

F  
389  
R95

*Thos. J. Rusk*  
*Nov 14*



EULOGY

ON THE

LIFE AND CHARACTER

OF THE

HON. THOMAS J. RUSK,

LATE U. S. SENATOR FROM TEXAS.

DELIVERED IN THE

Hall of the House of Representatives of the State of Texas,

ON THE SEVENTH OF NOVEMBER, 1857.

BY JOHN HEMPHILL.

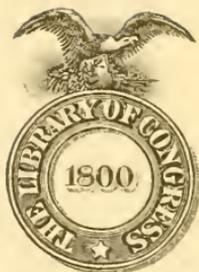
Printed By Order of the House of Representatives of the 7th Legislature of Texas.

AUSTIN:

PRINTED BY JOHN MARSHALL & CO., STATE PRINTERS.

1857.





Class F 389

Book , R 98









*Wm. H. Rusk, M. C. Rusk*

EULOGY

24

ON THE

LIFE AND CHARACTER

117  
811

OF THE

HON. THOMAS J. RUSK,

LATE U. S. SENATOR FROM TEXAS.

DELIVERED IN THE

Hall of the House of Representatives of the State of Texas,

ON THE SEVENTH OF NOVEMBER, 1857.

BY JOHN HEMPHILL.

"



---

Printed by Order of the House of Representatives of the 7th Legislature of Texas.

---

AUSTIN:

PRINTED BY JOHN MARSHALL & CO., STATE PRINTERS.

1857.



AUSTIN, 9th Nov., 1857.

DEAR SIR:—In obedience to a resolution passed by the House of Representatives of the Seventh Legislature of the State of Texas, the undersigned committee, appointed for that purpose, beg leave to request for publication, a copy of the eulogy on the life and character of the late General THOMAS J. RUSK, delivered by you in the Representative Hall, on the 7th inst.

With considerations of the highest esteem, we subscribe ourselves,

Yours truly and respectfully,

JACOB WÆLDER,  
JOHN HENRY BROWN,  
THOS. J. JOHNSON,  
*Committee.*

Hon. JOHN HEMPHILL.

---

AUSTIN, Nov. 11th, 1857.

GENTLEMEN:—I have just received your note requesting, in obedience to a resolution of the House of Representatives, a copy, for publication, of the eulogy delivered by me on the life and character of the late General THOMAS J. RUSK.

In compliance with your request, I herewith forward you a copy, and have the honor, with sentiments of the highest esteem, to subscribe myself,

Very respectfully,

Your most obedient servant,

JOHN HEMPHILL.

Hons. JACOB WÆLDER, JOHN HENRY BROWN, THOMAS J. JOHNSON, *Committee.*



## EULOGY.

---

FELLOW-CITIZENS :

WE are assembled to lament the death, and render homage to the memory of one of our most illustrious patriots, one who was among the first, if not the foremost, in the hearts of his countrymen. THOMAS J. RUSK the warrior, the statesman, the idolized of Texas, is no more.

That magnificent form, where "every god did seem to set his seal," has been consigned to the dust. The eye which beamed with intellect and with benevolence, has lost its brightness. The tongue which uttered words of wisdom is silent. No more shall his noble presence cheer with its animating influence, or inspire confidence, love and affection. He is dead. His work is finished on the earth. Well may we exclaim with the pathetic lamentation of the mourner in Israel: "How are the mighty fallen!" But though dead, he still lives in our memories and in the gratitude of his country. His name is identified with some of the most important events of the present century, nay *with* in the history of human Liberty—events which have exerted, and will continue to exert, a wide influence over the affairs of men, and the destinies of this hemisphere.

The voice of grief or eulogy cannot reach him—but we may, with advantage to ourselves, contemplate his character, life, and actions; and the brightest tribute that we can pay him will be the affectionate remembrance of his deeds—attachment

to his principles—and imitation of the bright and noble qualities of his example.

THOMAS J. RUSK was born of John and Mary Rusk, in Pendleton District, South Carolina, on the 5th Dec., 1803.

His father, who had emigrated from Ireland, was an honest and industrious stone-mason. His parents were poor and unable to give him the advantage of a collegiate or liberal education.

At an early age he evinced a love for books, which was greatly increased under the influence and encouragement of his mother, a woman of piety and good sense, to whom he was in the habit of reading especially the Holy Scriptures.

His fine capacity and his thirst for knowledge early attracted the attention of Mr. Calhoun, (then in the commencement of his bright career,) who took an interest in the boy, encouraging him with his advice, and assisting him with the loan of books. These words of kindness and encouragement sank deep into the heart of the youth, and often afterwards, (as beautifully expressed by Mr. Rusk in his remarks upon the death of Mr. Calhoun,) a recurrence, under the most critical circumstances, to those words inspired him with resolution to meet the difficulties that beset his path. The friendly relations then formed continued through the life of Mr. Calhoun, and the kind feelings which so impressed the youth were long years afterwards manifested by the veteran statesman, on the last day in which, with a body worn down with disease, he occupied his seat in the Senate Chamber. At a suitable age, Mr. Rusk commenced reading law in the office of Wm. Grisham, for many years Clerk of the Pendleton District Court, earning his livelihood at the same time as a Clerk in a merchant's store. In 1825 or 6, he removed to Habersham county, Georgia. In 1827, he married Mary F., the daughter of Col. Cleaveland, one of the leading men in that section of the State. He was engaged in merchandize until 1833—and having shortly after his removal to Georgia been admitted to the practice of the

law, he entered upon an extensive and lucrative professional business, having a high standing among a Bar eminent for professional ability. Unfortunately the spirit of speculation was rife in the "Gold Region of Georgia," and he became largely interested in the stock of a mining company, the managers of which, proving faithless, absconded with the property of the company—leaving him with others in poverty and debt. He pursued them to Texas, in the winter of 1834-35, but overtook them only to find that the effects had been squandered and lost.

He did not, when he visited Texas, intend to reside here permanently. But he saw that a fine field was opened in this rising country, in which by energy, industry, and enterprize, he might repair his shattered fortunes. He saw also that the toils of despotism were gathering around the people of Texas. That their just claim, under the organic act of May 7th, 1824, to admission as a separate State of the Mexican Confederacy, had been disregarded; their Commissioner, Stephen F. Austin, (to present their memorial for admission as a State) imprisoned; the federal form itself of the government threatened with overthrow, to be succeeded by a central military and priestly despotism. That the violence which had for years afflicted the interior of Mexico with such deplorable calamities, prostrating its free institutions and its legitimate authorities—and consigning the friends of the Constitution and of freedom to the dungeon or to exile, would most probably, or rather inevitably, extend to Texas, hitherto exempted by the remoteness of its situation—and, in fine, such was the alarming progress of usurpation and oppression, that war would ultimately be the only remedy by which the people of Texas could save themselves and their liberties from total destruction—and with that generosity of spirit and devotion to freedom, which shed such warmth and brilliancy of lustre over the character and acts of the subject of this eulogy, he determined to remain, and offer his services and his life to the coming struggle. Nor was he mistaken in his apprehensions

that the people would finally be compelled to resort to arms in defence of their liberties.

The political action of the Mexican authorities, at every successive step, evinced a determination to overthrow, without even the call of a Constituent Congress, and in disregard of the provisions (especially of the 171st art.) of the Constitution of 1824, the federal form of government, and establish a central despotism on its ruins. In the course of these arbitrary proceedings, and without referring to those of a date anterior to the arrival of Gen. Rusk in Texas, the Vice-President, Gomez Farias, a Republican in principle, but an enemy to the despotic rule of the Priesthood and of the military, was early in the year 1835 deposed without impeachment or trial. On the thirty-first day of March, 1836, by decree of the Mexican Congress, the civic militia was ordered to be reduced to one for every five hundred inhabitants, and the remainder disarmed: an enormity of despotism sufficient in itself to have justified a revolution. On the twenty-second of April, 1835, the Congress of Coahuila and Texas protested energetically against the proposed violent reforms of the Government. That they were especially dangerous for Coahuila and Texas, bordering as she did on a powerful Republic—a considerable portion of its territory settled by inhabitants whom changes did not suit, and who could not conform to such inconstancy in the most essential acts of the public administration, and that the State would recognize no other amendments than those made according to the forms of the Constitution. The State also, at the same time, protested against the Decree disbanding and disarming the militia. These protests were wholly disregarded. On the second of May, 1835, the National Congress passed an act of general amnesty for political offences since 1821, excluding (against the remonstrance of the State of Coahuila and Texas) persons not born in the Republic, who had participated since the first of May, 1834, in the political disturbances of the country. Thus proscribing and excluding Texans (who were principally foreigners) from the benefit of the Decree.

Several of the Southern States of Mexico were opposed to the revolutionary proceedings of the Centralists; but they were silenced, or were too weak to offer formidable resistance. The State of Zacatecas which had often "curbed despotism and the abuse of power," protested against the usurpations of the National authorities—refused to disband its militia and had recourse to arms, to protect its sovereign rights as a State. But her army, on the eleventh of May, 1835, was defeated with immense slaughter. Her fine Capital, with all its wealth, given up to unbridled pillage, and her noble sons hewn down with merciless butchery. The heroic effort of this gallant State was quenched in blood, and her people reduced to unconditional submission. The State of Coahuila and Texas was left alone to uphold the Constitution of 1824. But the authorities of the State had become so unpopular in Texas from their wasteful expenditure of the public lands, that the energetic appeals to the Texians by the Executive of the State to arouse themselves, for their property, liberty and lives depended upon the capricious will of their direst enemies, were, for the time, disregarded. The Executive was subsequently arrested, the Legislature dispersed, and the province of Coahuila finally subjected to military government. The storm was now rapidly approaching Texas, the only portion of the Republic of Mexico that had not been subjugated. It became apparent that the Federal Constitution would be destroyed. The patriot Zavala, and some of our own eminent citizens were proscribed, and orders sent for their arrest and transfer to the interior; to be given up, in effect, to military execution. It was proclaimed that the Texians must obey the constitution governing the Mexicans, no matter on what principles it may be founded. In the despatch to the Governors and Political Chiefs, of the thirty-first August, the National Executive regards Texas as then in armed rebellion, and declares that he had taken the most active measures to chastise the ungrateful foreigners. Troops were now introduced into Texas under various pretences. The Colonists, though they had, as well from inclination as interest, been hitherto disposed to peace, were

not the men to tamely surrender rights secured by so many guarantees, or be driven from the country in which they had settled by invitation from the Government, and which they, by their unaided toils and efforts, had reclaimed from the savage and embellished with the improvements of civilization.

There was no alternative left but a resort to arms; and at length the torch was applied to the inflammable materials and the flame of war spread throughout the land.

A piece of artillery was demanded by the Mexican Commandant of San Antonio from the town of Gonzales, and a body of Cavalry sent to enforce the demand. This was resisted. Volunteers rushed forward to support the gallant citizens of that town and vicinity; and on the first day of October, 1835, the first battle was fought by Texas, and the first victory gained in the cause of Liberty, of State sovereignty, and of the Constitution of 1824.

In the mean time, and before any thing had been done or resolved upon, Gen. RUSK, in anticipation of events, had raised a Company at Nacogdoches, which was drilled by him into a state of great efficiency, and with which, or a portion of which, he, on the first news of the attempt at disarming, repaired to the army in the West—then under the command of General Stephen F. Austin. It was here that General RUSK first became acquainted with this great and good man, so eminently entitled, from his extraordinary services and exalted intellectual and moral qualities, to the appellation of Father of his country. To him, Gen. RUSK became much attached, and in his own language, he regarded him as the purest patriot and the best man he ever knew. The military qualities of Gen. RUSK, though a stranger, were appreciated, and he was placed on the Staff of the Commanding General. His force of character and intellect had their just influence—and as occasions offered, he exhibited his characteristic boldness and intrepidity; and especially in his daring attempt, at the head of forty Cavalry, to draw the enemy from their entrenchments. After the first successes at San Antonio, he

returned to the Seat of Government at San Felipe; and on the tenth December was appointed by the Council to proceed East of the Triunity to procure reinforcements and supplies to aid in the reduction of the City of San Antonio, and though that City, after a continuous assault of five days in its houses and streets, had, with all the hostile forces, surrendered on the day this appointment was made, yet the men and munitions collected were of valuable assistance in the future operations of the army. He, with others, was elected from Nacogdoches as a Delegate to the Convention to assemble at Washington on the first of March, 1836. The great question in the canvass had been, whether Texas should declare her entire National Independence, or adhere, as by the Declaration of the seventh November, to the Republican principles of the Constitution of 1824. The considerations which induced the Consultation to decline the assertion of absolute Independence and total separation from Mexico, had now, in the opinion of a great majority, lost their force. The Constitution of 1824 had been absolutely abolished, and the States reduced to Departments. There were ardent and enlightened lovers of liberty in Mexico—but they were powerless. The mass of the Nation was against us, having been falsely induced to believe that our only object was, and had been, the dismemberment of the Mexican Territory. The war on the part of Mexico, as against Texas, was no party war—for or against this or that form of Government, but was national—was to chastise or exterminate those denounced by them as “foreign robbers.” The war on our part could be no longer to sustain a party in Mexico, or for a form of Mexican Government—but for self-preservation—for Independence, and for a Government of our own, adapted to our wants and circumstances. The sentiment in favor of unconditional Independence had become general; and accordingly, on the second day of the session, viz: the second of March, 1836, the Convention unanimously declared Texas to be a free, sovereign and independent Republic, and that its political connection with the Mexican nation had forever ended.

The circumstances under which this declaration was made were perilous in the extreme.

Santa Anna, with his immense hosts, had invested the Alamo. In a few days this was taken, and its brave defenders put to the sword. There were rumors of the approach of the enemy, and the Constitution, (one of the best ever penned,) was hastily thrown together, and on the 16th March, the Convention adjourned. The ability of Gen. Rusk in debate, his sound judgment and conservative principles and influence had great weight in the convention, and some of the principal features of the constitution are attributable to his agency. So high was the estimate of his worth, and his capacity to meet the awful exigency then threatening the country with speedy and overwhelming ruin, that he was by the convention unanimously elected Secretary of War of the government, *ad interim*—by far the most important office in the cabinet—war being the instant, the pressing, the almost exclusive business of the people and of the government. He immediately adopted the most energetic measures to suppress alarms and to arouse and stimulate the people—and to concentrate the force, the arms, and the supplies of the country to its defence.

On the 17th of March the government removed from Washington to Harrisburg. On the thirty-first of March, General Rusk issued a strong appeal to the people to march to the defence of their country. On the next day he left for the army which he reached on the fourth April, most cordially welcomed by the Commander-in-Chief, and by the whole army. His military abilities were of a very high order, and he was in all matters advised and consulted by the Commander-in-Chief. On the nineteenth April they united in a last and energetic appeal to the people to rally to the standard of their country. And on the twenty-first of April he distinguished himself in the victorious battle of San Jacinto—one of those great achievements which stand out in prominent immortality on the page of history—which decide the issues of war and the fate of nations, and which in the language of General Rusk saved the country from the yoke of bondage, and “at the close of which

the sun of liberty and independence arose in Texas, never, it is to be hoped to be obscured by the clouds of despotism." His daring intrepidity in the assault, and humanity after the defeat, won the admiration of an army where all were brave—all animated with the highest impulses of freemen—all electrified with an enthusiasm and a determined resolution which could not fail against even greater odds of achieving the triumph.

The wound of General Houston having disabled him from active service, Col. RUSK at the solicitation of the cabinet and of the army, accepted, though at great personal sacrifice, the command-in-chief, with the rank of Brigadier-General. The army was sustained in a state of great efficiency, but there being no second invasion nor active operations General RUSK next winter resigned his position, and also declined the office of Secretary of State, tendered him by President Houston, his private duties, burthened as he was with the support of his own and the family of a brother-in-law, requiring his attention.

Let us pause to reflect for a moment on the character of the struggle among the leading spirits of which the subject of these remarks occupies a very eminent rank. For grandeur and elevation of principle—for purity, fearlessness and loftiness of motive in its inception, as well as for gallantry and unconquerable resolution on the field of arms, we do not exaggerate when we say that it was not surpassed by any event in ancient or modern history. This was no war on the part of Texas for mere glory—for spoliation or for aggrandisement on the ruins of a weak or defenceless neighbor. This was a struggle by freemen who were born free, for their country, for their homes—for liberties secured to them by the most sacred guarantees, and which, without fault on their part, were threatened with utter extinction.

There is scarcely an instance in history in which there was so vast an inequality between the combatants, and the victory showed that in the language of divine truth, "the battle is not to the strong."

We did not rise against an oppressor so smitten by age, or enfeebled by decay, as to be tottering to his fall. Mexico held undisputed sway over a vast region which had comprised nineteen States, and four territories, now merged into a strong central despotism, with eight millions of inhabitants, with a large standing army, ably officered, fully munitioned, and thoroughly disciplined. Texas was but a single province of one of these former States, with a population not amounting to thirty thousand inhabitants, almost without an army or navy or munitions of war.

Texas was not leagued with other States or provinces as were the American colonies in 1776, capable many of them, of waging and sustaining war, supported as they were by foreign aid, actual and anticipated. She was alone without co-operation from any of her sister States or provinces—without even the hope of support from any foreign ally, though not without the active and warmest individual sympathies of many gallant and devoted friends of liberty in our native land who rallied—notwithstanding the pains and penalties of neutrality laws—to our support against the armed hosts of despotism.

The dark masses of the enemy were pouring over the land, with havoc and extermination for their watchword—and desolation marking their path.

The families—the women and children and the whole population not under arms, were fleeing from a merciless and brutal soldiery with fearful dread that the tomahawk and scalping knife of the savage might be turned soon upon them—sparing in their bloody rage, neither sex, age, nor innocence.

But the heroic spirits of Texas quailed not under these terrific circumstances. Their hearts trembled indeed for their wives and children, but as the enemy swelled in rage—in power—in menaces and deeds of extermination, so rose up high the spirit of resistance, the unfaltering resolution to sustain the liberties of their country, so long as there was one stout heart, or one single arm left to strike in their defence.

We may well say that in no struggle for liberty, ancient or modern, was there any one founded on more just or substantial rights—none more exalted in the motive—none certainly more daring and astonishing in enterprize—none in which the high resolve was more quickly followed by the heroic deed, or in which the career of despotism was crushed by a more speedy or decisive overthrow.

We may say of the second of March, 1836, as has been eloquently said of the fourth of July, 1776, that “on this day a nation was born at once—a new order of things arose, and an illustrious era in the history of human affairs commenced.” Most certainly a surprising era in the affairs of the American continent commenced on the second March, 1836. As the birth-day of our own independence, the day on which our liberties arose—it cannot be effaced from our hearts and recollections, nor should its annual return be suffered to pass without festivities and commemorations. Nor can we remember without gratitude the patriots who sustained Texas in the hour of her darkest peril. We reverence their names, we do homage to their patriotism, their burning zeal for liberty, and their exalted virtues. They rise in grand and brilliant array before the mind and the memory. Many have passed from this mortal scene. Let garlands be flung upon the graves of those who have passed to eternal life, and let the survivors be crowned with the respect, the honor and the veneration due to the fathers of our liberties. Among the most illustrious of these was THOMAS J. RUSK, one of the signers of the Declaration of Independence—the Secretary of war, when war was the highest object, and almost the entire business of the Government—the sound, the able adviser, the confidential counsellor of the Commander-in-Chief, in that awful emergency when a mistake in judgment—a false movement might have occasioned the most disastrous calamities, and been almost a death blow to our national existence, and finally was among the most distinguished of that chivalric band who swept the “minions of tyranny” as chaff before the wind and secured to Texas her equal rank among the nations of the

earth. Can the name of THOMAS J. RUSK be forgotten? Never. His name is indelibly associated with and will endure as long as the liberties of Texas survive. It will live as long as there is honor for exalted patriotism and worth, or gratitude and affectionate remembrance in the heart of man.

I will now resume the brief narrative of some of the more important events of the life of the patriot, whose services we commemorate. He was engaged in military service during a portion of the Summer and the greater portion of the Fall and Winter of 1838. In August, 1838, a rebellion of the Mexicans in the vicinity of Nacogdoches was suppressed by troops under his command, and, about the same time, he pursued a band of hostile Caddoes, and disarmed them within the limits of the United States. In October, 1838, at the head of two hundred men, he defeated, after a sharp engagement, the warriors of Kickapoo, a brave tribe of Indians, and, on the 15th and 16th of July, 1839, at the head of a regiment, a portion of the forces under the command of Brigadier General Douglass against the Cherokees, he was found in the thickest of the battles, and, by his daring and intrepidity, adding new laurels to the brightness of his fame.

In the meantime, in December, 1838, he had been elected Chief Justice of the Supreme Court, and, being absent on military service, perhaps not apprised of his election, no term of the Court was held in 1839. He presided at Austin in 1840, being the first term at which there was a quorum of the Court in attendance. He resigned during that year, and resumed a widely-extended, important and lucrative practice of the Law.

In 1843, he was elected Major General of the militia—an office with extensive powers, which, after a short period, he resigned.

But the political condition of Texas was now about to undergo an important change. A revolution (peaceful, in deed,) was to take from her a portion of her national sovereignty and independence, and incorporate her as one of the

States of the great Confederacy of the United States. Gen. RUSK was a warm friend of annexation, from its incipiency, in all its forms, and, in 1845, he was elected a member of the Convention, to frame the Constitution of the State. Of that Body he was unanimously declared the President, and served in that office with unsurpassed dignity, impartiality and ability. He did not confine himself to the duties of presiding officer, but mingled, frequently, in the debates on important measures, and his clear conceptions, comprehensive views, forcible eloquence, and conservative tendencies, with his weight of character, exerted a powerful influence in the deliberations of the Convention.

On the annexation of Texas, he was, in 1846, with great unanimity, elected one of her Representatives in the United States' Senate—an office, which, under the then existing circumstances, was felt to be of the deepest importance to the welfare of the State. He was twice re-elected, and such was his influential position in that august Body, and the estimation in which he was held by his fellow Senators, that he was elected President, *pro tem*, of the Senate, on the last day of its late session—this, the closing event of his Senatorial career, being one of the highest testimonials that could be offered to his abilities and to his worth, moral and intellectual.

I shall not attempt to recapitulate the political events occurring during the period of his Senatorship. His name, during the eleven years of his service, has been identified with some of the most important transactions that have transpired since the formation of the American Union. One of transcendent importance was the question of our Rio Grande Boundary, which, in 1850, assumed an aspect of complex difficulty, and, at one time, of the grossest outrage, and even of appalling danger to the State of Texas. The Rio Grande line had always been proclaimed and asserted by Texas. It was not disturbed by the measure of annexation, but was substantially enforced by the United States in their war with Mexico, and was admitted by the United States, especially the Executive

Department, up to 1850. It was then disputed, and, at one time, repudiated by the United States. The question presented various shapes of compromise—of threatened war, without compromise, if Texas attempted to enforce her jurisdiction; and of compromise with the threatened enforcement of the hostile claims of the United States in the event of Texas declining to accept the proposition. The question was also complicated, or attempted to be entangled, with other issues between the northern and southern sections of the Union.

The crisis demanded of our Representatives the highest degree of boldness, promptitude and solidity of judgment, profound sagacity, extended views of results immediate and remote, and an equanimity, which neither the injustice nor the menaces of enemies, nor the taunts of friends, (who were not unwilling that Texas should become the theatre, perhaps bloody, for the settlement of sectional issues,) could disturb or excite into such passion as might endanger the true interests of the State. These, and other great qualities, were found in Gen. RUSK. He had also commanding personal influence—was devoted, with the warmest and strongest attachment, to the Union, but with his primal affections for his own State, which, he declared, was entitled “to the first and last drop of blood that ran in his veins, in defence of her just rights against all opposition, however formidable.”

For eight long months was this exciting, dangerous question (in connection with others,) the subject of debate by the great statesmen and orators of the American Senate. On numerous occasions, and at all proper times, did Gen. RUSK, in clear, strong, emphatic terms, and with undeniable facts and conclusive arguments, vindicate the justice of our claims, solemnly admonishing the country of the dangerous consequences of any violent infraction of our rights, as the State, against all opposition, would resist injustice and oppression to the end—refuting objections, and repelling the unfounded assumptions of the adversary claim. The decision of his character, the ability and straight-forward earnestness of his

arguments, had great efficiency in producing the final result of an honorable compromise, for which he voted, and which was afterwards accepted by an immense majority of the people of the State. And thus was settled a most perilous controversy, which threatened, at one period, to deluge the State in blood, and, in its ultimate consequences, to destroy the Union itself.

It might be deemed unjust, in this connection, not to allude to the cordial co-operation between our Senators in all the measures connected with the Boundary question ; and that, in all its stages—and in its darkest perils, the commanding abilities of Gen. HOUSTON, his prudence, eloquence, energies and influence, were exerted with powerful effect to sustain the honor, the rights, the safety, and the interests of the State,—and that these were most ably, eloquently and earnestly illustrated, vindicated and sustained by MESSRS. KAUFMAN and HOWARD, in the House of Representatives.

In the progress of this debate, on the twenty-eighth day of February, 1850, Mr. RUSK gave an exposition of his views on the subject of non-intervention, and strenuously maintained that the slave-holding States have an equal share with the other States in the Territories of the United States, and an equal right to remove there with their slaves as their property; that the Territories were, in fact, open to all—to be equally enjoyed by all sections of the Union.

This great doctrine of non-intervention, or the equality of rights and privileges of the several States in the Territories of the United States, he, four years afterwards, affirmed by his vote on the Kansas and Nebraska Bill ; and it was again and emphatically asserted by him in the debates at the last session of Congress.

There were many other important measures and principles with which he was identified, but which cannot, within the limits of this Eulogy, be enumerated.

As Chairman of the committee on Post Offices and Post Roads, he had an intimate knowledge of the Postal arrange-

ments and wants of the country. And so deeply was his loss deplored by the Department, that the Post Master General, in an official letter, has paid a feeling and affecting tribute to his character and memory.

His deep interest in railroad improvements, and his efforts and services in giving an impulse to the great line which is to span the continent, and link the Atlantic and Pacific together as with bands of iron, were most important, but are too familiar to have been forgotten, or even obscured in the recollection.

He was rarely absent from his post in the Senate. With untiring assiduity he examined thoroughly the questions before that body, and his opinion when formed, especially on subjects before Committees to which he was attached, had a force almost irresistible.

No man ever served in public life more entirely free from even the suspicion of corrupt, mercenary, or improper motives. With integrity, purity and singleness of purpose, he devoted his great talents to his country, unswerved by selfish designs, or the impulses of an ill-regulated ambition. He was endowed with moral courage in an eminent degree. As an illustration, on the Boundary question, he expressed his determination to vote for a proposition which he thought Texas might with honor accept, though from information on which he relied, he felt conscious that by such vote, he would forfeit his seat in the Senate. This anticipation, happily for the country, proved to be groundless. Texas did accept the proposition. But his resolution showed that even against a justly indignant public sentiment—but exasperated in his opinion to such a degree as to be deaf to the suggestions of prudence—he had a spirit which could boldly stand up for what he deemed the true honor and interests of the State, though at the risk, nay, the certainty of the sacrifice of himself.

He was generous, magnanimous, brave and humane. He was largely endowed with that fine electric quality which seems the gift of nature—the result, perhaps, of a rare combination of the higher qualities of the intellect and of the heart, which

inspires confidence, and exerts in a mystical way, a control over surrounding persons, which exacts obedience from a soldier more from attachment and a high and implicit trust, than from the force of discipline, which in the hour of danger, draws all to him as the pilot who must weather the storm ; which arbitrates and settles the difficulties of others, makes friends everywhere without effort, and in legislative assemblies, gives an influence which no mere talent, intellect, energy or efforts to please can ever possess.

Gen. Rusk had all the essentials of genuine eloquence. He mastered the strong points of the subject—had clear conceptions, sound practical common sense views. These were expressed with clearness, force, simplicity, directness, and with a bold and impassioned earnestness if required by the occasion, and these, aided by his lofty presence, full voice and beaming and expressive countenance, seldom failed or to propel the minds of his hearers before him, and produce conviction, the object of all eloquence.

Without discussing particularly his character as a Lawyer and as a Judge, we may say that he combined the important elements necessary to constitute a great Lawyer. He had a thorough knowledge of the principles of the Law—a vast fund of common sense, a familiar acquaintance with the springs of human action—a spirit of investigation carried to any extent required to enable him to master the great points in the facts and law of the cause. These were presented with great force of logic and with an earnestness and directness which very generally imbued the minds of the jurors or tribunals, with his own impulses and views, and gave him a success surpassed by none if reached by any of the many eminent gentlemen who were his cotemporaries in the practice, and who by their abilities, learning and worth, were ornaments at once of the profession and of their country.

As a Judge, his career was too brief to form an important feature in the figure of his life. He presided at but one Term of the Supreme Court, at which, in the consultation room and

in his opinions, he gave abundant evidence of capacities for high judicial eminence—capacities which were developed with such grandeur and brightness in other spheres of public service.

When the grave closes over men full of years and honors, who have reached the verge of human life, their death, as all the ends of living had been attained, does not affect us with a deep sense of loss or calamity. But the subject of these remarks was stricken from existence many years before the allotted period of human life. He was in the mid career of his usefulness—he might have reasonably anticipated the highest honors in the gift of the Government. His name had been prominent on occasions as a candidate for the Presidency. A laudable ambition in one who like him, had the requisite capacities, he sought not the office by schemes and contrivances, or by efforts, having that object in view as their immediate or ultimate effects. While he sought not, he would not have declined the trust, and notwithstanding an innate modesty and diffidence which required the stimulus of friendship to induce him to accept office, yet the current of public opinion in his favor was increasing with such volume and force, the confidence in his abilities, integrity and patriotism was deepening and widening so rapidly that, had he lived, he would most probably have been promoted to the most exalted station by the voice of a grateful and admiring country. His sudden death under these circumstances, is a painful shock to the sensibilities of the mind. It is felt as an untimely stroke, as a national calamity, betokening we know not what of evil or misfortune.

In his private relations, he was hospitable and kind, beloved of all his neighbors. He lived in patriarchal simplicity. All were welcome at his house, the humblest visited him, and were equally welcome and at home with the richest and greatest of the land. In the words of a friend, benevolence and kindness were more conspicuous in him than in any man he ever knew. He was deeply affectionate and tender in his family circle; no word of unkindness to any member of his family was ever heard to flow from his lips. His wife, the partner of his bosom

in youth and in age, in misfortune and in prosperity, was cherished by him with an indescribable fervor and depth of tenderness, love and affection, and her death in the previous year was a blow to his heart from which he never recovered. But it avails not to enumerate his virtues, public or private, or his services, or the hopes of his country untimely blighted. He is gone ! so far as a great man who lives in the imperishable records of his country's history can die. He has left us a bright heritage of Liberties won by his valor, and sustained and invigorated by the wisdom of his councils, and he has left a glorious example of exalted abilities and noble virtues all devoted to the service of his country.

The manner of his death is the only shade on the grand and brilliant picture of his long, glorious and useful life. He had been weak and sick for some time—the death of his wife had been to him a crushing affliction—his grief acting through the disordered state of his physical condition, produced such an increasing degree of gloom and melancholy, as finally to weaken the control of reason, and in a moment of temporary insanity to produce the melancholy catastrophe which has filled the country with lamentation and woe. Let the tears of sympathy flow for this sudden collapse of one of the finest of mental organizations, striking as it did from life and from his country forever, one of her most illustrious and venerated Patriots and Statesman.

Death cometh to all as surely as the sun runneth his daily course, but it cannot obliterate the services which this great man has rendered to his country. It cannot diminish the brightness of his memory, shining as a star in the political heavens, and exerting for ages in the future its benign agency over the political destinies of the people. But, fellow-citizens, I will not attempt to detain you longer by this feeble tribute to the memory of the deceased. We may not look on his like again. His place may be filled, but who can fill the void in the hearts of his countrymen. We may, however, attempt to imitate his example, to emulate his virtues, to love our country

with devoted, uncalculating affection, to give it our hearts and souls, and if necessary, "the first and the last drop of blood that runs in our veins," to sustain the honor and rights of our beloved State against all opposition and to every extremity, and to fervently hope with him that this mighty, this growing Republic, may be perpetuated over a people enjoying all the blessings of Liberty, and all the beneficent glories of a union of patriotic fraternal feeling, and of constitutional and equal rights.



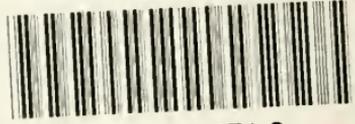








LIBRARY OF CONGRESS



0 014 495 471 3

