritan, in order to reconcile his black boy to the periodical whippings he gave him, said: "I whip you for the good of your soul." To which the sufferer very naturally replied: "I wish I had n't a soul!" Often during this War has the excessively tender and untimely care for the Constitution tempted me to wish that we had n't a Constitution. Thus was I tempted when, July 22, 1861, the House of Representatives, instead of manfully resolving that the War was for putting down the Rebellion and for nothing else, meanly resolved that it was for maintaining the supremacy of the Constitution. Thus was I tempted when Congress, a year or two ago, was ridiculously employed in looking into the Constitution to learn how far it might confiscate the possessions of the millions who were striking at the life of the nation. I notice that, now again, Congress is, in this same connection, twattling about the Constitution. Thus was

I tempted when the President left it to the Judges, or, in other words, to the Constitution, to say whether Proclamations, which he had issued as Head of the Army, should be allowed to stand. Unhappiest and most contemptible of all nations are we, if whilst every other nation can carry on war with all the latitude of the law of war—of the law of necessity and of self-preservation, we are to be “cabinéd, cribbed, confined” by a mere paper. Infinitely better that we had no Constitution than that we should have one, which is allowed to fetter our freedom and restrict our choice of means in time of war.

By the way, the most cheering instance of resistance to this practice of supplanting the law of war with the Constitution is the recent disclaimer of the Supreme Court, in Vallandigham’s case, of authority to review the proceedings of a military commission.

Never yet have we carried on an unconditional and square fight with the rebels: and never can we until we shall have the political and moral courage to resent and rise above the endeavors of demagogues and sympathizers with the rebels to embarrass our conduct of the war by these impertinent constitutional questions. But these questions are not the only hinderance in the way of the only proper mode of warfare. Another and not less serious hinderance has sprung up in the untimely agitation of the question: “Who shall be the next President?” It is fearful to think how mighty are the electioneering influences, which will now be set at work by office-holders, office-seekers, army contractors, and many other classes. It is fearful to think how wide-spread and deep a concern there will be to conduct the War, not so as to end the rebellion and save the country, but so as to promote party and individual interests. It is fearful to think of the possible extent and character of the divisions that may now be wrought amongst ourselves—divisions that may do more than the enemy can do to destroy our beloved country. Who shall be the next President, should not have been spoken of before midsummer. The *New-York Independent* says it should only have been thought of. But it should not even have been thought of before that time. In the judgment of this journal, to be thinking from this early day of the Presidential Election—to be prudently considering it—to “ponder” it—would be the people’s best preparation for acting wisely in it. But their unspeakably better preparation would be to forget the whole subject for the coming four or five months, and to be during all that time united as one man in wiping out the last remains of the accursed Rebellion. Such a perfect union for such a righteous end would be their best possible education for selecting none but a fit man for the Presidency.

Quite a natural fruit of this premature agitation of the Presidential question is it, that there are already on the one hand Union men who are slandering and vilifying Abraham Lincoln, and on the other hand Union men who will not tolerate even the most generous and friendly criticism on any of his views and measures.

And still another hinderance has been thrown in our way. The proposition to amend the Constitution tends to produce divisions amongst ourselves, and to divert us from that one work which should absorb us—the work of crushing the Rebellion. It is said that for the safety of posterity and to prevent the recurrence of the Rebellion we must have a constitutional prohibition of Slavery. I reply that we can not afford to attend to posterity now—that our own case needs all our present attention. It will be time enough to amend the Constitution after we shall have ended the Rebellion. The leisure which peace affords, is necessary to devise and adopt amendments of that precious paper. I do not object to the abolishing of Slavery. No sooner had slavery fired at Sumter, than emancipation should have fired at slavery. And this, too, Constitution or no Constitution for it. It was our right, because our necessity, to kill that which aimed to kill the nation. At no time since the War began should Congress have delayed to abolish by force of its war power every remnant of slavery:—dealing generously at the same time with loyal slaveholders.

Moreover, as to guarding posterity from slavery, and therefore from a war for slavery, I would say, that the land once cleared of it, slavery will never again be set up in it. Slavery is an abomination which the people, who have once got rid of it, are never disposed to recall. It is a disease, which no people take a second time. The French learned this lesson in their mad attempt to re-enslave the Haytiens. When, a few years ago, Spain grasped San Domingo, she promised the Dominicans not to introduce slavery. The promise was superfluous. The Dominicans will take care to protect themselves from slavery and from Spain also. Constitutional provisions against slavery will not avail to keep out slavery from the Southern States: but the freedom and the arms we are giving to their slaves will. Where a people want slavery, they will have it, whatever the Constitution. Our Constitution is against slavery. But the people wanted slavery. To say the least, they felt interested in consenting to it. Hence they fell in with the pro-slavery interpretation of the Constitution. Good men fell in with it because it was the prevailing interpretation. I said that our Constitution is against slavery. Certainly it is:—for it says, “No person shall be deprived of life, liberty, or property without due process of law:” and “No State shall pass any bill of attainder.” But slavery is the most emphatic and abominable attainder. And it says too: “The United States *shall* guarantee to every State in the Union a Republican form of government.” Has South-Carolina, where a handful of tyrants own three fifths of all the people, a *Republican* form of government? Surely we can not admit it without being ashamed that our nation has a Republican name.

I close with the remark, that now is not the time either to improve the Constitution or to be solicitous to save it; that now is not the time, much as they are needed, to be building roads to the Pacific, or indeed to be making any expenditures or embarking in

any projects, whose results will not be early enough to help us in this War ; and that not only now is not the time for President-making but not the time to maintain the Democratic party, nor to revive the Republican party and seek thereby to harness to a platform built four years ago and in far other circumstances a nation which is solving, through seas of tears and blood, the question of her life or death. I thought that the Republican party was disbanded. The assurances that it was—were they mistaken or deceitful? Tens of thousands of men, not Republicans, have worked with Republicans to put down the Rebellion. But they can not turn away from that work to any other:—nor can they consent to couple with it the building up of the Republican or any other party.

PETERBORO, February 24, 1864.

ON THE FORT PILLOW AND PLYMOUTH MASSACRES.

—•••—
**The Immediate Criminals not always the only Criminals.
The Creators of a Wicked Public Sentiment responsible for its Fruits.
Patriotism, and not Party Politics, our Present Need.
No Taxes too heavy, if needed to Put Down the Rebellion.**
—•••—

THE whole civilized world will be startled and horrified by this slaughter of probably not less than five or six hundred persons. The excuse in the case of a part of the slaughtered is, that they were traitorous citizens of the Confederacy: in the case of another part, that they were whites fighting by the side of blacks: in the case of the remainder, including women and even children, that they were blacks. That these were blacks, was cause enough why, though numbering three or four hundred, they should be murdered—murdered in utter contempt of all the sacred rights of prisoners of war. It is of the crime against these, I would now speak.

Who are to be held amenable for this crime? The rebels. Yes, but not the rebels only. The authorship of this crime, so matchless in its worst features, is very comprehensive. The responsibility for it is wider than our nation. England shares in the authorship and responsibility, because it was she who planted slavery in America, and because it is slavery out of which this crime has come. Our own nation, however, is the far guiltier one. The guilt of this crime is upon all her people who have contributed to that public sentiment, which releases white men from respecting the rights of black men. Our highest Court says that this satanic sentiment prevailed in the early existence of our nation. Certain it is, that it has prevailed in all the later periods of that existence. Who are they who have contributed to generate it? All who have held that blacks are unfit to sit by the side of whites in the church, the school, the car and at the table. All who have been in favor of making his complexion shut out a black man from the ballot-box. All who have been for making a man's title to any of the rights of manhood turn on the color of the skin in which his Maker has chosen to wrap him. All, in short, who have hated or despised the black man.

Even President Lincoln, whom God now blesses and will yet more bless for the much he has done for his black brethren, is not entire-

ly innocent of the Fort Pillow and Plymouth massacres. Had his plan of "Reconstruction" recognized the right of the black men to vote, it would thereby have contributed to lift them up above outrage, instead of contributing, as it now does, to invite outrage upon them. By the way, it is a pity that he undertook "Reconstruction." It was entirely beyond his civil capacity to do so: and it was entirely beyond his military capacity to have a part in setting up any other than a military or provisional government. Moreover, this is the only kind of government which it is proper to set up in the midst of war. The leisure and advantages of peace are necessary in the great and difficult work of establishing a permanent government. In this connection let me advert for a moment to the doctrine, "Once a State always a State"—a doctrine so frequently wielded against "Reconstruction" on any terms. Where is the authority for this doctrine? In the Constitution, it is said. But nowhere does the Constitution say that a State may plunge into war, secure at all hazards from some of the penalties of war. But amongst the penalties of war is whatever change the conqueror may choose to impose upon the conquered territory. I admit that it is very desirable to have all the revolted States reëstablished—reinstated. But that there is any law by which this becomes inevitable is absurd. Nowhere does the Constitution say that a State is to be exempt from the operation of the law of war. Nowhere does it undertake to override the law of war. How clear is it, then, that by this paramount law these revolted States will, when conquered, lie at the will of the conqueror! And how clear is it, that it will then turn not at all upon the Constitution, but upon this will of the conqueror, backed by this paramount law of war, whether the old statehood of these States shall be revived, or whether they shall be remanded to a territorial condition, and put upon their good behavior!

There is another instance in which the President has contributed to that cruel public sentiment, which leaves the black race unprotected. I refer to his so strangely long delay in promising protection to the black soldier, and to the even longer and not yet ended delay in affording it. The President is a humane as well as an honest man; and the only explanation I can find for his delay to protect the black soldier and to put an end, so far as in him lies, to the various, innumerable, incessant outrages upon the freedmen is in the continuance of his childish and cowardly desire to conciliate his native Kentucky and the Democratic party.

I argued that even President Lincoln is responsible in some degree for that public sentiment, which invites outrage upon the black man and leaves him a prey to the wicked. Those Members of Congress, who are opposing the reasonable measure of letting the black man vote in the Territories, are also guilty of favoring that public sentiment which broke out in the crime at Fort Pillow and Plymouth. Similarly guilty are those members who would make the pay of a black soldier less than that of a white one. And so are

those members who consent to leave a fugitive slave statute in existence. In a word, all should tax their consciences with the sin of this public sentiment and with the resulting crime at Fort Pillow and Plymouth, whose influence, by either word or deed, has been to keep up in this heathen land the caste-spirit—that pre-eminent characteristic of heathenism. I call this a heathen land. To the Christ-Religion—that simple religion of equal rights and of doing as you would be done by—there can be no greater insult than to call a nation in which, as in this, the most cruel and murderous caste-spirit prevails, a Christian nation.

Both on the right hand and on the left, I hear that our nation is to be saved. But my fears that it will not, often become very strong. That the Rebellion is to be crushed, I deeply believe. Often in the course of Providence a wicked people, which is itself to be afterward destroyed, is previously to be used in destroying another and generally more wicked people. There are striking illustrations of this in the Bible. The duty of abolitionists and anti-abolitionists, Democrats and Republicans, to work unitedly, incessantly, and unconditionally for the overthrow of the Rebellion I have not only never doubted, but ever urged. I hold it to be unpatriotic and even traitorous for the Abolitionists to make any conditions in behalf of their specialty, and to propose, as some of them do, to go against the Rebellion only so far as going against it will be going against slavery. So too are those Democrats unpatriotic and even traitorous who can favor the War, only under the stipulation that it be so conducted as to harm neither the Democratic party nor the Constitution. To put down the Rebellion is an object immeasurably higher than to save a party or to save the Constitution, or even to save the country. No man is right-minded, who would not have it put down, even though it be at the expense of the last man and the last dollar.

If any thing makes me doubt that the Rebellion will be crushed it is the omission of Congress to abolish slavery, now when it is so clearly seen that the abolition of slavery is an indispensable means to the abolition of the Rebellion. The proposed Amendment to the Constitution I take no interest in. One reason why I do not, is, that it is not a proposition to abolish slavery *now*. Another is, that war is not the time to be tinkering at constitutions. I see it denied that Congress has the power, even as a war measure, to abolish slavery. Amazing delusion! There is in every nation an absolute power for carrying on war. The nation that disclaims it may as well give up being a nation. In our own, this power is vested in Congress. Congress is to declare war: and Congress is “to make all laws necessary and proper (itself of course the sole judge of the necessity and propriety) for carrying into execution” the declaration. Is it the institution of apprenticeship, which it finds to be in the way of the successful prosecution of the war?—then is it to sweep it out of the way. Is it the abomination of slavery?—then is it to strike at that.

There is, however, one thing more which sometimes, though not

often, raises a doubt in me whether the Rebellion will be crushed. It is the premature agitation of the Presidential question. When the Rebellion broke out, I assumed that it would be put down in a few months—for I assumed that this greatest crime against nationality and humanity would arouse and unite the whole North. How greatly was I mistaken! Very soon the Democratic party was seen to prefer itself to the country. The Republican party stood by the country. But at the present time there is no little danger that the country may be sacrificed in a strife between the members of the Republican party. For, taking advantage of this strife, the Democratic party may succeed in getting the reins of Government into the hands of one of its pro-slavery peacemakers. But I may be asked—will not the rebels be conquered and the country saved before the next Election? I still *hope* so—and until the last few months I *believed* so. But is there not some reason to fear that the North will be wrought up to a greater interest in this year's Presidential than in this year's military campaign? In other words, is there not some reason to fear that, for the coming six months, politics instead of patriotism will be in the ascendant?

I still say, as through the past winter I have frequently said, written, and printed—that the Presidential question should not have been talked of, no, nor so much as thought of, until midsummer. The first of September is quite early enough to make the nomination; and in the mean time, undistracted by this so distracting subject, we should be working as one man for the one object of ending the Rebellion—and of ending it before reaching the perils of a presidential election. And such working would best educate us to make the best choice of a candidate. Moreover, it is the condition the country will be in three or four months hence, rather than the condition it is now in, that should be allowed to indicate the choice. Great and rapidly successive are the changes in the circumstances of a country in time of war. To nominate a President in time of peace, six months earlier than is necessary, all would admit to be great folly. But greater folly would it be to nominate him in time of war even a single month earlier than is necessary. The Baltimore Convention is understood to be a movement for renominating President Lincoln, and the Cleveland Convention one for nominating General Fremont. Would that both Conventions were dropped! Would indeed that the whole subject were dropped until July or August!—and would too that it were dropped with the understanding, that it should then be taken up, not by the politicians, but by the people!

The people would present a loyal and an able candidate: and whether it were Lincoln or Fremont, Chase or Butler, Dickinson or Dix, the country would be safe.

I recall at this moment the large and respectable meeting for consultation held in Albany last January. What a pity that the meeting took fright at the temperate and timely resolutions re-

ported to it! What a pity that the meeting saw in them danger to the country, or perhaps, more properly speaking, to a party! One of these resolutions and its advocates urged the importance of postponing until the latest possible day the whole subject of a Presidential nomination: and, had it been adopted and published, it would not unlikely have exerted sufficient influence to bring about such postponement. Time has proved the wisdom of the other resolutions also. I wish I could, without seeming egotism, say that slavery, and slavery alone, having brought this war upon us, they, who have given but little thought to slavery, should be too modest to toss aside indignantly and sneeringly the suggestions of those who have made it their life-long study. Were these resolutions now published, almost every man who opposed them, would wonder that he had so little foresight as to oppose them.

And there is still another thing which should perhaps be allowed to suggest a doubt whether the rebellion will be crushed. It is, that we are so reluctant to pay the cost of crushing it. Our brave soldiers and sailors give their lives to this end. But we who stay at home shrink from the money tax which is, and which should be far more largely put upon us. Our nation is imperiled by the incessant outflow of a big stream of gold. Wise and patriotic as he is, our Secretary of the Treasury will nevertheless labor in vain to diminish this stream unless importations shall be taxed far more heavily. Deeply disgraceful are these importations when it is by all that is precious in the very life of our nation that they are forbidden. Surely it is no time now to be indulging in foreign luxuries: and as to necessaries, our own country can furnish them all. Luxuries, whether foreign or domestic, should all come now with great cost to the consumer. And only a small return for protecting their estates from the rebels would it be for the rich to pay over to Government one fourth, and the very rich one half of their incomes. Let me add in this connection that the State Banks should be so patriotic, as to rejoice in the national advantage of an exclusively National currency.

I expressed my belief that the rebellion will be crushed—but my doubt whether the nation will be saved. A guilty nation, like a guilty individual, can be saved through repentance only. But where are the proofs that this nation has so much as begun to repent of the great sin, which has brought the great calamity upon her? She has, it is true, done much to prove that she regards slavery as a political and economical evil, and a source of great peril to the nation: but she has done exceedingly little toward proving that she has a penitent sense of her sin in fastening the yoke of slavery on ten to twenty millions of this and former generations. It is only here and there—at wide intervals both of time and space—that has been heard the penitent exclamation, “We are verily guilty concerning our brother;”—only at these wide intervals that has been seen any relaxation of the national hatred and

scorn for the black man. "Abolitionist," which, when the nation shall be saved, will be the most popular name in it, is still the most odious and contemptible name in it. That the fugitive slave statute is still suffered to exist, is ample proof that this nation has still a devil's heart toward the black man. How sad that even now, when because of the sin of slaveholding, God is making blood flow like water in this land, there should be found members of Congress, who claim this infernal statute to be one of the rights of slaveholding! As if slaveholding had rights! As if any thing else than punishment were due to it!—punishment adequate to its unmingled, unutterable, and blasphemous wrongs!

I shall, however, be told that slavery will soon be abolished by an Amendment of the Constitution. And what will such an Amendment say? Why, nothing more than that slavery ought not to be—must not be—when it shall no longer be constitutional. What, however, the American people need to say, is, that be it constitutional or unconstitutional, slavery shall not be. So they are always prepared to say regarding murder. But slavery is worse than murder. Every right-minded man had far rather his child were murdered than enslaved. Why, then, do they not affirm that, in no event, will they tolerate slavery any more than murder? The one answer is—because it is the black man, and the black man only, on whom slavery falls. Were white Americans to be enslaved in a Barbary State, or anywhere else, our nation would respect no pleadings of statutes or even of constitutions for their enslavement. In defiance of whatever pleas or whatever restraints, she would release them if she could. The most stupendous hypocrisy of which America has been guilty, is first professing that there is law for slavery—law for that which all law proclaims an outlaw—law for that in which there is not one element of law, but every element of which is an outrage upon law; and second, in professing it, not because she has a particle of belief in it—but simply because blacks instead of whites are the victims of her slavery. America declared that John Brown was "rightly hung." How hypocritical was the declaration, may be inferred from the fact that had they been white instead of black slaves whom he flung away his life to rescue, she would have honored him as perhaps man has never been honored. And she would have made his honors none the less, but heaped them up all the more, if, in prosecuting his heroic and merciful work, he had tossed aside statutes and broken through sacred constitutions. Oh! if this nation shall ever be truly saved, it will no longer regard John Brown as worthy of the fate of a felon; but it will build the whitest monuments to his memory, and cherish it as the memory of the sublimest and most Christlike man the nation has ever produced! Some of the judgments of John Brown—especially such as led him to Harper's Ferry—were unsound and visionary. Nevertheless, even when committing his mistakes, he stood, by force of the disinterestedness and greatness of his soul, above all his countrymen.

Would Congress contribute most effectively to put down the rebellion, and to save the nation by the great salvations of penitence and justice—the only real salvations? Would it do this?—then let it pass, solemnly and unanimously, a resolution that there never was and never can be, either inside or outside of statutes or constitutions, law for slavery; and then another resolution that whoever shall attempt to put the yoke of slavery on however humble a neck, black or white, deserves to be put to death.

A word further in regard to the proposed Amendment. Were the impudent and monstrous claim of its being law set up for murder, no one would propose an amendment of the Constitution forbidding murder. The only step in that case would be to make the penalty for the crime more sure and if possible more severe. Such an amendment would be strenuously objected to, in that it would stain the Constitution with the implication that murder had been constitutional. And now, if we shall have a Constitutional Amendment, which, in terms, forbids slavery, (it is already forbidden by the spirit, principles, and even provisions of the Constitution,) shall we not be virtually admitting to the world and to posterity that this nation had been guilty of tolerating, if not indeed of positively authorizing, in its Constitution the highest crime of earth? God save us from an admission, which shall serve both to stamp us with infamy and to perpetuate the infamy!

PETERBORO, April 26, 1864.

LETTER TO MRS. STANTON

ON THE PRESIDENTIAL QUESTION.

PETERBORO, June 6, 1864.

MRS. E. CADY STANTON, New-York :

MY DEAR COUSIN: I have your letter. It would be too great labor to answer all, who seek to know my choice amongst the presidential candidates. But I must answer *you*.

I have no choice. The first of September will be time enough for me and for every other person to have one. Intermediate events and changes will be indispensable lessons in our learning who should be the preferred candidate. To commit ourselves in time of war to a candidate one month before it is necessary, is worse than would be a whole year of such prematureness in time of peace. Then there is the absorbing, not to say frenzied, interest, which attends our important elections. That it is frenzied is manifest from the scornful reproach and wild invective, which the press is already heaping up on Lincoln and Fremont—both of them honest and able men, and both of them intent on saving the country. How unwise, nay how insane, to let this absorbing and frenzied interest come needlessly early into rivalry with our interest in the one great work of crushing the rebellion! For more than half a year have I frequently and faithfully, both with lips and pen, deprecated the premature agitation of the question who should be the chosen candidate. If, therefore, the Cleveland and Baltimore Conventions shall have the effect to divide the loyal voters so far as to let a pro-slavery and sham Democrat slip into the Presidency through their divisions, I, at least, shall not be responsible for the ruin that may come of it.

My concern whether it shall be Lincoln or Fremont or Chase or Butler or Grant who shall reach the presidential chair is comparatively very slight. But my concern to keep out of it a man, who would make any other terms with the rebels than their absolute submission is overwhelming. For any other terms would not only destroy our nation, but lessen the sacredness of nationality everywhere, and sadly damage the most precious interests of all mankind.

Since the Rebellion broke out, I have been nothing but an anti-rebellion man. So unconditionally have I gone for putting it down unconditionally, as to make no stipulations in behalf of my most cherished objects and dearest interests. And so shall I continue to go. I love the anti-slavery cause. Nevertheless, I would have the rebellion put down at whatever necessary expense to that cause. I love the Constitution; and deprecate the making of any even the slightest change in it. Nevertheless, I make infinitely less account of saving it than of destroying the rebellion. I love my country. But sooner than see her compromise with the rebels, I would see her exhaust herself and perish in her endeavors to defeat their crime—that greatest crime of all the ages and all the world. I do not forget that many of my old fellow abolitionists accuse me of having been unfaithful to the anti-slavery cause during the rebellion. My first answer to them is—that to help suppress the rebellion is the duty which stands nearest to me: and my second answer—that in no way so well as in suppressing it can the anti-slavery cause or any other good cause be promoted. There is not a good cause on the earth that has not an enemy in the unmixed and mighty wickedness of this rebellion.

You will rightly infer from what I have said, that my vote will be cast just where I shall judge it will be like to go farthest in keeping a disloyal man out of the Presidency. My definition of a disloyal man includes every one who would consent to obtain peace by concessions to the rebels—concessions however slight. Should the rebellion be disposed of before the election, I might possibly refuse to vote for any of the present candidates. When voting in time of war, and especially such a fearful war as the present, for a Governor or President, I vote for a leader in the war rather than for a civil ruler. Where circumstances leave me free to vote for a man with reference mainly to his qualifications as a civil ruler, I am, as my voting for thirty years proves, very particular how I vote. In 1856, Fremont was in nomination for the Chief Magistracy. I honored him—but I did not vote for him. In 1860, Lincoln was nominated for it. I had read his Debate with Senator Douglas, and I thought well of him. But neither for him did I vote. To-day, however, I could cheerfully vote for either to be the constitutional head of the army and navy. I go further, and say, that to save the Presidential office from going into the hands of one who would compromise with the rebels, I would vote for a candidate far more unsound on slavery than the severest abolition critic might judge either Lincoln or Fremont to be. But were there no such danger, I would sternly refuse to vote for any man who recognizes, either in or out of the Constitution, a law for slavery, or who would graduate any human rights, natural or political, by the color of the skin.

This disposition to meddle with things before their time is one that has manifested itself, and worked badly, all the way through the war. The wretched attempts at "Reconstruction" are an in-

stance of it. "Reconstruction" should not so much as have been spoken of before the rebellion was subdued. I hope that by that time all loyal men, the various doctrines and crotchets to the contrary notwithstanding, will be able to see that the seceded States did, practically as well as theoretically, get themselves out of the Union and Nation—as effectually out as if they had never been in. Our war with Mexico ended in a treaty of peace with her. Doubtless our war with the South will end in like manner. If we are the conqueror, the treaty will, I assume, be based on the unconditional surrender of the South. And then the South, having again become a portion of our nation, Congress will be left as free to ordain the political divisions of her territory, as it was to ordain those of the territory we conquered from Mexico. Next in order, Congress will very soon, as I have little doubt, see it to be safe and wise to revive our old State lines. Nevertheless, I trust, that such revival would never be allowed until Congress should see it to be clearly safe and wise. We hear much of the remaining constitutional rights of the loyal men in the seceded States. But they, no more than their rebellious neighbors, have such rights. It is true that the rebellion is their misfortune instead of their crime. Nevertheless, it severed every political cord as well between the nation and themselves as between the nation and those rebellious neighbors. The seceded States embarked in a revolution, which swept away all the political relations of all their people, loyal as well as disloyal. Such is the hazard, which no man, however good, can escape from. If the major part or supreme power of his State carries it to destruction, he is carried along with it. A vigilant, informed, active, influential member of his body politic does it therefore behoove every good man to be.

In his haste for "Reconstruction," the President went forward in it—whereas he is entitled to not the least part in it, until Congress has first acted in it. In the setting up of military or provisional governments, as we proceed in our conquests, his is the controlling voice—for he is the military head of the nation. But in regard to the setting up of civil governments in the wake of those conquests, he is entitled to no voice at all until after Congress has spoken.

Another instance of meddling with things before their time is this slapping of the face of France with the "Monroe Doctrine." I was about to say that doing so serves but to provoke the enmity of France. There is, however, one thing more which it provokes—and that is the ridicule of the world. For us, whilst the rebels are still at the throat of our nation, and may even be at her funeral, to be resolving that we will protect the whole Western Continent from the designs of the whole Eastern Continent, is as ludicrous a piece of impotent bravado as ever the world laughed at.

And still another instance of our foolish prematureness is the big words in which we threaten to punish the leaders of the

rebellion. It would be time enough for these big words when we had subdued the rebellion and captured the leaders. In the mean time there should be only big blows. Moreover, if we shall succeed in getting these leaders into our hands, it will be a question for the gravest consideration whether we should not beg their pardon instead of punishing them. What was it that stirred up the rebellion? The spirit of slavery. That alone is the spirit by means of which Southern treason can build up a fire in the Southern heart whose flames shall burst out in rebellion. Slavery gone from the South, and there will never more be rebellions there to disturb the peace and prosperity in which North and South will ever after dwell together. Which was the guiltier party in feeding and inflaming that spirit? The pro-slavery and preponderant North. The guiltier North it was, that had the more responsible part in moulding the leaders of the rebellion. Does it then become this guiltier North to be vengeful toward these her own creations—her own children?—and, what is more, vengeful toward them for the bad spirit which she herself had so large a share in breathing into them?—for the Satanic character which she herself did so much to produce in them? But I shall be told that the North has repented of her part in upholding slavery, and thereby furnishing the cause of the rebellion; and that the South should have followed her example. But if her repentance did not come until after the rebellion broke out, then surely it came too late to save her from responsibility for the rebellion. Has it, however, come even yet? I see no proof of it. I can see none so long as the American people continue to trample upon the black man. God can see none. Nor will he stay his desolating judgments so long as the American Congress, instead of wiping out penitently and indignantly all fugitive slave statutes, is infatuated enough to be still talking of “the rights of slaveholders,” and of this being “a nation for white men.” Assured let us be, that God will never cease from his controversy with this guilty nation until it shall have ceased from its base and blasphemous policy of proscribing, degrading, and outraging portions of his one family. The insult to him in the persons of his red and black children, of which Congress was guilty in its ordinance for the Territory of Montana, will yet be punished in blood, if it be not previously washed out in the tears of penitence. And this insult, too, whilst the nation is under God’s blows for like insults! What a silly as well as wicked Congress! And then that such a Congress should continue the policy of providing chaplains for the army! Perhaps, however, it might be regarded as particularly fit for such a Congress to do this. Chaplains to pray for our country’s success whilst our country continues to perpetrate the most flagrant and diabolical forms of injustice! As if the doing of justice were not the indispensable way of praying to the God of Justice! It is idle to imagine that God is on the side of this nation. He can not be with us. For whilst he is everywhere with justice, he is nowhere with injustice. E

admit that he is not on the side of the rebellion. From nothing in all his universe can his soul be further removed than from this most abominable of all abominations. If we succeed in putting it down, our success, so far as God is concerned, will be only because he hates the rebellion even more than he hates our wickedness. To expect help from him in any other point of view than this, is absurd. Aside from this, our sole reliance must be, as was the elder Napoleon's, on having "the strongest battalions." I believe we shall succeed—but that it will be only for the reasons I have mentioned—only because we are the stronger party and that God is even more against the rebels than he is against us. How needful, however, that we guard ourselves from confounding success against the rebellion with the salvation of the nation! Whether the nation shall be saved is another question than whether the rebellion shall be suppressed. In the providence of God, even a very wicked nation may be allowed to become a conqueror—may be used to punish another wicked nation before the coming of its own turn to be conquered and punished. But a nation, like an individual, can be saved only by penitence and justice.

LETTER TO MESSRS. WADE AND DAVIS.

PETERBORO, August 8, 1864.

HON. B. F. WADE,
HON. H. WINTER DAVIS:

GENTLEMEN: I have read your Protest. It is a strongly reasoned and instructive paper. Nevertheless, I regret its appearance. For it will serve to reduce the public good-will towards Mr. Lincoln; and that is what, just at this time, the public interest can not afford. It may turn out that Mr. Lincoln is the man for whom it will be vital to the national existence to cast the largest possible vote. Personally he may not be more worthy of it than Mr. Fremont or Mr. Chase, or some other man, who may be nominated. But, if as the election draws near, it shall be seen that he will probably get a larger vote than any other candidate of the uncompromising opponents of the rebellion, then it will be the absolute duty of every one of them to vote for him. The election of a man who would consent to any thing short of the unconditional surrender of those, who, without even the slightest cause of complaint, have made war upon us, would not only be the ruin of our nation, but it would be also the base betrayal of that sacred cause of nationality, which they of one nation owe it to those of every other nation, the earth over, to cherish and maintain. But no such consequence, nor any other fatal consequence, would there be, should a loyal man of whatever faults be elected—a man who, because he is loyal, would in no event fail to insist on the absolute submission of those who had causelessly rebelled against their country. Hence, though it may be at the expense of passing by our favorite candidate, we should nevertheless all feel ourselves urged by the strongest possible motives to cast our votes just where they will be like to contribute most to defeat the compromising or sham peace candidate.

Mr. Lincoln, although an able, honest, patriotic man, has fallen into grave errors. But who, in his perplexing circumstances, would have been exempt from them? He has depended too largely on the policy of conciliation. He has made too much account of pleasing Border States and Peace Democrats. But in all this he has sought not his own advantage, but the safety of his coun-

try from the harm with which Border States and Peace Democrats (same thing as Pro-Slavery Democrats) threatened her.

Nor has Mr. Lincoln always kept himself within the sphere of his office. I do not mean that he went out of it in imprisoning a few treasonable men. He should have imprisoned more. Nor do I refer to his suppression of a few treasonable newspapers. He should have suppressed many more. In almost any other nation with rebels at its throat, the printing of "the forged Proclamation" would have been visited with the severest penalties. The plea that the offense was committed where war was not actual, would have been scouted. Nay, the presumption to offer it would have been lacking. By the way, the city of New-York is emphatically a theater of the war. Thousands there with worse than Southern hearts—for Northern rebels are worse than Southern rebels—are constantly plotting war against their country. Occasionally their war comes to the surface. It did so when, a little more than a year ago, it broke out in plunders and murders meaner and more malignant than the world had ever before seen. It will break out again as soon as some other conjunction of circumstances shall promise success. New-York not a theater of the war! Why, we have immeasurably more to fear from the ever-warring disloyalty of New-York and Philadelphia, than from the swords and guns of Richmond and Atlanta. But what if there be not actual war, has been none, and will probably be none in the locality where the press utters treason?—may not the war power lay its suppressing hand on that press? If it may not, then the country may be lost. For, in the first place, civil proceedings may be too slow to save it; and, in the second place, the locality may be too disloyal to favor even civil proceedings. New-York has not favored them. She has not punished her treasonable newspapers; and that she has not is strong proof that she will not, and is of itself ample reason why the war power should. Moreover, however loyal might be the locality, it would not be right in all cases for the war power to depend upon her motions. In a matter, which is vital to the nation, the nation itself must act. Her life must not be left to hinge upon the will or conduct of any locality, however loyal.

I have virtually said that a treasonable press is capable of working ruin to a country. "The forged Proclamation," for instance, was a blow at the credit and at the very life of the nation. But for the intervention of the military arm it would have done much evil, and other disloyal presses would have been emboldened to do more. I add that if it were left alone to the civil authority to watch the presses in the North, a very considerable share of them would quickly be teeming with treason. If, then, the war power is as limited as last Saturday's Opinion of the Court in the case of *The People against General Dix* makes it, and if also that power shall submit to that limitation, then of necessity will the work of debauching the Northern mind by a disloyal Northern press go on toward its fatal result even more rapidly than ever.

The jurisdiction of General Dix is called in question. It is as ample and absolute as that of Sherman before Atlanta or Grant before Richmond. Were citizens of New-York to strike Government troops in that city, he clearly would have as much right to strike back as have Sherman and Grant in such a case; and as clearly he would no more than they be under obligation to wait for redress at the hands of the civil authorities. But the right of the military commander to strike back, when newspapers strike at the existence of the nation, is even more vital. A single column of newspaper treason might imperil the nation more than could many columns of armed foes. Is it said that so great power in an individual is very dangerous? I grant it. And therefore we must as far as possible keep out of war—for in war there must be such power in a single hand.

I do not fear that General Dix will abuse his office. He is both a wise and a just man: and that he, who has borne himself so beautifully in our war, should be degraded to a culprit in our courts—and this too in return for a service he did his country—makes us blush for that country. It was he who in his Order, at the very beginning of the War, *to shoot down the man who should strike down the flag*, sounded the very key-note of that patriotic spirit in which it was our duty to conduct the War. In that Order he virtually bade us all stand *unconditionally* by our country against whatever rebels or rascals.

I honor the good intentions of President Lincoln. But I would that he had the nerve to meet, as General Jackson would have met, these traitorous men amongst us, who, when the state of the country is such as to make its salvation turn on a liberal interpretation of the powers of the Executive, study the reduction and belittling of those powers. Valuable as are the virtues of forbearance and forgiveness, we have had quite too much of them for our safety. Stern justice, whilst always a no less excellent virtue, is, in the time of stern war, a far more timely and necessary one. Would that the President might mingle a little more of it with his kind and patient spirit!

I said that the President has not always kept himself within his official limits. His Amnesty Proclamation is one of the instances in which he has exceeded them. In his military capacity he had nothing to do with the reconstruction of civil governments; and in no other capacity had he any thing to do with it until Congress had acted upon it. It was for him to set up military governments in the wake of our advancing armies. But it was not for him to concern himself about the permanent or civil governments, that would come to take the place of these temporary provisions.

By many the President is condemned for his slowness. Perhaps he is too slow in some things. There are others, however, in which he is too fast. But in this latter fault the great mass of the loyal men both in and out of Congress are with him. I agree with you that the President's plan of settlement is a wrong one.

But your Congressional plan, like his, is premature. How much precious time was wasted over the premature question of the confiscation of real estate! Not a foot of it should have been sold before the close of the war. Nothing should have been done with it but to lease the vacant portions of it—and that only from year to year. No great inconvenience could ensue from such a postponement of the sale of Southern soil, nor from such a postponement of the setting up of civil government upon it. War and especially such a war as this—is no time for unnecessary work. It will not be well done. Moreover, the doing of it will leave necessary work ill-done.

Then there is the unseasonable work of altering the Constitution. Not one moment should have been wasted in that worse than useless direction. If nothing in the Constitution hinders the most effectual prosecution of the war, then surely there is no excuse for embarrassing ourselves in time of war with attempts to alter it. If, on the other hand, any thing in it stands in the way of such prosecution, Congress can virtually overcome it. For the Constitution does itself accord to Congress the power to make whatever laws it thinks “necessary and proper” for carrying on the war, be it even laws for taking into military service every slave and every apprentice or every schoolhouse and every church in the land. A nation is no nation—certainly it could not long be one—that does not recognize such absolute power.

Then there is the undue haste to come to the terms of peace—a haste with which the President is no more chargeable than thousands of loyal men. When they who without the least provocation took up arms to dismember our beloved country, shall lay them down, then and not till then are we to be for peace, or for any thing but war. Then and not till then, are we to talk or even to think of the terms of peace. The war ended, and then will be the time for our concessions to our deluded brethren. Just and generous may these concessions be! There are many good people who, in their great desire for peace, would have the war ended on any terms. They would even come to the ever-insisted-on terms of the rebels, and accept of disunion. But these good people are foolish people. There can be no peace in disunion. A truce, and a very brief one, is the best there could be. War would break out every few years. Besides that we can get a peace only by conquering it, it can abide only on the condition of reünion.

And then these premature Presidential nominations, which for six months I was so earnestly deprecating. God grant that they may not fatally divide us! God grant that they may not fatally divert our interest from the prosecution of the war! But the blame of these nominations rests not on the President, but on the mass of his party.

The putting down of the rebellion—that is our one present work. Our absorption in it should be so entire, as to leave us no time and no heart for any thing which is unnecessary, or for any

thing which is necessary until the very day, nay the very hour, when it has become necessary.

I scarcely need add that in giving ourselves to the work of overthrowing the rebellion we are to make no conditions. I scarcely need add that those Democrats are to be condemned, who insist on stipulating for the safety of slavery ere they can embark in this work; nor that those abolitionists are also to be condemned who put the abolition of slavery before the suppression of the rebellion. This suppression is the duty which must be discharged, come what will of its discharge to the Democratic or the abolition party. For it is the nearest duty. Moreover, let the abolitionist magnify the crime of slavery as he will, the crime of the rebellion remains the far greater one. For the rebellion super-adds to all that is bad in slavery, parricidal blows at the life of the country and contempt of the sacredness of nationality. I have myself been a somewhat earnest advocate of abolition. But at no time during the rebellion have I felt at liberty to inquire of abolition whether, or how, I should work toward putting down the rebellion. I add that, as the sole legitimate object of the war we are prosecuting is to put down the rebellion, therefore none have the right to embarrass or pervert the war by their schemes to harm or their schemes to help slavery. We do not say that the abolitionist is to cease working against or the anti-abolitionist is to cease working for slavery. But we do say that the putting down of the rebellion is the common work of abolitionists and anti-abolitionists, Democrats and Republicans: and that, differ as they may in other respects, they are to be one in the prosecution of this common work. A traitor to his country is he who, when traitors have fallen upon her, allows himself under the counsels of any party, however dear, any interest, however cherished, or any cause, however sacred, to withhold his help from her. Such party, such interest, such cause notwithstanding, he is to be "arm and soul" against the traitors.

I repeat that I regret your Protest—or rather, I should say, the unseasonable publication of it. There is a great deal of truth in it—and generally a very forcible presentation of that truth. But the country can not now afford to have the hold of Mr. Lincoln on the popular confidence weakened. Pardon me for saying that the eve of the Presidential Election is not the time to be making an issue with Mr. Lincoln in regard to either his real or supposed errors. For, from present indications, it is highly probable that we shall need to concentrate upon him the votes of all the loyal voters in order to defeat the disloyal candidate. Issues with the Southern rebels and their Northern friends are the only ones we can afford to make before the election. Let Lincoln get all the loyal votes, let Fremont get them, let Chase get them, let any other loyal man get them, if this shall be necessary to prevent the election of one who is in the interest of the rebellion and of a spurious peace. I doubt not from your ardent patriotism and your strong sense, that you entirely agree with me at this point; and

that they altogether misjudge you, who suppose that you will in no event vote for Mr. Lincoln. The election of no loyal man, however faulty he may be, can destroy the nation. But the election of whatever disloyal man will. Strong as is your dislike of some of Mr. Lincoln's measures, you will not suffer it to stand in the way of your voting to save the country, nor in the way of your entreating others to do so.

ON McCLELLAN'S NOMINATION AND ACCEPTANCE.

I WRITE these pages for the candid. Partisans would not hear me. They follow party. Those only will hear me who follow truth; and who will still follow it at whatever expense to party.

The North is divided—fearfully divided. One portion holds that the North, and the other that the South is the guilty party in this war. Which of them is right, is the great, nay the only question to be answered at the coming Election. If the North is the guilty party, then McClellan should be preferred. If the South, then Lincoln. I name them because every day makes it more evident that all our votes will finally be concentrated on them. McClellan is the candidate of those who hold the North to be the guilty party, and therefore whatever exceptions some of them take to him, all will feel constrained to vote for him. So, too, all who hold that the South is the guilty party, will feel it to be their duty to vote for Lincoln. Many of them would prefer to vote for Fremont, if they could thereby vote as effectively to defeat the candidate whose sympathies are with the South. But this they now see they can not do. It is in this wise that Fremont and Cochrane will themselves, notwithstanding their dislike of some of his measures, vote for Lincoln. They are too magnanimous to let personal considerations hinder them from voting for him; and they are too patriotic to withhold a vote, which they think the salvation of the country calls for. Nay, they will hasten to inspire their friends with the like magnanimity and patriotism. So, too, the great influence of Wendell *Phillips will be brought to the side of Lincoln, as soon as he shall see that the man to be elected must be either Lincoln or a servant of the South. Strong as is his preference for Fremont, he will not let it work to the destruction of his country.

We need not go back of the Convention, which nominated Lincoln, to learn that the Union party lays all the blame of the war upon the South. Nor need we go back of the Convention, which nominated McClellan, to learn that the Democratic party lays all the blame of it on the North. The proceedings of the Chicago Convention afford conclusive evidence that the Democratic party is identified with the rebellion; is at peace with the enemies in-

stead of the friends of the nation—at peace with the South, and at war with the North, Nevertheless, it is not to be condemned, but rather to be honored for this, provided the North is the guilty party in the war. I am not of those whose motto is: “Our country, right or wrong.” It is only when she is right, that I am with her. I can be loyal to the North so far only as she is loyal to justice. Nor, if I would, could I help her wherein she breaks with justice. A nation, like an individual, puts herself beyond the reach of help in proportion as she defies the claims of truth and righteousness.

Let me here say that McClellan, no more than any other member of the Democratic party, is necessarily worthy of condemnation for opposing the cause in which his country is embarked. Nay, if it is an unrighteous cause, then it is proper in him to stand forth against it—to stand forth as distinctly and emphatically as he does by accepting his nomination at the hands of the enemies of that cause.

I repeat, the question to be passed upon at the coming election is—which is the guilty party in this war—the North or the South? It is admitted that the South took up arms to dismember our nation: and that she robbed it of moneys, forts, guns, and portions of our little standing army. It is admitted, too, that it was only in reply to these outrages, that we armed ourselves. Hence whilst the war on her part is offensive, on ours it is but defensive. Notwithstanding all this, the North may not be the innocent party. For she may have oppressed and provoked the South beyond endurance. I am slow to admit that any rebellion in a land where there is free access to the ballot-box can be justified. Nevertheless, if it can be shown that it was because she was made to suffer intolerable oppressions that she flew to arms, I will not condemn her. Had she such oppressions to complain of?

It is said, more in Europe, however, than in America, that our high tariff was a burden upon the South. Never, however, had we a tariff so nearly approaching free-trade, as when her States began to secede. Moreover, the South could have had it as much lower as she pleased. What, however, if our tariff were not a proper one?—that surely would not be enough to justify rebellion.

Had the South any right to call herself oppressed by the election of Lincoln? None at all. He was elected constitutionally. But he was against slavery! It is true that he was—only moderately so, however. Several of the Presidents immediately preceding him were thoroughly *for* slavery. And yet the North did not claim that she was oppressed by their election. Least of all, did she claim that their election furnished ground for rebellion.

Was the South at liberty to regard herself oppressed because so much was said at the North against slavery? Certainly not. The Constitution provides for free speech. Moreover, the South spoke as freely against our systems of labor, as we did against

her slavery. She sneered at our "small-listed farmers" and our "greasy mechanics." She stigmatized our noble laborers as "the mudsills of society." Then, too, the South helps send missionaries over the earth to argue against idolatries and other abominations; and thus is she estopped by her own acts from forbidding others to search and criticise herself.

Was the South oppressed by Northern legislation against slavery? Never. The North was always willing to have the Supreme Court of the United States pass upon such legislation. When, however, the North sent Commissioners to the South, to induce her to consent to have the constitutionality of those laws under which she was casting Northern freemen into the pit of slavery, passed upon by that Court, those Commissioners had to fly for their lives before the murderous onset made upon them.

But John Brown, and at other times, other Northern men, went into the Southern States to help persons escape from slavery! The North, however, was not responsible for this. She ever stood by slavery, and helped the South tighten the chains of the slaves. Little right has the South to complain of the sympathy of John Brown and others with her slaves. Where these delivered one slave, her kidnappers made slaves of ten Northern freemen. But there was rejoicing at the North over the escape of Southern slaves! I admit it. So was there rejoicing at the South over the escape of Southern men from Algerine slavery. Such rejoicings can not be stopped. And all attempts of the South to stop them, will be vain attempts to change human nature.

Was the South oppressed by the refusal of the Northern people to accede to a proposition of the Southern people to have an amicable separation of the States, and an amicable division of the territories, and other national property? There was no proposition from the Southern people to the Northern people. There was a proposition from Southern individuals, unauthorized by the Southern people; and it was made not to our people, but to our Government—to a Government which, instead of being authorized to dismember our nation, is sworn to preserve it, and which, instead of being authorized to throw away the Constitution, is sworn to keep it sacred and unbroken. The people of the North were ready to meet the people of the South in a Convention of Delegates. They were ready to make large concessions, in order to save from disruption the nation so dear to them. Entirely ready they were, I am sorry to believe, to indorse and consummate the remarkable action of Congress in favor of altering the Constitution to the advantage of slavery. In fine, they would have consented to almost any demand of the South short of the sundering of the nation. This they would not consent to: and, because she knew they would not, the South would not have the National Convention. The sundering of the nation was the one thing she was intent on; and nothing else, nor all things else, would she accept in lieu of it. Hence to get this one thing,

which she could not hope to get otherwise, she resorted to arms. Herein and herein only, is the explanation of the outbreak of the rebellion. Could she but have been brought to recede from her determination to set up a nation for herself and by herself, all other difficulties with the South might have been adjusted. It is in no degree necessary to my argument, to explain why she then insisted, has ever since insisted, and never more strenuously than now, on this national independence. Nevertheless, as some, under whose eye this paper may fall, might like to meet with the explanation, I will give it. The whole explanation of this pertinacity on the part of the South, is to be found in the fact that she is determined to maintain slavery, and that she despairs of maintaining it, unless she shall erect herself into a nation, independent of every other nation. The South saw slavery cast out of all Europe, and all American slavery except her own to be tottering. She saw too, that the North was every day becoming more enlightened in regard to slavery, and therefore more hostile to it. Hence the great and absorbing question with her was—what she should do most effectually to insulate herself, and shut out those ever-swelling floods of anti-slavery sentiment, and anti-slavery influence, which were constantly pouring in upon her. Her natural decision was to build up about herself the high and, as she hoped, impervious walls of a new nationality. The North she regarded as already abolitionized. To remain, therefore, in connection with her, was to allow herself, also, to be abolitionized. Hence she broke off from the North. For what else would she have consented to break off from it, and to lose the incalculable advantage of being a part of this great nation?

In all this, which I have now referred to, and I know not that there is any thing more of this bearing to refer to, has the South suffered intolerable oppressions? Nay, has she suffered any oppression? None whatever. In our national affairs, she was generally allowed to have her own way. I admit that we wronged her: but never, even in the slightest degree, did we oppress her. And the only way in which she was ever wronged by us, was our shameful indulgence of both her tyrannous spirit, and her greed of place and power. Surely, surely, then, the North is not to be accused of provoking the rebellion. Surely, surely, then, the South is the guilty, and the only guilty party in the rebellion. And surely, surely, then, the North can not, without making herself very criminal, and very base, vote for the candidate of those, who hold the North, and not the South, to be the guilty party. But it may be said that their candidate (General McClellan) does not hold in this respect, as they do who nominated him. If he does not, then is he very unfortunate in being misrepresented by his friends, who put him forth as the representative of themselves, and who, it is fair to suppose, knew him thoroughly when they did so. Since the Northern men, who espouse the cause of the South, single out McClellan for their standard-bearer, it would be madness in us, who cleave to the cause of the North, to believe

him to be with us and to vote for him. If he is indeed a North-side man, nevertheless, since they, who know him, have set him forth as a South-side one, he can not complain of us for not voting for him. He can complain but of his friends, who have misrepresented him, and whose misrepresentations justify us in withholding our votes from him. But we are cited to McClellan's letter of acceptance. That it is a letter of *acceptance* is of itself sufficient to disentitle him to the vote of every loyal man. That he is the candidate of a Convention composed of the open enemies of that cause for which his country is pouring out her treasure and her blood—composed of those whose war is upon the North only—is surely reason enough why no intelligent friend of that cause can give him his vote. But we will look further into this letter. I said that the North is divided between those who hold the North, and those who hold the South to be the guilty party. On which side does McClellan's letter place him? It spares the South, but it abounds in inculpations of the North. The indirect and unmanly way in which he makes, or rather insinuates his charges against the Government, was doubtless intended to render them more effective. It will, however, serve but to denote the lack of an open, brave, and manly spirit in their author. He has nothing to say of the barbarity with which the South conducts the war—murdering fresh captives—or, if sparing them, sparing thousands to be tortured in spirit and body, thousands to be starved to death, and (worst fate of all!) thousands to be sunk in slavery. Nothing of all this does he say. But, in his characteristic, cowardly, roundabout way, he accuses the North of the high crime of perverting the war. I grant that there have been a few instances in which anti-slavery zealots have shown their disposition to pervert it, and innumerable instances in which pro-slavery zealots have shown the like. Just here let me say, that miserable men are all they who, when monsters are striking parricidal blows at the country, are incapable of making a single and square issue with those monsters, and are intent on mixing up with the one question of putting down these monsters conditions in behalf of or against Slavery, *Habeas Corpus*, or something else. “Down with the rebellion, come what will of it to any of our schemes, or theories, or interests,” is the voice of wisdom. Moreover, if slavery or anti-slavery, this or that political party, this or that church, shall be found to stand in the way of putting it down, let them all be swept out of the way. Nothing is worth preserving, that stands in the way of putting down so unmitigated and unparalleled a wickedness as the rebellion. When it shall have been put down, will be time to decide (and not till then will it be time so much as to consider it) whether the safety of the nation shall call for the weakening or strengthening of slavery, for its utter annihilation, or for overspreading the whole land with it. In the mean time, use slavery, or apprenticeship, or any thing else in whatever way you can use it most effectually to the crushing of the rebellion: and let all heads, all hearts,

and all hands find their one thought, one feeling, and one work to that end.

I admitted that there were instances of a disposition to pervert the war. But by far the most signal of all the instances of the actual perverting of the war, and of perverting it even to the direct help of the rebels, is that of McClellan himself. He it was, who began his mediating military career—his half-one-way and half-the-other way generalship—with a proclamation of safety to the foe at that very point where the foe was most vulnerable and most alarmed. He it was, who assured the slaveholders, that he would guard their homes, their wives and children, from servile insurrection, and who thereby left them free to go forth to swell rebellion's battling hosts. And now for him whose duty, instead of ministering peace and security to the enemy, was to leave him appalled and paralyzed with every possible terror—and now for him, I say, to throw out in his cowardly way his utterly false charge that the Government has perverted the war, is enough to make the soul of every honest man boil over with indignation. Very far am I from saying that McClellan should have favored servile insurrection. But I do say that he should have left the slaveholders to all their fears from their slaves, and to all that occupation of their thoughts and time which those fears called for. I add that his relieving them of those fears and of that occupation, was treason to his country—was even literal treason—for it was “adhering to her enemies, giving them aid and comfort.”

McClellan professes great love of the Constitution and the Union. I love them. The costliest gift whereby I might contribute to preserve them I have not withheld. Both in peace, and in war, abundantly with both lips and pen, I have opposed even the slightest alteration in the Constitution. But whilst McClellan sees our Government making war upon the Union and the Constitution, I see no other war upon them than that which his own party and its Southern allies are waging.

I said that I love the Constitution. But I love my country more. I would use the Constitution to save the country. But the Democrats juggle with it to destroy the country. Instance their incessant knavish talk about the constitutional rights and the reserved rights of the seceded States. Whereas the plain fact is, that those States did, in seceding, forfeit every right but the right to be punished. France, were England to conquer her, would have no *right* to the present political subdivisions of her soil: and the South, being a rebel, and the guiltiest of all rebels, will, if conquered, be more emphatically destitute of all *right* to hers. I would hope that her old State lines might be recognized: but this would be for her conqueror alone to determine. The theory so industriously and injuriously and traitorously inculcated by the Democrats—that what were rights before the rebellion, must be rights after it, ay, and all the way through it—is the veriest nonsense. I have instanced the talk of the Democrats

at one point. Instance, too, their incessant knavish talk about carrying on the war according to the Constitution. They know that the nation, which should try to carry on war according to a Constitution, would certainly perish: and hence, indeed is it that they are continually urging the Administration to make this altogether unprecedented experiment. Our Constitution does not attempt the folly of prescribing the way in which we shall carry on war. The simple truth in this matter, (and they are either silly or disingenuous who deny it,) is that war must ever be a law unto itself, and that no other law can meet its exigencies.

I said that I love the Union. My whole heart is set on its restoration: and therefore have I done all I could to *compel* the South to return to it. I say *compel*, because I believe she must be *compelled*. During all the years of the rebellion McClellan and his party have constantly held that the South would return to the Union, if the North would prepare the way. But the South has as constantly held to the contrary. For the reasons I have already given, the South will not consent to return. She has set up her new nation with slavery for its boasted corner-stone; and she will not, but upon compulsion, belong again to a nation of another kind. There is, I admit, one way in which the South might possibly be induced to return to the Union. That way McClellan and his party know; and that way I have not the slightest doubt they are willing, and no small share of them eager, to prepare. Should the North consent to set up slavery within all her borders and to put, as slavery requires, the claim of property in man on the same footing with the claim of property in horses and hogs, the South might possibly consent to return to the Union. The Democratic party knows that this is the only way in which she would consent to return, and this way the Democratic party would open to her.

The pernicious cry that our sole legitimate object in prosecuting the war is to save the Constitution and the Union, is, of course, abundantly echoed in McClellan's letter. The declarations both in and out of Congress in the early stages of the war that our one work was to restore the Constitution and the Union, I am not disposed to criticise. But very unwise was it to repeat such declarations, after the rebellion had taken on its wide dimensions, and was putting forth its gigantic and appalling efforts. Then our one work was to put down the rebellion; and, if need be, at whatever expense to Constitution or Union. The forms of the Constitution and the terms of the Union had then become of comparatively little account. Nay, the rebellion, greatest of all the crimes earth ever knew, must go down, though all do go down with it. Alas! how unreasonable and insane for the enemies of the rebellion at such a time as this, when the common work of putting it down claims the hands of all, and all the interest of all, to be making issues between themselves about the character of the Constitution, or the conditions of the Union! Put down the rebellion! Put it down now, and unconditionally! Matters

about the Constitution and the Union can be adjusted afterward. This Democratic shouting for the Constitution and the Union, is but to call us off from crushing the rebellion.

I notice McClellan's pathetic appeal for the votes of the soldiers and sailors. What an impudent affectation in him to profess regard for these brave and devoted men, whilst he worms his way up to the platform, in which the cause they are battling, bleeding, and dying for, is condemned, and its abandonment called for! I say its *abandonment*—for such is the only possible meaning of the immediate armistice or “cessation of hostilities,” which the platform demands. If, as President Lincoln's favorite story says, it is “no time to swap horses when crossing the stream,” so it is no time to stop horses when crossing it. To stop at that critical moment is to expose all to go down-stream. For us to stop the war at this time, is to abandon the war, and to make vain all we have sacrificed in prosecuting it. Moreover, it is to abandon it when we are on the very eve of accomplishing its one object—the overthrow of the rebellion. I said it was an impudent affectation in McClellan, whilst indorsing the platform which insults the brave men who are fighting our battles, to be professing regard for them. So is it for him to be professing that regard whilst he places himself on that platform by the side of a Vice-Presidential candidate, whose sympathies with the South are as open as his own are sly! This candidate, for whom also is necessarily every vote cast for McClellan, and who, if elected, becomes in no very improbable event, the President of the United States, is the George H. Pendleton, who is a member of Congress, and who in that capacity steadily votes against supplies of men and moneys and taxes for carrying on the war. He is the same Pendleton, who with but nineteen others voted against censuring Harris for using treasonable language on the floor of Congress, and who with but fifteen others voted against the resolution, which declares the duty of crushing the rebellion. Greatly mistaken is McClellan if, with his unenviable military reputation and his base and guilty political connections, he hopes to catch our discerning soldiers and sailors with such chaff as his heartless praises of them. They read him “like a book.” They will turn their backs upon him; and will give their approving faces and their approving votes to the honest Lincoln, who deals in no twattle about the Constitution and Union, and who speaks what he means; to the patriotic and earnest Lincoln, who believes in the cause for which our soldiers and sailors are contending, who does his utmost to reinforce them, and who scouts as spurious any peace with the rebels, which shall precede their unconditional surrender. This attempt of McClellan to get the votes of the armed defenders of the country, reminds us of the similar attempt of the Convention that nominated him. In one of its resolutions, the Democratic party is made to promise to take “care” of “the soldiery.” Impudent and insulting promise! Undoubtedly “the soldiery” will, in turn, take care of the Democratic party. It will take care of

it at the approaching election : and when the war is over at the South, and the day of reckoning for Northern rascality shall have come, it will again take care of the Northern traitors whose sympathies have made strong the hands of Southern traitors, and who have in this wise greatly prolonged the war, and greatly swollen the sum of the sufferings of our army.

I spoke of McClellan's worming his way up to the platform, which the Convention prepared for him and his fellow peace man to stand on. He did not mount it like a bad bold man, but crawled upon it like a bad timid one. His timidity, however, was in no wise because of a disagreement between the platform and his own views—for he virtually says that there is no disagreement between them when he says : "Believing that the views here expressed are those of the Convention and the people you represent, I accept the nomination." He believes that the Convention and its constituents agree with him for the sufficient reason that, having read their platform, he finds himself agreeing with them. It is well that the traitorous and infamous platform is so outspoken, since in this wise, inasmuch as McClellan does himself believe that he and its framers mean the same thing, we are enabled to put confident interpretations upon the double-meaning phraseologies in his cunning and cowardly letter. Oh no! McClellan's shyness of the platform was in no degree because he dissented from it—for he did not dissent from it. It was solely because he feared that his open, plump indorsement of a peace platform would leave him no votes but those of the Peace Democrats.

I have not failed to notice the patriotic, brave, and warlike words with which McClellan has sprinkled his letter. Inasmuch, however, as they are at entire variance with other parts of it and with the obvious spirit and aim of the whole ; and inasmuch, also, as they are repugnant to both the entire body and soul of that platform which by his acceptance of his nomination, as well as otherwise, he expresses his approval of ; and inasmuch, moreover, as these cunningly flung-in words are out of all harmony with the words and deeds of that other George who stands beside him, and of the unprincipled party which nominated them—inasmuch as all this is so, I make no account of them. I cast the affected words aside, declaring them to be, as the lawyers would say, *void for inconsistency*. I could wish that these words might cost McClellan the loss of the votes of some Peace Democrats. But I have no idea that they will. These Peace Democrats know their man, and they are as sure of their one George as of the other. Hence, whilst nothing McClellan can say in favor of a war policy, can shake their confidence in his purpose for a Southern and pro-slavery peace, the more he shall say in favor of such policy the more will he rise in their esteem—all that he so says passing to the credit of his cunning in catching the votes of War Democrats.

I am not ignorant that the *Daily News* and *Metropolitan Record*, Vallandigham and other such, have come out against McClellan. But they will be for him when election comes. Why

should they not be? Why should they not trust him? Like them he slanders the Government and the North. Like them, instead of ever saying so much as one word against slavery, he is constantly proving that his great concern is to save it. It is true that their treason is more open and noisy than his, but his is nevertheless as real and earnest as theirs. The coming out of Peace Democrats against McClellan is most likely but part of the game. Their showing a want of confidence in him is expected to increase the confidence of War Democrats in him. But even if there are a few Peace Democrats, who, because of the warlike words in his letter, do not like to vote for him, they nevertheless will vote for him. Such fellows are always either coaxed or whipped in. Let not the friends of the country flatter themselves that McClellan, who is in heart just what the Peace Democrats could wish him to be, will lose so much as one of their votes.

I pass on to inquire why it is, since the South is so obviously the guilty party in this war, so large a share of the Northern people goes with her. It is because of the power of party. It was long ago that the Democratic party came into alliance with slavery. I do not believe that it was, as a prominent politician in effect declared it to be, a "natural" alliance. In the early days of the Republic the parties, morally considered, were not essentially different. But its espousal of the pro-slavery policy wrought a sad change in the Democratic party. Its good men saw it and lamented it; and from time to time many of them quit it. When at length slavery, having failed to accomplish its ends by political, commercial, and ecclesiastical agencies, burst forth in rebellion, (for the rebellion is neither more nor less than slavery in arms,) then, as was to be expected, there was a great exodus from the Democratic party. Thousands of that party, who had been guilty of falling in with its concessions to slavery, hoping thereby not only to help their party but to preserve the quiet and promote the prosperity of the country, could no longer remain in their pro-slavery party after slavery had undertaken the violent dismemberment of the nation. Nevertheless, the Democratic party did not become weak. As is natural, those who clung to it, became more than ever devoted to slavery: and the more pro-slavery the party became, the more attractive was it to the aristocratic element in our population. For aristocracy, not in England only, but the world over, must ever be in sympathy with slaveholding. Contempt of the toiling poor, black or white, bond or free, is common to both. Moreover, as the Democratic party increased in devotion to slavery, it grew in favor with those ignorant and debased multitudes, who love slavery because they love to have a stratum of humanity still lower than their own. Again, these multitudes go for slavery because they are taught by the demagogues, who get their votes, that the colored people not in slavery are their rivals for the humble forms of labor.

The Democratic party, now so openly and shamelessly the servant of the slave-power as to be at work either to break up the

nation or to bring all parts of it equally under the reign of slavery, has long been the servant of that power. Instance its innumerable mobs to prevent or break up the discussion of slavery. To embarrass the Government and help the rebels, it has become the champion of the right of free speech. Nevertheless, its Amos Kendall, who is now so conspicuously on the side of free speech, went so far the other way as to let slavery stalk into the Post-Office Department, and wield its mighty machinery against free speech. Even our bland and gentle Governor Seymour, who is now so distressfully concerned for the safety of free speech, was, but little more than three years ago, planning in conclave with kindred spirits the forcible prevention of a speech against slavery.

That the Democratic party should, even now, when all Christendom is giving up slavery, still cling to it, is not unaccountable. Its whole life has come to be in slavery: and it knows that when slavery dies it must itself die. Hence to expect the Democratic party to give up slavery, is to expect it to give up itself: and the political party has not yet been which will consent to give up itself.

The Democratic party is, in short, neither more nor less than the Northern wing of the rebellion: and the same spirit of opposition to universal freedom and to the lifting up of oppressed and degraded humanity, which imbues the Southern rebels, imbues the Northern rebels also. That such a party should do what it can to hinder the putting down of the rebellion is only what might be expected. But that even so guilty a party should taunt us with incompetence to carry on the war and with lack of success in it is a meanness and hypocrisy, which it surely did not need to add to its stupendous wickedness. How multiplied are its hinderances to our successful prosecution of the war! It discourages enlistments. It opposes drafts, and goes so far as to make them occasions for plundering and murderous riots. It impeaches the national credit, and does all it can to shake confidence and prevent investments in Government bonds. It slanders and vilifies our upright and able President and his upright and able Cabinet. Whilst sullen over the victories achieved by our army, it exaggerates and rejoices in its defeats. I need specify no further. Enough is it to add that its crimes and character are summed up in the crowning infamy of a Convention, which built that traitorous and hypocritical platform, and put upon it the two Georges, who are precisely suited to it and to each other. How sad that the men, who are doing these things, are even too depraved and too infatuated to pause and consider what a heritage of shame they are preparing for their children.

The friends of the country must not allow themselves to be discouraged by all that its Northern and therefore its worst enemies have done and are still doing to discourage them. They must continue to believe that a cause, so good as is their cause, will not fail. They must still have faith in God, and still believe that He will not suffer the hard-earned treasure and righteous blood,

which we have poured out in the war to be but waste. They must still believe that our brave and dear soldiers and sailors, who have died or been crippled in this war, have not died nor been crippled in vain. They must still believe that the sorrows of our scores of thousands of bereaved families will find their soothing and recompense in a nation of all its former boundaries and of far more than all its former justice, freedom, and prosperity.

This nation will live. It has given ample proof that it can withstand both foreign and domestic foes, both Northern and Southern rebels. This nation will live to see herself and the whole continent free from oppressors—not from slaveholders only but from imperial despots also. The Democratic party will not much longer, by weakening and disgracing us, encourage the designs of the Napoleons and Maximilians. For the Democratic party will soon die. As life is the law of righteousness, so death is the law of wickedness; and the wickedness of the Democratic party is fast nearing that extreme limit where wickedness, all ripe and rotten, dies of itself.

Let us be of good cheer. Atlanta is already ours. So also is the bay of Mobile. Very soon we shall have conquered two or three other important points; and then but a brief, feeble, flickering life will remain to the rebellion. What is scarcely less important, the election will also be ours. And then, thanks to God, the Democratic party, that ugliest of all the enemies of human rights and human happiness, will be dead. The name may survive; but the party that shall wear it will be as unlike to the present Democratic party, as day is to darkness.

PETERBORO, September 14, 1864.

LETTER TO MR. KIRKLAND.

PETERBORO, September 24, 1864.

CHARLES P. KIRKLAND, Esq., New-York:

MY FRIEND AND COLLEGE-MATE: I have read your Address on the "Destiny of our Country," and I thank you for sending it to me. Parts of it I like, and parts of it I dislike.

1st. I like your clear and forcible view of the cause of the rebellion. Entirely do I agree with you that the one cause of it is slavery, and the anti-democratic, ambitious, aristocratic spirit which it produces.

2d. Your flings at the abolitionists I do not like. Your grandchildren will not like them. For in their day when the land shall be redeemed from the debauchment of slavery, and "abolitionist" shall have become the most honored and popular of all the names in it, there will be deep regret that beloved ancestors, who should themselves have been zealous abolitionists, knew no better than to despise abolitionists. It has ever been so, that the prophets are not recognized by their generation. Those were not, who warned the Jews of the coming ruin. Nor were those, who foretold the sufferings and sorrows, that would surely befall this nation, should she persist in oppression. Alas! not even now, when their abundant prophecies are being so abundantly and so horridly fulfilled, have you, my old friend, a heart to do them honor, or even to spare them from derision and reprobation! You denounce their fanaticism and couple it with the Satanic fanaticism of the rebels. You make fun of their fewness; and tell that their candidate for Governor of this State got but five thousand votes. He and his associates labored for many years to induce the people of the North to withhold their votes from slaveholders and pro-slavery men. Oh! had they but succeeded! There would have been no rebellion then! It was the pro-slavery voters of the North that encouraged the South in her pro-slavery schemes: and but for her reliance on those voters, she would not have ventured on rebellion. Let but our infamously pro-slavery and traitorous Democratic party desert her, and she would quickly desert her then hopeless cause. Nay, but for her hope (vain hope!) of McClellan's election, she would regard her present straits as desperate, and think it time to give up the contest.

By the way, your great contempt of the abolitionists has kept you quite ignorant of their history. For instance, you suppose that those five thousand were all opponents of the Constitution. Probably not one of them was. Their candidate had never written nor spoken a word against the Constitution: and few persons had written or spoken so much for it. Improbable, is it, therefore, that any of them would have voted for him had they not, like him, been for the Constitution—for the Constitution just as it is. I admit that there are abolitionists who dislike the Constitution. William Lloyd Garrison and Wendell Phillips are such: and where shall we look for men more intellectual or pure than Mr. Garrison and Mr. Phillips?

3d. I like your saying that our first work "is to crush the rebellion." But what men have engaged in this work more earnestly than the abolitionists? Nay, is it not true that the negroes and the abolitionists North and South, are the only classes whose zeal against the rebellion is never called in question? No time then is this for a patriot (and you are a patriot) to be holding up the abolitionists to hatred and ridicule. On the contrary, we should stand by all those who, in this hour of her peril stand by the country.

4th. I dislike your looking beyond this work of crushing the rebellion. All the true friends of the country are fellow-laborers in this work. But beyond it are things about which they will disagree—or at least about which they would now disagree. These things should therefore be left until we come to them. To bring them up now, is to impair our indispensable unity. Moreover, we are too fully occupied with the cares of the present to be justified in adding to them what is in the future, and what we shall best understand when, in the order of events, we shall have reached it. As you now feel, the preserving of the entire letter of the Constitution would be your first care after the rebellion had been put down. But another man might think that his first care after it, would be the setting up of new securities against further rebellious outbreaks. The salvation of a country rather than the salvation of a paper would be his paramount concern. Again, you would, as you now think, hold that the conquered rebels must still be in the Union. But another person would hold that it would be for their conqueror to decide the point—to recognize them as in the Union if he pleased, or out of it if that were his preference. Again, you probably believe that, on their professed re-submission to the Constitution, the rebel States would, of necessity, return to the enjoyment of all constitutional rights. But another believes that, when they rebelled, they forfeited entirely and forever every constitutional right: and that, if we conquer them, they will be as absolutely at our disposal as if they had never been under the Constitution—nay, as absolutely as if they had been a part of Canada or Mexico, instead of our own country. To bring forward one more illustration. You would allow such acts of the President in this war as were performed in the ca-

capacity of Head of the Army and Navy to be submitted to the Supreme Court of the United States. But another would differ from you—and this, too, notwithstanding both the President and Secretary of State are with you at that point. He might admit that a local insurrection, affecting a county, or even so serious as to spread its disturbing influence over a State, could and therefore should be met by constitutional law only—by that law of which that Court is the acknowledged interpreter. But he would not admit the sufficiency of that law, nor therefore the jurisdiction of that Court, in all that arises in such a war as this, which is upon our hands—a war in which our foe is a people of territory and resources enough to make them a mighty nation—a war which was scarcely begun ere several nations accorded belligerent rights to that foe, and which, very soon after, we ourselves could not withhold. The conduct of such a war he would bring under the broad principles of international law. Or rather, he would say that no written law can provide for the exigencies of such a war—and that the war must be a law unto itself. Moreover, he might put some perplexing questions to you. He might ask you—why, if the President's military acts can be reviewed by the Supreme Court, General Grant's and General Sherman's can not also. He might ask you whether you hold it to be competent for that Court to entertain the complaints of this and that man for being compelled to give up their houses and barns to soldiers and soldiers' horses. Observe that I do not say which of you is right. Perhaps, both of you, when our nation shall, in her present perilous journey, have reached these questions, will find your present views of them somewhat modified. Do not, dear Kirkland, be impatient to commit the people to your views of these questions. Leave it to that traitorous band, who at Chicago made their traitorous platform, and put upon it their traitorous candidates, to embarrass the Administration, and distract the people and hinder their undivided and effective prosecution of the war by the premature discussion of these questions.

Trusting that your heart is set on the election of the honest and able patriot, Mr. Lincoln; and that neither McClellan, nor any other candidate who belongs to the Northern wing of the rebellion, finds any favor in your sight,

I remain your friend,
GERRIT SMITH.

TO THE RANK AND FILE OF THE DEMOCRATIC PARTY.

PETERBORO, October 20, 1864.

TO THE MASSES OF THE DEMOCRATIC PARTY:

I HAVE faith that you will hear me—first, because I am an old man, and past being suspected of seeking personal political advantage; second, because, being no partisan, and having never belonged to the Democratic, Whig, nor Republican party, I am not liable to the charge of seeking party objects.

You, like all multitudes of men, love justice and love your country. Nevertheless, this does not assure me that, in the approaching election, you will be faithful to either. For, trained as you are to implicit confidence in the leaders of your party, there is but too much reason to fear that you will follow them even now, when to follow them is to be their instruments in outraging righteousness and ruining your country.

In the breasts of politicians where ambition, the greed of gain and the lust of place and power have usually so much play, justice and patriotism are apt to become weak. But in the breasts of *your* political leaders these virtues seem to have become absolutely extinct. Step by step they have gone on courting and conceding to the slave power, until at last they are so debauched as to be no longer capable of withholding any thing from its claims. When the South at the instigation of that power broke out in this rebellion against a nation, which had done her no harm, save the harm of weakly and wickedly indulging her and succumbing to her, these leaders were as yet able to make, or at least to seem to make, some resistance. But now they have got so far along in the way of evil, as distinctly to take the side of the rebellion; as openly and shamelessly to join the rebels, and employ every art to induce you also to join them.

For proof that your leaders have gone over to the enemy, I refer not to the obvious fact that they are at work with him to defame, embarrass, and destroy our Government; to the obvious fact that the spirit of the Democratic press in Philadelphia, New-York, Boston, and elsewhere, is one with the spirit of the Southern press; to the obvious fact that your leaders rejoice with the South in her successes, and sorrow with her in her defeats; to the obvious fact that, whilst the South shoots and starves our soldiers,

your leaders, in denouncing the drafts and in various other ways, hinder the replenishing of our wasted armies; and, by impeaching the credit and cheapening the bonds of the Government, enfeeble its prosecution of the war; nor to the obvious fact that they are equally intent with the South on upholding slavery, which is the one cause of the rebellion. Nor have I reference to the obvious fact that the South identifies the cause of the Democratic party with her own cause, and that whilst she looks to our coming election as fraught with triumph or ruin to her rebellion, she also regards her own fortune as decisive of the fate of that party. Says the *Charleston Courier*: "Our success in battle insures the success of McClellan. Our failure will inevitably lead to his defeat."

But there is evidence far more conclusive than any or all of this which I have cited that the leaders of your party have identified themselves with the rebellion. God grant that they may not succeed in identifying you also with it! Go with me to the Chicago Convention. Look at the platform which it built, or rather which it adopted—for it was probably mainly built on the British side of the Niagara, if not indeed in Richmond. It says nothing against the South. It abounds in complaints of the North. It is at peace with the South, and at war with the North. It pronounces the war on our part a failure—and this, too, when the South is reduced to far less than half the territory she began the rebellion with, and our final success seems so near at hand. It calls for the stopping of the war. But a poorer time is it to *stop* than "to swap horses, when crossing the stream." More is the danger that they will be swept down-stream. To stop the war now, is to forego the object of the war—the deliverance of the nation from threatened death. To stop it now, is to lose all the blood and treasure it has cost. To stop it now, is to make vain and to leave unrecompensed the bereavements and desolations, which tens of thousands of our families have suffered from it. And for what end could the war be stopped now, but to abandon it and to leave the rebellion to triumph? Is it said, that opportunity will thus be afforded for the calm and wise consideration of the questions between the North and South? But there are no questions between them, and there can be none until the South has laid down her arms. Until then, she has no right to be heard, and we have no right to hear her. Until then, neither party has the right to propose conditions of peace. The South took up arms without cause. She must lay them down without conditions. Until then, any negotiations with her—even such *quasi* negotiations, as our excellent President has in the weakness of his goodness countenanced—would be at the expense of dishonoring justice and compromising the dignity and sacredness of nationality. General McClellan thinks "we should exhaust all the resources of statesmanship to secure peace." But until peace there is nothing for statesmanship to act on. Until then, it must be *generalship* instead of statesmanship, *fighting* instead of negotiation. Afterward many ques-

tions will arise in the province of statesmanship: and I trust that our Government will be disposed to treat them all justly and, where need be, generously also.

It will held by some that there is one question between the North and the South, even while they are at war with each other. It is that of exchanging prisoners. But I do not see that even here there is room for a question. By the laws of war neither party to the war can be required to consent to an exchange of prisoners. Each may retain all its prisoners to the end of the war. If the South does, for any reasons, value her black prisoners too highly to consent to exchange them for her white men in our hands, so be it, and we have no right to complain. If she consents to however limited an exchange of prisoners, black or white, we are to thank her, and for humanity's sake to rejoice. The wrong treatment of prisoners is another subject, and one with which this should not be complicated, nor on which it should in the slightest degree be made to depend. If the South shall abuse any of her prisoners—if, for instance, she shall starve or kill, or what is worse, sink them in slavery, it is for us and us only to decide what shall be the return or retaliation for the outrage. All this, however, has nothing to do with the exchange of prisoners.

But to return from this digression. We were speaking of the Chicago Platform. One of the things, which the Convention did after adopting it, was to put George H. Pendleton upon it. Pre-eminently fitted to it is he. Vallandigham himself could not be more so. From the first, Pendleton has been openly on the side of the rebels. On the floor of Congress in January, 1861, when several States had already seceded, he denied our right to compel the return of a seceding State. In harmony with this denial his subsequent votes have been against condemning the rebellion and against providing means for carrying on the war to suppress it. This is the rebel, whom your leaders would have you try to make Vice-President. Can you try it without becoming rebels yourselves? He is the exponent of the Chicago Platform. In the light of his speeches and votes, whatever is obscure or doubtful in that platform becomes clear and certain. Can you consent to commit the Democratic party to a platform so entirely in the interest of the rebellion?

You perhaps wonder that I have omitted to mention the nomination of McClellan. But I was describing and illustrating the Chicago Platform: and his nomination has nothing to do with that peace platform. His name was chosen, not to represent the platform, but as the bait for catching the votes of War Democrats. It was a trick—as mere a trick as the Baltimore Convention would have been guilty of, had it baited for peace votes by putting a non-resistant Quaker on its thorough war platform. I grant that the nomination of McClellan was a very cunning trick. For whilst, on the one hand, his having had a part in the war would commend him to the votes of War Democrats, that part, on the other hand, was so equivocal, so tender, and advantageous

to the enemy, as not to deter Peace Democrats from voting for him.

And now, what are the arguments, which the leaders of the Democratic party, its orators and presses, employ to bring you to abandon the cause of your country and to identify yourselves with the rebels? Only two which they greatly rely on, or which it is worth while for me to notice. The first is the perversion of the war from the putting down of the rebellion to the putting down of slavery. The second is the cost of carrying on the war—the cost in money and the cost in life.

First. I do not deny that one-idea abolitionists desired the perversion. But I do deny that their desire was gratified. From first to last, the Government has withstood all the clamor and all the influence for the perversion.

The leading doctrine of that admirable letter of August twenty-second, 1862, from President Lincoln to Horace Greeley, in which he shows his clear understanding of the limitations upon his military power is, that he would emancipate slaves no farther than he sees it to be a necessity for saving his country. Surely, this doctrine does not justify the charge of perverting the war.

The President's Proclamation of September twenty-second, 1862, sets out the declaration "that hereafter as heretofore the war will be prosecuted for the object of practically restoring the constitutional relation," etc. No perversion of the war in this declaration. But this Proclamation contains a threat of Emancipation! Yes, but the threat is to be fulfilled only in case the rebels refuse to lay down their arms. Does such a threat pervert the war? So far from it, it is in the very line of the original and legitimate war. His Proclamation of January first, 1863, does, so far as it can, fulfill this threat. Did the fulfillment pervert the war? Oh! no. It weakened the foe and strengthened ourselves. It gave us new means for carrying on the war against him, and, like all our previous means for carrying it on, they have been faithfully used to that one end.

But your leaders tell you that the war has been perverted by bringing black men into the army. I doubt not that many of these black men are inspired with the hope that the putting down of the rebellion will be the putting down of slavery. All the fiercer, therefore, will they fight to put down the rebellion. Hence no perversion of the war need be feared at their hands: and so far from encouraging the cry of perversion, we should be thankful that scores of thousands of these brave and stalwart black men are found willing to help us release our country from the bloody grasp of rebels. Thankful should we be to these defenders of our homes that they save us from the necessity of defending them ourselves. A hundred thousand black soldiers save fifty thousand Unionists and fifty thousand Democrats from being soldiers. I do not deny that it is a great trial to the Southern chivalry, with whom your leaders so tenderly sympathize, to have to fight with negroes. I do not deny that it must be very humiliating and ex-

asperating to Southern gentlemen to find themselves confronted on the battle-field by their former slaves. But before taking up arms to destroy the best form of government the world ever saw and to dismember a nation that had never done them the least harm, they should have foreseen that, sooner than consent to perish under their parricidal blows, we would summon to our aid red and black as well as white men. Much and basely as we had, in the past, studied to please the slaveholders, they should have foreseen that when the alternative before us was to save their pride or save our country, we could not long hesitate which to choose.

Second. The other argument of your leaders why you should abandon the war and join the rebels is, as I have said, the cost of carrying on the war. I admit the cost is great. Still is it not better for us to go through with the war, and to reach final victory as we can do in a few months, and as a united North, uncursed with disloyal demagogues and disloyal generals, could have done more than two years ago? In that case we should have but our own debt to pay; and no small share of that we should be enabled to pay from confiscation of the estates of the wealthy men involved in the rebellion. The possessions of the poor we would be too pitiful and generous to molest. But in the event of the success of the Democratic party at the coming election and of the consequent immediate stopping of the war, or in other words of the abandonment of the war, or in still other words, of the success of the rebellion, the doctrines of State sovereignty and State secession would be triumphant. Then the whole Democratic party would declare with George H. Pendleton that our Government has no right to coërcée seceded States; and then it would also declare that we are equitably bound to pay those States all the expense we have put them to in resisting our unconstitutional coërcion. Thus, by giving up the war we should, instead of staying the increase of our debt, double it; and instead of our getting remuneration from the South, she would get remuneration from the North.

As to life—we would, it is true, stay the loss of it by stopping the war. But the war stopped now, or at any time before the rebellion is subdued, would speedily break out afresh, and lead to a sacrifice of life many fold greater than would be necessary to prosecute it to a decisive result from our present vantage-ground.

I am not, however, willing to argue this point on this low ground only. I hold that we must, at whatever cost, carry on the war to final victory or final defeat. It is a case where we have no option, and no right to stop to count the cost. We must persevere until we have subdued the rebellion, or been subdued by it. If need be, we must persevere until men and money and credit shall all fail us. Infinitely honorable would it be for our nation to exhaust herself and perish in her struggle to crush this most infernal of all rebellions. But infamous to the last degree, and forever would she be, were she to consent to prolong her life

by a compromise with the guiltiest of rebels and by recognizing their nationality alongside of her own. Our nation can afford to die an honorable death—but she can not afford to live a dishonorable life.

Your leaders say we can not pay our present debt. The mineral wealth of the country is sufficient to pay it in thirty years. Our gold and silver mines will yield the present year more than a hundred millions of dollars. By the time we shall have reached the fourth or fifth year of peace, they will yield double this sum. Scarcely less will be the yield of our iron, copper, lead, tin, quick-silver, salt, and coal.

Your leaders seek to alarm you by telling you that rich England groans under a debt scarcely twice as large as our own. How idle to compare England's productiveness with our own!—little England with this nation, which stretches from sea to sea—little England that half a century hence will not have one third of the population we shall then have. Of course, I am not taking into the account her colonies. These gratify her pride and ambition; but they do little toward helping her pay debts. Is her trade with them lucrative? So would it be, were they not her colonies.

And, to make our prospect the more gloomy and despairing, your leaders dwell on our town and county bounty-money burdens. But so far from regarding as burdens the bounties we give those who arm themselves for our defense, we should rejoice in their wealth-distributing and wealth-equalizing office. They take from those who have, to give to those who have not, and to those too, whose patriotic and perilous services can not be overpaid. What right-minded person does not rejoice when seeing those bounty-moneys procure homes for families who never before had homes?—and when seeing these families lifted up for the first time to a comfortable grade of living? Your leaders speak of the aggregate of those bounty-moneys as so much that the nation has parted with and lost. But it is still in the nation to help pay her debts with—and what is more, it is in hands where it does far greater good than it did before. In this connection let me add that a very considerable share of the great debt, which the Government owes, is for profits, which have been realized in the contracts made with it and in the purchase of its bonds. These profits, like the bounty-moneys, are still in the nation, and, like them, will help the nation pay its debt. Moreover, it is these profits, which have, during the war, so stimulated the industry of the nation, and given such unprecedented prosperity to all its branches.

But what, you will inquire, can be the motive of the Democratic leaders in bringing their party to the side of the rebellion? I answer, that it is the same with that which prompted the rebellion—in other words, that the motive is *to save slavery*. The authors of the rebellion—of the greatest crime of all the nations and all the ages—saw that the progressive civilization of Christendom boded destruction to slavery. They saw that it was cast out of Europe; that it was nearly extinct in her colonies; that it was

tottering in Brazil; and becoming more hateful in our Northern States. Hence they resolved to insulate themselves and their slavery. In order to keep fast, forever fast, the chains upon a race as innocent as hapless, they undertook to build up around both slaves and masters the walls of a new nationality — walls so high that the outside and growing anti-slavery sentiment could not leap over—walls so impervious that it could not pass through. Herein and herein alone is the explanation of the rebellion.

Now, as the slaveholders have their life — the life of their ease and luxury, and ambition, and tyranny — the life of all their habits—in slavery, so also the Democratic party had, from its long-continued alliance with slaveholders and long-continued dependence upon them, come to have its life in slavery. Hence the leaders of that party, though, at the first, quite generally opposed to the rebellion, came to sympathize with it as soon as they saw that its downfall involved the downfall of slavery. For, they well knew that when slavery should die, the Democratic party would also die. Blessed be God that slavery is to die! Blessed be God that it is to die, if it be only that the most demoralizing and devilish of all the political parties, which ever cursed mankind, is to die with it! The approaching election will cast into a common grave, and that grave too deep to allow of a resurrection, Slavery, Rebellion, and the Democratic party. Doubtless there will still be a Democratic party. But it will not be the devil which this one is—for it will be dis severed from slavery.

I frequently see in the Democratic newspapers extracts from the speeches and writings of such men as Daniel S. Dickinson, Benjamin F. Butler, and Lyman Tremain. These extracts are to prove that they were once as pro-slavery as are the remaining leaders of the Democratic party. But this is as unreasonable and shameless as for remaining drunkards to reproach reformed drunkards with their former history and habits. For one, I honor and love such men as Dickinson and Butler and Tremain, and should be glad to see them advanced to higher and higher places of trust and power. For, notwithstanding they were, in common with the other leaders of their party, victims of the most abominable political education, they had conscience enough left to stand aghast at the culminating wickedness of their party, and to quit their party;—or, if you prefer, involving them in personal as well as party guilt, conscience enough left to stand aghast at their own wickedness, and to repent of it and forsake it. Alas! this pride of consistency; this pride in never changing! How vulgar and vicious and vile it is! When will it be seen, that the duty of all of us—of even the best of us—is to be ever and ever changing, be it only toward the right! When will it be seen, that man is among his best and sublimest employments, when writing with his own finger condemnation upon his own erring and guilty past! Dickinson and Butler and Tremain had the courage to change. They stepped upward, and saved themselves,

and became saviours of their country. To remain where they were, would have been to remain destroyers of themselves and their country.

I stated the arguments with which your leaders ply you, and by force of which they hope to bring you to the side of the rebels. The first one appeals to those prejudices against the black man, which they have so industriously and, alas! so successfully cultivated in you. They hope that, under the sway of those strong prejudices, you would rather that the rebellion should triumph, than that the slave should go free. But have you not hated him long enough? He is denied all right to learning and honors and child and wife and himself and his earnings. And yet his despised black skin covers a heart as warm to all these relations and interests as does your own proud white one. Tell your leaders, I beseech you — your tempters and seducers — that their appeal to your hatred of the negro will be vain. Tell them that he has suffered long enough; that you have hated and wronged him long enough; and that you are more disposed to repent of your part in crushing him than to persist in it. Tell them, in a word, that you have come to believe more in your obligation to honor God and all the varieties of the human family than in your obligation to serve ambitious and greedy demagogues.

The other argument which, I said, your leaders employ to bring you to join the rebels, is the cost of carrying on the war. Their hope of success at this point is in your selfishness and lack of patriotism. They flatter themselves that you had rather lose the country than have your property taxed to save it: and that, rather than let your sons go, or go yourselves into the hardships and perils of war, you would let the rebellion and slavery sweep over and blast the whole land. Disappoint them here also, I entreat you. Tell them that of all the claims, which earth can make upon your property, that, which your imperiled country makes upon it, is paramount. Tell them that to be poor and yet have a country, is to be rich—whilst to be rich and yet to be stripped of country, is to be poor. Tell them, too, that you have laid your sons and yourselves upon the altar of your country, and that you count death in her service not as dreadful, but as blessed.

How elevating and ennobling is this war to all who have a heart to go forth to its unselfish, patriotic, and sublime duties! But how sinking and shriveling is it to all those who shrink from these duties, and prefer to cower in their cowardice, and to shut themselves in the shell of their selfishness!

EXTRACT FROM A DISCOURSE IN PETERBORO,

NOVEMBER 20, 1864.

“I NEED say no more to show how necessary to true religion and to the best type of manhood is unwavering fidelity to the claims of nature. Were I called on for the most striking and melancholy instance of trampling on these claims, I would cite the late Democratic party. I say *late*, for it is dead: and slavery and the rebellion, instead of being able to raise their ally to life again, will soon be in the same grave with it. I do not say that there will never again be a Democratic party amongst us. There will be. It will not, however, be like the old one. For slavery, the soul of the old one, will not be alive to animate the new one. Nor will it be the party which was proposed in the War Democratic Meeting held in New-York a few days before the recent election. For that would be a party, if not too cowardly, nevertheless, too prudent, to speak of slavery. Most emphatically would that party furnish an instance of the playing of Hamlet with the part of Hamlet left out. The saying that never more can a man who spells ‘negro’ with two ‘g’s’ become President, is a very true one. As true, however, is it that no party, which, whilst slavery lasts, favors or ignores it, will ever again be in the ascendant. No, the Democratic party which shall succeed the deceased one, will be impartial toward all the varieties of the human family, and be based on equal justice toward all men. The original Democratic party, that of Jefferson’s day, and, in no small degree, of his making, is worthy of honor. The late Democratic party had no title whatever to its prestige or traditions. It was a thief. But, unlike most thieves, (for they take what is most valuable and leave what is least so,) it took the name and left the principles of the original Democratic party; the flag, and left all it symbolized. That with this name and flag it was able to juggle so successfully and to accomplish so much evil, is, to say the least, very discreditable to the popular intelligence. I have praised the original Democratic party: but the Democratic party which is to come will be a far better one.

“We return from this digression, and proceed in showing how frightfully at war with nature was the late Democratic party; in other words, how frightfully unnatural it was. Slavery not only robs its victim of every right, but with unapproachable blasphemy it attempts a change—an entire change—in his essential, God-given being. It drags him down from the glorious heights of humanity to class him with brutes and things. It reduces immortality to merchandise. Such is the hideous, the stupendous crime against nature of which the slaveholder is guilty. There is only one other on earth that is more hideous, more stupendous. This one other is, when a great political party indorses and espouses slavery, and makes its perpetuation and indefinite extension its chief and vital policy. Of this greater crime against nature the late Democratic party was guilty. More than thirty years ago it began its alliance with slavery; and ere long that alliance had ripened into indissolubleness. When the rebellion broke out—when, in other words, slavery took up arms—the party, bad as it was, was somewhat shocked. Many, including of course its best men, quit it. The party did not—certainly not to a great extent—immediately and openly favor the rebellion. But, soon after, it came to see that the downfall of the rebellion would of necessity involve the downfall of slavery, and therefore its own downfall, its own life being bound up in the life of slavery. And then it delayed not to take open steps toward the side of the rebellion. At Chicago it formally and shamelessly identified itself with it. It adopted a rebellion platform—a platform at peace with the South and at war with the North. It left no material difference between itself and the Southern rebels, save the geographical one. Those were the Southern and it was the Northern wing of the rebellion.

“As proof how clearly the late Democratic party saw itself to be living in the life of slavery, and as proof, too, that its members are trained to make its interest their supreme interest, there was probably, when that party entered upon the recent election, not one man in it who was in favor of abolishing slavery, that greatest crime against God and man.

“Not a few of the Southern presses of the Democratic party held that slavery is the appropriate condition of all manual laborers. But so deep and revolting a crime against nature is slavery, that it was not easy to spread the conviction at the North that slavery is right. Nevertheless, the negroes must be continued in slavery. This was vital in the policy of the Democratic party. Hence with ceaseless industry did that party inculcate hatred of the race on whom slavery had fastened. For it knew that the more men hated this innocent and hapless race the more they would be reconciled to its enslavement, and the less they would speak of and pity its wrongs. The first and last and never-ceasing lesson which that party taught Irish immigrants was hatred, murderous hatred, of the negro. Nothing went so far to inflame it as that party’s incessant lie that the negro, released from slav-

cry, would come North and take away the Irishman's labor. This hatred became the ruling passion of those immigrants. Under its sway they denied the right of the negro to eat or sit, or even fight for his country, by the side of a white man. Moreover, under its sway seven eighths of them voted with the Democratic party. The reason commonly assigned why these immigrants increase so slowly in knowledge and rise so slowly in character, is that they are Irish. I deny that this is the true reason. My respect for the memory of a grandparent born in Cork denies it. The obvious truth in the case denies it. Why these immigrants are so backward in knowledge and character is chiefly because they were made into Democrats and drunk in the Democratic hatred of the negro. Need any one be told that hatred is shriveling to the soul which harbors it? Need any one be told that, had these immigrants been taught love, instead of hatred, they would have expanded into a wisdom and morality widely contrasting with their present intellectual and moral darkness?

"It is not because these immigrants are Irish that, so soon after landing upon our shores, they show themselves to be the deadly oppressors of our harmless and helpless colored people. It is because they are scarcely landed ere they are, as I said before, made into Democrats. Would that it were into real Democrats! But, alas, it is into the Satanic style of Democrats! The people of Ireland are taught to hate oppression by their own suffering of it. They hate it when they come to us. But very soon, under Democratic appliances, they are made ready to practice it.

"Chief-Justice Taney was much censured for favoring the sentiment that black men have no rights which white men are bound to respect. But he was pushed up to it by the Democratic party. This sentiment had long been the sentiment of that party. A practice corresponding with it had long been the practice of that party. Within a few weeks the Chief-Justice has left our world. There is a world (and may be he has gone to it) where to condemn a man for his skin is held to be a mistake; and where those few words of dear Robert Burns, "A man's a man for a' that," infinitely outweigh all the nonsense and blasphemy which pro-slavery courts and pro-slavery parties and pro-slavery churches have uttered to the contrary.

"It is held that the Catholic priests help the Democratic party to the Irish vote. I am not prepared to believe it. Like the ministers of the Episcopal Church, they stand aloof from politics. I would myself that all preachers preached politics—the politics of wisdom, justice, and humanity. For to me, it is as plain that pure politics are a part of religion as that the theologies are not. Deeply do I rejoice that most of the ministers of most of the sects have of late years come to preach politics. God bless them for their good service in this wise in the last election! Great and blessed is this change! Only twenty years ago, and they were strenuously opposed to bringing politics into the pulpit; and if a layman ventured to attempt to supply their delinquency, he lost

all favor with them. Our ministers are making religion more practical; and the more they do so, the more will their interest in the theologies decline. Compared with his interest in practical righteousness—in other phrase, with his interest in religion—how little does Henry Ward Beecher care for the theologies! What a contrast between the dry, dogmatic, useless sermons of the last century and the juicy and fit-for-use sermons of the present day!

“That a party, which has its life in slavery, should furnish tens of thousands of men to those secret, oath-bound, bloody Associations that are coöperating with Southern rebels; and that, under its educating influences, there should come forth men base and villainous enough to attempt the ruin of their country by forgeries upon soldiers and frauds upon the ballot-box, is but what might have been expected. So, too, it was but a matter of course that such a party should be exceedingly attractive to the vicious and ignorant. Of the drunkards and of the men who can not read and write, who voted at the late election, probably seven eighths voted Democratic tickets. Those localities in our great cities which are sinks of vice have generally given their almost entire vote to the Democratic party. Cunning and corruption combined with ignorance, and ceaselessly playing upon it—these were so largely the elements in the Democratic party, that one might almost say they made up the party. And these were the elements that made it both numerous and strong. But happily the strength, which comes of such sources, is short-lived, whilst that which is founded in virtue and intelligence, is permanent.

“Am I asked whether there were no good men in the Democratic party? I answer that there were tens of thousands. Many of them were blind to its bad character. Many of them continued in it simply from the force of habit. They had always been in the Democratic party; and though the change which had taken place in it was as great as from day to night, they must nevertheless continue in it. That the ship was rotten and sinking, did not arrest their attention. That it carried the same name and flag, as that which had gone triumphantly through so many tempests, was enough to assure them of safety and keep them from deserting it.

“And how do I explain the fact that thousands of intelligent, high-minded, cultivated gentlemen, who, though well knowing what the Democratic party was, nevertheless consented to belong to it? I answer that it was *because* they knew what it was, that they belonged to it. They had so far smothered their nature with their conventionalisms as to become unnatural enough to feel at home in so unnatural a party. They had drawn a broad line of demarkation between themselves and the masses—especially between themselves and the poor, most of all, the negroes, who are the poorest of the poor. In a word, they were aristocrats, and therefore could not fail of a strong affinity for the most aristocratic party in the world. They had that contempt of the

poor which is the leading element in aristocracy; and so strong was it in that party, as to make increasingly popular in it the doctrine that the rich should own the poor and capital own labor. Not strange was it, then, that the aristocrats of America should attach themselves to that party, nor strange was it that the aristocrats of Europe should sympathize with it. Nor was it strange that both should wish success to the rebellion, since they saw it so clear that the rebellion and negro slavery and the Democratic party must all succeed together or fail together; and since, too, they saw it so clear that aristocracy would gain much by the success or lose much by the failure.

“I need say no more to justify my citing the deceased Democratic party as a preëminent instance of outrages on the principles and rights of human nature, and therefore as a striking specimen of the exceedingly and monstrously unnatural. Let this party, whose malignant and untiring industry on the side of the rebellion threatened ruin to our country; let this party, so furiously at war with the claims of nature, and therefore with the claims of religion; let its career and its close effectually admonish us to be true to humanity, and to stand by its rights in the persons of men of whatever clime, complexion, or condition. So shall we stand by God also; and so will He in turn stand by us. Nature or religion (which in this connection is a word of the same import) succeeded at the late election. The suppression of the rebellion and the freedom of all the slaves, highly probable before, are made certain by this success. But whether our nation shall be saved will turn upon the question, whether we shall be so true to the claims of nature—to the claims of religion—as to enthrone justice in our governments, our churches, our hearts—a justice so impartial as to accord equal rights to all, born wherever they may have been or with whatever complexion. A nation can be saved only by righteousness. It is only in a low sense that as yet any of the nations have been saved. When all of them shall recognize and protect all the natural rights of all men, then all of them will be saved. Then there will no longer be war, not slavery, nor land-monopoly, nor licensed dram-shop, nor denial to woman of civil and political equality with man. Then, indeed, will have come the “Millennium;” not because it was foretold, but because it was earned. It will come not as the beginning, but as the fruit of righteousness; not to last for only a thousand years, but so long as justice shall reign amongst men, and so long as the religion of nature and reason and Jesus—the religion of doing as we would be done by—shall be their religion.”

LETTER TO SENATOR SUMNER.

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[Justice to the Constitution, and to the Honest Masses who Voted for it!
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PETERBORO, December 5, 1864.

HON. CHARLES SUMNER :

MY DEAR SIR: I do not forget that to be singular is to be regarded as both eccentric and egotistical; and that to be regarded as either, is much in the way of one's usefulness. Nevertheless, I must confess that at one point in our national affairs I have never been able to fall in with the friends of freedom. I refer to their eagerness during the present year to have the Constitution amended. Allow me to call your attention to some of the reasons why I have no sympathy with this eagerness. If there is no force in them, the mention of them can do no harm. If there is, it may do good.

First. The excitement and distraction attendant on war render it an unfavorable time for the responsible and solemn work of altering the organic law of the land. For no work can the calmness, composure, and leisure which peace brings, be more necessary.

Second. During all this entirely unprovoked, this wantonly and surpassingly wicked rebellion, the duty ever nearest to us, nay, our one duty, has been to suppress it. We must not be diverted from it. We must be absorbed in it.

Of course, I admit the rightfulness, nay, the absolute obligation, of doing whatever the most faithful discharge of this duty calls for. If it calls for the total abolition of slavery, and if the power with which he is invested as head of the army does not authorize the President to respond, nevertheless Congress is abundantly authorized to make the response. The constitutional right of Congress to declare war is, of course, attended by the constitutional right to carry on war, and to carry it on by means of its own selection and by enacting laws, which itself shall judge to be "necessary and proper." To deny to Congress unlimited discretion in carrying on war, unlimited discretion over both men and property — and this too, if need be, to the extent of abolishing both slavery and apprenticeship, or even of shutting up both schools and churches—is virtually to admit that we are not a nation. Absolute power in conducting war is vital to nationality.

If our spirit of democracy, or, in other words, our jealousy and impatience of power, can not abide this absoluteness, then we had better exchange it for a spirit that can; or frankly advertise the nations, that we shall hold ourselves an easy prey to whichever of them shall choose to make war upon us.

I do not say that, on the return of peace, slavery and apprenticeship could not be reëstablished, and the schools and churches reöpened. I speak of the power of Congress during war.

The only justification for changing the Constitution in a time so unpropitious as that of war, is that it is needful to success in the war. But it never can be needful so long as the power of Congress in carrying on war remains absolute. If, for instance, it is slavery that stands in the way of such success, then there can be congressional statutes, which will operate more speedily, and, for the present, more effectively to remove it than can any attempted constitutional changes. Is it said that the South would be more disheartened by a constitutional or permanent abolition of slavery than by a congressional or temporary abolition of it? I answer that the South is in such straits as leave her no concern but to get out of them; that her present success is her present and so absorbing concern, as to make her indifferent to what lies beyond the rebellion.

Third. A seriously disturbing question might hereafter arise as to the constitutionality of the amendment, provided it was not assented to by three fourths of all the States, loyal and disloyal, and this too, without counting in the three fourths West-Virginia or any of the reconstructed seceded States.

Fourth. But the chief reason why I am clear of this impatience for the proposed constitutional Amendment is my strong apprehension that it will not be couched in suitable words.

An Amendment, implying that without it the Constitution would authorize or even tolerate slavery, would do great injustice to those who adopted the Constitution. It would be wickedly blotting their memory. So much stress has been laid on the history of the Constitution, it may well be said that there are two constitutions, the one the historical and the other the literal. The former is that which has ruled the country. Terrible, all the way, has been its rule. The cry of many millions to an avenging God has come of it. The soaking of our land with blood has also come of it. That the history of the Constitution has so cursed us is because it is so almost universally held to be a pro-slavery history. In other words, that this historical Constitution has so cursed us is because of the ever-urged and almost universally accepted claim that the literal Constitution was made in the interest of slavery. Alas for the people, to whom the angel of the Apocalypse cried, "wo, wo, wo!" if they suffered more than America has suffered from this historical Constitution! That there is much for slavery in the history of the Constitution, I admit. But that there is also much in it against slavery, I affirm.

Pro-slavery interests, however, have succeeded in keeping the latter out of sight. The rejection in the Convention, which framed the Constitution, of the motion to require "fugitive slaves" to be delivered up, and the unanimous adoption, the next day, of the motion to deliver up, not "fugitive slaves," but persons from whom labor or service is *due*, is a historical fact against slavery. So, too, is Mr. Madison's unopposed declaration in the Convention that it would be "wrong to admit in the Constitution the idea that there could be property in man." And so also is that Convention's unanimous substitution of the word "service," for "servitude" for the avowed reason, that servitude expresses the condition of slaves and service that of freemen. Nothing, however, of all this did I need to say. What this thing is, which is called the history of the Constitution—what is this historical Constitution, as I have termed that history—is really of no moment. What it is in the light of the records of the Convention referred to, or of the records of the "Virginia Convention" or any other Convention; or what it is on the pages of the *Federalist*, or of any other book, or of any newspaper, should not be made the least account of. The aggregate of all those, whose words contributed to make up this historical Constitution, is but a comparative handful. The one question is—what is the literal Constitution? For it is that, and that only, which the people adopted, and which is therefore the Constitution. They did not adopt the discussions of the Convention which framed it. These were secret. They did not adopt what the newspapers said of the Constitution. Newspapers in that day were emphatically "few and far between." But even had they been familiar with the newspapers and with the discussions, their one duty would nevertheless have been to pass upon the simple letter of the Constitution. As Judge Story so well says: "Nothing but the text itself was adopted by the people." And I add that what the people intended by the Constitution is to be gathered solely from its text; and that what the people intended by it and not what its framers or the commentators upon it intended, is the Constitution. So we will take up the text of the Constitution to learn what and what alone is the Constitution. Its very Preamble tells us that it is made to "secure the blessings of liberty." Thus, even in the porch of her temple doth Liberty deign to meet us. Strange, indeed, would it be were she to desert us in its apartments! She does not. In our progress through the Constitution we find it pledging the power of the whole nation to maintain in every State "a republican form of government." Pro-slavery men tell us that this was no more than a republican government of the aristocratic Greek and Roman type; and that, therefore, men can consistently be bought and sold under it. But when the fathers gave us the Constitution, the political heavens were all ablaze with a new light—the light of the truth "that all men are created equal," and that the great end of government is to maintain that equality. Ere we get through the Constitution—ere Liberty has

led us all the way through her temple—we meet with the slavery-forbidding declaration that: “No person shall be deprived of life, liberty, or property without due process of law.”

I do not overlook the fact that the literal Constitution also is claimed to be on the side of slavery. The last clause which I quoted from it is claimed to be at least negatively so—for it is claimed to apply to the general Government only. But it is not the literal Constitution which says the application is to be restricted to the general Government. It is only this historical Constitution which says it. And, by the way, the history of the Constitution says the opposite also. The failure of Mr. Partridge’s motion shows that it was not meant to have all the amendments apply to the general Government only; and that it was meant that the State governments should be restrained by some of them. The apportionment clause is held to recognize slavery. But it does not. Who then are the “three fifths of all other persons” it speaks of? They are aliens. Why do I say so? Because, using the word “free” in this clause in the sense authorized for ages by English law and usage, these three fifths are persons other than native and naturalized citizens — that is, aliens. (The argument of Lysander Spooner at this point in his admirable volume on the *Unconstitutionality of Slavery* is especially valuable.) Moreover, I say that they are aliens—because in this wise the clause is relieved of guilt. So, too, the migration and importation clause is held to recognize slavery. But it does not. Nothing is in the way of applying it to passengers and travelers. Whereas to apply it to slaves is to make it guilty of tolerating the slave-trade. And the clause respecting fugitives, who are “held to service or labor,” is claimed to refer to slaves. But it should be applied to apprentices and hired laborers because, in its terms, it is entirely applicable to them. To apply it to slaves is to violate the accepted meaning of words. It is to go out of the way to make the Constitution infamous.

Let me here say, that, strictly speaking, I was wrong in taking the ground I did for vindicating my interpretation of the clauses just referred to. That ground was to save them from a guilty interpretation. But in legal contemplation they are incapable of a guilty interpretation. For, if there be in them the injustice generally attributed to them, nevertheless, as it is not clearly expressed, it is, legally speaking, unexpressed and unexisting. And how entirely reasonable is this legal view! For, it is not probable—to say the least, it is not certain, (and unless certain it is of no account,) that the people would have adopted the Constitution, had it said in plain terms that men should be rewarded for being slaveholders by a large addition to their political power and to their representation in the national councils; and that the horrid African slave-trade should continue for at least twenty years; and that our country should be sunk into a hunting-ground for human prey. Now it may be, as it is claimed it was, that it was attempted to get all this into the Constitution. But if the

phraseologies were such that an honest, unsuspecting people would not see the guilty intention concealed in them, then what was intended became no part of the Constitution. All I have here said, and though, too, it had been far more strongly said, is justified by the rule which the Supreme Court of the United States laid down in the case against Fisher and others, 2d Cranch, 390: "Where rights are infringed, where fundamental principles are overthrown, where the general system of the laws is departed from, the legislative intention must be expressed with *irresistible clearness* to induce a court of justice to suppose a design to effect such objects." I add, (what is obvious in the light of what has just been said,) that if the innocent interpretation, which I have given to the clauses in question, is not tenable, nevertheless in no event are the clauses susceptible of guilty interpretations.

Certain is it, then, that they who adopted the literal Constitution, did not adopt a pro-slavery one. Its words show they did not: and the fact that they had just then emerged from a bloody contest for human rights argues strongly that they would not. Whence then came our pro-slavery Constitution—our only recognized or actual Constitution during the last seventy years? It came from the cunning and wicked substitution by pro-slavery politicians of a pro-slavery historical Constitution for the anti-slavery literal one. For us, then, to agree upon an anti-slavery amendment of such terms, as would imply its necessity from the intrinsic character of the literal Constitution rather than from the pro-slavery character which we and our predecessors have foisted upon it: for us thus to confound the anti-slavery literal Constitution with the pro-slavery historical one, which, in no small part through our own agency, has overridden it; for us to confound the innocence of those who adopted the literal Constitution with our guilt in supplanting it with a pro-slavery one—would be a piece of wickedness and meanness from which may God save us! May we be manly enough to consent to bear the burden of our own shame, instead of rolling it back upon our innocent ancestors!

Let me not be understood as finding fault with those brave sentinels of freedom, those faithful defenders of human rights—who, for twenty years, have been denouncing the Constitution. For it was only the pro-slavery historical Constitution, which they denounced. It was that, and that only, which they called a "covenant with death and agreement with hell;" and richly did it deserve to be so called. It was only that one, which Mr. Garrison publicly burned; and I admit that the fire of hell itself is not too hot for it to be cast into. True, it is that, on the occasion I refer to, he burnt the literal Constitution. Nevertheless in burning it he burnt not that, but only the pro-slavery interpretations of it—only its guilty misrepresentations. It was only these that he delivered "unto Satan." The Constitution was "saved."

I referred to our duty to the memory of the honest masses, whose votes gave us the Constitution. Nor should we forget our

duty to those who will come after us. If we are so debauched by slavery as not to blush over our admission that the organic law of our nation is on the side of slavery, nevertheless, that our descendants will hang their heads over it, should restrain us from making it. If we, so far as our own sensibilities are concerned, can consent to have it go over the earth and down the ages that our fathers, in laying the foundations of our national existence, were moved by a spirit as wicked as that of the Thugs; and that "in order to form a more perfect union," they resolved to cement it with the blood of the slave; nevertheless let us remember that to our successors such a tradition will be a heritage of shame and sorrow. For slavery, having then passed away, they will not be corrupted by it, nor blinded to its character. It will in their eyes be the blackest of all crimes—blacker than even murder: and they will rather that the Constitution had been charged with sanctioning any other.

Dropping the figure of a historical Constitution, I am free to admit that the literal Constitution has been so long and so generally misrepresented and perverted, especially by pro-slavery courts and pro-slavery legislatures, that an amendment is desirable. As to whether it shall be made during the war or after the war, I would not be strenuous, nor add to what I have said on that point. Only let the amendment be in words that violate neither truth nor a sacred regard for the memory of the plain and honest men whose votes gave us the Constitution, and I will be content. It would be no more than is due to their memory; and no more than would be eagerly rendered to outraged justice and freedom, had it been white instead of black men who are the victims of the misinterpretation of the Constitution in regard to slavery—should the amendment admit in plain terms that it is a misinterpretation. But if this admission can not be obtained, is it too much to ask that the Amendment be a declaration, that the Constitution shall never be so interpreted as to legalize or permit the legalization of slavery, but shall ever be so interpreted as to prohibit slavery in every part of the nation? The usual words regarding involuntary servitude could be added. What an argument it is in favor of the anti-slavery character of the Constitution, that not so much as one line, no, nor one word of it, need be changed in order to bring it into perfect harmony with the most radical and sweeping anti-slavery Amendment! And how strongly is this character argued from the fact that were constitutional phrases, as innocent and inapplicable as these which are relied on to rob the noblest black man of his liberty, to be made the ground for robbing the meanest white man of his, or even the meanest white man of his meanest dog, such use of them would be instantly and indignantly scouted by all! And how strongly is it also argued from the fact, that a stranger to America and to her practice of making Church and State and all things minister to slavery, could see absolutely nothing, could suspect absolutely nothing in the Constitution,

which might be seized on to turn that also to the foul and diabolical service!

But why should we stop with an anti-slavery amendment? Immeasurably more needed is an amendment to the effect that race or origin shall not work a forfeiture of any civil or political rights. Even an anti-slavery amendment may not be permanent. A race, whilst deprived of rights, which other races enjoy, can have no reasonable assurance that it will be protected against even slavery. But make it equal with them in rights, and it will be able to protect itself. It is said that to pour out upon the ballot-boxes the multitudinous and illiterate blacks of the slave States would be absurd. I do myself think so. I do myself think that in a State where a large share of the people can not read and write, reading and writing should be made conditions of voting.

I know not that the nation is prepared for such an amendment as I here suggest: and therefore I know not that it is prepared to escape destruction. God, in his awful controversy with us, demands entire justice for the race we have trampled on: and he will not be appeased by partial justice. Pharaoh, under the pressure of God's judgments, made concessions from time to time to the Israelites. Nevertheless he perished; and left a memory, which still lives to warn both nations and individuals not to trust in a temporizing policy and in partial responses to justice.

And why, when Congress is submitting amendments, should it not submit one in favor of purging the Constitution of the aristocratic and people-distrusting Electoral Colleges, and of supplying their place with the right of the people to cast direct votes for President and Vice-President? And why not one against polygamy? And how beautifully seasonable it would be, if, now when we are suffering because we denied God's authority in national concerns, and blasphemously held slave-law to be paramount to the "higher law," we should penitently and adoringly insert between "do" and "ordain" in the Preamble of the Constitution: "whilst recognizing the supreme authority of God over nations as well as individuals!"

But it is objected that the anti-slavery amendment would be an encroachment on "State sovereignty," and the like objection would doubtless be made to these other amendments. Nevertheless, this proud "State sovereignty" can not help itself. Its exposure to be reduced to a very humble minimum of power will last as long as the right to amend the Constitution shall last.

By the way, this right of amendment is the most valuable of all our constitutional rights. Without it, a State might set up and keep up systems that would pour their corrupting and destroying influences over the whole nation. With it, the intellectually and morally advanced States, if they number three fourths of all, are able to drag up to their own higher plane of civilization the other and lagging fourth. In the progress of knowledge and truth and justice three fourths of the States may ere long be ashamed of a

nation in which woman is treated as an inferior, and political power withheld from her: and so, too, they may ere long be ashamed of a nation in which Government, whose sole legitimate province is to protect person and property, does more than all else to endanger person and property by permitting and authorizing the alcoholic manufacture of maniacs: and ere long they may also be ashamed of a nation, which, setting no limits to individual acquisition of land, allows millions to be landless, whose right to the soil is as natural, perfect, and sacred as the right to light or air. I say *ere long*—for in our present school of suffering we shall be like to grow fast both in the knowledge and acknowledgment of human rights. Nothing, so much as affliction, is promotive of wisdom and goodness. “The Captain of salvation was made perfect through suffering.” But whether it be sooner or later that as many as three fourths of the States shall desire the reformation of the nation in these respects, happy, thrice happy, will it be that, by means of their power to amend the Constitution, this desire can be gratified. I do not forget that this power can be wielded for a retrograde as well as for a forward movement. But our nation is suffering so much for her sins, and especially for her sin of placing the Constitution on the side of wickedness; and she is, moreover, learning so much from her sufferings, that I have little fear she will ever again be disposed to place it on that side. She placed it there by misinterpreting it on the question of slavery; and sorely has she suffered from doing so. She will not consent to amendments of the Constitution, which will again make it the servant of wickedness.

THE CONSTITUTION, RECONSTRUCTION, AND THE PROCLAMATION.

SPEECH AT COOPER INSTITUTE, NEW-YORK.

January 4, 1865.

It is proposed to have the Constitution so amended that henceforth slavery shall not be law in any part of the land. But has it ever been? If so, what made it law? By not being forbidden in the Constitution, is one answer to the question. But it is forbidden in it—directly as well as indirectly, by its letter as well as by its spirit, by itself as well as by its preamble.

It is held that the States made the Constitution. If they did, they nevertheless made it, as the preamble shows, in the name of the people. Moreover, as they made it in the name not of this nor that sort of people; and made it “to secure the blessings of liberty” not to this nor that sort of people, so it is to be interpreted as having been made in the name of the whole people and for the whole people, and as forbidding the enslavement of any portion or any variety of the people. That this doctrine that the States made the Constitution has obtained so long and so widely, is not strange. There are thousands of doctrines, and this is one of them, which are upheld not by their soundness, for they are utterly unsound, but by the interest which men have to uphold them. There is but one fact of any moment which favors this doctrine that the States made the Constitution: and even this but seems to favor it. The fact I refer to is, that the people voted by States upon the Constitution. They did so, in the first place, for the sake of convenience. But in the second place, from necessity—the people of each State having to say for themselves and by themselves whether they would consent to such a modifying and curtailing of the rights and powers of their State as the creation of the proposed Government called for. Clearly, the people of Virginia and the people of New-York could not act either for each other or together in this matter.

But to return to my declaration that slavery is forbidden in the Constitution. I will mention a few of the instances in which it is forbidden. The right of the people, without any exception, to keep and bear arms, and the right of Congress to make contracts with whom it will without exception, to serve in the army and

navy, are rights which imply that all the people are free. The requirement of "a republican form of government" in every State is a virtual prohibition of slavery. For we must bear in mind that our fathers did not mean by "republican form of government" one of the Greek or Roman aristocratic type. They had just said in the Declaration of Independence "that all men are created equal." Their choice of a government, therefore, would be one to defend this equality—would be one whose subjects would be equal before the law. But the strongest and most direct prohibition of slavery in the Constitution is its declaration that, "No person shall be deprived of life, liberty, or property without due process of law"—that is, without a trial and conviction according to the course of the common law.

It is, however, said that, inasmuch as there are clauses in the Constitution which permit slavery, those in it which appear to forbid it are not to be construed as forbidding it. But which are those that permit it? The answer is, the apportionment clause, and the migration and importation clause, and the fugitive-servant clause. Certainly, not on their face do they permit it. You must go outside of the text of the Constitution for help to give them this construction; and that you have no right to do. To give an innocent construction to the uncertain words of a law you may go outside of the law. But where a guilty construction is your aim, you are shut up to the text: and the text fails you, unless it is with "irresistible clearness" on the side of the guilty construction. Says the Supreme Court of the United States, 2 Cranch, 390: "Where rights are infringed, where fundamental principles are overthrown, where the general system of the laws is departed from, the legislative intention must be expressed with irresistible clearness to induce a court of justice to suppose a design to effect such objects."

I may be asked, to whom, then, do these clauses refer, if they do not refer to slaves? I am not bound to answer. I will, however, say that, without the least violence to its language, the apportionment clause might be applied to aliens, aliens being destitute of those rights and privileges the possessors of which the English law had for so many ages called "free." And I would say that the language of the importation and migration clause permits its application to travelers and passengers. And, also, that the fugitive-servant clause does, under its simplest construction, apply to apprentices and hired laborers. But whether these clauses are or are not capable of these applications, it is enough for our present purpose that the canon of legal interpretation forbids their application to slaves.

It is said that the framers of the Constitution intended to put it on the side of slavery. Probably some of them did. For there is historical evidence, as well that some of them were pro-slavery as that others were anti-slavery. But may we not argue that the pro-slavery spirit was repented of when we see that, four days before they closed their Convention, the framers unanimously

struck out "servitude" from the Constitution and supplied its place with "service," for the avowed reason that "servitude" expresses the condition of slaves, and "service" that of freemen?

What, however, the framers intended the Constitution to be, is of little more consequence than what the scrivener who writes it intends by the deed of the land. What the grantor and grantee intend, is the question in the one case; and what the adopters of the Constitution intended, is the question in the other. What the adopters intended, is to be gathered solely from its text. For it was not the discussions nor intentions of the framers, nor the histories of the making and objects of the Constitution which were adopted. It was the text only: and, as we have seen, the text admits of no guilty construction, because it expresses no guilty intention. I add that if the framers intended to put the Constitution on the side of slavery, they should, in terms of "irresistible clearness," have apprised the people of the guilty intention. Did they wish the people to encourage and reward slaveholding by a special and large representation in our national councils? Did they wish them to sanction the abominations of the slave-trade? Did they wish them to convert the whole nation into a hunting-ground for human prey?—then they should have asked for all this in plain terms and in words of unmistakable meaning. Had they, however, done so, the people would have scouted the insolence. But in no other terms and words could they ask the people to make themselves guilty of such stupendous wickedness—the laws of legal interpretation making it impossible to ask it in other terms and words.

How immeasurably absurd it is to call the Constitution proslavery is seen in the fact, that it needs not the slightest alteration in line or letter to be entirely harmonious with the most thorough anti-slavery amendment; and in the further fact, that a stranger to the history of America would not so much as suspect that there is slavery in her Constitution; and in the still further fact, that to apply to the enslavement of a white man clauses which no more point and express themselves to this end than do the clauses in question to the end of enslaving the black man, would be held by all to be ridiculous, insulting, and infamous to the last degree.

But although slavery is repeatedly forbidden in the Constitution, and nowhere in it permitted, nevertheless I would not only not oppose but I would favor such an amendment of it as would in plain and literal terms forbid slavery. A sufficient reason for such an amendment is, that the Constitution has been so continuously and thoroughly perverted to the upholding of slavery. War, however, with all its excitements and distractions, is not the best time for altering the organic law of a nation. That solemn work needs all the leisure, calmness, and composure which peace brings. Then, too, we need to be absorbed in the one purpose—and one work of succeeding in the war. Is it said that slavery is in the way of such success? I answer that we need not amend the Constitution in order to put it out of the way. That can be

done quicker than by amending the Constitution. Nevertheless, I would waive all question in regard to the time for amending the Constitution, and be concerned only about the terms of the amendment. To have it in such terms as would imply that without it the Constitution is for slavery, would be to wrong and blot the memory of the honest, unsuspecting masses who adopted the Constitution; to disgrace our nation in the eyes of other nations; and to make our posterity ashamed of both ancestry and nation. If the amendment shall not be such, as to say in plain terms that the Constitution is against slavery, it should at least be such as to imply it. If the amendment shall not go so far as to say that the interpretation of the Constitution for slavery is a misinterpretation, nevertheless it should at least imply that it is; and this it would imply if it should declare that the Constitution shall never be so interpreted as to legalize or permit the legalization of slavery, but shall ever be so interpreted as to forbid both.

I said that slavery can be put out of the way quicker than by amending the Constitution. The constitutional right of Congress to declare war carries with it the constitutional right to conduct war. Moreover, the Constitution expressly empowers Congress "to make all laws which shall be necessary and proper" to this end. Congress alone is to decide upon the necessity and propriety. If in its judgment the successful prosecution of the war calls for the abolition of slavery, then it is to abolish it; if for the abolition of apprenticeship, then it is to abolish apprenticeship also. I go further, and say that, if, in time of war, the preaching and teaching in all the churches and school-houses become disloyal, it may shut up all the churches and school-houses. A democratic people are wont to be jealous of absolute power; and this may account for the injurious hesitation of Congress during this war to assert such power, notwithstanding it is, in respect to war, so clearly clothed with it. For a nation to disclaim absolute power for carrying on war is to acknowledge her incompetence to carry on war, and to apprise her sister nations that whichever of them is looking for an easy prey can look toward her.

I said that Congress has the constitutional right to conduct war. But, as I shall say more fully hereafter, such a war as that we are now involved in is to be conducted, not according to the Constitution, but according to the law of war.

To return to my subject—we are under a strong temptation to hold that the Constitution is for slavery. For if it is, then the fathers, who gave it to us, must, of course, share very largely in the guilt of ten to twenty millions being born in slavery, and in the guilt of this rebellion, which has come of slavery, and which is soaking our land with our best blood. But if it is not in itself on the side of slavery, then they, including ourselves, who have put it there, are the party responsible for these seventy-six years of slavery, for all its wickedness and all its woes. We have seen, however, that the Constitution is not for slavery. And now will we, in order to lighten the shame and reduce the criminality of our

pro-slavery practice under it, declare that the Constitution is for slavery? This is the question. Let us answer it in a way honorable to the fathers, and honorable, also, to our penitent selves, by so framing the amendment that it shall take the blame from them and put it on their successors. I do not like to say that this would be magnanimity. It would be but simple justice.

Let me here say, that there is another amendment to the Constitution, which is more needed than one against slavery. It is one which shall save men from losing civil or political rights because of their race or origin. Such an amendment would not only banish slavery, but it would afford an effectual protection against its return. Accord to men the full measure of their civil and political rights, and they can defend themselves against slavery. Their freedom will then stand not in the uncertain will and shifting policy of others; but where alone it should stand, in their own strength. This nation wants peace with man. But more does it need peace with God. And yet how can it ever have peace with God so long as it continues to quarrel with Him for having divided the human family into races, and to punish Him for the division by denying to some of these races the rights of manhood!

By the way, this power to amend the Constitution is its most important power. By means of it we can put an end to slavery in one State and to polygamy in another, and to other abominations in other States. In a word, we can, by means of it, make all the States alike in respect to their chief systems and policies, and, therefore, all the people homogeneous and so far happy.

I will, in this connection, say something on the Reconstruction of the Rebel States. Throughout the war I have regarded any Reconstruction of them before the war shall be ended as premature. In other words, I have held that the provisional governments, which we set up in the wake of our conquering armies, should not be supplanted with permanent ones until the rebellion is subdued. I have held this, because, in the first place, we should be too much occupied with the war to be building permanent governments; and because, in the second place, of my fear—a fear justified by the present—that Reconstruction, if it should precede the complete crushing of the rebellion, would have in it as fatally unsound materials as had the image seen by Nebuchadnezzar. But as the policy of a *present* Reconstruction has prevailed, all we can do is to contribute to give the right shape to the Reconstruction.

And here let me say, that the same state of mind which has led me to oppose Reconstruction, has led me to oppose all negotiations for peace. Fatally derogatory is it to our national dignity, utterly at war is it with every just consideration, to treat with armed rebels, and especially such rebels. They took up arms without cause. Therefore, they must lay them down without conditions.

The plan of Reconstruction before Congress has many excellent features. Particularly welcome are its provisions against allowing

disloyalists of the higher civil and military ranks to vote for members of the legislature or for governor, and against allowing slavery to exist, and against allowing the Reconstructed States to be charged with any part of the rebel debt. But deeply do I regret that a provision, more important than any or all of these, should have been omitted. I mean a provision against allowing race or origin to work a forfeiture of civil or political rights. This omission may prove as fatal to the standing of the Reconstruction as did the clay in its feet to the standing of Nebuchadnezzar's image.

But it is said that suffrage is a matter for State regulation. I admit it, as a general proposition. I admit that, but for the war, no one would have thought of taking the regulation of it out of the hands of the State. But the war has made national action at this point not only proper, but imperative. The question now is, not what would have been due to the rebel States had they not rebelled, but what restrictions is it necessary to put upon them, now that they have rebelled? The question now is, not what would have been due to them had they remained our friends, but what securities shall we provide, now that they have become our foes? In a word, the question now is, what concessions the conqueror can wisely and safely make to the conquered? I say the conqueror, for Reconstruction assumes that we are sure and soon to be the conqueror.

Then, again, this plan of Reconstruction provides that certain persons shall not be allowed to vote. And is not this as great and as humiliating a restriction upon State powers, as would be a provision that certain persons shall be allowed to vote?

All through this war the delusion has obtained extensively, that the States which flung away the Constitution have still their former rights under it. But they lost them all when they rebelled.

The word "white" being in the plan, the blacks will, of course, be shut out from all part in making the organic law of a Reconstructed State. But even were this word not in, nevertheless, as the plan does not require suffrage for the blacks, there is not the least probability that they would get it. Numerous, and conclusive as numerous, are the reasons why the plan should require it.

1st. Though before the war we had not the right to demand suffrage for them, we have it now. We have paid for the right in much treasure and blood.

2d. We owe them suffrage because it is vital to them to have it; because, without it, they will be exposed to every wrong and every oppression: and we owe it to them because they are our saviours. But for their sympathy with our cause, our nation would have perished.

3d. We owe them suffrage for the sake of the South. It is her contempt of human rights that has barbarized her—that has demonized her. For demons must they have become, who can treat prisoners of war as they treat them. She must be

recovered from her barbarism and demonism, and contempt of man; and this cannot be done so long as the ballot is withheld from her blacks.

4th. We must secure suffrage to them, in order to save the loyal whites of the South. Black voters can be the only effectual breakwater against the fury of disloyal Southrons toward loyal Southrons.

5th. For the nation's sake, we must insist on suffrage for the blacks. To leave the political power of the South exclusively in the hands of her whites, would be to leave her to repeat her crimes and savagery, not only upon her blacks, but upon the nation.

6th. The whole world will loathe and abhor us, if now, when the negroes have saved us, we shall leave them helpless in the hands of their enemies—enemies, too, who, because they have saved us, will hate them more than ever.

7th. God's controversy with us will still remain, if we shall still persist in refusing rights to those whom He has chosen to wrap in black skins. Can we afford the continuance of a controversy, which has already cost us so much treasure and blood?

But it is said that we are inconsistent in requiring the Government to exact suffrage for the Southern blacks, whilst the Northern blacks are generally deprived of it. No, we are not. Though such deprivation is unreasonable and wicked, the Government has not the power to forbid it. Moreover, lack of suffrage does not expose Northern blacks to such wrongs as it does Southern blacks; nor does it so peril our nation in the one case as it does in the other.

It is also said that we are inconsistent in making so much account of having the Southern black men vote, whilst the Northern women are denied suffrage. I admit the utter injustice of this denial. But it must be remembered that they who vote for women are their friends—their husbands, fathers, brothers, sons; whilst they who vote for the Southern blacks are their despisers and haters. So, too, it must be remembered that the denial of suffrage in the one case is not fraught with the peril that it is in the other.

I may be asked whether I would have entirely illiterate persons allowed to vote. I answer, that where they are but a small portion of the people, I would; but that, where they are a large one, I would not, unless there be some special reason demanding it. If the disloyal whites of the South shall be denied a vote, (and even the humblest of them should in this respect be put upon a probation of at least a dozen years,) then let it be required of the blacks, in common with the whites, that they shall be able to read and write before being allowed to vote. But if the disloyal whites of the South shall be allowed to vote forthwith, then, by all that is reasonable and righteous, by all that we owe to the loyal blacks, and by all that our national safety calls for, those

loyal blacks should also be allowed to vote forthwith. Surely, surely, this is but a very moderate claim.

I own it is bad to have ignorance vote. But infinitely worse is it to have disloyalty vote. Welcome, loyal ignorance: but no patience with disloyal intelligence.

Many say that the abolition of slavery should content us for the present, and that we should wait patiently for further instalments of justice to the black man. But if now, under all the force and freshness of his claims upon our gratitude, we can be so base as to withhold any of his essential rights, very little has he to hope from us in the future.

It is but too plain that if the Reconstruction Bill now before Congress shall become a law, the blacks of the rebel States will be denied suffrage, and their whites alone will have it; the loyal element in their population will be denied it, and the disloyal element will have it; in still other words, our friends in those States will have no political power, and our enemies in them have all. Not to speak of the deep injustice and cruel ingratitude of thus treating those who have saved us, what folly, what madness is it, to trifle in this wise with the future of our nation! Horrid as is the present war, it has not sufficed to bring the nation to repentance. A more horrid one may be necessary. Were I not an abolitionist, I would, if this Bill succeed, predict a war of races at the South. But I remember that abolition prophets are treated as Cassandras—as unworthy of the least belief. For twenty years they were foretelling (even on the floor of Congress it was foretold) that slavery, unless put away peaceably, would soon and surely go out in blood. But their predictions were only laughed at.

Louisiana, considering the circumstances, made a very creditable approach to justice. Her Constitution, far better at this point than that of our own State, permits her Legislature to make voters of her black men: and in such circumstances a permission falls little short of a command. Had the plan before Congress prohibited the forfeiture of civil or political rights, by reason of race or origin, I should, notwithstanding her Constitution falls short of such prohibition, have been reluctant to oppose the reëtrance of Louisiana into the sisterhood of States. The other Reconstructed States, being right at this vital point, she would soon have been also. But they being wrong, she will be far more likely to sink to their level than to lift up her advanced Constitution into the full recognition of the equal rights of all men.

Speaking of Louisiana, brings to my mind the censures cast by some of the radical abolitionists upon General Banks. I trust that these censures are entirely undeserved. I regard him not only as a brave, patriotic, and able man, but as a sincere friend of the colored race. I thanked and loved him, when I read of his having the little black girl lifted up on the cannon. He might not have meant by it all that it symbolized. But, to me, it was the lifting up of the representative of her race from feebleness to strength.

To me, this child's riding on the cannon foreshadowed the triumphant progress of that race. And I am informed that the liberal feature in the Constitution of Louisiana, to which I have referred, is due preëminently to General Banks.

Her Constitution puts an end to slavery in Louisiana. There are some restraints, notwithstanding, upon those who were so recently its victims. I trust that they are no more and no greater than the perils and exigencies of war call for; and that they will all be withdrawn upon the return of peace. I confess, however, that there is no certainty that justice, at any point, will be done to the black man in any rebel or, indeed, in any anti-rebel State in which the right of suffrage is denied him.

But, to return from this digression, I trust I made it plain that the Constitution does in various clauses forbid slavery. Plain, too, I might have made it, that in its whole spirit and tenor it forbids it. But what if it did not, would slavery, therefore, be law? Must piracy and murder be forbidden by the Constitution in order that they be not law? Much less need slavery, a worse crime than either, be forbidden by it in order that it be not law. I trust, too, that I made it plain that those clauses of the Constitution, which are relied on to prove that it permits slavery, do not permit it. Let me now add that even if the Constitution did permit slavery, slavery would not be law. All will admit that no words, however strong or ingeniously chosen and arranged, could suffice to make piracy law. How emphatic, then, must be the incapacity of slavery to be law! For, amongst all the piracies of earth, slavery is the superlative piracy. Indeed, what other piracy is not reduced to a mere peccadillo, when brought into comparison with the overshadowing slaveholding piracy! So, too, all will admit that no words can make murder law. But the crime of murder, like that of piracy, is outdone by the crime of slavery. Every wise parent had far rather his child were murdered than enslaved. The murdered is killed but once. The slave is "killed all the day long." The murdered is robbed but of life. The slave, robbed of all except life, is cursed with remaining life instead of being relieved by death. Murder kills but the body. Slavery the soul. Murder does not degrade the manhood of the murdered. Slavery makes merchandise of manhood. Murder denies not that its victim was placed by God upon the heights of immortality. But slavery drags down its victim from those glorious heights to the category of brutes and things. Murder kills but a few, and spares the masses to unfold their powers and reach after every enjoyment. But slavery allows a few to tyrannize over the masses, and worse than murder them by working and whipping them worse than brutes are worked and whipped; by robbing them of their right to letters and wages and marriage; and by leaving them no rights whatever whereby to protect themselves from the storm of wrongs and outrages which sweeps incessantly over their lot.

I have argued that nothing can make slavery law. I go farther,

and say that law can not be made. And here I have reached a point where more than at any other, the world needs to be revolutionized. This making of law, of civil, theological, and other law, has made up the greater part of human sorrows. Law-makers there never should have been—only law-declarers: and these should have declared nothing to be law but what is natural. Nature alone is our law, and only so far as we let her, and her alone, be law unto us, do we or can we honor the God of nature. An enactment that wood is iron or iron wood would be void, because at war with nature. For the same reason an enactment to enslave a man, that is to transmute him into a chattel, is void. The legislature is to leave wood to be wood, iron to be iron, and man to be man. Advancing wisdom and civilization will yet bring the courts to this ground. They will yet hold that whatever tramples upon or ignores nature is not law. I do not mean they will hold that to be no law, which simply goes beyond or falls short of the demands of nature. For instance, interest or the use of money is reasonable, and, therefore, agreeable to nature. The legislature, in regulating the rates, may go too high or too low. Nevertheless, as the subject-matter does not confront nature, the courts will not confront the legislature. So, too, where the legislature is regulating the punishment due to crimes, the subject-matter is one not in conflict but in harmony with nature; and, therefore, though in one instance the prescribed punishment may be excessive and in another deficient, the courts, nevertheless, will feel themselves bound by the will of the legislature. But where, as in the case of enslaving or chattelizing men, the subject-matter is itself foreign to nature and an outrage upon nature, there the courts will hold that there is no law to interpret, and that the action of the legislature is void. In other words, where the subject-matter of the legislation sets aside nature, the courts will set aside the legislation.

Will the Supreme Court of the United States ever rise up to this level of reason and nature? Will this Court, hitherto guilty of so much unreasonableness and unnaturalness, at last yield itself to these high claims of reason and nature? Will this Court, so long a bulwark of slavery, become a bulwark of freedom? It will when it shall pronounce the truth that slavery, containing in itself nothing of right, nor reason, nor nature, is therefore destitute of all the elements of law, and is no law: and that, containing in itself the grossest and guiltiest violations of right, and reason, and nature, it is to be pursued as the most execrable outlaw. So preëminently instructive have been the lessons of the last few years, that possibly several members of this Court are already educated up to the necessary preparation for pronouncing this conclusive truth against all the pretensions of slavery. There is a man in this land—he is emphatically a man—whom I have long known, and as long admired and loved. He was once in a very small minority, and as poor in the public favor as were we, who were his fellow-laborers, and were identified with him in both

cause and party. But so swift of late years has been the wheel of revolution in this country, that he is now one of the members of that Court. I trust that I shall not be regarded as violating the sacredness of private correspondence, when I say that as long as nine years ago this noble man, in speaking of slavery, declared: "I shall rejoice to witness such progress in society, that courts will regard the total denial of rights as so contrary to the law of nature, that no legislative enactment can entitle it to recognition." And again, a few weeks after: "With you, I am for freedom everywhere and for slavery nowhere; for freedom for all, and slavery for none. Most heartily will I rejoice when the people and their judges shall be educated up to the point of regarding slavery as so great a wrong that it can not be legalized." Mark his words: "and their judges"! And now, behold, he is himself one of their judges! ay, and their chief judge! Then, eight years ago, he said: "If you can find me judges, who will decide that slavery is so clearly and palpably repugnant to reason and natural justice, that it can be sustained nowhere and by no law, I shall be the last man to object to the decision." Again, mark his words: "If you can find me judges"! And lo, he finds himself one of their judges! ay, and at such a time as this! a time when Providence has so wondrously prepared the way for the Supreme Court of the United States to render signal service to humanity. Well might we apostrophize our new Chief Justice in the words of Mordecai to Esther: "And who knoweth whether thou art come to the kingdom for such a time as this?"

I am sure that my friend will pardon me for the liberty I have taken with his letters. It honors him to make public the wise words I have quoted from them. That it does mankind good, will, however, go farther to gain me his forgiveness. Precious words were these to me when I received them! Precious words to one who, through many years of reproach and discouragement, had been invoking such utterances from leading minds!

Let me here say that, in adverting to those great duties with which great passing events are charging the Supreme Court, I had no reference to the Proclamations of Freedom. I assume that this Court will recognize the validity of those papers and rejoice in their operation. An insurrection, involving but a County, or even one involving a whole State, may very properly be met by Constitutional law only—by that law of which that Court is the interpreter. But the war which many millions are waging against us—so many that the nations, including even our own, have been constrained to accord belligerent rights to them—is one not to be conducted by the provisions of the Constitution. A war of such magnitude is to be conducted in accordance with International Law. I confess that I see no reason why the President's military acts in this war, any more than Grant's or Farragut's, should be questioned by the Supreme Court. These Proclamations and their Orders are alike amenable to the law of war, and to that law only. Both the Proclamations

and the Orders may often come incidentally before this Court: but so long as it sees them to be in accordance with the law of war, it will not stand in their way.

Just here I might be asked whether I hold that such of the slaves within the scope of the President's Proclamation of first January, 1863, as shall be still in the hands of the enemy at the close of the war, will be entitled to freedom by virtue of that Proclamation. My answer would be that I do. I go farther, and say that the war should never be closed, nay, can never be closed, until they are free.

And now some of you are ready to quote Vattel and Grotius, and other publicists, to prove that the property of our enemy in war is not ours until we have reduced it to actual possession. My reply is, that slaves are not property, but men; and that in all our reasoning in the case we shall, provided we are ourselves men, treat them as men.

The Proclamation on its face set the slaves within its purview unconditionally free. Its friends hold that it did set them unconditionally free. I am amongst its friends. Nevertheless, I hold that it did not. It proffered them freedom on a condition—a condition none the less real because unexpressed. This condition was the proper response of the slaves to the Proclamation. Had they flouted it, refused its boon, and preferred working and fighting for our enemy, would any thing have been due them by virtue of the Proclamation? Certainly not. The Proclamation was made to win them to us; and they had no right to profit by it, if they refused to be won to us. So far as they have not fulfilled this implied condition in the Proclamation, we owe them nothing by reason of the Proclamation. So far as they have, we are their debtors.

And now the way is prepared to inquire what classes and portions of the slaves in question it would be right for us to leave in slavery.

First. Shall the wives and children of those who have escaped to us, and have fought for us, be left in slavery? Shall the wives and children of those who have recently come to us, and of those who shall come to us, be left in slavery? Shall, for instance, the mothers, wives and children, who begged and wept to be allowed to come along with Sherman's army, and with their sons, husbands and fathers, who had joined it, be left in slavery? To all these questions you will return an emphatic "No."

Second. Shall the families of the slaves, who were detected in their attempt to get within our lines, and were flogged to death, or otherwise put to death, be left in slavery? Or shall they who survived their punishment for such offense, or shall their families, be left in slavery? Here again you are quick to say, "No."

Third. Shall the slaves too aged and infirm to do more than advise and encourage the young and strong to peril all to get to us and help us, and too poor to do more than make up for each

that little bundle of rags that is the sum total of the worldly goods with which the slave sets out in his adventure, and who with their whole heart do all this—shall they be left in slavery? Not with your consent.

Fourth. Shall those old slave saints, to whose glowing prayers in behalf of our cause God loves to listen, and whose bodily feebleness disables them from doing more for us than pray—shall they be left in slavery? You protest against it.

Fifth. Shall any of these millions, whose hearts are with us, and who have done for us what they could, though they have not been able to get to us—shall they be left in slavery? By no means, is your answer.

Sixth. Shall any, who have suffered from the Proclamation by reason of being brought under a stricter surveillance, and of being made the objects of increased jealousy and hatred, and this especially because of their attempts, or discovered desires, to avail themselves of the Proclamation—shall any of these be left in slavery? Earnestly would you oppose it.

And now, after all these exceptions, what classes or portions of the slaves within the scope of the Proclamation would there be to be left in slavery? I know of none. If there be amongst all these slaves an individual, who out of his wicked heart chooses the side of the enemy, I admit that the Proclamation owes him nothing, though I do not admit that even he deserves to be a slave. No man is bad enough to deserve that.

I proceed to say that the implied contract in the Proclamation between the nation and the slaves, has been faithfully fulfilled on their part; that, under the invitations and promises of the Proclamation, they have done what they could for us; and that now it remains for the nation to fulfill on its part. For her not to do so would be to disgrace herself with the most signal instance of perfidy toward the helpless and worthy poor which the world has ever seen. Many fear that the President will shuffle off his responsibilities in this case upon the Supreme Court. I do not. He is an eminently wise and good man; and he can not fail to see that it is for him to fulfill, on the part of the nation, her contract with the slaves. He will not leave their freedom to any contingency. Have no fear that he will overshadow his well-earned fame with eternal infamy. A simple parallel, and I will pass on from the Proclamation to other topics. Suppose Sherman, believing it to be vital to his success to secure the friendship and help of a certain village or city in his way through Georgia, had proposed to stand by it if it would stand by him—to allow it to take hold of the strength of his army and his nation if it would consent to give up its hold upon the Confederacy. And then suppose that the proposition, having been accepted and faithfully lived up to by the village or city, Sherman should shirk his responsibilities and leave it to some one else to say what should be done on his part. The curses of the world would fall upon him so thick and so hot, as to wither up the last feather in the proud plumes of his military

glory. And now for the parallel. The President, who, like Sherman, is also a military commander, and who acted in the case solely as such—for he had no right to act in it in any other capacity—the President, I say, seeing the straits to which our nation was reduced, and that it was on the brink of ruin, proposed to save it by obtaining the friendship and help of the slaves. To this end he promised them, provided they would cast in their lot with us, their freedom, and to maintain it by the whole power of the nation, and to honor such as were “of suitable condition” with places in “the armed service of the United States.” Moreover, he invoked “the considerate judgment of mankind and the gracious favor of Almighty God” upon the promise.

Time has verified the wisdom of this great measure of the President. The measure has brought salvation to our country. God forbid that we should throw away the salvation, as to no small extent we shall, if the Reconstruction policy shall be such as to leave a vestige of slavery, or even such as to leave the loyal element of the Southern population politically disabled, and therefore an easy prey to the disloyal element!

I said that the Proclamation had brought salvation to our country. The slaves fulfilled on their part the implied contract in the Proclamation, and thus became our saviours. Those of them who could, came to us; and those who could not come to us, nevertheless worked for us, as far as they could. Fear not that the President will requite this devotion to our cause with the leaving of a portion of these saviours in slavery. The bargain he made with them he will not break. Better that the nation perish than that such a bargain be broken!

But to return to the line of argument which I was pursuing before I struck off upon the Proclamation. I had argued that where the subject-matter of the legislation, such as the enslaving or chattelizing of men, is at war with nature, there can be no law. I now add that nothing is law which can not be administered in the spirit of honesty. Every judge, every commissioner, who remanded his poor trembling brother into slavery, knew that he was dishonest in doing so—knew that he was not doing as he would be done by. For he knew that, were he a slave, he would not recognize slavery to be law, and therefore obligatory upon his conscience. For he knew that, were he a slave, he would escape if he could; that he would mount his master’s fleetest horse if he could; that he would shoot his pursuing master if he could.

This is indeed a horrid war through which we are passing. We are working out, in treasure and tears and blood incomputable, the heavy penalty of our crimes against Freedom and Justice. God pity the tens of thousands whom this war has maimed and disabled for life! God pity the ten thousand families whom it has bereaved and desolated! God pity the countless poor under its crushing burdens! And yet great good is to come of this war. The greatest of all the good will be the higher appreciation of man. This war is a judgment upon us for our disparagement

and contempt of man. Its terrible lessons are teaching us to disparage and condemn him no longer. Am I told that we did hold him in esteem? I answer that it was his accidents rather than his essence. For instance, he was esteemed who was white, or wealthy, or wise, polished or promoted. But he who had but mere manhood to commend him, was made little account of. Constitutions and creeds were held sacred and inviolable. But man, "the one sole sacred thing beneath the cope of heaven," alas, how cheap! Surely, no right-minded man can say of this war, "To what purpose is this waste?" even if he look no farther than to the fact that the highest judicial place, so recently occupied by one who could not associate the rights of manhood with a black skin, is now occupied by one who holds, not only that "a man's a man for a' that," but that, under whatever misfortune of calamities, nay, under whatever guilt of crimes, the rights of manhood remain indestructible.

I said that man will be more appreciated in consequence of this war. I add that this new appreciation will give us new and better laws and new and better judicial interpretations of them. Legislatures and courts sink or rise as the regard for man sinks or rises. The one legitimate end of law upon earth is the protection of human rights. Nevertheless, the earth over, man has been held in so low esteem, that, the earth over, legislatures and courts have done scarcely less for the destruction than for the protection of human rights. I said that law on earth is solely for the protection of human rights. Many add—and of divine rights also. I do not. I hold that God is wise and strong enough to take care of His own rights; and that He bids us take care of ours, and leave Him to take care of His. We best honor God's rights in upholding man's. Under this accursed plea of looking after God's rights, humanity has, in all ages, suffered its heaviest woes. From this has come the worst type of bigotry, intolerance, persecution. From this have come, not only the Inquisition, but numberless forms of torture for both the body and the soul. Even so intelligent a man as Alexander II. Stephens falls back for his justification of slavery on this fanatical regard for God's rights. For, like most others, he interprets the belchings of drunken Noah into a curse of God—a curse, it is true, on Canaan: but, by one of those frequent ecclesiastical accommodations, on poor Africa also.

But I must close. It is not better laws only that we need. We need a better religion also. Our laws have been on the side of oppression. Our religion has gone to the polls and voted for the buyers and sellers of men. How shall we get better laws and a better religion? Only by getting juster and higher conceptions of the dignity, and grandeur, and sacredness of man. Our laws and our religion will conform precisely to those conceptions. Contemptible will be the laws and religion of every people who think contemptuously of man. But beautiful and blessed will be the laws and the religion which reverence human nature, even when in its lowest

condition—even when in ignorance, and rags, and chains. This is the religion which Jesus taught. He lived, and labored, and died, not for this nor that sort of men, but for all men; not for men of these or those characteristics, these or those surroundings, these or those accidents, but for men of whatever type, or condition, or character. He identified himself with all men, simply because they were men.

I am old, and shall not live to see it: and you, who are young, may not. But the day is coming—it is hastening on—when, all over this broad and beautiful land, nature, so dear to all who give themselves up to the study of her, so sure in her guidance, so full of instructions, so full of God, shall inspire and mould both laws and religion. Come, blessed day! Come quickly! And then the natural rights of men shall no more be invaded in the name of law, nor in the name of religion. Then Civil Government, no more their oppressor, will be the strength of the weak and the shield of the defenseless. Then the Church, no longer the betrayer of the poor, and no longer leaguering itself with and voting with the enemies of the poor, will be their peaceful haven from the storms that pelt them without; their resting-place from persecutions; their inviting bosom of pity and love.

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