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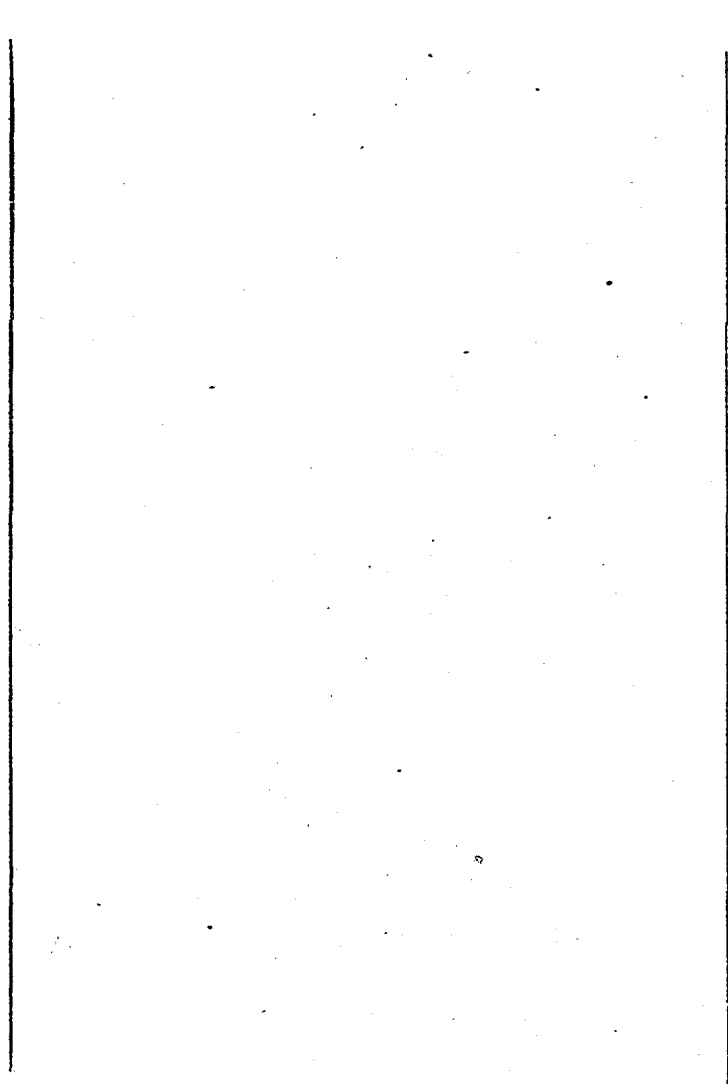
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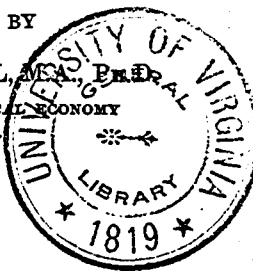
SOUTHERN ORATORS

SPEECHES AND ORATIONS

SELECTED AND EDITED BY

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PROFESSOR OF HISTORY AND POLITICAL ECONOMY
DAVIDSON COLLEGE, N.C.



New York

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PREFACE

IN presenting to the public this collection of Southern oratory, I wish to explain that I do not consider it in any sense complete. The selections are confined chiefly to the field of political oratory. Even this limited division of the field is exceedingly rich in material, and doubtless some speakers are omitted who deserve a place, while others are included who would not ordinarily be considered. In a few cases, I have desired to give a specimen of a speaker's oratory, but could not find a suitable selection. Most of the men selected are of national as well as of local reputation. Though at the present time we have a number of orators of unusual excellence, particularly among our leaders in education, lack of space has prevented me from including any of them.

My chief purpose in preparing this volume has been to interest the young men of the South and the nation in the study of the literary productions and political ideals of our forefathers. Americans have always been great lovers of oratory, but this was true especially of the generations before the Civil War. During that period in our history, most of our great leaders were men of eloquent speech, and an understanding of their lives and speeches is essential to a true conception of our political growth and sentiments. In that day, when newspapers were

scarce and the postal service undeveloped, public speakings were the means of educating the people in current questions. The average Southerner, though not so widely read as his brother at the North, was better informed in regard to national political issues. The social organization of his section provided a class who had the leisure to study national affairs and who prided themselves on being able to instruct the common people clearly and forcefully.

To all those who have given me help in any way, I express my sincere thanks. Most of the selections from the Revolutionary period were suggested by Mr. A. B. Rhett, Charleston, South Carolina. I am peculiarly indebted to Dr. Charles W. Kent, University of Virginia, whose enthusiasm in the study of Southern literature is contagious, and at whose suggestion I undertook to prepare this volume.

J. MOORE McCONNELL.

DAVIDSON COLLEGE, N.C.,
November, 1909.

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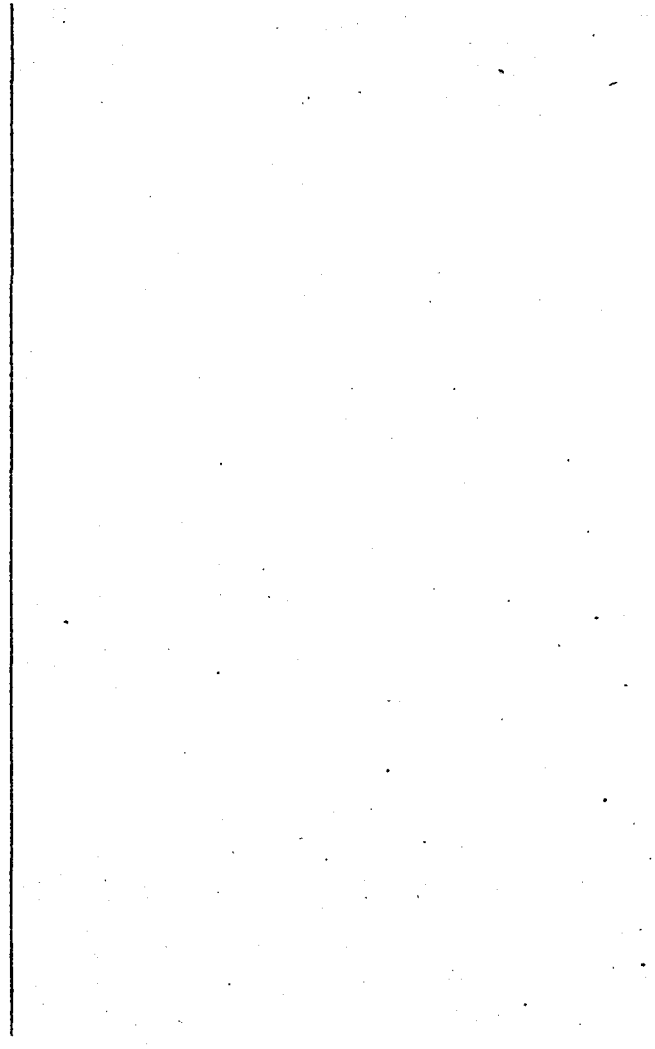
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INTRODUCTION

BIOGRAPHICAL NOTES

PATRICK HENRY

PATRICK HENRY, the greatest of our Revolutionary orators, and one of the world's great orators, was born in Virginia in 1736. Though he knew a little of the classics and mathematics, he was, in the main, poorly educated. Early in life, he tried storekeeping as a business, but failed at it. He then took up law, and practiced this profession till near the end of his life. He was a great statesman as well as a great orator, and from 1765 till his death in 1799, was one of the leaders in his State and in the nation. As an orator, he is chiefly famous for his speech in the "Parson's Cause" (1763), for the one on his resolutions to the Virginia Assembly declaring the rights of Virginia as opposed to the Stamp Act (1765), and for his "Give Me Liberty or Give Me Death" speech delivered before the Virginia Convention (1775) in behalf of resolutions he had proposed in favor of the colony's preparing for armed resistance to Great Britain. Henry was twice governor of Virginia, and could have had any office in the gift of the people of his State. He was offered the chief-justiceship of the United States by Washington, but declined it. In 1787 he was the leader in his State of the party opposed to the ratification of the Federal Constitution. His eloquence was of the fiery,

spontaneous kind that sweeps men from their feet, convinces them against their judgment, and forces them to action.

JOHN RUTLEDGE

The leading citizen in South Carolina during the Revolutionary War was John Rutledge. He was born in 1739. After studying law in London, he began to practice in Charleston. He was a member of the Continental Congress, 1774-1777, and of the Confederate Congress, 1782-1783. He was chairman of the committee that drafted the first constitution for his State, and under the new government established thereby was elected the first governor and made commander in chief of the State's military forces. He resigned from these offices in 1778, but was immediately reelected by the legislature. South Carolina sent him, at the head of her delegation, to the General Convention that drew up the Federal Constitution. He was appointed an associate justice of the United States Supreme Court in 1789, but resigned two years later to become chief justice of South Carolina. In 1795, Washington nominated him for the chief-justiceship of the United States, but the Senate declined to confirm the nomination. He died in 1800. Only fragments of his speeches remain, but it seems that he was the orator of his State during the Revolutionary period.

EDMUND RANDOLPH

Edmund Randolph was born at Williamsburg, Virginia, 1753. He has graduated at William and Mary College, and studied law. He was a member of the com-

mittee that framed the constitution of Virginia, and assisted in drawing up the bill of rights adopted the same year (1776). After serving as attorney-general of the State, he was sent as a delegate to the Continental Congress. He was a member of the Annapolis Convention that issued a call for a Constitutional Convention. Governor of Virginia from 1786-1788, he headed the Virginia delegation to the General Convention, and was chosen by his colleagues to lay the Virginia Plan before the assembled delegates. He refused to sign the Constitution as finally adopted, but later voted for it in the Virginia State Convention on the ground that proposed amendments would remove his objections. Washington appointed him Attorney-general in his first Cabinet, and when Jefferson resigned promoted him to the secretaryship of State. He opposed the Jay Treaty with England, but Washington signed it anyway, and Randolph resigned. The French Minister charged him with being willing to accept a bribe, but later retracted the accusation. After giving up his portfolio, he resumed the practice of law. He was counsel for Burr during the latter's trial at Richmond, 1807. He died in Virginia, 1813. Though possessing ability and some gifts as a speaker, Randolph seems to have been vacillating in character, and consequently failed to live up to the opportunities of leadership at one time offered him.

GEORGE MASON

The year 1725 is the date, and Virginia the place, of George Mason's birth. He was the son of a large planter, and was educated at home, never attending college. He

first became prominent in his State in 1775, when he was the leading member of a committee appointed to draw up a bill of rights and constitution for Virginia. The committee's report, adopted in 1776, was almost altogether his work. He was a member of the Federal Convention in 1787, but because of the third compromise and the omission of a bill of rights, refused to sign the Constitution, and joined Henry in opposing its ratification by the State Convention. However, Madison, the "Father of the Constitution," supported by the influence of Washington and Jefferson, carried the day. Mason died in 1792. Power of argument and analysis are his chief characteristics as a speaker.

WILLIAM WIRT

The subject of this sketch was born in Maryland in 1772. His early training was excellent. In 1792, he was admitted to the practice of law in Virginia. Here he practiced his profession and filled several political offices, till appointed Attorney-general of the United States in President Monroe's Cabinet, 1817. He also served in the same position throughout President Adams's administration. He declined a professorship of law at the University of Virginia, 1826, and six years later was presidential candidate on the Anti-Mason ticket, but received only seven electoral votes. His death occurred in Washington, District of Columbia, 1834. Mr. Wirt was an author of some reputation as well as an orator. Among his literary productions are: "Letters of a British Spy," "Life of Patrick Henry," and "The Old Bachelor." His most famous speeches are: "The Trial of Aaron Burr,"

"Eulogy on Adams and Jefferson," and "An Address before the Literary Societies of Rutgers College." His style as an orator was polished, graceful, and literary.

WILLIAM PINKNEY

William Pinkney was born in Maryland in 1764. His early training was meager, but he studied law, and in 1786 was admitted to the bar. By constant study, he soon established an enviable reputation as an orator and constitutional lawyer. He was a member of the Maryland Convention that ratified the Federal Constitution. He was our commissioner to England under the Jay Treaty in 1796, and, being selected for similar service in 1806, was promoted the following year to the position of Minister to England. Between 1811 and 1814, he was Attorney-general of the United States. A year later he was elected to a seat in Congress, but after a short service in the House, resigned to become our Minister to Russia. He was elected to the United States Senate in 1819, and continued an active member of this body till his death, in 1822. His greatest speeches are his speech in the case of the *Nereide* before the United States Supreme Court (1815); in the case of the United States Bank claiming exemption from State taxation (1819); and his famous argument against the admission of Missouri with any restrictions as to slavery, made during the debate on the Missouri Compromise of 1820. His style is elaborate and rhetorical, but has a decided literary finish. He ranked as one of the greatest orators and legal scholars of his time.

JOHN RANDOLPH

John Randolph of Roanoke was born in Virginia in 1773. He was a descendant of Pocahontas. Studious as a child, he was given educational advantages, and when a young man was a student at Princeton and Columbia colleges. His fame as an orator was established in a local way in 1799, when he dared to meet Patrick Henry in joint debate. In that year he was elected to the House of Representatives, where he served his country for twenty-four years. He was a member of the United States Senate for two years, and for a short time was our Minister to Russia. Mr. Randolph was a Democratic Republican, and clung tenaciously to the original principles of the party, even after its leaders had changed in their views. He voted against the Missouri Compromise of 1820. In the Virginia Convention of 1829-1830, he opposed any change in the constitution of 1776. While a member of the United States Senate he attacked Clay in a violent speech, charging him with having made a bargain with John Quincy Adams by which Adams was elected President by the House and Clay was given the secretaryship of State. Clay challenged Randolph, and they met, but the duel was bloodless. Randolph died in 1833. As an orator he was brilliant and courageous, but his disposition was moody and his judgment erratic. He made a valuable member of the Opposition, where his sarcasm and "long bony finger" kept the party in power in constant uneasiness lest he pick out and denounce some ill-considered act. His greatest speeches, perhaps, are the following, all of which were delivered in Congress: "Non-

Importation of Goods from Great Britain," March, 1806; "Internal Improvements," January, 1824; and "Retrenchment," February, 1828.

ROBERT BARNWELL RHETT

Robert Barnwell Rhett, "the paramount advocate of the secession of South Carolina," was the son of James and Marianna Smith. He was born at Beaufort, South Carolina, December 24, 1800, and died in Louisiana, September 14, 1876. He adopted the name Rhett (from a colonial ancestor) in 1837.

He studied law, and in 1826 was elected to the State legislature. He issued, June 12, 1828, the Colleton Address, which instituted the Nullification movement. He urged resistance to the tariff, "not from a desire for disunion," but to "bring back the Constitution to its original uncorrupted principles." He opposed the Compromise of 1833, foreseeing no guarantee of the keeping of that compromise, and had already reached the conclusion that secession was inevitable.

In 1833 Rhett was elected attorney-general of his State, and in 1836 was sent to Congress. From the first he was a leading advocate of strict construction and of State rights. His leading many of the Southern members from the House after Slade's attack upon slavery in 1838, led to the adoption of the Twenty-first Rule, excluding Abolition petitions. In 1839, and in the following session, he made important speeches on the Independent Treasury Bill, the Treasury Note Bill, the Fortification Bill, and the Tariff.

When the Democratic party, 1844, failed to restore the tariff of 1833, Rhett urged resistance by South Carolina, stating that if resistance were not made on the tariff issue, it would come on the more delicate and sectional one of slavery.

During the Polk administration Rhett supported the admission of Texas, and, in opposition to Calhoun, the war policy. He was brought again into friendly relations with Calhoun by his speech against squatter sovereignty, the first made in the House on that subject. During the dispute over the Oregon boundary, he delivered an able argument on the peace side, although warned that such a stand meant political destruction. Recognized now by zeal, sincerity, and ability in debate as one of the most influential leaders of the administration party in Congress, he was, 1847, the unsuccessful candidate of that party for the speakership. In 1849, he declined reelection to the House.

Again in opposition to Calhoun, he supported Cass, as did South Carolina. When the Southern States held their convention at Nashville, 1850, Rhett prepared the Address of the Convention. In 1850 he was elected, upon the death of Calhoun, to the United States Senate. Already the leader of the secession party of the State, from this date he was the most powerful political influence within her borders. In the South Carolina Convention of 1851-1852 he urged from first to last the immediate secession of the State. Upon the refusal of the convention to secede, he resigned the senatorship, feeling rebuked in his advanced views.

He remained in retirement until elected a delegate to

the Secession Convention, 1860, where he served as one of the committee to draft the ordinance. Elected a delegate to the Convention of Southern States at Montgomery, 1861, he was considered for the presidency of the Confederacy as the leader of the extreme party. As chairman of the committee on the new constitution, he proposed the leading changes which it contains.

After this, he devoted himself to influencing public opinion through the columns of the *Charleston Mercury*, in the latter years of the war making it a recognized leader of the opposition to the Davis administration, in its advocacy of a more energetic and decisive policy. After the war, again in private life, he occupied himself in vindicating the measures of the past through the medium of the same columns. His last public appearance was as a delegate to the Democratic National Convention, 1868.

JOHN MACPHERSON BERRIEN

John Macpherson Berrien was born in New Jersey in 1781. His father moved to Georgia, but when the boy grew up returned him to Princeton College in his native State for his education. He studied law, and began to practice in Georgia in 1799 at the age of nineteen. Between 1809 and 1821, he was first solicitor, and then judge, in his district. He was a member of the United States Senate, 1824-1829, resigning the latter year to become Attorney-general in President Jackson's Cabinet. He gave up this office in 1831, and was offered the mission to Great Britain, but declined. He served again in the United States Senate between 1841-1845 and 1847-1852.

He was on the Georgia Supreme Bench, 1845-1847. He died in 1856. "His speech in the Senate on the constitutionality of the bankrupt law won general commendation, and drew from Mr. Clay a graceful compliment in open session of the Senate." (Appleton's Encyclopedia.) His orations are characterized by scholarship and literary finish.

BENJAMIN WATKINS LEIGH

Benjamin Watkins Leigh was born in Chesterfield County, Virginia, June 18, 1781. After a preliminary education he entered the College of William and Mary, and, in 1802, graduated from that historic institution. Having served at a later period as a member of the Virginia House of Delegates, he was elected in 1829 to the State Constitutional Convention, in which body he served with distinguished ability.

In 1834 Mr. Leigh was elected to the United States Senate from Virginia, as a Whig, *vice* William C. Rives, Democrat, who had resigned. Though reëlected for six years, he served in all only two or three years; that is, from March 5, 1834, till some time in 1836, resigning that year. Mr. Wise, who is quoted below, declared Mr. Leigh to be a debater "of the senatorial order"; and thinks that, had he been earlier in the Senate, as long as Clay, Webster, or Calhoun, he would have been the master in that body, even with all three of those just named present.

From 1829 to 1841 Mr. Leigh was the official reporter of the Virginia State Court of Appeals. He died at Richmond, February 2, 1849.

An eminent contemporary, Henry Alexander Wise, describes Mr. Leigh and his manner of speaking in the following terms:—

“He was a small man, yet in speaking seemed large, so elevated was he by his theme, and so gallant and game was his mien. He was lame, one leg shortened, and wore a cork sole on one of his boots. When about to be emphatic, he usually caught his left wrist in his right hand and sank back on his lame leg, pausing to poise himself, and, as he rose to the climax of what he was about to utter, would bear upon his sound leg and rise on it with his hands free. This attitude was not always graceful, but always excited sympathy in his hearer for his infirmity. . . .

“He was not a vehement orator in tone, but was most earnest in utterance and manner. He had a soft, clear, flutelike voice, but it was not loud. He carried no audience by vociferation or violent action; but he trickled, as it were, gently upon his hearers, and they were held in mute attention by a murmuring music, his eye looking more than he said, and his speech and bearing glowing with a genial integrity of thought which put opposition to blush, it was so clear, so simple, so pure, so generous, so just, and so warm with manly honor and feeling. Every word was right in the right place, his accent and pronunciation were precisely correct, and the modulation of his voice was natural and sweetly touching.”

ROBERT YOUNG HAYNE

Hayne was born in 1791. Coming of a cultured family, his early training was good. He studied law under Lang-

don Cheves, a leader in the State, and began practice in 1812. The war with England beginning that year, he entered the service with a regiment of volunteers, and remained in the army till peace was made. He was elected to the State legislature soon afterwards, and in 1818 was chosen speaker of the House. The same year he was elected attorney-general of his state and served four years. In 1823 he was sent to the United States Senate. Here he made his voice heard against the Protective Tariff Bills introduced in Congress. In January, 1832, he and Webster had their famous debate over the rights of the States and the general government under the Federal Constitution. Hayne argued for State rights and nullification. Though he was historically correct in his interpretation of the Constitution, he gave utterance to the ideals of the past. Webster, who contended for nationality and the Union, though historically inaccurate at points, spoke the mind of the future, and posterity has given him the greater praise. In the argument, Webster was able to overthrow Hayne only in the point where the Southerner made the mistake of declaring the general government to be a *party to the contract* instead of the *agent of the states*. Though Hayne displayed remarkable oratorical ability in the brilliant debate, Webster's speech, as we have it, is superior in structure and literary finish. In 1832 Hayne presided over the South Carolina Nullification Convention, and a month later was elected governor of the State. His inaugural is a gem of oratory. He died in 1839 while planning to build a railroad across the Blue Ridge, which he hoped would identify the interests of his section and the West, and bring them together politically.

JOHN CALDWELL CALHOUN

John C. Calhoun, the "Great Nullifier," was born in South Carolina, 1782, and died in Washington, District of Columbia, 1850. After a brief course under his brother-in-law, Dr. Waddell, who conducted an unusually successful boys' school during his day, Calhoun entered Yale. Within three years he had graduated with honor, and at once began the study of law. Admitted to practice, 1807, he located in South Carolina. After serving in the State legislature, he was elected to Congress in 1811. From this time till his death, he was almost constantly in office under the national government, either as representative in Congress, Senator, Vice President, Secretary of War, or Secretary of State. He was a leader in Congress in bringing on war with England in 1812, and for a few years after the war advocated a protective tariff, a national bank, internal improvements by the Federal government, and other nationalistic policies. During his secretaryship of war, however, he witnessed the fight in Congress over the Missouri Compromise of 1820, and also heard the cry of the manufacturers for more and more protection. Convinced that the South's interests were endangered, and realizing that they were in the minority, he sought the protection of the Constitution for his section, and became thenceforth the leader of the State rights party. He was Vice President 1825-1832, but resigned the latter year to become senator from South Carolina, so as to be in a position to defend nullification in Congress. In 1844, he was appointed Secretary of State by Tyler. He favored the annexation of Texas, and nego-

tiated the treaty which failed of ratification by the Senate. He opposed the Mexican War, foreseeing that it would revive the dispute about slavery in the territories. In 1845, Calhoun was returned to the Senate, there to remain till his death, fighting for the rights of his section as he saw them involved in the preservation of an institution doomed to destruction by the progress of his age. There is little doubt that he understood the political conditions of his time better than any one else, and that he saw more clearly than any one else what must be the ultimate result of political forces at play. The tragedy of the situation was that he, a champion of freedom and a great lover of the Union, was defending an institution utterly at variance with a free government and advocating a plan that would have disrupted the Union, despite his wish to the contrary. His last great speech, read in the Senate by his friend Mr. Mason of Virginia, was a masterly analysis of conditions and causes, but it failed to offer a practicable way of escape from the alarming state of affairs and has in it the note of defeat. It was not Calhoun's greatest speech. That had been made in 1833, when he was arguing for State rights as a principle of government and not as a means of protecting a decaying social institution.

As an orator Mr. Calhoun possessed a clear, simple style. He aimed at being understood, and appealed to reason rather than to the emotions. He was too analytical in method of treatment to be a popular speaker, and framed his thoughts for minds of the senatorial order. He is South Carolina's greatest son, and takes rank with Jefferson and Madison as one of the South's great political thinkers.

GEORGE McDUFFIE

The place and date of George McDuffie's birth are obscure, but he was probably born in Columbia County, Georgia, 1788. He was educated at the Waddell Boys' School, Abbeville County, South Carolina, and at South Carolina College. He graduated from the latter institution in 1813 with first honors. "His graduating speech, on the 'Permanence of the Union,' was published at the request of the students. It was of this man that Judge Huger remarked, that if South Carolina College had produced only George McDuffie, she would have amply repaid the State for all its expenditure for her support." He began the practice of law in 1814, and after some adversities secured a large practice. After serving, with distinction, one term in the State legislature, he was sent to represent his district in Congress. Here he remained thirteen years, resigning in 1834 to become governor of South Carolina. His career in Congress was marked by his fight for the principle of State sovereignty in the Union and by his opposition to the protective tariff. His views on the tariff were so widely accepted throughout the South that Burgess calls him the "political economist" of the slavery régime, as Calhoun was its "political scientist."

At the expiration of his term as governor, Mr. McDuffie retired from public life till 1842, when he opposed and defeated William C. Preston for the United States senatorship. On account of failing health he resigned this office in 1846. Five years later he died of a spinal trouble caused by a wound received in a duel fought during the early part of his career in Congress.

As an orator Mr. McDuffie was clear, forceful, and convincing. "Few equaled him in the ability to persuade the masses." His sentence structure and composition are excellent, and his speeches *read* well. William C. Preston, himself a paragon of Southern eloquence, "declared that he fulfilled his idea and conception of Demosthenes more than any one he had ever heard." Among his best speeches are his speech on the power of the executive (1834), another on the election of the President and Vice President of the United States (1826), and his eulogy on R. Y. Hayne (1840). The two latter have been edited by Professor E. L. Green (South Carolina University) and published by The State Company. A short biographical notice, from which I have obtained the facts for this sketch, accompanies the selections.

SERGEANT SMITH PRENTISS

Sergeant S. Prentiss was born in Maine, 1808. After a good preparatory training, he entered Bowdoin College, and in 1826 received from the institution the Bachelor's degree, and three years later the degree of Master of Arts. He studied law in a private office at Gorham, Maine, and later for a year in Ohio. By 1829 he had moved to Natchez, Mississippi, and begun practice. He was a member of the State legislature, 1835, and in 1837 ran for Congress. The certificate of election was given to his opponent, but Prentiss contested the result, and defended his claim before the House of Representatives in one of the most brilliant speeches ever delivered before that body. He spoke three hours a day for three days in succession, and it is said that his eloquence attracted such attention that the

Senate chamber was practically empty during his speech. Webster is reported to have said that the effort could not have been surpassed. The House, by the deciding vote of the Speaker, James K. Polk, declared the seat vacant, and in the second election Prentiss was chosen. He served for only one term. In 1840, he was a prominent Whig speaker in the presidential campaign. Disgusted with his State because it had repudiated a bonded debt, he moved in 1845 to New Orleans, where he remained till a short time before his death. He died July, 1850. A correct estimate of this remarkable man is difficult to make. Without question he possessed unusual oratorical gifts, but he was Byronic in temperament and lacked constructive ability. If he had fixed his heart with a determined will upon some great moral purpose, his genius would have made him one of our great leaders. Very few of his speeches were written out beforehand, and as no stenographic reports were kept in that day, his wonderful powers as an orator are largely a matter of tradition. He seems to have had an unusual fluency and ease of expression, a most vivid imagination, and a memory that enabled him to call with unfailing certainty upon a storehouse of facts and thoughts gleaned from a wide acquaintance with literature.

THOMAS HART BENTON

Thomas H. Benton was born at Hillsborough, North Carolina, 1782. He took a short course at the University of North Carolina, but soon withdrew and moved to Tennessee. Here he practiced law for several years.

The War of 1812 coming on, he joined Jackson's forces, and by the close of the war was a colonel of volunteers. Resigning his commission, he moved to Missouri and established *The Inquirer*, a proslavery paper, at St. Louis. He was a vigorous advocate of the Missouri Compromise, and when the State was admitted, 1821, was one of her first senators. For the next thirty years he held this office, and, before his term of service expired, had become, along with Clay, Calhoun, and Webster, one of the leaders in the United States Senate. He was a Westerner in spirit, and national in his views of the government of the United States. During Jackson's administrations, Benton was his staunchest friend in the Senate. His firm belief in gold and silver currency in preference to the paper issues of that period, won for him the nickname "Old Bullion." Despite his conspicuous service to his State and section, he was defeated for the senatorship, 1851. The following year he was sent as a representative to Congress, but retained this office only one term. Immediately after this second defeat, he set to work to finish his "Thirty Years' View" — a history of our government from 1820 to 1850. This being completed, he began the "Abridgment of the Debates of Congress from 1787 to 1856." He brought this work down to 1850, but, broken in health by the labor of it, died before he could finish the undertaking, April, 1858. His speeches show wide reading and research, but are lacking in simplicity and finish.

In speaking of his later period in Congress, Roosevelt, his biographer, says: "His speeches were showing a steady improvement; they were not masterpieces, even at the

last, but in every way, especially in style, they were infinitely superior to those that he had made on his first entrance into public life." The same author considers his speech against the Kansas-Nebraska Bill, 1854, "his great speech, and one of the best and greatest that he ever made."

JAMES KNOX POLK

The only President who is given a place in our collection of Southern orators is James Knox Polk. He was born in North Carolina, in 1795. When eleven years old he moved with his father to Tennessee. He returned to his native State for his education, and was graduated with first honor at Chapel Hill, North Carolina, 1818. After studying law for two years under Felix Grundy, a lawyer and speaker of prominence, he began practicing at Columbia, Tennessee. He was elected to the United States House of Representatives in 1825, and held this position for fourteen successive years. During his membership he was on a number of important committees, and from 1835 to 1839 was Speaker of the House. In 1839 he was elected governor of Tennessee, and stood for reelection in 1841 and in 1843, but was defeated. The Democrats chose him as their presidential nominee in 1844, and he was elected over his brilliant Whig opponent, Henry Clay. His platform was the "reannexation of Texas and the reoccupation of Oregon," and during his administration the Oregon Territory was acquired permanently, and Texas was admitted. War with Mexico resulted from the annexation of Texas, and at the conclusion of the war we acquired a vast tract of territory

from Mexico. Polk's administration was one of the most far-reaching in its results of any of our presidential terms. He died in 1849, soon after retiring from office.

As an orator Mr. Polk was simple and direct. He lacked imagination and figurative expression, but was always extremely clear and logical. The title "Napoleon of the Stump," given to him by his admirers in Tennessee, seems to me extravagant. Among his best printed speeches are his speech on the tariff, delivered in the House of Representatives, 1834, and his inaugurals, when he became governor of Tennessee, and when he was inaugurated President.

WILLIAM CAMPBELL PRESTON

—William C. Preston was born in Philadelphia, Pennsylvania, 1794, during a session of Congress, of which his father, a representative from Virginia, was a member. He entered Washington College (now Washington and Lee University) for his collegiate training, but finding the climate there too severe for his weak lungs, moved to South Carolina College, Columbia. He graduated at this institution in 1812, and soon afterwards began the study of law in the office of William Wirt, Richmond, Virginia. He spent some years abroad for his health, and for study and culture, before beginning the practice of law in Virginia, 1820. Two years later he moved to South Carolina. He was a member of the South Carolina legislature, 1829-1832. He was elected to the United States Senate, 1836, and was reelected for a second term, but resigned 1842, because he was unwilling to support

Van Buren's candidacy for reelection, as South Carolina had done. In 1845, he was made president and professor of English literature of South Carolina College, and continued in this position till 1851. Charles F. Thwing says of him ("Higher Education in America," p. 243): "An excellent classical scholar for his time and the most eloquent orator that the South, ever conspicuous for its sons of eloquent speech, has had, his brief career as president was most brilliant." He died at Columbia, 1860.

Mr. Preston's style of oratory was ornate, and his carefully prepared productions contain frequent quotations from the classics and modern literature. His powers of elocution were marvelous. It is said that once while reciting Campbell's "Hohenlinden" to a class in literature, the members were so impressed that they were literally swept from their seats, and at the conclusion of the recitation all the class were standing around their teacher. Another anecdote, somewhat humorous in character, illustrates the same point. On an occasion when Mr. Preston was speaking at a large political meeting near Baltimore, an elderly member of the audience, who was hard of hearing, exclaimed to a near-by friend, with more of enthusiasm than grammatical accuracy: "I can't hear him! But, Great Jericho! don't he do the movements splendid!"

HENRY CLAY

Henry Clay, one of the leading figures in our country between 1810 and 1850, was born in a district known as "The Slashes," in Hanover County, Virginia. Left at an early age to make his own way, he attracted the atten-

tion of some prominent men in Richmond, Virginia, who helped him to improve his education and to study law. Upon being admitted to the bar in 1797, he moved to Kentucky, where he had his home during the remainder of his life. He soon rose to prominence in his State, and in 1806, and again in 1809, was appointed to fill out an unexpired term in the United States Senate. In 1811 he was elected to the House of Representatives. Except for his term as Secretary of State under Adams, and two other short intermissions, he spent his remaining forty-one years in Congress, as a member of either the Lower or Upper House. He was elected Speaker when he first entered the House, and served, all together, as Speaker of six Congresses. In the Senate, he was always a leader, taking rank along with Calhoun and Webster. He was a presidential candidate three times, twice as the nominee of the Whig party, which he founded and led till his death. He was the author of the "American System" of taxation for protection, of the Compromise Tariff Bill, 1833, and of the famous Compromise of 1850, by which he tried to settle amicably the dispute between the North and South over slavery.

Among his many notable speeches, the one on the Compromise of 1850, and his farewell to the Senate, 1842, are probably best known. He was a captivating speaker, brilliant at times, but lacking in comprehensiveness of details and literary finish. He was the greatest parliamentary leader our country has produced, and possessed a personal magnetism that seemed to cast a spell over those who came under his influence. I have been told that on one occasion a prominent Virginia judge, disgusted

that the two senators from his State were, as it seemed to him, being led around by the nose by Clay, went to Washington to remonstrate with them and advise that they assert their independence. It turned out that Clay was to speak the night after the judge's arrival, and the senators invited their friend to go to hear him. Before the speaking began, one of the senators called Clay to come and meet their friend. The judge related afterward that he was so impressed by the princely carriage and air of greatness about the man as he strode down the aisle, that immediately after the meeting he turned to his senator friends and remarked that he did not blame them for being led by Clay, as he was the most magnetic man he had ever seen.

ALEXANDER HAMILTON STEPHENS

Alexander H. Stephens was born in Georgia, 1812. He was early left an orphan, and secured an education with difficulty, but by 1832 was graduated from Franklin College (University of Georgia). After teaching school for a few years, he studied law and was admitted to practice. He soon entered politics, and between 1836 and 1843 served several terms in the State legislature. The latter year he was elected a representative in Congress, which position he held till his resignation, 1859. Stephens was a Whig during his early career, but after the disappearance of this party, the changing political conditions forced him to become a Democrat. He believed in secession as a constitutional right, but opposed it as inexpedient till his State withdrew, when he joined the

Confederate government. He was elected Vice President of the Confederacy, and held this office during the life of the ill-fated government. He headed a peace movement during the last years of the war, and was the leading member of the unsuccessful Confederate peace commission that met Federal representatives at Hampton Roads, February, 1865. After the war, he was imprisoned for several months at Boston, Massachusetts. In 1866 he was elected to the United States Senate, but was refused a seat, as Georgia had not been restored to the Union. After the State's restoration he was twice a candidate for this office, but each time was defeated. From 1873 to 1882 he was a representative in Congress, and, while defending Southern rights, worked to reunite his country. In 1882 he was elected governor of Georgia, but died in Atlanta, a year later, before serving out his term. Stephens's bold, independent spirit as a public leader led him into a number of difficulties, personal and political. Except for a short time during their disagreement on the question of secession, he and Toombs were fast friends throughout their lives. He and Ben H. Hill, another great Georgian, were often in bitter quarrels. He challenged Hill, and, at different times during his career, several other men, to duels, but none of his challenges were accepted. Though lacking in any of the physical gifts of an orator, his keen intellect and thorough grasp of facts and conditions made him a very effective speaker. Toombs referred to him on one occasion as "one of the brightest intellects and purest patriots" of his time. A contemporary newspaper reporter, in describing him, writes: "How invincible is the soul that dwells in his

shrunk and aching frame." He was the author of a "History of the United States," and of "The War Between the States." His greatest speeches are the oration delivered at the celebration of the one hundred and fiftieth anniversary of the settlement of Georgia, his speech at the unveiling of Carpenter's painting "The First Reading of the Emancipation Proclamation," the "Corner Stone" speech delivered at Savannah, 1861, and his oration before the Georgia legislature, at Milledgeville, 1861, on "The Present State of Affairs."

JOHN CABELL BRECKINRIDGE

John C. Breckinridge was born in Lexington, Kentucky, 1821. He came of distinguished ancestry. After receiving his academic education at Centre College, Kentucky, he studied law, and at the early age of nineteen began the practice of his profession. He soon became one of the leading lawyers of his State. The Mexican War coming on, he enlisted, but had little opportunity for service. His political career began by his election to the Kentucky legislature, 1849. Two years later he was sent as a representative to Congress, where he served two terms. President Pierce offered him the mission to Spain, but he declined the office. In 1856 he was elected Vice President under Buchanan. "Although the youngest officer who has ever held that position, he presided over the Senate with dignity and impartiality." While still Vice President, he was elected to the United States Senate by Kentucky, and in 1860 was the candidate of the Southern wing of the Democratic party for the presidency.

When the war broke out, he was made brigadier-general

in the Southern army. In the early years of the war, he did conspicuous service in the Southwest, and after the battle of Shiloh was promoted major general. He distinguished himself at the battles of Murfreesboro, Chickamauga, and Missionary Ridge. During 1864, he served with Lee in Virginia. In March, 1865, he was appointed Secretary of War by President Davis, and held the office till the end of the war. After the surrender at Appomattox, he escaped to Cuba, then to Europe, and later to Canada. From 1868 till his death, in 1875, he practiced law at Lexington, Kentucky.

JOHN BELL

During the period of Andrew Jackson's leadership in national politics, the State of Tennessee furnished a number of prominent men. Among them were Jackson himself, James K. Polk, Felix Grundy, and John Bell. Mr. Bell was probably the ablest of the four. He was born in Tennessee in 1797. After securing a college education, he studied law. By 1820 he was established in Nashville, with a good practice. Six years later he was elected to represent his district in Congress, over Felix Grundy, Jackson's favorite in the race. He held his seat for fourteen successive years, and became a leader in national legislation. In 1834 he was elected Speaker of the House in a contest with his colleague, James K. Polk. He opposed protection and President Jackson's attack on the United States Bank, but defended the rights of the slaveholders in the territories. President Harrison appointed him Secretary of War in 1841, but he resigned soon after Tyler succeeded to the presidency. He was

elected by Tennessee to the United States Senate in 1847, and served two terms. In 1860 he headed the Constitution and Union ticket in the presidential election, but carried only a few States. He opposed secession till the Northern States adopted a policy of coercion, when he sided with the South. He died in Tennessee, September, 1869. Mr. Bell was a conservative in temperament and a compromiser by principle. His greatest speech is the one on the Kansas-Nebraska Bill (1854), from which I have made a selection. As a speaker he was effective and instructive, rather than brilliant.

SAMUEL HOUSTON

Samuel Houston led a romantic career. He was born near Lexington, Virginia, 1793, and died in Texas, 1863. After his father's death, 1806, the family moved to Tennessee. His only educational opportunities were one session spent at Maryville Academy. In 1810 he left home, and for three years lived with the Cherokee Indians. He served in the United States army during the Mexican War, and, after the war, with Andrew Jackson in his campaign against the Creeks. Afterward he studied law, and began practice at Lebanon, Tennessee. He was a representative in Congress from 1823 to 1827, when he was elected governor of Tennessee. Two years later, while governor, he was married to Miss Allen, but soon afterward, without any explanation, left his wife, resigned his office, and went again to live with the Cherokees. While representing his Indian friends at Washington, 1832, he got into a difficulty with Representative Stanbury of Ohio, which brought him again before the public.

Houston's physical courage was unquestioned. He fought a duel during his first service in Congress, and during his campaign with Jackson distinguished himself for bravery. In 1832 he moved to Texas, and became a leader in founding the Texan Republic. He was commander in chief of the Texan forces, and won the decisive victory of San Jacinto. The grateful people elected him their first President. He served another term, 1841-1844, and managed the negotiations with the United States concerning the annexation of Texas by this country. After annexation he was elected to the United States Senate, and served till 1859, when he failed of reelection. He was governor of the State, 1859-1861, but opposed secession, and was forced out of office when the State seceded.

Though wanting in the educational training necessary for excellence in oratory, Houston was a popular speaker of great effectiveness, and at times displayed real eloquence. He has been compared with Daniel O'Connell, the great Irish orator.

HENRY WASHINGTON HILLIARD

Henry Washington Hilliard was born in Fayetteville, North Carolina, in 1808. He was educated at South Carolina University, and studied law privately, after the custom of the times, under Judge Clayton, Athens, Georgia. He practiced law in Georgia and Alabama, served for three years as a professor in the University of Alabama, and occasionally as a lay preacher in the Methodist Church. From 1842-1844 he was *charge d'affaires* at Belgium, and from 1845-1851 a member from Alabama in the United

States House of Representatives. He belonged to the conservative party in the South that opposed secession, but when his State withdrew from the Union, went with her, joined the army, and was made brigadier general. In 1876 he was a candidate for Congress, but was defeated. The following year he was appointed Minister to Brazil, and remained at this post for four years. He died in Atlanta, 1892. Mr. Hilliard belonged to the classical school of Southern orators, who laid a great deal of stress on the literary finish and the manner of delivery of their orations. In his style of elocution he was a disciple of William C. Preston, and to perfect his manner is said to have practiced before a mirror. He was an occasional lecturer, and a writer of ability and attractiveness.

HENRY ALEXANDER WISE

"A prominent figure in Virginia history for nearly fifty years was Henry Alexander Wise," born in Virginia in 1806. He was well educated, receiving a good high school training, and graduating from Washington and Lee University. He was elected to Congress in 1833, and remained a member of that body for eleven years. In the contest over abolition that occurred in Congress at this time, he took a prominent part. For three years, 1844-1847, he was Minister to Brazil. Mr. Tyler appointed him Minister to France, but the Senate refused to confirm the nomination. Mr. Wise was a member of the Virginia Constitutional Convention in 1850-1851. "When the question of giving the West more representation in the legislature came up, Wise spoke for five days advocating their claims, and it is said that though the great Shake-

spearean actor, Booth, was playing Hamlet at the theater, Wise's dramatic speech drew a larger audience." In 1836 Wise won the greatest political victory of his life when he defeated, by a majority of ten thousand, the candidate of the Know-nothing party in a race for the governorship of Virginia. Some of his most brilliant speeches were made at that time. Wise at first opposed secession, but when war began advised his State to secede, and himself became a brigadier general in Lee's army. After the war was over, he refused to take the oath of allegiance to the United States, so never became a citizen again of his country. He practiced law in Richmond till his death, in 1876. His oratory was of the fiery, ready kind that attracts and enthuses the crowds.

JABEZ LAMAR MONROE CURRY

Jabez L. M. Curry was born in Georgia, 1825. His father moved to Alabama a few years later, and here the boy grew to manhood. He graduated at the University of Georgia and the Harvard Law School. Returning to Alabama, he served three terms in the State legislature. In 1857 he was elected a representative in Congress and served two terms. He was a member of the Confederate Congress. In 1864 he entered the army as an aid to Joseph E. Johnstone. After the war he entered the Baptist ministry, but soon took up educational work. From 1866-1868 he was president of Howard College, Alabama, and from 1868 to 1881 a professor at Richmond College, Virginia. He resigned this position to become general agent for the Peabody Education Fund. In 1885, he gave up this work, for the time being, to accept the

position of American Minister to Spain. Three years later he was in America again, and had resumed his duties as agent of the Peabody Fund. In 1891 he also became manager of the Slater Fund for Education. He remained at this work till his death, 1903. His greatest service was done in arousing an interest in public schools in the South and in using the Peabody funds to further this purpose. The State of Alabama has provided a beautiful marble statue of him to be placed in the statuary hall of the Capitol, at Washington. An excellent appreciation of his life and services to his country is to be found in an address (itself worthy of a conspicuous place in any collection of recent Southern oratory) delivered by Dr. Edwin A. Alderman, before the Conference for Education in the South, at Richmond, Virginia, 1903.

WILLIAM LOWNDES YANCEY

William L. Yancey was born in Georgia, 1814, and died in Alabama, 1863. After spending a year at Williams College, he studied law, and at twenty was a practicing lawyer at Greenville, South Carolina. He moved to Alabama in 1836, continued the practice of law and engaged in journalistic work, and soon became a leader in the politics of the State. After serving in both houses of the State legislature, he was sent as a representative to Congress in 1844, and was elected for another term, but resigned after a year. His term in Congress was signalized by his reply to Clingman of North Carolina, who opposed the annexation of Texas. Yancey was the spokesman of his Southern colleagues, and his scathing reply so incensed Clingman that the customary challenge

and duel followed, but without serious results. After his withdrawal from Congress, Yancey became the leader of the extreme Southern party in the Lower South. He was the author of the "Alabama platform of 1848," pronouncing in favor of congressional protection of slavery in the territories. When the Democratic convention of 1848 refused to adopt the slavery provision of this platform, he withdrew from the convention, and, from that time on, advocated secession. He bitterly opposed the Compromises of 1850, and thought the Southern states ought to secede then. He also opposed the Kansas-Nebraska Bill, 1854. His greatest triumph was won in 1860 at the National Democratic convention which met in Charleston, South Carolina. His speech before the convention on the adoption of the platform was epoch making. It resulted immediately in the split in the Democratic party which ended in the election of Lincoln and the secession of the Southern States. When the Confederacy was organized, Mr. Yancey with other commissioners was sent to Europe for the purpose of securing recognition of the new government. Failing to accomplish anything, he returned to Alabama and was sent to the Confederate Senate, where he remained till his death. In describing his end, Mr. W. G. Brown ("Lower South in American History") says: "In the summer of 1863, he went home to die." "But his passing was little marked. The orators had given place to the captains. His people were working out in blood and fire the destiny up to which he had led them." Yancey's strength as a speaker lay in his directness and fluency of speech, his remarkable clearness of presentation, his evident sincerity and earnestness,

and, above all, in his wonderful voice—"the most perfect voice." "Chief Justice Stone, a jurist not unknown to lawyers of the present day, once said: 'I first heard Mr. Yancey in 1840. I thought then, and I yet think, he was the greatest orator I ever heard.'" (Brown.)

LOUIS TREZEVANT WIGFALL

Louis Trezevant Wigfall was born in South Carolina in 1816. He attended South Carolina University for a while before going to the University of Virginia to begin the study of law. He practiced his profession in Texas. Here he represented his county in both the upper and the lower houses of the State legislature. In 1861 he served three months in the United States Senate, withdrawing after the secession of Texas. During the first year of the war he was in the Confederate army, and rose rapidly to the position of brigadier general. He represented Texas in the Provisional Confederate Congress till elected senator, which office he held during the life of the Confederacy. After the war he resided for some years in London. In 1873 he returned to America, and died the following year while on a lecturing tour in Texas. His speeches impress me as the productions of a man of ability and literary culture; but they lack the spirit of earnest purpose.

ROBERT TOOMBS

Robert Toombs was born in Georgia, July, 1810. His preparatory training was excellent, and he did collegiate work at the University of Georgia and at Union College, New York. A course in law was taken at the University

of Virginia, and he was admitted to practice in 1830. He soon became popular as a speaker, and was sent to the State legislature for two terms. He was a Representative in the Lower House of Congress, 1845-1853, and United States senator, 1853-1860. During this time he was a leading advocate of State rights, and particularly the right of the Southern slave owners to carry their slaves into the territories. After a farewell address, he withdrew from the Senate, January, 1861. He was a member of the Georgia Secession Convention and of the provisional Confederate Congress. He was talked of for the presidency of the Confederacy, and after Davis's election was appointed Secretary of State. Impatient under the routine of office work, he resigned his secretaryship, July, 1861, and entered the army as a brigadier general. He was present at a number of battles — Malvern Hill, Second Manassas, Sharpsburg, being among them. He was mentioned for special service in the last of these battles, but, failing of promotion, resigned, feeling that President Davis did not give him due recognition. Entering the Georgia militia, he served with the State troops till the conclusion of the war. Fearing arrest, along with Davis, Stephens, and other leaders in forming the Confederacy, he escaped to Europe, where he remained till 1867. From this time till his death, 1885, he practiced law at Washington, Georgia. His success as an advocate was so great that he amassed quite a fortune. A masterful manner of delivery that overrode opposition, a directness and ruggedness of expression, lit up at times by sparks of imagination, were characteristics of his oratory. His greatest oratorical triumph was won

during the contest for the speakership of the House of Representatives, December, 1849. On December 21, in the face of an almost riotous House, constantly yelling "Order!" he persisted to speak against a rule forbidding debate till after the organization of the House, until he quieted the members and delivered his speech without interruption.

JEFFERSON DAVIS

The "only President" of the Southern Confederacy was born in Kentucky, 1808. He was educated at the United States Military Academy, West Point, New York. After graduation he served in the regular army till 1835, when he married a daughter of General Zachary Taylor and settled in Mississippi. In 1845 he was sent as a representative to Congress, but resigned within a year to fight in the Mexican War. He won distinction in the war, particularly in the battles of Monterey and Buena Vista. In 1847 he was appointed to the United States Senate, where he soon became a leader among the Southern statesmen. Resigning from the Senate in 1851, he became a candidate for governor of Mississippi, but was defeated. The following year he was made Secretary of War in President Pierce's cabinet. In this office he showed unusual administrative ability. At the close of his administration, he was returned to the United States Senate. Here he remained till 1861, representing the rights and interests of his section. When the Confederacy was organized, he was elected its President. Though subjected to much harsh criticism during the course of the war, for defeats for which he was held responsible, later

generations are agreed that few could have reaped more success with the materials he had at hand to meet so strong a foe. His capture at the close of the war and close confinement, in chains, for two years at Fortress Monroe, made him a martyr to the Southern cause and restored him to the affections of his people. The closing years of his life were spent in writing "The Rise and Fall of the Confederacy."

As an orator, Mr. Davis was clear, logical, and convincing. His style has been described as "orderly rather than ornate." His "Farewell to the Senate," "Inaugural Address," and "Speech on Resolutions Relative to State Rights" (May 16 and 17, 1860), are among his best orations.

JUDAH PHILIP BENJAMIN

Judah P. Benjamin was born in the West India Islands, 1811. He was of Jewish parentage. His early life was spent at New Orleans, Louisiana, and Wilmington, North Carolina. He studied at Yale for three years, and then read law at New Orleans, where he began practice, 1834. He was a successful lawyer. After taking some interest in State politics, he was sent in 1853 to the United States Senate. Here he remained till Louisiana withdrew from the Union. He was in turn Attorney-general, Secretary of War and Secretary of State, of the government of the Confederate States. At the close of the war, he fled to England, where he studied English law, and in 1867 was admitted to practice. He met with great success, and before his death had acquired a considerable fortune. In 1872 he was promoted Queen's counsel, and during his

last years confined his pleadings to cases heard by the House of Lords and the Privy Council. He died in Paris, 1883. Clearness of statement, cogency of argument, and beauty of expression are the chief characteristics of his speeches. In describing his oratory in the United States Senate, Mr. Pierce Butler, Benjamin's biographer, says: "Let any one who can, regardless of political opinions, be roused to a genuine feeling for the mere grace of expression, dazzling brilliance of reasoning, and withering force of sarcasm; let any one, in short, who has a love for style and an interest in forensics, read this splendid series of orations, and then formulate a judicious estimate of Benjamin as an orator and expounder of the political principles in which the South believed. Such an one, I am assured, would find it difficult to express himself in measured terms."

LUCIUS QUINTUS CINCINNATUS LAMAR

Twice professor in a university, colonel in the Confederate army, representative in the Lower House of Congress for eight years and member of the Senate for the same length of time, a cabinet officer, and an associate justice of the Supreme Court — such is a list of the titles enjoyed, and positions of prominence filled, by L. Q. C. Lamar, Jr. He was born in Georgia in 1825. He studied and practiced law from 1845-1850. During the next two years, he was adjunct professor of mathematics at the University of Mississippi. He was in Congress from 1857-1861. The Civil War coming on, he entered the service and soon became colonel. In 1863 he was sent on a diplomatic mission to Europe. Returning from this

service, he became judge advocate in General Longstreet's corps. The war having closed, he returned to the University of Mississippi and taught for four years. From 1873-1877, he was a representative in Congress, and from 1877-1885 a member of the Senate. He resigned from the Senate to enter President Cleveland's cabinet as Secretary of the Interior. In 1888 he was made associate justice of the Supreme Court, which position he occupied till his death in 1893. His best-known speech is his eulogy on Charles Sumner. It is a good example of the ease and gracefulness of Southern oratory.

BENJAMIN HARVEY HILL

Benjamin H. Hill was born in Georgia, 1823. His education was secured at the University of Georgia, from which he was graduated in 1844, with highest honors. Admitted to the bar in 1845, he practiced in La Grange, Georgia. He soon entered politics, first as a Whig and later as a member of the American party. In 1854 he was defeated for Congress, and in 1857 was defeated in a race for the governorship of Georgia. He opposed secession, but yielded to the majority when his State withdrew from the Union. He served in the Confederate Senate, and after the war was imprisoned for two months by the Federal government. In 1875 he was elected a representative to Congress, but after two years of service in the House, resigned to take a seat in the Senate. Here his ability as an orator and debater was conspicuous, and he soon became a leader in defending the views of the South. He was especially opposed to the reconstruction policy of the Republican party, and while in the House

frequently resisted its measures with strong speeches. Mr. Hill possessed the oratorical gift to a great degree, and deserves to rank high. He delivered a number of able speeches in the Senate, but probably his best is the one on the Republican Party and the Solid South, from which we have made an extract. He died in 1892.

ZEBULON BAIRD VANCE

Zebulon B. Vance was born in Buncombe County, North Carolina, 1830. He secured a year or two of collegiate training at Washington College, Tennessee, and at the University of North Carolina. He studied law, and in 1852 began to practice at Asheville, North Carolina. After serving in the State legislature he was elected to Congress and served as representative from 1858-1861. The war coming on, he entered the army, first as captain, but was later promoted to a colonelcy. In 1862 he was elected governor of North Carolina, and during the four years of his administration did invaluable service to the Confederate government in raising supplies for the army. Arrested at the close of the war, he was soon paroled. In 1870 he was elected to the United States Senate, but was refused a seat on account of political disabilities arising from his share in the war. In 1876 he led his State in throwing off "radical" rule, and was chosen governor. Two years later he was again elected United States Senator to be continued in that office till his death, in 1894.

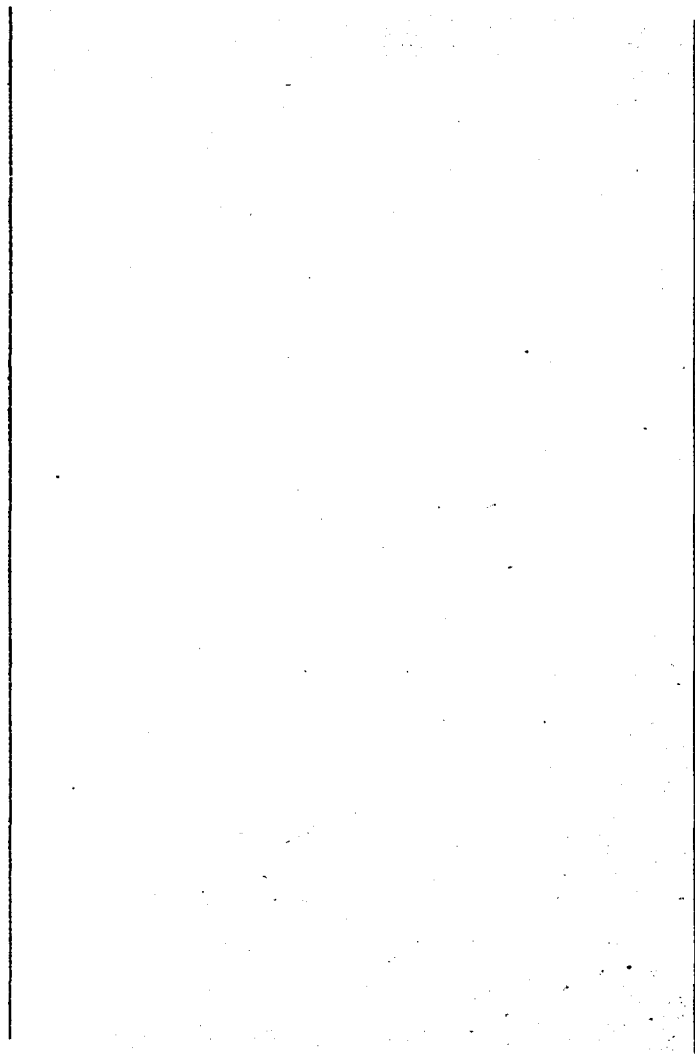
Mr. Vance possessed a number of the gifts that go to make up an orator. He had a firm grasp of essential truths and facts, a ready wit, and a winning personality

and presence. He probably ranked next to Lincoln among our great men in his store of homely anecdotes aptly told. Among his best productions should be mentioned: "The Scattered Nation — A Lecture," "The Duties of Defeat," an address delivered at the University of North Carolina, June, 1866, and his speech against the repeal of the Sherman Silver Purchase Act, delivered September 1, 1893.

HENRY WOODFIN GRADY

Henry W. Grady was born in Athens, Georgia, 1850, and died in Atlanta, 1889. He was educated at the University of Georgia and the University of Virginia. Immediately after his two years of postgraduate study at the latter institution, he entered journalistic work, which was to be his occupation till his untimely death. He served, at different times, as editor of several smaller newspapers, till 1880, when he became editor and part owner of the *Atlanta Constitution*. As editor of this paper, and in numerous public addresses, he did much to allay hostility between the North and the South. He was given the title of "National Pacificator." "The New South," delivered before the New England Society of New York (1886); "The South and Her Problems," delivered at Dallas, Texas (1888); "Against Centralization," an address before the University of Virginia Alumni Association (1889); and "The Position of the South on the Race Problem," an address made at Boston (1889), are his greatest speeches. Hon. Champ Clark, writing on *Modern Eloquence*, says that the oration on the "New South" is the greatest after-dinner speech delivered

within the memory of living man. Humor and pathos mingled freely in Grady's orations. He was a great orator because he expressed for the people of the nation, as Webster did in his "Liberty and Union" speech (1832), thoughts and sentiments that were struggling for existence but had not yet been crystallized into definite spoken words.



SOUTHERN ORATORS

PATRICK HENRY

THE "GIVE ME LIBERTY OR GIVE ME DEATH" SPEECH

No man thinks more highly than I do of the patriotism, as well as abilities, of the very worthy gentlemen who have just addressed the House. But different men often see the same subject in different lights; and, therefore, I hope it will not be thought disrespectful to those gentlemen, if, entertaining as I do opinions of a character very opposite to theirs, I shall speak forth my sentiments freely and without reserve. This is no time for ceremony.

The question before the House is one of awful moment to this country. For my own part, I consider it as nothing less than a question of freedom or slavery; and in proportion to the magnitude of the subject ought to be the freedom of the debate. It is only in this way that we can hope to arrive at truth, and fulfill the great responsibility which we hold to God and our country. Should I keep back my opinions at such a time, through fear of giving offense, I should consider myself as guilty of treason toward my country, and of an act of disloyalty toward the Majesty of Heaven, which I revere above all earthly kings. Mr. President, it is natural to man to indulge in the illusion of hope. We are apt to shut our eyes against a

painful truth, and listen to the song of that siren, till she transforms us into beasts. Is this the part of wise men, engaged in a great and arduous struggle for liberty? Are we disposed to be of the number of those, who, having eyes, see not, and having ears, hear not, the things that so nearly concern their temporal salvation? For my part, whatever anguish of spirit it may cost, I am willing to know the whole truth; to know the worst, and to provide for it.

I have but one lamp by which my feet are guided, and that is the lamp of experience. I know of no way of judging of the future but by the past. And judging by the past, I wish to know what there has been in the conduct of the British ministry for the last ten years to justify those hopes with which gentlemen have been pleased to solace themselves and the House. Is it that insidious smile with which our petition has been lately received? Trust it not, sir; it will prove a snare to your feet. Suffer not yourselves to be betrayed with a kiss. Ask yourselves how this gracious reception of our petition comports with those warlike preparations which cover our waters and darken our land. Are fleets and armies necessary to a work of love and reconciliation? Have we shown ourselves so unwilling to be reconciled that force must be called in to win back our love? Let us not deceive ourselves, sir. These are the implements of war and subjugation; the last arguments to which kings resort.

I ask gentlemen, sir, what means this martial array, if its purpose be not to force us to submission? Can gentlemen assign any other possible motive for it? Has Great Britain any enemy in this quarter of the world to call for all this accumulation of navies and armies? No, sir, she

has none. They are meant for us: they can be meant for no other. They are sent over to bind and rivet upon us those chains which the British ministry have been so long forging. And what have we to oppose to them? Shall we try argument? Sir, we have been trying that for the last ten years. Have we anything new to offer upon the subject? Nothing. We have held the subject up in every light of which it is capable; but it has been all in vain.

Shall we resort to entreaty and humble supplication? ¹⁰ What terms shall we find which have not been already exhausted? Let us not, I beseech you, sir, deceive ourselves longer. Sir, we have done everything that could be done, to avert the storm which is now coming on. We have petitioned; we have remonstrated; we have suppli- ¹⁵ cated; we have prostrated ourselves before the throne, and have implored its interposition to arrest the tyrannical hand of the ministry and Parliament. Our petitions have been slighted; our remonstrances have produced additional violence and insult; our supplications have been ²⁰ disregarded, and we have been spurned, with contempt, from the foot of the throne!

In vain, after these things, may we indulge the fond hope of peace and reconciliation. There is no longer any room for hope. If we wish to be free, — if we mean to preserve ²⁵ inviolate those inestimable privileges for which we have been so long contending, — if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon, until the glorious object of our contest shall be ³⁰ obtained — we must fight! I repeat it, sir, we must

fight! An appeal to arms and to the God of Hosts is all that is left us!

They tell us, sir, that we are weak — unable to cope with so formidable an adversary. But when shall we be stronger? Will it be the next week, or the next year? Will it be when we are totally disarmed, and when a British guard shall be stationed in every house? Shall we gather strength by irresolution and inaction? Shall we acquire the means of effectual resistance by lying ¹⁰pinely on our backs and hugging the delusive phantom of hope, until our enemies shall have bound us hand and foot?

Sir, we are not weak if we make a proper use of those means which the God of nature has placed in our power. ¹⁵Three millions of people armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us. Besides, sir, we shall not fight our battles alone. There is a just God who presides over the destinies ²⁰of nations, and who will raise up friends to fight our battles for us. The battle, sir, is not to the strong alone; it is to the vigilant, the active, the brave. Besides, sir, we have no election. If we were base enough to desire it, it is now too late to retire from the contest. There is no ²⁵retreat but in submission and slavery! Our chains are forged! Their clanking may be heard on the plains of Boston! The war is inevitable — and let it come! I repeat it, sir, let it come!

It is vain, sir, to extenuate the matter. Gentlemen may ³⁰cry, Peace, peace — but there is no peace. The war is actually begun! The next gale that sweeps from the

North will bring to our ears the clash of resounding arms! Our brethren are already in the field! Why stand we here idle? What is it that gentlemen wish? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty or give me death!

JOHN RUTLEDGE

ADDRESS BEFORE THE SOUTH CAROLINA COLONIAL
ASSEMBLY

*Honorable Gentlemen of the Legislative Council, Mr. Speaker,
and Gentlemen of the General Assembly:*

It has afforded me much satisfaction to observe that, though the season of the year rendered your sitting very inconvenient, your private concerns, which must have suffered greatly by your long and close application in the late Congress to the affairs of this colony, requiring your presence in the country, yet, continuing to prefer the public weal to ease and retirement, you have been busily engaged in framing such laws as our peculiar circumstances rendered absolutely necessary to be passed before
10 your adjournment. Having given my assent to them, I presume you are now desirous of a recess.

On my part a most solemn oath has been taken for the faithful discharge of my duty. On yours a solemn assurance has been given to support me therein. Thus a public compact between us stands recorded. You may rest
15 assured that I shall keep this oath ever in mind, — the Constitution shall be the invariable rule of my conduct; my ears shall always be open to the complaints of the injured; justice in mercy shall neither be denied or delayed; our laws and religion and the liberties of America
20

shall be maintained and defended to the utmost of my power. I repose the most perfect confidence in your engagement.

And now, Gentlemen, let me entreat that you will in your several parishes and districts use your influence and authority to keep peace and good order, strict observance of, and ready obedience to, the law. If any persons therein are still strangers to the nature and merits of the dispute between Great Britain and the Colonies, you will explain it to them fully and teach them, if they are so unfortunate as not to know their inherent rights. Prove to them that the privileges of being tried by a jury of the vicinage acquainted with the parties and witnesses; of being taxed only with their own consent, given by their representatives freely chosen by and sharing the burden equally with themselves, not for the aggrandizing a rapacious minister and his dependent favorites and for corrupting the people and subverting their liberties, but for such wise and salutary purposes as they themselves approve; and of having their internal polity regulated only by laws consented to by competent judges of what is best adapted to their situation and circumstances, equally bound, too, by those laws, are inestimable and derived from that Constitution which is the birthright of the poorest man and the best inheritance of the most wealthy. Relate to them the various unjust and cruel statutes which the British Parliament, claiming a right to make laws binding the Colonies in all cases whatsoever, have enacted, and the many sanguinary measures which have been, and are daily, pursued and threatened to wrest from them those invaluable benefits and to enforce such an un-

limited and destructive claim. To the most illiterate it must appear that no power on earth can of right deprive them of the hardly earned fruits of their honest industry, toil, and labor. Even to them, the impious attempt to prevent many thousands from using the means of subsistence provided for man by the bounty of his Creator, and to compel them by famine to surrender their rights, will seem to call for divine vengeance.

The endeavors by deceit and bribery to engage barbarous nations to imbrue their hands in the innocent blood of helpless women and children, and the attempt by fair but false promises to make the ignorant domestics subservient to the most wicked purposes, are acts at which humanity must revolt.

15 Show your constituents, then, the indispensable necessity which there was for establishing some mode of government in this Colony, the benefits of that which a full and free representation has established, and that the consent of the people is the origin, and their happiness the end, of government. Remove the apprehensions with which honest and well-meaning but weak and credulous minds may be alarmed, and prevent ill impressions by artful and designing enemies. Let it be known that this Constitution is but temporary — till an accommodation 25 of the unhappy differences between Great Britain and America can be obtained, and that such an event is still desired by men who yet remember former friendships and intimate connections, though for defending their persons and properties they are stigmatized and treated 30 as rebels.

Truth being known will prevail over artifice and mis-

representation. Conviction must follow its discovery. In such case no man who is worthy of life, liberty, or property will, or can, refuse to join with you in defending them to the last extremity. Disdaining every sordid view and the mean paltry considerations of private interest and present emolument when placed in competition with the liberties of millions, and seeing that there is no alternative but absolute unconditional submission and the most abject slavery, or a defense becoming men born to freedom, he will not hesitate about the choice. Although superior force may by the permission of Heaven lay waste our towns and ravage our country, it can never eradicate from the breasts of freemen those principles which are ingrafted in their very nature — such men will do their duty neither knowing or regarding consequences, but submitting them with humble confidence to the Omniscient and Omnipotent Arbiter and Director of the fate of empires and trusting that His Almighty Arm, which has been so signally stretched out for our defense, will deliver them in a righteous cause. 20

The eyes of Europe, nay, of the whole world, are on America. The eyes of every other Colony are on this — a Colony whose reputation, generosity, and magnanimity are universally acknowledged. I trust, therefore, it will not be diminished by our future conduct, that there will be no civil discord here, and that the only strife amongst brethren will be who shall do most to serve and to save an oppressed and injured country. 25

EDMUND RANDOLPH

ON THE ADOPTION OF THE CONSTITUTION

Mr. Chairman, — I am a child of the Revolution. My country very early indeed took me under its protection, at a time when I most wanted it; and, by a succession of favors and honors, prevented even my most ardent wishes. 5 I feel the highest gratitude and attachment to my country — her felicity is the most fervent prayer of my heart. Conscious of having exerted my faculties to the utmost in her behalf; if I have not succeeded in securing the esteem of my countrymen, I shall reap abundant consolation from the rectitude of my intentions: honors, when 10 compared to the satisfaction accruing from a conscious independence and rectitude of conduct, are no equivalent. The unwearied study of my life shall be to promote her happiness. As a citizen, ambition and popularity are no 15 objects with me. I expect in the course of a year to retire to that private station which I most sincerely prefer to all others. The security of public justice, sir, is what I most fervently wish — as I consider that object to be the primary step to the attainment of public happiness. I can declare to the whole world that in the part 20 I take in this very important question I am actuated by a regard for what I conceive to be our true interest. I can also, with equal sincerity, declare that I would join

heart and hand in rejecting this system, did I conceive it would promote our happiness; but having a strong conviction on my mind, at this time, that by a disunion we shall throw away all those blessings we have so earnestly fought for, and that a rejection of the Constitution will operate disunion — pardon me if I discharge the obligation I owe to my country by voting for its adoption. We are told that the report of dangers is false. The cry of peace, sir, is false: say peace, when there is peace; it is but a sudden calm. The tempest growls over you — look around — wheresoever you look, you see danger. When there are so many witnesses in many parts of America, that justice is suffocated, shall peace and happiness still be said to reign? Candor, sir, requires an undisguised representation of our situation. Candor, sir, demands a faithful exposition of facts. Many citizens have found justice strangled and trampled under foot, through the course of jurisprudence in this country. Are those who have debts due to them satisfied with your government? Are not creditors wearied with the tedious procrastination of your legal process? A process obscured by legislative mists. Cast your eyes to your seaports, see how commerce languishes: this country, so blessed by nature, with every advantage that can render commerce profitable, through defective legislation, is deprived of all the benefits and emoluments she might otherwise reap from it. We hear many complaints on the subject of located lands, — a variety of competitors claiming the same lands under legislative acts, — a public faith prostrated, and private confidence destroyed. I ask you if your laws are revered? In every well-

regulated community the laws command respect. Are yours entitled to reverence? We not only see violations of the Constitution, but of national principles in repeated instances. How is the fact? The history of the violations of the Constitution extends from the year 1776 to this present time — violations made by formal acts of the legislature; everything has been drawn within the legislative vortex. There is one example of this violation in Virginia, of a most striking and shocking nature — an example, so horrid, that if I conceived my country would passively permit a repetition of it, dear as it is to me, I would seek means of expatriating myself from it. A man who was then a citizen was deprived of his life thus — from a mere reliance on general reports, a gentleman in the House of Delegates informed the House that a certain man (Josiah Phillips^o) had committed several crimes, and was running at large, perpetrating other crimes, he therefore moved for leave to attaint him; he obtained that leave instantly; no sooner did he obtain it than he drew from his pocket a bill ready written for that effect; it was read three times in one day, and carried to the Senate: I will not say that it passed the same day through the Senate, but he was attainted very speedily and precipitately, without any proof better than vague reports! Without being confronted with his accusers and witnesses, without the privilege of calling for evidence in his behalf, he was sentenced to death, and was afterward actually executed. Was this arbitrary deprivation of life, the dearest gift of God to man, consistent with the genius of a Republican government? Is this compatible with the spirit of freedom? This, sir, has made the deepest im-

pression in my heart, and I cannot contemplate it without horror. There are still a multiplicity of complaints of the debility of the laws. Justice in many instances is so unattainable that commerce may in fact be said to be stopped entirely. There is no peace, sir, in this land: can peace exist with injustice, licentiousness, insecurity, and oppression? These considerations, independent of many others which I have not yet enumerated, would be a sufficient reason for the adoption of this Constitution, because it secures the liberty of the citizen, his person and his property, and will invigorate and restore commerce and industry. An additional reason to induce us to adopt it is that excessive licentiousness which has resulted from the relaxation of our laws, and which will be checked by this government. Let us judge from the fate of more ancient nations; licentiousness has produced tyranny among many of them: it has contributed as much (if not more) as any other cause whatsoever, to the loss of their liberties. I have respect for the integrity of our legislators — I believe them to be virtuous; but as long as the defects of the Constitution exist, so long will laws be imperfect. The honorable gentleman^o went on further and said that the accession of eight States is not a reason for our adoption — many other things have been alleged out of order — instead of discussing the system regularly, a variety of points are promiscuously debated in order to make temporary impressions on the members. — Sir, were I convinced of the validity of their arguments, I would join them heart and hand. Were I convinced that the accession of eight States did not render our accession also necessary to preserve the

Union, I would not accede to it till it should be previously amended; but, sir, I am convinced that the Union will be lost by our rejection. — Massachusetts has adopted it; she has recommended subsequent amendments; her influence must be very considerable to obtain them; I trust my countrymen have sufficient wisdom and virtue to entitle them to equal respect. Is it urged that being wiser we ought to prescribe amendments to the other States? I have considered this subject deliberately; I wearied myself in endeavoring to find a possibility of preserving the Union, without our unconditional ratification, but, sir, in vain; I find no other means. I ask myself a variety of questions applicable to the adopting States, and I conclude, will they repent of what they have done? Will they acknowledge themselves in an error? Or, will they recede to gratify Virginia? My prediction is, that they will not. Shall we stand by ourselves, and be severed from the Union if amendments cannot be had? I have every reason for determining within myself that our rejection must dissolve the Union; and that that dissolution will destroy our political happiness. The honorable gentleman was pleased to draw out several other arguments out of order: that this government would destroy the State governments, the trial by jury, etc., and concluded by an illustration of his opinion, by a reference to the confederacy of the Swiss. Let us argue with unprejudiced minds: they say that the trial by jury is gone — is this so? Although I have declared my determination to give my vote for it, yet I shall freely censure those parts which appear to me reprehensible. The trial by jury in criminal cases is secured — in civil cases it is

not so expressly secured, as I could wish it; but it does not follow that Congress has the power of taking away this privilege which is secured by the Constitution of each State, and not given away by this Constitution — I have no fear on this subject — Congress must regulate it so as to suit every State. I will risk my property on the certainty that they will institute the trial by jury in such manner as shall accommodate the conveniences of the inhabitants in every State; the difficulty of ascertaining this accommodation was the principal cause of its not being provided for. It will be the interest of the individuals composing Congress to put it on this convenient footing. Shall we not choose men respectable for their good qualities? Or can we suppose that men tainted with the worst vices will get into Congress? I beg leave to differ from the honorable gentleman, in another point. He dreads that great inconveniences will ensue from the Federal Court; that our citizens will be harassed by being carried thither. I cannot think that this power of the Federal judiciary will necessarily be abused: the inconvenience here suggested being of a general nature, affecting most of the States, will, by general consent of the States, be removed; and, I trust, such regulations shall be made in this case as will accommodate the people in every State. The honorable gentleman instanced the Swiss cantons, as an example, to show us the possibility, if not expediency, of being in amicable alliance with the other states, without adopting this system. Sir, references to history will be fatal in political reasons, unless well guarded. Our mental ability is often too contracted, and powers of investigation so

limited, that sometimes we adduce as an example in our favor what in fact militates against us. Examine the situation of that country comparatively to us: the extent and situation of that country is totally different from
5 ours; their country is surrounded by powerful, ambitious, and reciprocally jealous nations; their territory is small and the soil not very fertile. The peculiarity, sir, of their situation, has kept them together, and not that system of alliance to which the gentleman seems to attribute the
10 durability and felicity of their connection.

GEORGE MASON

CONGRESSIONAL CONTROL OF MILITIA

Mr. Chairman, — Unless there be some restriction on the power of calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, we may very easily see that it will produce dreadful oppressions. It is exceedingly unsafe, without some alterations. It would be to use the militia to a very bad purpose, if any disturbance happened in New Hampshire, to call them from Georgia. This would harass the people so much that they would agree to abolish the use of militia, and establish a standing army. I conceive the general government ought to have power over the militia, but it ought to have some bounds. If gentlemen say that the militia of a neighboring state is not sufficient, the government ought to have power to call forth those of other States, the most convenient and contiguous. But in this case the consent of the State legislatures ought to be had. On *real* emergencies this consent will never be denied, each State being concerned in the safety of the rest. This power may be restricted without any danger. I wish such an amendment as this, that the militia of any State should not be marched beyond the limits of the adjoining State, and if it be necessary to draw them from one end of the continent to the other, I wish such a check as the

consent of the State legislature to be provided. Gentlemen may say that this would impede the government, and that the State legislatures would counteract it, by refusing their consent. This argument may be applied
5 to all objections whatsoever.—How is this compared to the British constitution?—Though the king may declare war, the Parliament has the means of carrying it on. It is not so here. Congress can do both. Were is not for that check in the British government, the monarch would
10 be a despot. When a war is necessary for the benefit of the nation, the means of carrying it on are never denied. If any unjust requisition be made on Parliament, it will be, as it ought to be, refused. The same principle ought to be observed in our government. In times of real dan-
15 ger, the States will have the same enthusiasm in aiding the general government, and granting its demands, which is seen in England, when the king is engaged in a war apparently for the interest of the nation.—This power is necessary, but we ought to guard against danger. If
20 ever they attempt to harass and abuse the militia, they may easily abolish them, and raise a standing army in their stead. There are various ways of destroying the militia. A standing army may be perpetually established in their stead. I abominate and detest the idea of a
25 government where there is a standing army. The militia may be here destroyed by that method which has been practiced in other parts of the world before. That is, by rendering them useless, by disarming them. Under various pretenses, Congress may neglect to provide for
30 arming and disciplining the militia, and the State governments cannot do it, for Congress has an exclusive right

to arm them. Here is a line of division drawn between the State and general governments. The power over the militia is divided between them. The national government has an exclusive right to provide for arming, organizing, and disciplining the militia, and for governing such 5 part of them as may be employed in the service of the United States. The State governments have the power of appointing the officers, and of training the militia according to the discipline prescribed by Congress, if they should think proper to prescribe any. Should 10 the national government wish to render the militia useless, they may neglect them, and let them perish, in order to have a pretense of establishing a standing army.

No man has a greater regard for the military gentlemen than I have. I admire their intrepidity, perseverance, 15 and valor. But when once a standing army is established in any country, the people lose their liberty. When, against a regular and disciplined army, yeomanry are the only defense, — yeomanry, unskillful and unarmed, — what chance is there for preserving freedom? Give me leave 20 to recur to the page of history, to warn you of your present danger. — Recollect the history of most nations of the world. What havoc, desolation, and destruction have been perpetrated by standing armies! An instance within the memory of some of this House 25 will show us how our militia may be destroyed. Forty years ago, when the resolution of enslaving America was formed in Great Britain, the British Parliament was advised by an artful man,^o who was governor of Pennsylvania, to disarm the people. — That it was the best 30 and most effectual way to enslave them. — But that they

should not do it openly; but to weaken them and let them sink gradually, by totally disusing and neglecting the militia. This was a most iniquitous project. Why should we not provide against the danger of having our militia, our real and natural strength, destroyed? The general government ought at the same time to have some such power. But we need not give them power to abolish our militia. If they neglect to arm them, and prescribe proper discipline, they will be of no use. I am not acquainted with the military profession. I beg to be excused for any errors I may commit with respect to it. But I stand on the general principles of freedom, whereon I dare to meet any one. I wish, that in case the general government should neglect to arm and discipline the militia, that there should be an express declaration, that the State governments might arm and discipline them. With this single exception I would agree to this part, as I am conscious the government ought to have the power.

They may effect the destruction of the militia, by rendering the service odious to the people themselves, by harassing them from one end of the continent to the other, and by keeping them under martial law.

The English Parliament never passes a mutiny bill^o but for one year. This is necessary, for otherwise the soldiers would be on the same footing with the officers, and the army would be dissolved. One mutiny bill has been here in force since the revolution. I humbly conceive there is extreme danger of establishing cruel martial regulations. If at any time our rulers should have unjust and iniquitous designs against our liberties, and should wish to establish a standing army, the first attempt would be

to render the service and use of militia odious to the people themselves; subjecting them to unnecessary severity of discipline in time of peace, confining them under martial law, and disgusting them so much as to make them cry out, *Give us a standing army*.—I would wish to have some 5 check to exclude this danger; as, that the militia should never be subject to martial law, but in time of war. I consider and fear the natural propensity of rulers to oppress the people. I wish only to prevent them from doing evil. By these amendments I would give necessary 10 powers, but no unnecessary power. If the clause stands as it is now, it will take from the State legislatures what divine providence has given to every individual,—the means of self-defense. Unless it be moderated in some degree, it will ruin us, and introduce a standing army. 15

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It is my firm belief that this clause which provides for arming, organizing, and disciplining the militia, and governing those in the actual service of the Union, includes the power of annexing punishments, and establishing necessary discipline; more especially as the construction 20 of this and every other part of the Constitution is left to those who are to govern. If so, I ask if Congress could not inflict the most ignominious punishments on the most worthy citizens of the community? Would freemen submit to such indignant treatment? It may be thought 25 a strained construction, but it is no more than Congress might put upon it. Such severities might be exercised on the militia as would make them wish the use of militia to be utterly abolished; and assent to the establishment of a standing army. 30

WILLIAM WIRT

TRIAL OF AARON BURR.

WILL any man say that Blennerhassett^o was the principal, and Burr but an accessory? Who will believe that Burr, the author and projector of the plot, who raised the forces, who enlisted the men and who procured
5 the funds for carrying it into execution, was made a cat's-paw of? Will any man believe that Burr, who is a soldier, bold, ardent, restless, and aspiring, the great actor whose brain conceived and whose hand brought the plot into operation, that he should sink down into an accessory,
10 and that Blennerhassett should be elevated into a principal? He would startle at once at the thought. Aaron Burr, the contriver of the whole conspiracy, to everybody concerned in it was as the sun to the planets which surround him. Did he not bind them in their respective
15 orbits and give them their light, their heat, and their motion? Yet he is to be considered an accessory, and Blennerhassett is to be the principal!

Let us put the case between Burr and Blennerhassett. Let us compare the two men and settle this question of
20 precedence between them. It may save a good deal of troublesome ceremony hereafter.

Who Aaron Burr is, we have seen in part already. I

will add that, beginning his operations in New York, he associates with him men whose wealth is to supply the necessary funds. Possessed of the mainspring, his personal labor contrives all the machinery. Pervading the continent from New York to New Orleans, he draws into his plan, by every allurements which he can contrive, men of all ranks and descriptions. To youthful ardor he presents danger and glory; to ambition, rank and titles and honors; to avarice, the mines of Mexico. To each person whom he addresses he presents the object adapted to his taste. His recruiting officers are appointed. Men are engaged throughout the continent. Civil life is indeed quiet upon its surface, but in its bosom this man has contrived to deposit the materials which, with the slightest touch of his match, produce an explosion to shake the continent. All this his restless ambition has contrived; and in the autumn of 1806 he goes forth for the last time to apply this match. On this occasion he meets with Blennerhassett.

Who is Blennerhassett? A native of Ireland, a man of letters, who fled from the storms of his own country to find quiet in ours. His history shows that war is not the natural element of his mind. If it had been, he never would have exchanged Ireland for America. So far is an army from furnishing the society natural and proper to Mr. Blennerhassett's character, that on his arrival in America he retired even from the population of the Atlantic States, and sought quiet and solitude in the bosom of our Western forests. But he carried with him taste and science and wealth; and lo, the desert smiled! Possessing himself of a beautiful island in the Ohio, he rears

upon it a palace and decorates it with every romantic embellishment of fancy. A shrubbery, that Shenstone^o might have envied, blooms around him. Music, that might have charmed Calypso^o and her nymphs, is his.
5 An extensive library spreads its treasures before him. A philosophical apparatus offers to him all the secrets and mysteries of nature. Peace, tranquillity, and innocence shed their mingled delights around him. And to crown the enchantment of the scene, a wife, who is
10 said to be lovely even beyond her sex and graced with every accomplishment that can render it irresistible, had blessed him with her love and made him the father of several children. The evidence would convince you that this is but a faint picture of the real life. In the midst
15 of all this peace, this innocent simplicity and this tranquillity, this feast of the mind, this pure banquet of the heart, the destroyer comes; he comes to change this paradise into a hell. Yet the flowers do not wither at his approach. No monitory shuddering through the
20 bosom of their unfortunate possessor warns him of the ruin that is coming upon him. A stranger presents himself. Introduced to their civilities by the high rank which he had lately held in his country, he soon finds his way to their hearts by the dignity and elegance of his demeanor,
25 the light and beauty of his conversation, and the seductive and fascinating power of his address. The conquest was not difficult. Innocence is ever simple and credulous. Conscious of no design itself, it suspects none in others. It wears no guard before its breast. Every door and
30 portal and avenue of the heart is thrown open, and all who choose it enter. Such was the state of Eden when

the serpent entered its bowers. The prisoner, in a more engaging form, winding himself into the open and unpracticed heart of the unfortunate Blennerhassett, found but little difficulty in changing the native character of that heart and the objects of its affection. By degrees he infuses 5 into it the poison of his own ambition. He breathes into it the fire of his own courage; a daring and desperate thirst for glory; an ardor panting for great enterprises, for all the storm and bustle and hurricane of life. In a short time the whole man is changed, and every object 10 of his former delight is relinquished. No more he enjoys the tranquil scene; it has become flat and insipid to his taste. His books are abandoned. His retort and crucible are thrown aside. His shrubbery blooms and breathes its fragrance upon the air in vain; he likes it not. His 15 ear no longer drinks the rich melody of music; it longs for the trumpet's clangor and the cannon's roar. Even the prattle of his babes, once so sweet, no longer affects him; and the angel smile of his wife, which hitherto touched his bosom with ecstasy so unspeakable, is now 20 unseen and unfelt. Greater objects have taken possession of his soul. His imagination has been dazzled by visions of diadems, of stars and garters and titles of nobility. He has been taught to burn with restless emulation at the names of great heroes and conquerors. His en- 25 chanted island is destined soon to relapse into a wilderness; and in a few months we find the beautiful and tender partner of his bosom, whom he lately "permitted not the winds of" summer "to visit too roughly," we find her shivering at midnight, on the winter banks of the Ohio, 30 and mingling her tears with the torrents, that froze as

they fell. Yet this unfortunate man, thus deluded from his interest and his happiness, thus seduced from the paths of innocence and peace, thus confounded in the toils that were deliberately spread for him and overwhelmed by the mastering spirit and genius of another — this man, thus ruined and undone and made to play a subordinate part in this grand drama of guilt and treason, this man is to be called the principal offender, while *he*, by whom he was thus plunged in misery, is comparatively innocent, a mere accessory! Is this reason? Is it law? Is it humanity? Sir, neither the human heart nor the human understanding will bear a perversion so monstrous and absurd! so shocking to the soul! so revolting to reason! Let Aaron Burr, then, not shrink from the high destination which he has courted, and having already ruined Blennerhassett in fortune, character, and happiness forever, let him not attempt to finish the tragedy by thrusting that ill-fated man between himself and punishment.

Upon the whole, sir, reason declares Aaron Burr the principal in this crime and confirms herein the sentence of the law; and the gentleman, in saying that his offense is of a derivative and accessorial nature, begs the question and draws his conclusions from what, instead of being conceded, is denied. It is clear from what has been said, that Burr did not derive his guilt from the men on the island, but imparted his own guilt to them; that he is not an accessory but a principal; and, therefore, that there is nothing in the objection which demands a record of their conviction before we shall go on with our proof against him.

WILLIAM PINKNEY

ON THE MISSOURI QUESTION

THE clause of the Constitution which relates to the admission of new States is in these words: "The Congress *may* admit new States into this Union," etc., and the advocates for restriction maintain that the use of the word "may" imports discretion to admit or to reject;⁵ and that in this discretion is wrapped up another — that of prescribing the terms and conditions of admission in case you are willing to admit: *Cujus est dare ejus est disponere*.⁶ I will not for the present inquire whether this *involved* discretion to dictate the *terms* of admission¹⁰ belongs to you or not. It is fit that I should first look to *the nature and extent of it*.

I think I may assume that if such a power be anything but nominal, it is much more than adequate to the present object — that it is a power of vast expansion, to¹⁵ which human sagacity can assign no reasonable limits — that it is a capacious reservoir of authority, from which you may take, in all time to come, as occasion may serve, the means of oppression as well as of benefaction. I know that it professes at this moment to be the chosen²⁰ instrument of protecting mercy, and would win upon us by its benignant smiles: but I know, too, it can frown, and play the tyrant, if it be so disposed. Notwithstanding

the softness which it now assumes, and the care with which it conceals its giant proportions beneath the deceitful drapery of sentiment, when it next appears before you it may show itself with a sterner countenance and in more
5 awful dimensions. It is, to speak the truth, sir, a power of colossal size — if indeed it be not an abuse of language to call it by the gentle name of a *power*. Sir, it is a wilderness of powers, of which fancy in her happiest mood is unable to perceive the far-distant and shadowy boundary.
10 Armed with such a power, with Religion in one hand and Philanthropy in the other, and followed with a goodly train of public and private virtues, you may achieve more conquests over sovereignties not your own than falls to the common lot of even uncommon ambition. By
15 the aid of such a power, skillfully employed, you may “bridge your way” over the Hellespont^o that separates State legislation from that of Congress; and you may do so for pretty much the same purpose with which Xerxes once bridged his way across the Hellespont, that
20 separates Asia from Europe. He did so, in the language of Milton,^o “the liberties of Greece to yoke.” You may do so for the analogous purpose of subjugating and reducing the sovereignties of States, as your taste or convenience may suggest, and fashioning them to your im-
25 perial will. There are those in this House who appear to think, and I doubt not sincerely, that the particular restraint now under consideration is wise, and benevolent, and good: wise as respects the Union — good as respects Missouri — benevolent as respects the unhappy victims
30 whom with a novel kindness it would incarcerate in the South, and bless by decay and extirpation. Let all such

beware, lest in their desire for the effect which they believe the restriction will produce, they are too easily satisfied that they have the right to impose it. The moral beauty of the present purpose, or even its political recommendations (whatever they may be), can do nothing for a power like this, which claims to prescribe conditions *ad libitum*, and to be competent to *this* purpose, because it is competent to *all*. This restriction, if it be not smothered in its birth, will be but a small part of the progeny of that prolific power. It teems with a mighty brood, of which this may be entitled to the distinction of comeliness as well as of primogeniture. The rest may want the boasted loveliness of their predecessor, and be even uglier than "Lapland witches."

Perhaps, sir, you will permit me to remind you that it is almost always in company with those considerations that interest the heart in some way or other, that encroachment steals into the world. A bad purpose throws no veil over the licenses of power. It leaves them to be seen as they are. It affords them no protection from the inquiring eye of jealousy. The danger is when a tremendous discretion like the present is attempted to be assumed, as on this occasion, in the names of Pity, of Religion, of National Honor and National Prosperity; when encroachment tricks itself out in the robes of Piety, or Humanity, or addresses itself to pride of country, with all its kindred passions and motives. It is then that the guardians of the Constitution are apt to slumber on their watch, or, if awake, to mistake for lawful rule some pernicious arrogation of power.

I would not discourage *authorized* legislation upon those

kindly, generous, and noble feelings which Providence has given to us for the best of purposes: but when *power to act* is under discussion, I will not look to the end in view, lest I should become indifferent to the lawfulness of the means. Let us discard from this high constitutional question, all those extrinsic considerations which have been forced into its discussion. Let us endeavor to approach it with a philosophic impartiality of temper — with a sincere desire to ascertain the boundaries of our authority, and a determination to keep our wishes in subjection to our allegiance to the Constitution.

Slavery, we are told in many a pamphlet, memorial, and speech, with which the press has lately groaned, is a foul blot upon our otherwise immaculate reputation. Let this be conceded — yet you are no nearer than before to the conclusion that you possess power which may deal with other subjects as effectually as with this. Slavery, we are further told, with some pomp of metaphor, is a canker at the root of all that is excellent in this republican empire, a pestilent disease that is snatching the youthful bloom from its cheek, prostrating its honor, and withering its strength. Be it so — yet if you have power to medicine to it in the way proposed, and in virtue of the diploma which you claim, you have also power in the distribution of your political alexipharmics to present the deadliest drugs to every territory that would become a State, and bid it drink or remain a colony forever. Slavery, we are also told, is now “rolling onward with a rapid tide towards the boundless regions of the West,” threatening to doom them to sterility and sorrow, unless some potent voice can say to it — thus far shalt thou go and no farther.

Slavery engenders pride and indolence in him who commands, and inflicts intellectual and moral degradation on him who serves. Slavery, in fine, is unchristian and abominable. Sir, I shall not stop to deny that slavery is all this and more; but I shall not think myself the less authorized to deny that it is for you to stay the course of this dark torrent, by opposing to it a mound raised up by the labors of this portentous discretion on the domain of others — a mound which you cannot erect but through the instrumentality of a trespass of no ordinary kind — not the comparatively innocent trespass that beats down a few blades of grass which the first kind sun or the next refreshing shower may cause to spring again — but that which levels with the ground the lordliest trees of the forest, and claims immortality for the destruction which it inflicts.

I shall not, I am sure, be told that I exaggerate this power. It has been admitted here and elsewhere that I do not. But I want no such concession. It is manifest that as a discretionary power it is everything or nothing — that its head is in the clouds, or that it is a mere figment of enthusiastic speculation — that it has no existence, or that it is an alarming vortex ready to swallow up all such portions of the sovereignty of an infant State as you may think fit to cast into it as preparatory to the introduction into the union of the miserable residue. No man can contradict me when I say, that if you have this power, you may squeeze down a new-born sovereign State to the size of a pygmy, and then taking it between finger and thumb, stick it into some niche of the Union, and still continue by way of mockery to call it a *State in*

the sense of the Constitution. You may waste it to a shadow, and then introduce it into the society of flesh and blood an object of scorn and derision. You may sweat and reduce it to a thing of skin and bone, and then place the
5 ominous skeleton beside the ruddy and healthful members of the Union, that it may have leisure to mourn the lamentable difference between itself and its companions, to brood over its disastrous promotion, and to seek in justifiable discontent an opportunity for separation, and
10 insurrection, and rebellion. What may you not do by dexterity and perseverance with this terrific power? You may give to a new State, in the form of terms which it cannot refuse (as I shall show you hereafter), a statute book of a thousand volumes — providing not for ordinary
15 cases only, but even for possibilities; you may lay the yoke, no matter whether light or heavy, upon the necks of the latest posterity; you may send this searching power into every hamlet for centuries to come, by laws enacted in the spirit of prophecy, and regulating all those
20 dear relations of domestic concern which belong to local legislation, and which even local legislation touches with a delicate and sparing hand. This is the first inroad. But will it be the last? This provision is but a pioneer for others of a more desolating aspect. It is that fatal
25 bridge of which Milton speaks, and when once firmly built, what shall hinder you to pass it when you please for the purpose of plundering power after power at the expense of new States, as you will still continue to call them, and raising up prospective codes irrevocable, and
30 immortal, which shall leave to those States the empty shadows of domestic sovereignty, and convert them into

petty pageants, in themselves contemptible, but rendered infinitely more so by the contrast of their humble faculties with the proud and admitted pretensions of those who, having doomed them to the inferiority of vassals, have condescended to take them into their society and under their protection?

I shall be told, perhaps, that you can have no temptation to do all or any part of this, and, moreover, that you can do nothing of yourselves, or, in other words, without the concurrence of the new State. The last of these suggestions I shall examine by and by. To the first I answer, that it is not incumbent upon me to prove that this discretion will be abused. It is enough for me to prove the vastness of the power as an inducement to make us pause upon it, and to inquire with attention whether there is any apartment in the Constitution large enough to give it entertainment. It is more than enough for me to show that vast as is this power, it is with reference to mere territories an *irresponsible* power. Power is irresponsible when it acts upon these who are defenseless against it — who cannot check it, or contribute to check it, in its exercise — who can resist it only by force. The territory of Missouri has no check upon this power. It has no share in the government of the Union. In this body it has no representative. In the other House it has, by courtesy, an agent, who may remonstrate, but cannot vote. That such an irresponsible power is not likely to be abused, who will undertake to assert? If it is not, "Experience is a cheat, and fact a liar." The power which England claimed over the colonies was such a power, and it was abused — and hence the Revolution. Such a power.

is always perilous to those who wield it, as well as to those on whom it is exerted. Oppression is but another name for irresponsible power, if History is to be trusted.

* * * * *

"New States *may* be admitted by the Congress into this Union." It is objected that the word "*may*" imports power, not obligation — a right to decide — a discretion to grant or refuse.

To this it might be answered that *power* is *duty* on many occasions. But let it be conceded that it is discretionary. What consequence follows? A power to refuse, in a case like this, does not necessarily involve a power to exact terms. You must look to the *result*, which is the declared object of the power. Whether you will arrive at it, or not, may depend on your will; but you cannot compromise with the result intended and professed.

What, then, is the professed result? To admit a *State* into this *Union*.

What is that Union? A confederation of States equal in sovereignty — capable of everything which the Constitution does not forbid, or authorize Congress to forbid. It is an equal Union, between parties equally sovereign. They were sovereign, independently of the Union. The object of the Union was common protection for the exercise of already existing sovereignty. The parties gave up a portion of that sovereignty to insure the remainder. As far as they gave it up by the common compact they have ceased to be sovereign. The *Union* provides the means of defending the residue: and it is into that Union that a new State is to come. By acceding to it, the new

State is placed on the same footing with the original States. It accedes for the same purpose, *i.e.* protection for its unsundered sovereignty. If it comes in shorn of its beams — crippled and disparaged beyond the original States, it is not into the *original Union* that it comes. For it is a different sort of Union. The first was Union *inter pares*°. This is a Union between *disparates* — between giants and a dwarf — between power and feebleness — between full-proportioned sovereignties and a miserable image of power — a thing which that very Union has shrunk and shriveled from its just size, instead of preserving it in its true dimensions.

It is into “this Union,” *i.e.* the Union of the Federal Constitution, that you are to admit, or refuse to admit. You can admit into no other. You cannot make the Union, as to the new State, what it is not as to the old; for then it is not *this Union* that you open for the entrance of a new party. If you make it enter into a new and additional compact, is it any longer the same Union?

We are told that admitting a State into the Union is a compact. Yes — but what sort of a compact? A compact that it shall be a member of the Union, as the Constitution has made it. You cannot new fashion it. You may make a compact to admit, but when admitted, the original compact prevails. The Union is a compact, with a provision of political power and agents for the accomplishment of its objects. Vary that compact as to a new State — give new energy to that political power so as to make it act with more force upon a new State than upon the old — make the will of those agents more effectually the arbiter of the fate of a new State than of

the old, and it may be confidently said that the new State has not entered into *this Union*, but into another Union. How far the Union has been varied is another question. But that it has been varied is clear.

5 If I am told that by the bill relative to Missouri, you do not legislate upon a new State — I answer that you do; and I answer further that it is immaterial whether you do or not. But it is upon Missouri, as a State, that your terms and conditions are to act. Until Missouri is a
10 State, the terms and conditions are nothing. You legislate in the shape of terms and conditions, prospectively — and you so legislate upon it that when it comes into the Union it is to be bound by a contract degrading and diminishing its sovereignty, and is to be stripped of rights
15 which the original parties to the Union did not consent to abandon and which that Union (so far as depends upon it) takes under its protection and guarantee.

Is the right to hold slaves a right which Massachusetts enjoys? If it is, Massachusetts is under this Union in
20 a different character from Missouri. The compact of Union for it, is different from the same compact of Union for Missouri. The power of Congress is different — everything which depends upon the Union is, in that respect, different.

25 But it is immaterial whether you legislate for Missouri as a State or not. The effect of your legislation is to bring it into the Union with a portion of its sovereignty taken away.

But it is a *State* which you are to admit. What is a
30 State in the sense of the Constitution? It is not a State in the general — but a State as you find it in the Con-

stitution. A State, generally, is a body politic or independent political society of men. But the State which you are to admit must be more or less than this political entity. What must it be? Ask the Constitution. It shows what it means by a State by reference to the parties to it. It must be such a State as Massachusetts, Virginia, and the other members of the American confederacy — a State with full sovereignty except as the Constitution restricts it.

It is said that the word “may” necessarily implies the right of prescribing the terms of admission. Those who maintain this are aware that there are no express words (such as *upon such terms and conditions as Congress shall think fit*), words which it was natural to expect to find in the Constitution, if the effect contended for were meant. They put it, therefore, on the word “may,” and on that alone.

Give to that word all the force you please — what does it import? That Congress is not *bound* to admit a new State into this Union. Be it so for argument’s sake. Does it follow that when you consent to admit into this Union a new State you can make it less in sovereign power than the original parties to that Union — that you can make the Union as to it what it is not as to them — that you can fashion it to your liking by compelling it to purchase admission into an Union by sacrificing a portion of that power which it is the sole purpose of the Union to maintain in all the plenitude which the Union itself does not impair? Does it follow that you can force upon it an additional compact not found in the compact of Union — that you can make it come into the Union less

a *State*, in regard to sovereign power, than its fellows in that Union — that you can cripple its legislative competency (beyond the Constitution which is the pact of Union, to which you make it a party as if it had been originally a party to it), by what you choose to call a *condition*, but which, whatever it may be called, brings the new government into the Union under new obligations to it, and with disparaged power to be protected by it.

In a word — the whole amount of the argument on the other side is — that you may refuse to admit a new State, and that therefore if you admit, you may prescribe the terms.

The answer to that argument is — that even if you can refuse, you can prescribe no terms which are inconsistent with the act you are to do. You can prescribe no conditions which, if carried into effect, would make the new State less a sovereign State than, under the Union as it stands, it would be. You can prescribe no terms which will make the compact of Union between it and the original States essentially different from that compact among the original States. You may admit, or refuse to admit: but if you admit, you must admit a State in the sense of the Constitution — a State with all such sovereignty as belongs to the original parties: and it must be into *this* Union that you are to admit it, not into a Union of your own dictating, formed out of the existing Union by qualifications and new compacts, altering its character and effect, and making it fall short of its protecting energy in reference to the new State, whilst it acquires an energy of another sort — the energy of restraint and destruction.

I have thus endeavored to show, that even if you have

a discretion to refuse to admit — you have no discretion, if you are willing to admit, to insist upon any terms that impair the sovereignty of the admitted State as it would otherwise stand in the Union by the Constitution which receives it into its bosom. To admit or not, is for you to decide. Admission once conceded, it follows as a corollary that you must take the new State as an equal companion with its fellows — that you cannot recast or new model the Union *pro hac vice*° — but that you must receive it into the *actual Union*, and recognize it as a parcener in the common inheritance, without any other shackles than the rest have, by the Constitution, submitted to bear — without any other extinction of power than is the work of the Constitution acting indifferently upon all.

JOHN RANDOLPH

RETORT TO McLANE

Mr. RANDOLPH said, "If the House will lend me its attention for five minutes, I think I can demonstrate that the argument of the gentleman from Delaware, in favor of the increased duty on brown sugar, is one of the
5 most suicidal arguments that ever reared its spectral front in a deliberative assembly.

The gentleman objects to reducing the duty on sugar, because it will diminish the revenue, which he says we cannot dispense with — and yet he wishes to continue it
10 as a bounty of three dollars per one hundred pounds (not the long hundred of 112 lbs.), until the sugar planting and sugar manufacture should be extended, so as to supply the whole demand of our consumption. Then, what becomes of the revenue from sugar that we cannot
15 dispense with? This is what I call a suicidal argument — it destroys itself.

But, we must not reduce the duty to what it stood at, only eight years ago, because it will injure the sale of the public lands. Yes, sir, the public lands! for which, sold
20 or unsold, we never get paid. The gentleman would persuade us that we are under obligation to such purchasers as bought the sugar lands under the existing duty — and how many sugar estates have been established on lands

bought of the public — and since the year 1816, too? Sir, this argument of obligation to tax ourselves, for the profit of these overgrown sugar planters, will not hold water. It will not even hold cotton. — [Mr. TON'S reiterated motions to enhance the tax on cotton bagging, 5 had just succeeded by the Speaker's casting vote.] We are not to reduce the duty on sugar for fear of injuring the sale of the public lands, for which, although we may obtain nominal payment, we shall never receive one penny. 10

[Mr. McLANE, at the commencement of his reply, appearing to be much irritated, Mr. RANDOLPH rose and assured him that he intended not the slightest personal disrespect or offense — but Mr. McLANE went on to say that the gentleman from Virginia had displayed a good 15 head — but he would not accept that gentleman's head, to be obliged to have his heart along with it.]

Mr. RANDOLPH replied :

It costs me nothing, sir, to say that I very much regret that the zeal which I have not only felt but cherished, 20 on the subject of laying taxes in a manner which, in my judgment, is inconsistent, not merely with the spirit, but the very letter of the Constitution — should have given to my remarks, on this subject, a pungency which has rendered them disagreeable, and even offensive to the 25 gentleman from Delaware. For that gentleman I have never expressed any other sentiment but respect — I have never uttered, or entertained, an unkind feeling towards that gentleman, either in this House or elsewhere — nor do I now feel any such sentiment towards him — 30 I never pressed my regard upon him — I press it upon

no man. He appears to have considered my remarks as having a personal application to himself. I certainly did not intend to give them that direction, and I think that my prompt disclaimer of any such intention ought to have disarmed his resentment, however justly it may have been excited. He has been pleased, sir, to say something which, no doubt, he thinks very severe, about my head and my heart.

How easy, sir, would it be for me to reverse the gentleman's proposition, and to retort upon him, that I would not, in return, take that gentleman's heart, however good it may be, if obliged to take such a head into the bargain.

But, sir, I do not think this — I never thought it — and, therefore, I cannot be so ungenerous as to say it: for, Mr. Speaker, who made me a searcher of hearts? — of the heart of a fellow-man, a fellow-sinner? Sir, this is an awful subject! better suited to Friday or Sunday next (Good Friday and Easter Sunday), two of the most solemn days in the Christian calendar — when I hope we shall all consider it, and lay it to heart as we ought to do.

But, sir, I must still maintain that the argument of the gentleman is suicidal — he has fairly worked the equation, and one half of his argument is a complete and conclusive answer to the other. And, sir, if I should ever be so unfortunate as, through inadvertence, or the heat of debate, to fall into such an error, I should, so far from being offended, feel myself under obligation to any gentleman who would expose its fallacy, even by ridicule — as fair a weapon as any in the whole parliamentary armory. I shall not go so far as to maintain, with my Lord Shaftesbury,^o that it is the unerring test of truth, whatever it

may be of temper — but if it be proscribed as a weapon as unfair as it is confessedly powerful, what shall we say (I put it, sir, to you, and to the House) to the poisoned arrow? — to the tomahawk and the scalping knife? Could the most unsparing use of ridicule justify a resort to these weapons? Was this a reason that the gentleman should sit in judgment on my heart? — yes, sir, *my* heart — which the gentleman (whatever he may say), in his heart, believes to be a frank heart, as I trust it is a brave heart. Sir, I dismiss the gentleman to his self-complacency — let him go — yes, sir, let him go — and thank his God that he is not as *this* Publican.

R. B. RHETT

AN ADDRESS

Fellow-citizens, — Three weeks have now elapsed since the news arrived amongst us that the Tariff Bill^o had become a law. We deem it proper that this time should have passed away, before any stand in opposition
5 should be assumed, that we may not appear to act under the impulse of excited and momentary feelings, and that we might have due time for cool and determinate deliberation. The crisis requires the maturest thought in council; but most of all, it requires all the concentrated energy of
10 passion in action, of which, as a people, we are capable, to overcome the dangers and difficulties that surround us. You still, with desponding countenances ask each other, "What shall we do?" "What shall we do?" It is in answer to this question, that, as parties jointly interested,
15 we now venture to offer you our feeble counsel and conscientious determination.

Fellow-citizens, — In the spirit of open candor we design to address you. Even if the stern bond of our united destiny did not bind us together, we know that
20 your generosity would give us your sympathies, for when were the hearts of freemen closed to the voice of the oppressed? Openly then will we speak to you. If in error, in the estimations of your better judgments, we

simply claim your charity, and are content with our minority — if in passion overwrought, think of us as men not long used to oppression, who believe that they have borne patiently, and borne well, until further toleration will become their crime. We disdain any profession of motives. If accusation and imputation must come, however lacerating to honorable minds, we will bear them, as we have borne worse things — as incidents of our hard situation.

During the last summer, we collected together in our district capacities,^o and from every section of the State, declared to the Congress of the United States, that a Tariff framed with a view to encourage domestic manufactures, was contrary to our free and chartered rights. Our legislature took the subject into consideration. They condescended to repeat what they had already said in 1824; and, in an able and dispassionate memorial, solemnly laid their protest before the Congress of this Union, against such partial and unconstitutional legislation.^o As a sovereign State, we have declared that such a Tariff would be a violation of our sovereign rights. As freemen, we have proclaimed to the world that such a Tariff would be an infringement of our privileges as men; and in terms as moderate as they were respectful, we have implored our brethren not to drive us to the stern alternative of submitting in shame, or resistance in sorrow. Your remonstrances and your implorations have been in vain; and a Tariff Bill has passed, not, indeed, such as you apprehended, but tenfold worse in all its oppressive features. — Nor does the manner in which your memorials have been considered by the Congress of these States,

alleviate your compromised situation. They sleep quietly upon their tables; whilst day by day, and week after week, passes away in prolonged discussion, in the effort to adjust, in what manner by mutual concession they
5 can best license each other to extort from the whole community. The question whether they can constitutionally do this or not, excites neither solicitude nor alarm, and appears unworthy of inquiry. Power seems to be right, and our representatives sit in desponding
10 silence, under conviction, that their voices would as easily move the Capitol from its basis, as shake the purpose of interested cupidity. They protest indeed before they receive the blow.

What course is left to us to pursue? Our Northern
15 and Western brethren are not — cannot be ignorant of the operation of the system they advocate, or of the powers they claim for the general government. They full well know, because like us they must FEEL, that it lifts them to prosperity, while it sinks us into ruin. We have
20 done by words all that words can do. To talk more must be a dastard's refuge.

What course is left for us to pursue? If we have the common pride of men, or the determination of freemen, we must resist the impositions of this Tariff. We stand
25 committed. To be stationary is impossible. We must either retrograde in dishonor, and in shame, and receive the contempt and scorn of our brethren, superadded to our wrongs, and their system of oppression, strengthened by our toleration; or, we must, "by opposing, end them."
30 To the very last vote in Congress, we have kept this dreaded alternative from our minds, still clinging to the

vain hope that some kindred feeling — some sense of constitutional justice, some spirit of forbearance and compromise, such as influenced our fathers when acting together, and the framers of this Constitution, would secure us from this bitter emergency. But it has come, 5 and we may not shrink in meeting it.

In advising an attitude of open resistance to the laws of the Union, we deem it due to the occasion, and that we may not be misunderstood, distinctly, but briefly to state without argument, our constitutional faith. For it 10 is not enough that imposts laid for the protection of domestic manufactures are oppressive, and transfer in their operation millions of our property to Northern capitalists. If we have given our bond, let them take our blood. Those who resist these imposts must deem them 15 *unconstitutional*, and the principal is abandoned by a payment of one cent, as much as ten millions.

First. We believe, then, that the State of South Carolina, in entering into the Confederacy of the United States, was a sovereign State or Nation; and retained all the 20 powers not *expressly* granted to the Confederacy, or such as were "necessary and proper," to carry the powers expressly granted into operation.

Second. We believe, as a corollary to this proposition, that the Constitution of the United States is one of express, 25 limited, and specific powers; and has no powers, but those contained upon the face of the charter.

Third. We believe that the power to encourage domestic manufactures, by which one portion of the community is made tributary to another, is neither amongst 30 the express powers granted by this Constitution, nor is

"necessary and proper" to carry any other expressly granted power into operation.

Fourth. We believe that because commerce (with all the other great branches of industry) is incidentally affected and curtailed by laying imposts with a view to encourage domestic manufactures, that domestic manufactures cannot be encouraged by imposts laid under the general power granted of regulating commerce.

Fifth. We believe, that by the second clause of the tenth section of the first article of the Constitution,^o the power of fostering their manufactures by duties laid, is expressly given to the separate States, and consequently is as expressly denied to the general government.

Such, fellow-citizens, on this subject, are our constitutional points of belief. We appeal confidently to the charter itself, and to the contemporaneous expositions of those who framed it, to justify our opinions. We cannot test their accuracy by a resort to our courts of justice; for, with a timid fraud, well becoming the tyranny it covers, the Tariff Bill, upon its face, purports to be for revenue; and of course, in a court of law, could only be judged of by its terms. But we are free to confess that, could the constitutional point in dispute be fairly made before our courts of justice, the decision of every court in the land, in favor of this masked oppression, could not convince our understandings of its constitutionality. It may obtain our submission, but never our conviction. According to our humble conceptions, the constitutional grounds upon which our fathers resisted the pretensions of the British Crown, are weak and trivial when compared with those upon which we now stand.

The history of the Constitution of the United States is the old story of every constitution that was ever devised by man. We had once hoped for better things; and, in the fondness of our weak idolatry, almost believed that wisdom surpassing man's had destined this Union for a duration approaching perpetuity. Although the Constitution contains, upon the face of it, the grant of every power that can be necessary to our foreign relations; and by virtue of these powers, and *these alone*, for more than forty years has kept us in comparative prosperity, and lifted us to glory — yet the busy love of power has grown restless under its limitations, and would stretch them forth into indefinite and undefinable extension. According to the pretensions of some, we have truly no Constitution. All the resources of this Union are under the control of Congress for internal regulation. All the property we possess, we hold by their boon; and a majority in Congress may, at any moment, deprive us of it and transfer it northward, or offer it up on the bloody altar of a bigot's philanthropy. Usurpation has indeed followed usurpation. What was harmless innovation to-day, has become precedent to-morrow. Our very forbearance and toleration has been considered as construction; until, at last, this whole instrument, framed in the profoundest wisdom and the most jealous caution, is virtually abolished and merged in the powers broadly claimed "for the *general welfare*."

Fellow-citizens! There is no security for us as citizens of this Confederacy, unless we can bring back the general government to an administration of the Constitution in the spirit in which it was made. Under this Constitution

most of us have been born and live [and] under its government it is our most ardent aspiration to die. We have, indeed, been taught that it is our crowning Glory,—the pride of the New — the terror of the Old — and the admiration of the whole World: that property and life itself are but chiefly lost when lost beneath the Star-Spangled Banner of our common country. Have we not proved (if blood and treasure can prove it) that our attachment to the Union can only be limited by our superior attachment to our rights; that our generous love for our brethren of this Confederacy can only be alienated by a course of long-continued and settled hostility? Previous to our Revolution, when the arm of oppression was stretched over New England, where did our Northern brethren meet with braver sympathy than that which sprang from the bosoms of Carolinians? We had no extortion — no oppression — no collision with the King's ministers — no navigation interests springing up in envious rivalry of England — no hired soldiery were billeted upon our citizens, or patrolled our country, goading with mockery and insult the peaceful and unoffending yeoman to hatred and to rage. The blood shed at Bunker Hill was resented as our own; and with simultaneous action we cast the sword's scabbard to the rust, and by their side assumed our stand, to live or perish together. We contributed *one fifth* of the whole revenue that supported the Revolutionary War, and suffered in that glorious struggle more than was ever told, or words can tell. The last war^o was waged and maintained by us in the defense of Northern interests; and, from the commencement of the Union to the present day, we have paid, propor-

tionally, more revenue into the coffers of the general government than any single State of the Confederacy. Our politicians, in the fullness of their love and confidence, have been for surrendering up all to its discretion.

Such is the tale of history. We have done these things⁵ from love to our brethren, and from our ardent attachment to the Constitution of these United States, in maintenance of the great principles of liberty, not then, from a desire of disunion, or to destroy the Constitution, but it is that we may preserve the Union, and bring back the¹⁰ Constitution to its original uncorrupted principles, that we now advise you to resist its violation. From the rapid step of usurpation, whether we now act or not, the day of open opposition to the pretended powers of the Constitution cannot be far off: and it is that it may not go¹⁵ down in blood that we now call upon you to resist. We feel ourselves standing underneath its mighty protection, and declaring forth its free and recorded spirit, when we say we must resist. By all the great principles of liberty — by the glorious achievements of our Fathers in defend-²⁰ ing them — by their lives in suffering, and their deaths in honor and glory — our countrymen! We must resist. Not secretly, as timid thieves, or skulking smugglers — not in companies or associations, like money-chaffers or stock-jobbers — not separately and individually, as if this²⁵ was ours and not our country's cause — but openly, fairly, fearlessly, and unitedly, as becomes a free, sovereign, and independent people. Does timidity ask "when"? We answer now! even now, while yet oppression is not old to us, and the free spirit looks abroad in³⁰ pride over this land of glorious freedom, and, beautiful,

though depressed and broken fertility. Let not time eat away our rights, and prescription plead your sanction to your ruin. As in those dark times "that tried men's souls," let us assemble in solemn convention or in legislature; and in firmness, but humility of spirit, rely upon that Providence who has hitherto protected us, to guide and direct our anxious councils.

But if you are doubtful of yourselves — if you are not prepared to follow up your principles wherever they may lead, to their very last consequence — if you love life better than honor — prefer ease to perilous liberty and glory; awake not! stir not! Impotent resistance will add vengeance to your ruin. Live in smiling peace with your insatiable oppressors, and die with the noble consolation that your submissive patience will survive triumphant your beggary and despair.

J. M. BERRIEN

THE GEORGIA PROTEST

I AM not willing, sir, to see an act so grave and interesting in its character, pass away with those mere everyday events which are forgotten almost in the instant of their occurrence. In order, therefore, that it may be distinctly presented to the notice of the Senate, before I submit the motion which it calls for, I will state its purport, and avail myself of the occasion to make a very brief remark.

That document, sir, of which an official copy has been transmitted to my colleague and myself, is the protest of the State of Georgia, made through her constitutional organs, to this assembly of the representatives of States, against the "act in alteration of the several acts laying duties on imports," passed at the late session of the Congress of the United States. In her sovereign character, as one of the original members of this Confederacy, by whom this government was called into existence, that State protests against this act, on the several grounds which are specifically set forth, in that instrument, which is attested by the signatures of her legislative and executive functionaries, and authenticated under her public seal.

It is now delivered to his department of the Federal government, to be deposited in its archives, *in perpetuam rei memoriam*,^o to serve whenever the occasion may

require it, as an authentic testimony of the solemn dissent of one of the sovereign States of this Union from the act therein protested against, as an infraction of the constitutional compact by which she is united to the other members of this Confederacy.

It is difficult, sir, to repress — it is, perhaps, still more difficult appropriately to express the feelings which belong to such an occasion as the present. I have been educated in sentiments of reverence for our Federal Union, and, through life, I have habitually cherished these sentiments. As an individual citizen, therefore, it is painful to recur to that disastrous policy which has imposed on the State in which I live the stern necessity of assuming this relation to the government of this Confederacy.

As one of the representatives on this floor of that State, whose citizens have always been forward to manifest a profound and devoted attachment to this Union — of a patriotic and gallant people, who would freely yield their treasure and unsparingly shed their blood in its defense; the occasion is one of deep and unmingled humiliation, which demands the deposit, in the registry of the Senate, of this record of their wrongs. There may be those, sir, who will look to this act with indifference, perhaps with levity; who will consider it as the result of momentary excitement; and see, or think they see in it, merely the effusion of impassioned, but evanescent feeling. I implore those gentlemen not to deceive themselves on a subject in relation to which error may be alike dangerous to us all.

Forty years of successful experiment have proved the efficiency of this government to sustain us in an honor-

able intercourse with the other nations of the world. Externally, in peace and in war, amid the fluctuations of commerce, and the strife of arms, it has protected our interests, and defended our rights. One trial, one fearful trial, yet remains to be made. It is one, under the apprehension of which the bravest may tremble—which the wise and the good will anxiously endeavor to avoid. It is that experiment which shall test the competency of this government to preserve our internal peace, whenever a question vitally affecting the bond, which unites us as one people, shall come to be solemnly agitated between the sovereign members of this Confederacy. In proportion to its dangers should be our solicitude to avoid it, by abstaining on the one hand from acts of doubtful legislation, as well as by the manner of resistance on the other, to those which are deemed unconstitutional. Between the independent members of this Confederacy, sir, there can be no common arbiter. They are necessarily remitted to their own sovereign will, deliberately expressed, in the exercise of those reserved rights of sovereignty, the delegation of which would have been an act of political suicide. The designation of such an arbiter, sir, was, by the force of invincible necessity, *casus omissus* among the provisions of a constitution conferring limited powers, the interpretation of which was to be confided to the subordinate agents, created by those who were intrusted to administer it.

I earnestly hope, that the wise and conciliatory spirit of this government, and of those of the several States, will postpone, to a period far distant, the day which will summon us to so fearful a trial. If we are indeed doomed

to encounter it, I as earnestly hope that it may be entered upon in the spirit of peace, and with cherished recollections of former amity. But the occasion which shall impel the sovereign people of even one of the members of this Confederacy to resolve, that they are not bound by its acts, is one to which no patriot can look with levity, nor yet with indifference. Whatever men and freemen may do to avert it, the people of Georgia will do. Deeply as they feel the wrongs which they suffer, they will yet bear and forbear. Though their complaints have been hitherto disregarded, and their remonstrances have been heretofore set at nought, they will still look with confidence to the returning justice of this government.

I fulfill my duty, sir, on this occasion, with a cherished reliance on that justice; with a deep and abiding conviction of the patriotism and forbearance of that people by whom it is demanded; with an humble but unwavering trust in the mercy of Heaven.

BENJAMIN WATKINS LEIGH

THE APPORTIONMENT OF REPRESENTATION

. . . I HAVE regard, especial regard, to the local interests of my constituents. They sent me here for the very purpose that I might watch over them, guard, defend, and secure them, to the uttermost of my power. And, if I should disregard them, either through design or indolence, — if I were even to profess to have no regard for them, — it were better for me that I had never been born; the contempt of some and the hate of others would pursue me through life; and if I should fly for refuge to the remotest corners of the earth, conscience — *Quis exul patria se quoque fugit* — conscience would still follow me with her whip of scorpions, and lash me to the grave.

* * * * *

And now, sir, let me be distinctly understood. Attachment to this, my native State, to every foot of her soil, to every interest of all her citizens, has been my ruling passion from my youth — so strong that it is now (what all attachments to be useful to their objects must be) a prejudice — I hardly recollect the reasons on which it was founded. None that know me will doubt this. I foresaw, I foretold, this fearful, distracting conflict. I looked to it with terror from the first, and I look to its consequences with horror now. I have trembled — I

have burned. I raised my Cassandra^o voice, to warn and to deprecate — if I had the strength to make it heard, I wanted weight of character to make it heeded. Never till then had I felt the want of political influence, or lamented that I had disdained the ordinary methods of acquiring it in my earlier years, though probably no efforts would have been successful. My feelings, my reason, my prejudices, my principles, all assure me that the dismemberment of the State must be fraught with
10 cruel evils to us of the East, and still more cruel evils to our brethren of the West. Yet, sir — and the blood curdles in my veins while I make the avowal — I shall avow that the preservation of the commonwealth in its integrity is only the second wish of my heart: the first
15 is that it may be preserved entire under a fair, equal, regular, republican government, founded in the great interests that are common to us all, and on a just balance of those interests that are conflicting.

Sir, the resolution reported by the legislative committee, in effect, proposes to divorce power from property — to base representation on numbers alone, though numbers do not quadrate with property — though mountains rise between them — to transfer, in the course of a very few years, the weight of power over taxation and property
25 to the West, though it be admitted, on all hands, that the far greater mass of property is now, and must still be held in the East. Power and property may be separated for a time, by force or fraud — but divorced, never. For, so soon as the pang of separation is felt — if there
30 be truth in history, if there be any certainty in the experience of ages, if all pretensions to knowledge of the

human heart be not vanity and folly — property will purchase power, or power will take property. And either way, there must be an end of free government. If property buy power, the very process is corruption. If power ravish property, the sword must be drawn — so essential is property to the very being of civilized society, and so certain that civilized man will never consent to return to a savage state. Corruption and violence alike terminate in military despotism. All the republics in the world have died this death. In the pursuit of a wild impracticable liberty, the people have first become disgusted with all regular government, then violated the security of property which regular government alone can defend, and been glad at last to find a master. License is not liberty, but the bane of liberty. There is a book¹⁵ — but the author was a Tory, an English Tory, and he wrote before the American Revolution, so that I am almost afraid to refer to it — yet I will — there is an essay of Swift^o on the dissensions of Athens and Rome, in which the downfall of those republics is clearly traced²⁰ to the same fatal error of placing power over property in different hands from those that held the property. The manner of doing the mischief there was the vesting of all the powers of judicature in the people; but no matter how the manner may be varied, the principle is the same.²⁵ There has been no change in the natural feelings, passions, and appetites of men, any more than in their outward form, from the days of Solon^o to those of George Washington. Like political or moral causes put in action, have ever produced, and must forever produce, everywhere, like³⁰ effects — in Athens, in Rome, in France, in America.

The resolution of the legislative committee proposes to give to those who have comparatively little property power over those who have a great deal — to give to those who contribute the least, the power of taxation
5 over those who contribute the most, to the public treasury — and (what seems most strange and incongruous) to give the power over numbers alone in that branch of the legislature which should be the especial guardian of property — in the revenue-giving branch. To my mind,
10 sir, the scheme is irreconcilable with the fundamental principle of representative government, and militates against its peculiar mode of operation, in producing liberty at first, and then nurturing, fostering, defending, and preserving it for a thousand years. My friend from
15 Hanover (Mr. Morris) has already explained to the committee how the institution of the House of Commons in England grew out of the necessities of the Crown to ask aids from the people. The free spirit of the Saxon laws, mingling with the sterner spirit of the feudal system, had
20 decreed that property was sacred. The lawful prerogative of the Crown at no time extended to taxation; and if violence was sometimes resorted to, the supplies it collected were scant and temporary. Originally, the whole function of the House of Commons was to give money;
25 but the money being theirs, it belonged to them to say when, how much, for what purpose, they would give it. From the first, and invariably to this day, the Commons have been the sole representative of property — the Lords never have been regarded in that light. And from this
30 power of the Commons to give or withhold money, have sprung all the liberties of England — all that has distin-

guished that nation from the other nations of Europe. They used their power over the purse to extort freedom from the necessities of the King, and then to secure and defend it; they made his ambition, his waste, his very vices, work in favor of liberty. Every spark of English liberty was kindled at that golden lamp. "I ask money," said the Crown, "money to resist or to conquer your enemies and mine." "Give us privileges, then," was the constant answer; "acknowledge and secure our rights; and in order to secure them, put them into our own keeping."

Sir, I know it is the fashion to decry everything that is English, or supposed to be so; I know that in the opinion of many it is enough to condemn any proposition, in morals or in politics, to denounce it as English doctrine; but that is neither my opinion nor my feeling. I know well enough that the sentiment is unpopular; but I laid it down as a law to myself when I entered this convention, to conceal no feeling and no thought I entertain, and never to vary in the least from an exact exhibition of my opinions, so far as it is in the power of words to paint the mind; and I have no hesitation in saying, in the face of the whole world, that the English government is a free government, and the English people a free people. I pray gentlemen to cast their eyes over the habitable globe, survey every form of civil government, examine the condition of every society, and point me out one, if they can, who has even so much as a conception, and much more the enjoyment, of civil liberty, in our sense of it, save only the British nation and their descendants. England was the inventor, the founder of that represen-

tative government we so justly and so highly prize. I shall, therefore, study her institutions; exercise my judgment in ascertaining what is vicious, or rotten, or unsuitable to our condition; and rejecting that, hold fast
5 to all that is sound and wise and good, and proved by experience to be fit and capable to secure liberty and property; property, without which liberty can never exist, or if it could, would be valueless. Give me liberty in the English sense — liberty founded on law, and pro-
10 tected by law; no liberty held at the will of demagogue or tyrant, for I have no choice between them; no liberty for me to prey on others; no liberty for others to prey on me. I want no French liberty — none; a liberty which first attacked property, then the lives of its foes,
15 then those of its friends; which prostrated all religion and morals; set up nature and reason as goddesses to be worshiped; afterwards condescended to decree that there is a God; and, at last, embraced iron despotism as its heaven-destined spouse. Sir, the true, the peculiar
20 advantage of the principle of representative government is that it holds government absolutely dependent on individual property; that it gives the owner of property an interest to watch the government; that it puts the purse strings in the hands of its owners. Leave those
25 who are to contribute money to determine the measure and the object of contribution, and none will ever knowingly give their money to destroy their own liberty. Give to those who are not to contribute the power to determine the measure and object of the contribution of
30 others, and they *may* give it to destroy those from whom it is thus unjustly taken. From this false principle the

scheme of representation in question is variant only in degree: it only proposes to give one portion of the people power to take three dollars from another for every dollar they contribute of their own. I say, therefore, that the plan is at war with the first principle of representative government, and if it prevail must destroy it — how soon depends not on the wretched finite wisdom of man, but on the providence of God.

* * * * *

It has pleased heaven to ordain that man shall enjoy no good without alloy. Its choicest bounties are not blessings unless the enjoyment of them be tempered with moderation. Liberty is only a mean: the end is happiness. It is, indeed, the wine of life; but like other wines it must be used with temperance in order to be used with advantage: taken to excess, it first intoxicates, then maddens, and at last destroys.

R. Y. HAYNE

INAUGURAL ADDRESS

Fellow-citizens of the Senate and House of Representatives:

I appear before you in obedience to your commands, to enter upon the duties you have assigned me. The chief magistracy of South Carolina, at all times an office
5 of high dignity and trust, has now assumed an importance which might well induce the most highly gifted amongst us to hesitate in taking upon himself the fearful responsibility which belongs to it. Putting out of view the considerations which would have induced me at any
10 time to desire to be excused from this service — a sincere distrust of my abilities to discharge in a satisfactory manner the various and trying duties which must at this momentous crisis devolve on the Executive, would have deterred me from making the attempt, but for the con-
15 viction, that every man now owes a duty to his country which he is bound, at every sacrifice, to perform. Deeply sensible of the high honor conferred upon me, in being selected to preside over the destinies of the State at this interesting period, and feeling myself bound to defer to
20 your judgment, I am constrained to yield an implicit obedience to the public will, officially made known to me through you.

In taking this step I am fully aware of the difficulties

which are before me. In a period of intense excitement, threatened with dangers from without, and embarrassed by unhappy divisions at home, it belongs not to any wisdom of virtue, merely human, to reconcile conflicting opinions, harmonize discordant views, and meet the expectations of the public. Emergencies will probably arise, concerning which opinions will be so divided, that act as he may, your chief magistrate will have to encounter the severest censure and reproach. Nevertheless I will not shrink from the task you have assigned me, but, relying with confidence on your cordial support, and on the wisdom and virtue, courage and patriotism, of the people, I will walk steadily forward in the path of duty, indulging the hope that our united efforts for the promotion of the welfare, honor, and safety of the State may be crowned with success.

In the great struggle in which we are engaged,^o for the preservation of our rights and liberties, it is my fixed determination to assert and uphold the SOVEREIGN AUTHORITY OF THE STATE,^o and to enforce, by all the means that may be intrusted to my hands, her SOVEREIGN WILL. I recognize no allegiance as paramount to that which the citizens of South Carolina owe to the State of their birth, or their adoption. I here publicly declare, and wish it to be distinctly understood, that I shall hold myself bound by the highest of all obligations, to carry into full effect, not only the ordinance of the convention, but every act of the legislature, and every judgment of our own courts, the enforcement of which may devolve on the Executive. I claim no right to revise their acts. It will be my duty to execute them;

and that duty I mean, to the utmost of my power, faithfully to perform.

In the administration of the ordinary duties of my office it shall be my constant aim, and earnest endeavor, 5 to reconcile discordant opinions — to allay party animosities — and, as far as may be practicable, to bring all the citizens of Carolina to regard each other as brethren of one family. In the administration of our criminal code, I am firmly resolved to “execute justice”; but I 10 shall endeavor to do so in the spirit of the Constitution, which instructs me that this shall be done “in mercy.” I should despise myself, and feel that I was utterly unworthy of public confidence, if I were not unalterably determined to perform this most painful part of my public 15 duty without “fear, favor, or affection.” The pure stream of public justice shall not be contaminated by personal feelings, or party animosities.

And now, fellow-citizens, having thus frankly laid down the principles by which I intend to be governed, in the 20 administration of the affairs of the State, let us look forward to the prospect before us, in order that we may be prepared to meet the crisis, as becomes men, firmly resolved to do our duty in every emergency. South Carolina, after ten years of unavailing petitions and re- 25 monstrances, against a system of measures on the part of the Federal government, which in common with the other Southern States, — she has repeatedly declared, to be founded in USURPATION, utterly subversive of the rights, and fatal to the prosperity of her people, — 30 has, in the face of the world, PUT HERSELF UPON HER SOVEREIGNTY, and made the solemn declaration that

this system shall no longer be enforced within her limits. All hope of redress of this grievance, from a returning sense of justice on the part of our oppressors, or from any probable change in the policy of the government, having fled, nothing was left for South Carolina, but to throw herself upon her reserved rights, or to remain forever in a condition of "colonial vassalage." She has, therefore, resolved to stand upon her rights — and it is for her sister States, now, to determine what is to be done in this emergency. She has announced to them her anxious desire that this controversy shall be amicably adjusted, either by a satisfactory modification of the tariff, or by a reference of the whole subject to a convention of all the States. Should neither of these reasonable propositions be acceded to, then she will feel herself justified before God and man, in firmly maintaining the position she has assumed, until some other mode can be devised, for the removal of the difficulty. South Carolina is anxiously desirous of living at peace with her brethren — she has not the remotest wish to dissolve the political bands which have connected her with the great American family of confederated States. With Thomas Jefferson, "she would regard the dissolution of our UNION with them, as *one* of the greatest of evils — but not *the greatest* — there is one greater: SUBMISSION TO A GOVERNMENT WITHOUT LIMITATION OF POWERS"; and such a government she conscientiously believes will be our portion, should the system against which she is now struggling be finally established as the settled policy of the country.

South Carolina is solicitous to preserve the CONSTITUTION, as our fathers framed it, — according to its

true spirit, intent, and meaning, — but she is inflexibly determined, never to surrender her reserved rights, nor to suffer her constitutional compact to be converted into an instrument for the oppression of her citizens.

5 She cannot bring herself to believe that, standing as she does on the basis of the Constitution, and the immutable principles of truth and justice, any attempt will be made by her confederate States, and least of all by the government which they have created, for special purposes,
10 to reduce her to subjection by military force. A confederacy of sovereign States, formed by the free consent of all, cannot possibly be held together by any other tie than mutual sympathies and common interest. The unhallowed attempt to cement the Union with the blood
15 of our citizens (which if successful would reduce the free and sovereign States of this Confederacy to mere dependent provinces), South Carolina has solemnly declared, would be regarded by her as absolving her "from all further obligations to maintain or preserve her political
20 connection with the people of the other States." The spirit of our free institutions, the very temper of the age, would seem to forbid the thought of an appeal to force, for the settlement of a constitutional controversy.^o If, however, we should be deceived in this reasonable ex-
25 pectation — South Carolina, so far as her means extend, stands prepared to meet danger, and repel invasion, come from what quarter it may. She has warned her brethren of the inevitable consequences of an appeal to arms, and if she should be driven, in defense of her dearest
30 rights, to resist aggression, let it be remembered that the innocent blood which may be shed in such a contest,

will, in the great day of account, be required of those who shall persevere in the unhallowed attempt to exercise an "unwarrantable jurisdiction over us."

If such, fellow-citizens, should be our lot, if the sacred soil of Carolina should be polluted by the footsteps of an invader, or be stained with the blood of her citizens, shed in her defense — I trust in Almighty God, that no son of hers, native or adopted, who has been nourished at her bosom, or been cherished by her bounty, will be found raising a parricidal arm against our common mother. 10 And even should she stand ALONE in this great struggle for constitutional liberty, encompassed by her enemies, that there will not be found in the wide limits of the State one recreant son, who will not fly to the rescue, and be ready to lay down his life in her defense. 15

South Carolina cannot be drawn down from the proud eminence on which she has now placed herself, except by the hands of her own children. Give her but a fair field and she asks no more. Should she succeed, hers will be glory enough to have led the way in the noble work of 20 REFORM. And if after making those efforts due to her honor, and the greatness of the cause, she is destined utterly to fail, the bitter fruits of that failure, not to herself alone, but to the entire South, nay, to the whole Union, will attest her virtue. The speedy establishment 25 on the ruins of the rights of the States, and the liberties of the people, of a great CONSOLIDATED GOVERNMENT, "riding and ruling over the plundered plowman and beggared yeomanry" of our once happy land — our glorious Confederacy, broken into scattered and dishonored frag- 30 ments — the lights of liberty extinguished, never, perhaps,

to be relumed — *these* — *these* will be the melancholy
memorials, of that wisdom, which saw the danger while
yet at a distance, and of that patriotism which struggled
gloriously to avert it; memorials, over which repentant,
5 though unavailing, tears will assuredly be shed, by those
who will discover, when too late, that they have suffered
the last occasion to pass away, when the liberties of the
country might have been redeemed, and the Union es-
tablished upon a foundation as enduring as the everlasting
10 rocks.

We may live to witness these things. To some of us,
it may not be allotted to survive the Republic. But,
if we are only true to our duty, our example will, in that
dark hour, be a rich legacy to our children — and which
15 of us would desire a higher reward than to have it in-
scribed upon his tomb — “here lies the man who sacrificed
himself in a noble effort to rescue the Constitution from
violation, and to restore the liberties of his country”?

Fellow-citizens, this is “OUR OWN, OUR NATIVE LAND”;
20 it is the soil of CAROLINA, which has been enriched
by the precious blood of our ancestors, shed in de-
fense of those rights and liberties, which we are bound
by every tie, divine and human, to transmit unimpaired
to our posterity. It is *here* that we have been cherished
25 in youth and sustained in manhood, by the generous con-
fidence of our fellow-citizens; *here* repose the honored
bones of our fathers; *here* the eyes of our children first
beheld the light; and *here*, when our earthly pilgrimage
is over, we hope to sink to rest, on the bosom of our com-
30 mon mother. Bound to our country by such sacred and
endearing ties, let others desert her if they can; let them

revile her if they will; let them give aid and countenance to her enemies, if they may; but for us, we will STAND OR FALL WITH CAROLINA. .

God grant that the wisdom of your councils, sustained by the courage and patriotism of our people, may crown 5 our efforts for the preservation of our liberties with triumphant success. But if in the inscrutable purposes of an all-wise Providence, it should be otherwise decreed, let us be prepared to DO OUR DUTY in every emergency.

If assailed by violence from abroad, and deserted by 10 those to whom she has a right to look for support, our beloved State is to be "humbled in dust and ashes," before the footstool of the oppressor, we shall not rejoice in her humiliation, nor join in the exultation of her enemies, but in adversity as in prosperity, in weal and in woe, 15 "through good report and evil report," we will GO FOR CAROLINA.

And now, fellow-citizens, offering up my most fervent prayers to Him in whose hands are the destinies of nations, that He will prosper all your measures, and have our 20 WHOLE COUNTRY "in His holy keeping," I am ready, in the solemn form prescribed by the Constitution, to dedicate myself to the service of the State.

J. C. CALHOUN

THE FORCE BILL AND NULLIFICATION

THE very point at issue between the two parties there is, whether nullification is a peaceable and an efficient remedy against an unconstitutional act of the general government, and which may be asserted as such through the State
5 tribunals. Both parties agree that the acts against which it is directed are unconstitutional and oppressive. The controversy is only as to the means by which our citizens may be protected against the acknowledged encroachments on their rights. This being the point at
10 issue between the parties, and the very object of the majority being an efficient protection of the citizens through the State tribunals, the measures adopted to enforce the ordinance, of course, received the most decisive character. We were not children, to act by halves. Yet for acting
15 thus efficiently the State is denounced, and this bill reported,^o to overrule, by military force, the civil tribunals and civil process of the State! Sir, I consider this bill, and the arguments which have been urged on this floor in its support, as the most triumphant acknowledgment
20 that nullification is peaceful and efficient, and so deeply entrenched in the principles of our system that it cannot be assailed but by prostrating the Constitution, and substituting the supremacy of military force in lieu of

the supremacy of the laws. In fact, the advocates of this bill refute their own argument. They tell us that the ordinance is unconstitutional; that they infract the constitution of South Carolina, although, to me, the objection appears absurd, as it was adopted by the very authority which adopted the Constitution itself. They also tell us that the Supreme Court is the appointed arbiter of all controversies between a State and the general government. Why, then, do they not leave this controversy to that tribunal? Why do they not confide to them the abrogation of the ordinance, and the laws made in pursuance of it, and the assertion of that supremacy which they claim for the laws of Congress? The State stands pledged to resist no process of the court. Why, then, confer on the President the extensive and unlimited powers provided in this bill? Why authorize him to use military force to arrest the civil process of the State? But one answer can be given: That, in a contest between the State and the general government, if the resistance be limited on both sides to the civil process, the State, by its inherent sovereignty, standing upon its reserved powers, will prove too powerful in such a controversy, and must triumph over the Federal government, sustained by its delegated and limited authority; and in this answer we have an acknowledgment of the truth of those great principles for which the State has so firmly and nobly contended.

Having made these remarks, the great question is now presented, Has Congress the right to pass this bill? which I will next proceed to consider. The decision of this question involves the inquiry into the provisions of the

bill. What are they? It puts at the disposal of the President the army and navy, and the entire militia of the country; it enables him, at his pleasure, to subject every man in the United States, not exempt from militia duty, to martial law: to call him from his ordinary occupation to the field, and under the penalty of fine and imprisonment, inflicted by a court-martial, to compel him to imbrue his hand in his brothers' blood. There is no limitation on the power of the sword, and that over the purse is equally without restraint; for, among the extraordinary features of the bill, it contains no appropriation, which, under existing circumstances, is tantamount to an unlimited appropriation. The President may, under its authority, incur any expenditure, and pledge the national faith to meet it. He may create a new national debt, at the very moment of the termination of the former — a debt of millions, to be paid out of the proceeds of the labor of that section of the country whose dearest constitutional rights this bill prostrates! Thus exhibiting the extraordinary spectacle, that the very section of the country which is urging this measure, and carrying the sword of devastation against us, is at the same time, incurring a new debt, to be paid by those whose rights are violated; while those who violate them are to receive the benefits, in the shape of bounties and expenditures.

And for what purpose is the unlimited control of the purse and of the sword thus placed at the disposition of the Executive? To make war against one of the free and sovereign members of this confederation, which the bill proposes to deal with, not as a State, but as a collection

of banditti or outlaws. Thus exhibiting the impious spectacle of this government, the creature of the States, making war against the power to which it owes its existence.

The bill violates the Constitution, plainly and palpably, in many of its provisions, by authorizing the President, at his pleasure, to place the different ports of this Union on an unequal footing, contrary to that provision of the Constitution which declares that no preference shall be given to one port over another. It also violates the Constitution by authorizing him, at his discretion, to impose cash duties on one port, while credit is allowed in others; by enabling the President to regulate commerce, a power vested in Congress alone; and by drawing within the jurisdiction of the United States courts powers never intended to be conferred on them. As great as these objections are, they become insignificant in the provisions of a bill which, by a single blow — by treating the States as a mere lawless mass of individuals — prostrates all the barriers of the Constitution. I will pass over the minor considerations, and proceed directly to the great point. This bill proceeds on the ground that the entire sovereignty of this country belongs to the American people, as forming one great community, and regards the States as mere fractions or counties, and not as an integral part of the Union: having no more right to resist the encroachments of the government than a county has to resist the authority of a State; and treating such resistance as the lawless acts of so many individuals, without possessing sovereignty or political rights. It has been said that the bill declares war against South Carolina. No. It decrees a massacre of her citizens! War has

something ennobling about it, and, with all its horrors, brings into action the highest qualities, intellectual and moral. It was, perhaps, in the order of Providence that it should be permitted for that very purpose. But this bill declares no war, except, indeed, it be that which savages wage — a war, not against the community, but the citizens of whom that community is composed. But I regard it as worse than *savage* warfare — as an attempt to take away life under the color of law, without the trial by jury, or any other safeguard which the Constitution has thrown around the life of the citizen! It authorizes the President, or even his deputies, when they may suppose the law to be violated, without the intervention of a court or jury, to kill without mercy or discrimination!

It has been said by the senator from Tennessee (Mr. Grundy) to be a measure of peace! Yes, such peace as the wolf gives to the lamb — the kite to the dove! Such peace as Russia gives to Poland,^o or death to its victim! A peace, by extinguishing the political existence of the State, by awing her into an abandonment of the exercise of every power which constitutes her a sovereign community. It is to South Carolina a question of self-preservation; and I proclaim it, that, should this bill pass, and an attempt be made to enforce it, it will be resisted, at every hazard — even that of death itself. Death is not the greatest calamity; there are others still more terrible to the free and brave, and among them may be placed the loss of liberty and honor. There are thousands of her brave sons who, if need be, are prepared cheerfully to lay down their lives in defense of the State, and the great principles of constitutional liberty for which she is

contending. God forbid that this should become necessary! It never can be, unless this government is resolved to bring the question to extremity, when her gallant sons will stand prepared to perform the last duty — to die nobly.

* * * * *

Notwithstanding all that has been said, I must say that s neither the senator from Delaware (Mr. Clayton), nor any other who has spoken on the same side, has directly and fairly met the great questions at issue: Is this a Federal Union? a Union of States, as distinct from that of individuals? Is the sovereignty in the several States, or in 10 the American people in the aggregate? The very language which we are compelled to use, when speaking of our political institutions, affords proof conclusive as to its real character. The terms "union," "federal," "united," all imply a combination of sovereignties, a confederation 15 of States. They are never applied to an association of individuals. Who ever heard of the United State of New York, of Massachusetts, or of Virginia? Who ever heard the term "federal" or "union" applied to the aggregation of individuals into one community? Nor is the other 20 point less clear — that the sovereignty is in the several States, and that our system is a union of twenty-four sovereign powers, under a constitutional compact, and not of a divided sovereignty between the States severally and the United States. In spite of all that has been said, 25 I maintain that sovereignty is in its nature indivisible. It is the supreme power in a State, and we might just as well speak of half a square, or half of a triangle, as of half a sovereignty. It is a gross error to confound the *exercise* of sovereign powers with *sovereignty* itself, or the *delega-* 30

tion of such powers with a *surrender* of them. A sovereign may delegate his powers to be exercised by as many agents as he may think proper, under such conditions and with such limitations as he may impose; but to surrender any
5 portion of his sovereignty to another is to annihilate the whole. The senator from Delaware (Mr. Clayton) calls this metaphysical reasoning, which, he says, he cannot comprehend. If by metaphysics he means that scholastic refinement which makes distinctions without difference,
10 no one can hold it in more utter contempt than I do; but if, on the contrary, he means the power of analysis and combination — that power which reduces the most complex idea into its elements, which traces causes to their first principle, and, by the power of generalization and
15 combination, unites the whole in one harmonious system — then, so far from deserving contempt, it is the highest attribute of the human mind. It is the power which raises man above the brute — which distinguishes his faculties from mere sagacity, which he holds in common
20 with inferior animals. It is this power which has raised the astronomer from being a mere gazer at the stars to the high intellectual eminence of a Newton or Laplace,^o and astronomy itself from a mere observation of insulated facts into that noble science which displays to our admira-
25 tion the system of the universe. And shall this high power of the mind, which has effected such wonders when directed to the laws which control the material world, be forever prohibited, under a senseless cry of metal physics, from being applied to the high purpose of political
30 science and legislation? I hold them to be subject to laws, as fixed as matter itself, and to be as fit a subject

for the application of the highest intellectual power. Denunciation may, indeed, fall upon the philosophical inquirer into these first principles, as it did upon Galileo and Bacon^e when they first unfolded the great discoveries which have immortalized their names; but the time will come when truth will prevail in spite of prejudice and denunciation, and when politics and legislation will be considered as much a science as astronomy and chemistry.

In connection with this part of the subject, I understood the senator from Virginia (Mr. Rives) to say that sovereignty was divided, and that a portion remained with the States severally, and that the residue was vested in the Union. By Union, I suppose the senator meant the United States. If such be his meaning — if he intended to affirm that the sovereignty was in the twenty-four States, in whatever light he may view them, our opinions will not disagree; but, according to my conception, the whole sovereignty is in the several States, while the exercise of sovereign powers is divided — a part being exercised under compact, through this general government, and the residue through the separate State governments. But if the senator from Virginia (Mr. Rives) means to assert that the twenty-four States form but one community, with a single sovereign power as to the objects of the Union, it will be but the revival of the old question, of whether the Union is a union between States, as distinct communities, or a mere aggregate of the American people, as a mass of individuals; and in this light his opinions would lead directly to consolidation.

But to return to the bill. It is said that the bill ought to pass, because the law must be enforced. The law

must be enforced. The imperial edict must be executed. It is under such sophistry, couched in general terms, without looking to the limitations which must ever exist in the practical exercise of power, that the most cruel
5 and despotic acts ever have been covered. It was such sophistry as this that cast Daniel into the lion's den, and the three Innocents into the fiery furnace. Under the same sophistry the bloody edicts of Nero and Caligula^o were executed. The law must be enforced. Yes, the
10 act imposing the "tea-tax must be executed." This was the very argument which impelled Lord North and his administration in that mad career which forever separated us from the British crown. Under a similar sophistry, "that religion must be protected," how many massacres
15 have been perpetrated? and how many martyrs have been tied to the stake? What! acting on this vague abstraction, are you prepared to enforce a law without considering whether it be just or unjust, constitutional or unconstitutional? Will you collect money when it is acknowl-
20 edged that it is not wanted? He who earns the money, who digs it from the earth with the sweat of his brow, has a just title to it against the universe. No one has a right to touch it without his consent except his government, and it only to the extent of its legitimate wants;
25 to take more is robbery, and you propose by this bill to enforce robbery by murder. Yes: to this result you must come, by this miserable sophistry, this vague abstraction of enforcing the law, without a regard to the fact whether the law be just or unjust, constitutional
30 or unconstitutional.

In the same spirit, we are told that the Union must be

preserved, without regard to the means. And how is it proposed to preserve the Union? By force! Does any man in his senses believe that this beautiful structure — this harmonious aggregate of States, produced by the joint consent of all — can be preserved by force? Its very introduction will be certain destruction of this Federal Union. No, no. You cannot keep the States united in their constitutional and Federal bonds by force. Force may, indeed, hold the parts together, but such union would be the bond between master and slave: a union of exaction on one side, and of unqualified *obedience* on the other. That *obedience* which, we are told by the senator from Pennsylvania (Mr. Wilkins), is the Union! Yes, exaction on the side of the master; for this very bill is intended to collect what can be no longer called taxes, — the voluntary contribution of a free people, — but tribute — tribute to be collected under the mouths of the cannon! Your customhouse is already transferred to a garrison, and that garrison with its batteries turned, not against the enemy of your country, but on subjects (I will not say citizens), on whom you propose to levy contributions. Has reason fled from our borders? Have we ceased to reflect? It is madness to suppose that the Union can be preserved by force. I tell you plainly, that the bill, should it pass, cannot be enforced. It will prove only a blot upon your statute-book, a reproach to the year, and a disgrace to the American Senate. I repeat that it will not be executed: it will rouse the dormant spirit of the people, and open their eyes to the approach of despotism. The country has sunk into avarice and political corruption, from which nothing can arouse it but some measure, on

the part of the government, of folly and madness, such as that now under consideration.

Disguise it as you may, the controversy is one between power and liberty; and I will tell the gentlemen who are opposed to me, that, as strong as may be the love of power on their side, the love of liberty is still stronger on ours. History furnishes many instances of similar struggles where the love of liberty has prevailed against power under every disadvantage, and among them few more striking than that of our own Revolution; where, as strong as was the parent country, and feeble as were the colonies, yet, under the impulse of liberty, and the blessing of God, they gloriously triumphed in the contest. There are, indeed, many and striking analogies between that and the present controversy: they both originated substantially in the same cause, with this difference, that, in the present case, the power of taxation is converted into that of regulating industry; in that, the power of regulating industry, by the regulation of commerce, was attempted to be converted into the power of taxation. Were I to trace the analogy farther, we should find that the perversion of the taxing power, in one case, has given precisely the same control to the Northern section over the industry of the Southern section of the Union, which the power to regulate commerce gave to Great Britain over the industry of the colonies; and, that the very articles in which the colonies were permitted to have a free trade, and those in which the mother country had a monopoly, are almost identically the same as those in which the Southern States are permitted to have a free trade by the act of 1832, and in which the Northern States have, by the same act,

secured a monopoly: the only difference is in the means. In the former, the colonies were permitted to have a free trade with all countries south of Cape Finisterre, a cape in the northern part of Spain; while north of that the trade of the colonies was prohibited, except through the mother country, by means of her commercial regulations. If we compare the products of the country north and south of Cape Finisterre, we shall find them almost identical with the list of the protected and unprotected articles contained in the act of last year. Nor does the analogy terminate here. The very arguments resorted to at the commencement of the American Revolution, and the measures adopted, and the motives assigned to bring on that contest (to enforce the law), are almost identically the same.

But to return from this digression to the consideration of the bill. Whatever difference of opinion may exist upon other points, there is one on which I should suppose there can be none: that this bill rests on principles which, if carried out, will ride over State sovereignties, and that it will be idle for any of its advocates hereafter to talk of State rights. The senator from Virginia (Mr. Rives) says that he is the advocate of State rights; but he must permit me to tell him that, although he may differ in premises from the other gentlemen with whom he acts on this occasion, yet in supporting this bill he obliterates every vestige of distinction between him and them, saving only that, professing the principles of '98,^o his example will be more pernicious than that of the most open and bitter opponents of the rights of the States. I will also add, what I am compelled to say, that I must consider him (Mr. Rives) as less consistent than our old opponents,

whose conclusions were fairly drawn from their premises, while his premises ought to have led him to opposite conclusions. The gentleman has told us that the new-fangled doctrines, as he chooses to call them, have brought State rights into disrepute. I must tell him, in reply, that what he calls new-fangled are but the doctrines of '98; and that it is he (Mr. Rives), and others with him, who, professing these doctrines, have degraded them by explaining away their meaning and efficacy. He (Mr. R.) has disclaimed, in behalf of Virginia, the authorship of nullification. I will not dispute that point. If Virginia chooses to throw away one of her brightest ornaments, she must not hereafter complain that it has become the property of another. But while I have, as a representative of Carolina, no right to complain of the disavowal of the senator from Virginia, I must believe that he (Mr. R.) has done his native State great injustice by declaring on this floor that, when she gravely resolved, in '98, that, "in cases of deliberate and dangerous infractions of the Constitution, the States, as parties to the compact, have the right, and are in duty bound, to interpose to arrest the progress of the evil, and to maintain within their respective limits the authorities, rights, and liberties appertaining to them," she meant no more than to ordain the right to protest and to remonstrate. To suppose that, in putting forth so solemn a declaration, which she afterward sustained by so able and elaborate an argument, she meant no more than to assert what no one had ever denied, would be to suppose that the State had been guilty of the most egregious trifling that ever was exhibited on so solemn an occasion.

GEORGE McDUFFIE

ON THE POWER OF THE EXECUTIVE

I HAVE thus endeavored to expose this novel and alarming theory of executive power, which I fear will be speedily consummated in a consolidated despotism concentrated in a single person; and I now propose to examine briefly what has been the practical exposition of it furnished by the present Executive.^o We often look without apprehension upon the most dangerous pretensions and practices, when upon a closer scrutiny we perceive the latent principle which had before escaped us. I make this remark in reference to one of the positions assumed by the President, in the manifesto he addressed to the people of the United States on the occasion of the removal of the deposits, — the position is, that the people of the United States by the mere act of reëlecting him, have authoritatively decided that it is unconstitutional and inexpedient to recharter the Bank of the United States; and basing himself on this decision, without deigning to consult the legislature, the only power *under* the Constitution which is competent to make such a decision, he forthwith proceeds, by his own authority, to execute what he assumes to be the will of the people constitutionally expressed, and of consequence the supreme law of the land. Simple as this reasoning and assumption may at the first

glance appear, I venture the opinion that it is one of the most profound and artful contrivances ever invented by the genius of usurpation to disguise its design and cover its approaches. Examine its philosophy, resolve
5 it into its elements, and what can you make of it but a new and more direct highway to unlimited power, than any heretofore discovered, *by substituting the will of the President for the will of the people.* — This is truly an age of improvement, and in nothing is it more strikingly illustrated
10 than in the improved process of stealing power from the people. This one is distinguished for its directness and simplicity; whereas the usurpers of other times have been compelled to make their approaches against the fortress of liberty by the slow process of opening trenches
15 and advancing under their cover. In other countries the difficulty has been to obtain the votes of the people to sanction the assumption of the kingly office. Here, under our elective system, it is easy to obtain the chief executive office, but the difficulty is to make its power
20 unlimited, by breaking loose from the inconvenient restraints of the Constitution and the laws. The present chief magistrate has most dexterously surmounted this difficulty; for if you will admit his position, he will never be at a loss to make his sovereign will the paramount law,
25 to be executed "as he understands it." What is the argument it involves?

That the people of the United States, by reëlecting Andrew Jackson, have adopted and ratified all of his known political opinions as their own; thus enacting
30 laws and regulating the great question of banking and currency, without the troublesome machinery of the

legislative department! Yes, sir, these most difficult and delicate of all the appropriate subjects of legislation have, with the public treasury, been seized upon by the President, and are now notoriously regulated by his will! But this is not the worst view of the matter. Admitting 5 for a moment the constitutional right of the President, thus to collect the sovereign will of the people on a subject of legislation, the present is a gross misapplication of his own doctrine. He never sent a message to Congress on the subject of the bank in which he did not hold out the 10 hope that he would sign an act of recharter, with modifications. In every instance his objections were to the bank "as at present organized," which was saying by implication that he would sanction the institution, if differently organized. And in the message immediately 15 preceding his reelection, he leaves "the subject to the investigation of an enlightened people and their representatives." And yet he is scarcely warm in his seat when he turns round and gravely informs us, "now that the people have sustained the President — it is too late," 20 he confidently thinks, to say that the question has not been decided. Whatever may be the opinion of others, the President considers his reelection as a decision of the people against the bank. "*He was sustained by a just people, and he desires to evince his gratitude by carrying into effect their 25 decision, as far as depends upon him.*" As far as depends upon him! a very useless qualification under this new-fangled executive theory and practice. But, sir, was ever power usurped under mere frivolous and fraudulent pretenses, with humbler words or a bolder hand? It is almost 30 in the very language of a precedent familiar to us all:—

"Thanks, gentle citizens and friends";
This general applause and cheerful shout,
Argues your wisdom and your love for Richard."

But this spirit of executive assumption seems to have
5 infected even the most insignificant of the "instruments"
of the Chief Magistrate. Even the government directors
of the bank, swelling like the frogs in the fable, claim a
participation in this royal prerogative of personating
the majesty and speaking the voice of the people. Listen
10 to their audacious language: "Paying no sort of respect
to the exalted public sources whence their appointment
immediately emanates, the bank has the boldness to claim
coequality with the nation, to disregard the organs and
representatives of the people! Coequality with the na-
15 tion! we the people!" Such are the modest pretensions of
executive spies and informers. What is to come next,
as the fruit of those extraordinary executive doctrines?

Mr. Speaker, the most alarming, and to me the most
distressing, symptoms of the times, is the influence of the
20 executive power over the members of the national
legislature, and the new doctrines of the allegiance of the
representatives of the people to the President, now openly
avowed. At an early period of the session, I read with
some surprise, in certain political journals which usually
25 speak by authority, the avowal of the doctrine that the
members of this House, come here, not to represent the
people, but to support the administration right or wrong,
in all things; in other words, to represent the will and
obey the orders of the President. I did not, then, expect
30 what I have since had the pain of witnessing, the promul-

gation of the same doctrine from places of high authority, from the seat of legislation, in both wings of the Capitol. Sir, what are we? where are we? Are we the representatives of the people, clothed with a high trust to be exercised for their benefit, and under an exclusive responsibility to them, or are we feudal vassals, bound by a tie or party allegiance to the President, mere "liegemen of the Dane?" Are we, like the Parliaments of France under the ancient dynasty, summoned here to attend a royal "bed of justice," and to register, by compulsion, the royal edicts and manifestoes? If these are our appropriate functions, why stand we here prating about the Constitution, the rights of legislature, and the custody of the public treasure? If we have lost the substance of liberty, I say down with the idle and unsubstantial pageantry of its forms. Why keep up the delusive mockery of a legislative department, when it serves only as a mask for that despotic power which controls everything, and as a memorial to remind us of our own degeneracy? Let us rather conform to our own condition, by obeying that imperial mandate which was first issued in the City of New York, some months since, through one of the executive organs, — "pass the appropriation bills and go home," leaving the people, in the extremity of their distresses, to the tender mercies of the President and his privy counselors! Aye, sir, grease the wheels of the Car of Juggernaut — enrich the shrine of your idol — and when you have performed these ministerial offices of priestly devotion, go home, and tell your miserable and ruined constituents to prostrate themselves upon the mighty pageant, and offer up the incense of their expiring

hosannahs to the god of their idolatry, while his fatal car is crushing them into the earth, and mingling their blood with the dust, and the whole pandemonium° of false and treacherous counselors who have deceived him by their
5 flattering sorceries, and ruined the country by their infernal machinations, are laughing at the agonizing distresses, and reveling in the spoils of a people, whose hopes he has disappointed, whose sacred rights he has violated, and whose vital interests he has betrayed, and whose
10 constitutional liberties he has trampled in the dust!

We are not, indeed, without some very significant indications, that this royal mandate will be executed by the prerogative of prorogation. It has evidently been the subject of grave deliberation, in that secret consistory
15 where such high matters are usually decided. And as I feel — like one who, about to retire from the stage, has a natural anxiety that his last act in the drama should be decently performed — I must ask it as a personal favor, that if we are to be prorogued by the President,
20 the act may be performed with becoming solemnity, and according to the most approved historical precedents.

I shall now proceed to furnish such a precedent, and I trust the friends of the President will appreciate the feelings of kindness in which it is done. I quote from every
25 high authority, sir; no less than that of the Lord Protector Cromwell.° He had organized his first Parliament, as he supposed, in such a manner as to be sure of a majority for any project of the court. But, although his returning officers had taken care to give him a majority at the
30 commencement of the session, yet the spirit of liberty so far prevailed over the spirit of personal allegiance,

as to throw him into a minority in the progress of the session. Finding the majority inaccessible to fear or persuasion, the historian records that "he summoned the House to meet him in the painted chamber. (We shall be summoned, I suppose, to the East Room, scarcely less celebrated.) Displeasure and contempt were marked in his countenance. (A very natural prelude to what follows.) They appeared there, he observed, with the Speaker at their head, as a House of Parliament. Yet what had they done as a Parliament? He never had played, he never would play, the orator; and, therefore, he would tell them frankly (Cromwell was a frank man, too, sir) that they had done nothing. For five months they had passed no bill (our time is not yet out), had made no address, had held no communication with him. As far as concerned them, he had nothing to do but to pray that God would enlighten their minds. But had they done nothing? Yes; they had encouraged the cavaliers to plot against the Commonwealth, and the levelers to intrigue with the cavaliers. (The coalition between the Nullifiers and national Republicans is here evidently foretold.) By their dissension they had aided the fanatics to throw the nation into confusion, and by the slowness of their proceedings had compelled the soldiers to live at free quarters on the country. (Here General Jackson could give Cromwell a lesson. Why did he not seize upon the deposits?) It was supposed that he would not be able to raise money without the aid of Parliament. But he had been inured to difficulties, and had never found God wanting, when he trusted in Him. (Almost the very language of the manifesto.) The country would

willingly pay on account of the necessity. But was the necessity of his creation? No; it was of God; the consequence of God's providence. It was no marvel, if men who lived on their masses and service books, their dead
5 and carnal worship, were strangers to the works of God; but for those who had been instructed by the spirit of God, to adopt the same language, and say that men were the cause of those things, when God had done them, this was more than the Lord would bear. But that he might
10 trouble them no longer, it was his duty to tell them that their continuance was not for the benefit of the nation, and therefore, he did, then and there, declare that he dissolved the Parliament." This is the manner in which Cromwell got rid of the troublesome incumbrance of an
15 independent Parliament.

But to be serious, sir, I, for one, am not disposed to adjourn before something effectual is done to relieve the country from its distresses, and I will not do so with my own consent, even to avoid the fate of Cromwell's Parlia-
20 ment. In the present calamitous condition of the country, we have a melancholy exemplification to prove how small a share of human wisdom is requisite to produce the greatest conceivable extent of human misery. The merest pygmy, armed with a scepter, can destroy in a single
25 day the great fabric of a nation's prosperity, which all the intellectual giants of the land cannot rebuild in a long and laborious course of years. I will not tell the people to look for salvation to those who have involved them in this calamity. No, sir, this storm has been produced by
30 a species of necromancy, which is endowed only with the faculty of mischief, and which, having raised the elements,

has no power of exorcism to lay them. The Prospero,^o whose fatal wand has conjured up these elements, into this wild and fearful and disastrous commotion, has no magic power to call up the ministering spirits of the stormy deep, to rescue the sinking fortunes of a whole people,⁵ rashly and wickedly exposed to the rocks, winds, waves, and quicksands of this most desperate and imperious experiment.

Sir, the executive branch of the government has plunged the country into this stormy sea of desperate adventure,¹⁰ under circumstances which greatly aggravate the outrage committed upon the Constitution, and upon the rights and interests of the people. What excuse or apology can be offered for such a daring assumption and hazardous exercise of power by the Executive? When Cromwell¹⁵ usurped the supreme power in England, he saw the nation torn to pieces by factions and drenched in civil blood; and his strong arm clutched the fallen scepter, to save the country from universal desolation. When Bonaparte^o returned from Egypt, and dispersed the Chamber of²⁰ Deputies, he found the armies of the Republic driven back, the finances involved in bankruptcy, and the combined powers of Europe menacing the existence of France. Where, said he, are the conquests I made, the victories I achieved, the resources I supplied, and the armies I²⁵ left for the security of France? But what was the condition of the United States at that fatal moment when the evil genius of the President prompted him to assume the fearful responsibility of destroying our system of credit, deranging our system of currency, in open and³⁰ avowed contempt of the legislative power? What was

there in that condition to afford the shadow of a pretext for the usurpation of which we complain? What civil dissensions was it designed to compose; what financial embarrassments and public sufferings was it calculated to relieve? It is worth while to look back to the inception of this executive experiment. The people of the United States were in the enjoyment of an unexampled prosperity — literally basking in the sunshine of tranquillity, abundance, and contentment — blessings the more exquisitely realized from their contrast with the troubled scene which had recently passed away. They had seen a dark and portentous cloud lowering in the horizon, and could almost hear the distant thunder and see the prelusive flashes of the coming storm, which threatened to shake the mighty fabric of this Federal system to its deep foundations. But at this eventful crisis, a redeeming power was interposed, in the spirit of conciliation; a covenant of peace was ratified here, the storm passed away, and the rainbow circled the arch of the heavens, the cheering harbinger of that happiness and contentment which were the lot of a united people, until the fatal dog days, when this most pernicious scheme of executive usurpation was engendered, not to save the country from civil dissensions and restore its disordered finances, but to mar and destroy the brightest vision of happiness that ever blessed the hopes of any people!

And I regret to find that the authors of this fatal experiment are resolved to carry it on in the same reckless spirit in which it was conceived. Nothing has struck me more forcibly than the stubborn perseverance of the administration in their desperate purposes, hoping against

hope, blind to the palpable results of experience, and deaf to the cries of a suffering people. It is a spirit of heartless indifference to popular suffering, wholly without excuse, and almost without example. We have been told by a member of the House (Mr. Beardsley), — in the exterminating spirit of that Roman who always concluded his speeches with the motto, "Carthage must be destroyed," — that the Bank of the United States must be destroyed by whatever means, and at the hazard of whatever consequences. "Perish commerce, perish credit; give us broken banks and a disordered currency," rather than retrace the steps of this executive crusade against the bank! And the Chief Magistrate himself declares that neither "the opinion of the legislature, nor the voice of the people, shall induce him to abandon his purpose, whatever may be the suffering produced," adding, for the consolation of the enterprising and industrious classes, that if those should fail "who trade upon borrowed capital," they deserve their fate.

Mr. Speaker, we can scarcely give credit to the historian who records the degeneracy and degradation of a great people of antiquity, when he informs us that a Roman emperor amused himself by fiddling, while the capital of his empire and the fortunes of the Roman people were involved in one general conflagration. But our own melancholy and woeful experience, is but too well calculated to remove any historical skepticism, which might induce us to suppose that the extraordinary spectacle to which I have alluded was drawn rather by the pencil of poetry than by the pen of historical truth. For even at this early period in our national progress, in the

very dawn of our republican institutions, we are ourselves exhibiting to the world—which we vainly boast of enlightening by our example—a spectacle, in some of its aspects, more unnatural and revolting than its Roman prototype. If my recollection of this interesting chapter in the history of man be not imperfect, Nero was not himself the incendiary who applied the fatal torch, by which the temples and the gods, the Senate House and the Forum, the gorgeous palaces and the humble cottages
10 of the Imperial City, were consigned to the devouring element. Can you say as much, sir,—I will not say for the President of the United States,—but for that irresponsible cabal, which is the living emblem of pestilence and famine, by which even his more noble and
15 generous impulses are converted into instruments of mischief? Who is it that has kindled up that conflagration that is now sweeping over the land,—like a prairie fire of the West,—bearing destruction in its bosom, laying a scene of desolation in its rear, and scattering
20 consternation in every direction? Nay, sir, who is it that has sacrilegiously invaded the sanctuary of the Constitution, and lighted at the very fires of the altar that fatal brand, which, desperately and vindictively hurled,—with whatever aim,—has struck upon the great temple
25 of our national prosperity, involving it in “hideous ruin and combustion”? Mr. Speaker, it was no midnight incendiary that silently stole into the temple with his Ephesian torch,^o concealed by the mantle of darkness. No; it was the high priest of the Constitution that violated
30 the sanctuary and desecrated the fires of the altar. It was in the broad glare of noonday, from the imperial

heights of power, and in open defiance of all the moral and political guaranties of human rights, that this consuming brand was cast into the elements of combustion, and which came upon an astounded people, without cause and without notice, like Heaven's avenging bolt from a cloudless sky. And now that the signal bells of alarm and distress are ringing from one extremity of this Union to the other, mingling their disastrous chimes with those cries of distress which come to us from the four quarters of the heavens, on every wind that blows, and forming one mighty chorus of indignant complaint that has forced its way into the sealed ears of infatuated power, — with what sympathy, with what feelings of commiseration, with what "compunctious visitings" are these proofs of a nation's sufferings received by the authors of the calamity and their accomplices?

SARGENT SMITH PRENTISS

LAFAYETTE

DEATH, who knocks with equal hand at the door of the cottage and the palace gate, has been busy at his appointed work. Mourning prevails throughout the land, and the countenances of all are shrouded in the mantle
5 of regret. Far across the wild Atlantic, amid the pleasant vineyards in the sunny land of France, there, too, is mourning; and the weeds of sorrow are alike worn by prince and peasant. Against whom has the monarch of the tomb turned his remorseless dart that such wide-
10 spread sorrow prevails? Hark, and the agonized voice of Freedom, weeping for her favorite son, will tell you in strains sadder than those with which she "shrieked as Kosciusko° fell" that Lafayette — the gallant and the good — has ceased to live.

15 The friend and companion of Washington is no more. He who taught the eagle of our country, while yet unfledged, to plume his young wing and mate his talons with the lion's strength, has taken his flight far beyond the stars, beneath whose influence he fought so well. Lafayette
20 is dead! The gallant ship, whose pennon has so often bravely streamed above the roar of battle and the tempest's rage, has at length gone slowly down in the still and quiet waters. Well mightest thou, O Death, now recline

beneath the laurels thou hast won; for never since, as the grim messenger of Almighty Vengeance, thou camest into this world, did a more generous heart cease to heave beneath thy chilling touch, and never will thy insatiate dart be hurled against a nobler breast! Who does not feel, at the mournful intelligence, as if he had lost something cheering from his own path through life; as if some bright star, at which he had been accustomed frequently and fondly to gaze, had been suddenly extinguished in the firmament?

History's pages abound with those who have struggled forth from nameless crowd, and, standing forward in the front rank, challenged the notice of their fellow-men; but when, in obedience to their bold demands, we examine their claims to our admiration, how seldom do we find aught that excites our respect or commands our veneration. With what pleasure do we turn from the contemplation of the Cæsars and Napoleons of the human race to meditate upon the character of Lafayette! We feel proud that we belong to the same species; we feel proud that we live in the same age; and we feel still more proud that our own country drew forth and nurtured those generous virtues which went to form a character that, for love of liberty, romantic chivalry, unbounded generosity and unwavering devotion, has never had a parallel.

The history of this wonderful man is engraved upon the memory of every American, and I shall only advert to such portions of it as will best tend to illustrate his character. In 1777 our fathers were engaged in rescuing from the fangs of the British lion the rights which their

sons are now enjoying. It was the gloomiest period of the Revolutionary struggle. Our army was feeble; an insolent and victorious enemy was pressing hard upon it; despondency had spread through its ranks. It seemed as if the last hope of Freedom was gone. Deep gloom had settled over the whole country; and men looked with a despairing aspect upon the future of a contest which their best wishes could not flatter them was doubtful. It was at this critical period that their hopes were renovated and their spirits roused by the cheering intelligence that at Charleston, in the State of South Carolina, there had just arrived a gallant French nobleman of high rank and immense wealth, eager to embark his person and his fortunes in the sacred cause of Liberty! New impulse was given to the energies of our dispirited troops. As the first ray of morning breaks upon the benighted and tempest-tossed mariner, so did this timely assistance cheer the hearts of the war-worn and almost despairing soldiers of Freedom. The enthusiastic Frenchman, though but a beardless youth, was immediately taken into the affection and the confidence of Washington. Soon, too, did he flash his maiden sword upon his hereditary foes and proved, upon the field of Brandywine, that his blood flowed as freely as his treasure in the cause he had espoused. That blood was the blood of the young Lafayette. But nineteen summers had passed over his brow, when he was thus found fighting side by side with the veteran of Bunker Hill.

How came he here? Born to a high name and rich inheritance; educated at a dissipated and voluptuous court; married to a young and beautiful woman, — how

came he to break through the blandishments of love and the temptations of pleasure and thus be found fighting the battles of strangers, far away in the wilds of America? It was because, from his infancy, there had grown up in his bosom a passion more potent than all others—the love of liberty. Upon his heart a spark from the very altar of Freedom had fallen, and he watched and cherished it with more than vestal vigilance. This passionate love of liberty, this fire which was thenceforth to glow unquenched and undimmed, impelled him to break asunder the ties both of pleasure and affection. He had heard that a gallant people had raised the standard of revolt against oppression, and he hastened to join them. It was to him the Crusade of Liberty; and, like a Knight of the Holy Cross, he had enlisted in the ranks of those who had sworn to rescue her altars from the profane touch of the tyrant.

More congenial to him by far were the hardships, the dangers, and the freedom of the American wilds than the ease, the luxury, and the slavery of his native court. He exchanged the voice of love for the savage yell and the hostile shout; the gentle strains of the harp and lute for the trumpet and drum and the still more terrible music of clashing arms. Nor did he come alone or empty handed. The people in whose cause he was about to peril his life and his fortune were too poor to afford him even the means of conveyance, and his own court threw every obstacle in the way of the accomplishment of his wishes. Did this dampen his ardor? Did this chill his generous aspiration? No; it added new vigor to each. “I will fit out a vessel myself,” exclaimed the enthusiastic

youth; and in spite of the sneers of the young and the cautions of the old the gallant boy redeemed his pledge. Soon a proud ship was seen flying fast and falcon-like across the wide Atlantic. She landed on our shores like
5 a bird of promise; and by her present aid and hopes of future succor infused new vigor into our almost palsied arms.

Such was the commencement of a career destined to be more brilliant than any of which we read in tale or
10 history, realizing the wildest wishes of youthful enthusiasm and showing how the romance of real life often exceeds the strangest fictions of the imagination. From the moment of joining our ranks the young hero became the pride and the boast of the army. He won the affection
15 of the stern-browed and iron-souled warriors of New England and was received with open arms by the warm-hearted and chivalrous sons of the South. Though the dawn of manhood had scarcely begun to spring upon his cheek, yet were his counsels eagerly listened to by the
20 hoary leaders and the scarred veterans of the war. On the field of battle he was impetuous and brave; in the council the wisdom of Nestor^o flowed from his lips.

But it is not my intention to go into a detailed account of the services rendered by Lafayette to the country of
25 his adoption. Suffice it to say that throughout the Revolutionary struggle, with unchanged fidelity and undeviating devotion, he continued to pour forth his blood and his treasure in the sacred cause he had espoused; and when at length, full of honors, without one single
30 stain upon his bright escutcheon, he returned to his native land, the voices of millions of freemen were united in

invoking the blessing of heaven upon his head. Thenceforth a halo of glory surrounded him, and he was hailed by all the world as the Apostle of Liberty! Full well did he deserve the title! For not more truly does the needle point to the pole than did all his feelings point to the great principles of civil freedom.

During the sanguinary scenes of the French Revolution, when the people had quaffed so deeply at the fountain of liberty that they became drunk and frenzied with the unusual draughts, Lafayette alone lost not his equanimity. He alone dared to oppose the wild excesses of the Jacobins^o; and though he was unable entirely to stem the maddened torrent, which seemed let loose from hell itself, yet many are the thanks due to his unwearied exertions to restrain it within the banks of law and order. Throughout those troublesome times he was found at his post by the side of the Constitution and the laws; and when at length the whole foundations of society were broken up and the wild current of licentiousness and crime swept him an exile into a foreign land, still did he hold fast his integrity of soul. In the gloomy dungeons of Olmutz,^o the flame of patriotism glowed as brightly and as warmly in his breast as ever it did when fanned by the free breezes of the mountains. The dungeons of Olmutz! What associations are connected with the name! They form a part of the romance of history. For five long years was the Friend of Liberty immured in the prison of the tyrant. In vain did the civilized world demand his release. But what nations could not effect, came near being accomplished by the devoted exertions of two chivalric young men^o; and one of them was a South Carolinian whose

father had extended the hospitality of his house to Lafayette, when on his first visit to America he landed in the city of Charleston. Strange that, after the lapse of so many years, the little child who had then climbed upon his knee should now be periling his life for his rescue!

There is nothing in history to compare with this romantic episode of real life, unless, perhaps, the story of the minstrel friend of the lion-hearted Richard,^o wandering through those very dominions, tuning his harp beneath every fortress, till at length his strains were answered and the prison of the royal Crusader discovered. But the doors of the Austrian dungeon were at length thrown open and Lafayette returned to France. Great changes, however, had taken place in his absence. The flood of the Revolution had subsided. The tempest of popular commotion had blown over, leaving many and fearful evidences of its fury; and the star of the Child of Destiny^o had now become lord of the ascendant. Small was the sympathy between the selfish and ambitious Napoleon and Lafayette the patriot and philanthropist. They could no more mingle than the pure lights of heaven and the unholy fires of hell. Lafayette refused with scorn the dignities proffered by the First Consul. Filled with virtuous indignation at his country's fate, he retired from the capital; and, devoting himself awhile to the pursuits of private life, awaited the return of better times.

Here we cannot but pause to contemplate these wonderful men, belonging to the same age and to the same nation: Napoleon and Lafayette. Their names excite no kindred emotions; their fates no kindred sympathies. Napoleon — the Child of Destiny — the thunderbolt

of war — the victor in a hundred battles — the dispenser of thrones and dominions; he who scaled the Alps and reclined beneath the pyramids, whose word was fate and whose wish was law. Lafayette — the volunteer of Freedom — the advocate of human rights — the defender of civil liberty — the patriot and the philanthropist — the beloved of the good and the free. Napoleon — the vanquished warrior, ignobly flying from the field of Waterloo, the wild beast, ravaging all Europe in his wrath, hunted down by the banded and affrighted nations and caged far away upon an ocean-girded rock. Lafayette, a watchword by which men excite each other to deeds of worth and noble daring; whose home has become the Mecca° of freedom, toward which the pilgrims of Liberty turn their eyes from every quarter of the globe. Napoleon was the red and fiery comet, shooting wildly through the realms of space and scattering pestilence and terror among the nations. Lafayette was the pure and brilliant planet, beneath whose grateful beams the mariner directs his bark and the shepherd tends his flocks — Napoleon died and a few old warriors — the scattered relics of Marengo and Austerlitz° — bewailed their chief. Lafayette is dead and the tears of a civilized world attest how deep is the mourning for his loss. Such is, and always will be, the difference of feeling toward a benefactor and a conqueror of the human race.

In 1824, on Sunday, a single ship furled her snowy sails in the harbor of New York. Scarcely had her prow touched the shore, when a murmur was heard among the multitudes, which gradually deepened into a mighty shout of joy. Again and again were the heavens rent with

the inspiring sound. Nor did it cease; for the loud strain was carried from city to city and from State to State, till not a tongue was silent throughout this wide Republic from the lisping infant to the tremulous old man. All
5 were united in one wild shout of gratulation. The voices of more than ten million freemen gushed up towards the sky and broke the stillness of its silent depths. But one note and one tone went to form this acclamation. Up in those pure regions clearly and sweetly did it sound:
10 "Honor to Lafayette!" "Welcome to the Nation's Guest!" It was Lafayette, the war-worn veteran, whose arrival on our shores had caused this widespread, this universal joy. He came among us to behold the independence and the freedom which his young arm had
15 so well assisted in achieving; and never before did eye behold or heart of man conceive, such homage paid to virtue. Every day's march was an ovation. The United States became for months one great festive hall. People forgot the usual occupations of life and crowded to be-
20 hold the benefactor of mankind. The iron-hearted, gray-haired veterans of the Revolution thronged around him to touch his hand, to behold his face, and to call down Heaven's benisons upon their old companion-in-arms. Lispering infancy and garrulous old age, beauty, talent,
25 wealth, and power, all, for a while forsook their usual pursuits and united to pay a tribute of gratitude and welcome to the nation's guest. The name of Lafayette was upon every lip, and wherever his name was, there, too, was an invocation for blessings upon his head. What
30 were the triumphs of the classic ages, compared with this unbought love and homage of a mighty people?

Take them in Rome's days, when the invincible generals of the Eternal City returned from their foreign conquests, with captive kings bound to their chariot wheels and the spoils of nations in their train; followed by their stern and bearded warriors and surrounded by the endless multitudes of the seven-hilled city, shouting a fierce welcome home; what was such a triumph compared with Lafayette's? Not a single city, but a whole nation rising as one man and greeting him with an affectionate embrace! One single day of such spontaneous homage were worth 10 whole years of courtly adulation; one hour might well reward a man for a whole life of danger and of toil. Then, too, the joy with which he must have viewed the prosperity of the people for whom he had so heroically struggled! To behold the nation which he had left a little 15 child, now grown up in the full proportions of lusty manhood! To see the tender sapling, which he had left with hardly shade enough to cover its own roots, now waxing into the sturdy and unwedgeable oak, beneath whose grateful umbrage the oppressed of all nations find 20 shelter and protection! That oak still grows on in its majestic strength, and wider and wider still extends its mighty branches. But the hand that watered and nourished it while yet a tender plant is now cold; the heart that watched with strong affection its early growth has 25 ceased to beat.

Virtue forms no shield to ward off the arrows of death. Could it have availed even when joined with the prayers of a whole civilized world, then, indeed, this mournful occasion would never have occurred and the life of La- 30 fayette would have been as immortal as his fame. Yet,

though he has passed from among us; though that countenance will no more be seen that used to lighten up the van of Freedom's battles as he led her eaglets to their feast; still he has left behind his better part; the legacy of his bright example, the memory of his deeds. The lisp-
5 ing infant will learn to speak his venerated name. The youth of every country will be taught to look upon his career and to follow in his footsteps. When hereafter a gallant people are fighting for freedom against the
10 oppressor and their cause begins to wane before the mercenary bands of tyranny, then will the name of Lafayette become a watchword that will strike with terror on the tyrant's ear and nerve with redoubled vigor the freeman's arm. At that name many a heart before un-
15 moved will wake in the glorious cause; and many a sword, rusting ingloriously in its scabbard, will leap forth to battle. But even amid the mourning with which our souls are shrouded, is there not some room for gratulation? Our departed friend and benefactor has gone down
20 to the grave peacefully and quietly at a good old age. He had performed his appointed work. His virtues were ripe. He had done nothing to sully his fair fame. No blot or soil of envy or calumny can now affect him. His character will stand upon the pages of history, pure and
25 unsullied as the lily emblem on his country's banner. He has departed from among us; but he has become again the companion of Washington. He has but left the friends of his old age to associate with the friends of his youth. Peace be to his ashes! Calm and quiet may
30 they rest upon some vine-clad hill of his own beloved land! And it shall be called the Mount Vernon of France.

And let no cunning sculpture, no monumental marble, deface with its mock dignity the patriot's grave; but rather let the unpruned vine, the wild flower, and the free song of the uncaged bird, all that speaks of freedom and of peace, be gathered round it. Lafayette needs no mausoleum. His fame is mingled with the nation's history. His epitaph is engraved upon the hearts of men.

THOMAS HART BENTON

THE ADMINISTRATION OF ANDREW JACKSON

BUT, while declining to reopen the argument of this question, and refusing to tread over again the ground already traversed, there is another and a different task to perform; one which the approaching termination of
5 President Jackson's administration makes peculiarly proper at this time, and which it is my privilege, and perhaps my duty, to execute, as being the suitable conclusion to the arduous contest in which we have been so long engaged: I allude to the general tenor of his adminis-
10 tration, and to its effect, for good or for evil, upon the condition of his country. This is the proper time for such a view to be taken. The political existence of this great man now draws to a close. In little more than forty days he ceases to be a public character. In a few
15 brief weeks he ceases to be an object of political hope to any, and should cease to be an object of political hate, or envy, to all. Whatever of motive the servile and time-serving might have found in his exalted station for raising the altar of adulation, and burning the incense of
20 praise before him, that motive can no longer exist. The dispenser of the patronage of an empire — the chief of this great confederacy of States — is soon to be a private individual, stripped of all power to reward or to punish.

His own thoughts, as he has shown us in the concluding paragraph of that message which is to be the last of its kind that we shall ever receive from him, are directed to that beloved retirement from which he was drawn by the voice of millions of freemen, and to which he now looks for that interval of repose which age and infirmities require. Under these circumstances, he ceases to be a subject for the ebullition of the passions, and passes into a character for the contemplation of history. Historically, then, shall I view him; and, limiting this view to his civil administration, I demand where is there a chief magistrate of whom so much evil has been predicted, and from whom so much good has come? Never has any man entered upon the chief magistracy of a country under such appalling predictions of ruin and woe! never has any one been so pursued with direful prognostications! Never has any one been so beset and impeded by a powerful combination of political and moneyed confederates! Never has any one in any country, where the administration of justice has risen above the knife or the bow-string, been so lawlessly and shamelessly tried and condemned by rivals and enemies, without hearing, without defense, without the forms of law or justice! History has been ransacked to find examples of tyrants sufficiently odious to illustrate him by comparison. Language has been tortured to find epithets sufficiently strong to paint him in description. Imagination has been exhausted in her efforts to deck him with revolting and inhuman attributes. Tyrant, despot, usurper; destroyer of the liberties of his country; rash, ignorant, imbecile; endangering the public peace with all foreign nations; destroying domes-

tic prosperity at home; ruining all industry, all commerce, all manufactories; annihilating confidence between man and man; delivering up the streets of populous cities to grass and weeds, and the wharves of commercial towns to the incumbrance of decaying vessels, depriving labor of all reward; depriving industry of all employment; destroying the currency; plunging an innocent and happy people from the summit of felicity to the depths of misery, want, and despair. Such is the faint outline, followed up
10 by actual condemnation, of the appalling denunciations daily uttered against this one man, from the moment he became an object of political competition, down to the concluding moment of his political existence.

To detail specific acts which adorn the administration
15 of President Jackson, and illustrate the intuitive sagacity of his intellect, the firmness of his mind, his disregard of personal popularity, and his entire devotion to the public good, would be inconsistent with this rapid sketch, intended merely to present general views, and not to
20 detail single actions, howsoever worthy they may be of a splendid page in the volume of history. But how can we pass over the great measure of the removal of the public moneys from the Bank of the United States in the autumn of 1833? that wise, heroic, and masterly measure
25 of prevention, which has rescued an empire from the fangs of a merciless, revengeful, greedy, insatiate, implacable, moneyed power! It is a remark for which I am indebted to the philosophic observation of my most esteemed colleague and friend (pointing to Dr. LINN),
30 that, while it requires far greater talent to foresee an evil before it happens, and to arrest it by precautionary

measures, than it requires to apply an adequate remedy to the same evil after it has happened, yet the applause bestowed by the world is always greatest in the latter case. Of this the removal of the public moneys from the Bank of the United States is an eminent instance. 5 The veto of 1832, which arrested the charter which Congress had granted, immediately received the applause and approbation of a majority of the Union; the removal of the deposits, which prevented the bank from forcing a recharter, was disapproved by a large majority of the 10 country, and even of his own friends; yet the veto would have been unavailing, and the bank would inevitably have been rechartered, if the deposits had not been removed. The immense sums of public money since accumulated would have enabled the bank, if she had re- 15 tained the possession of it, to have coerced a recharter. Nothing but the removal could have prevented her from extorting a recharter from the sufferings and terrors of the people. If it had not been for that measure, the previous veto would have been unavailing; the bank 20 would have been again installed in power, and this entire Federal government would have been held as an appendage to that bank, and administered according to her directions, and by her nominees. That great measure of prevention, the removal of the deposits, though feebly 25 and faintly supported by friends at first, has expelled the bank from the field, and driven her into abeyance under a State charter. She is not dead, but, holding her capital and stockholders together under a State charter, she has taken a position to watch events, and to profit 30 by them. The royal tiger has gone into the jungle!

and, crouched on his belly, he awaits the favorable moment for emerging from his cover, and springing on the body of the unsuspecting traveler!

The Treasury order for excluding paper money from the land offices is another wise measure, originating in an enlightened forecast, and preventing great mischiefs. The President foresaw the evils of suffering a thousand streams of paper money, issuing from a thousand different banks, to discharge themselves on the national domain. He foresaw that if these currents were allowed to run their course, that the public lands would be swept away, the Treasury would be filled with irredeemable paper, a vast number of banks must be broken by their folly, and the cry set up that nothing but a national bank could regulate the currency. He stopped the course of these streams of paper, and, in so doing, has saved the country from a great calamity, and excited anew the machinations of those whose schemes of gain and mischief have been disappointed, and who had counted on a new edition of panic and pressure, and again saluting Congress with the old story of confidence destroyed, currency ruined, prosperity annihilated, and distress produced, by the tyranny of one man. They began their lugubrious song; but ridicule and contempt have proved too strong for money and insolence; and the panic letter of the ex-president of the denationalized bank, after limping about for a few days, has shrunk from the lash of public scorn, and disappeared from the forum of public debate.

But why this specification? So beneficent and so glorious has been the administration of this President, that where to begin, and where to end, in the enumeration

of great measures, would be the embarrassment of him who has his eulogy to make. He came into office the first of generals; he goes out the first of statesmen. His civil competitors have shared the fate of his military opponents; and Washington City has been to the American politicians who have assailed him, what New Orleans was to the British generals who attacked his lines. Repulsed! driven back! discomfited! crushed! has been the fate of all assailants, foreign and domestic, civil and military. At home and abroad, the impress of his genius and of his character is felt. He has impressed upon the age in which he lives the stamp of his arms, of his diplomacy, and of his domestic policy. In a word, so transcendent have been the merits of his administration, that they have operated a miracle upon the minds of his most inveterate opponents. He has expunged their objections to military chieftains! He has shown them that they were mistaken; that military men were not the dangerous rulers they had imagined, but safe and prosperous conductors of the vessel of State. He has changed their fear into love. With visible signs they admit their error, and, instead of deprecating, they now invoke the reign of chieftains. They labored hard to procure a military successor to the present incumbent; and if their love goes on increasing at the same rate, the Republic may be put to the expense of periodical wars, to breed a perpetual succession of these chieftains to rule over them and their posterity forever.

To drop this irony, which the inconsistency of mad opponents has provoked, and to return to the plain delineations of historical painting, the mind instinctively dwells

on the vast and unprecedented popularity of this President. Great is the influence, great the power, greater than any man ever before possessed in our America, which he has acquired over the public mind. And how
5 has he acquired it? Not by the arts of intrigue, or the juggling tricks of diplomacy; not by undermining rivals, or sacrificing public interests for the gratification of classes or individuals. But he has acquired it, first, by the exercise of an intuitive sagacity which, leaving all
10 book learning at an immeasurable distance behind, has always enabled him to adopt the right remedy, at the right time, and to conquer soonest when the men of forms and office thought him most near to ruin and despair. Next, by a moral courage which knew no fear
15 when the public good beckoned him to go on. Last, and chiefest, he has acquired it by an open honesty of purpose, which knew no concealments; by a straightforwardness of action, which disdained the forms of office and the arts of intrigue; by a disinterestedness of motive,
20 which knew no selfish or sordid calculation; a devotedness of patriotism, which staked everything personal on the issue of every measure which the public welfare required him to adopt. By these qualities, and these means, he has acquired his prodigious popularity and his transcendent
25 influence over the public mind; and if there are any who envy that influence and popularity, let them envy, also, and emulate, if they can, the qualities and means by which they were acquired.

Great has been the opposition to President Jackson's
30 administration; greater, perhaps, than ever has been exhibited against any government, short of actual insur-

rection and forcible resistance. Revolution has been proclaimed! and everything has been done that could be expected to produce revolution. The country has been alarmed, agitated, convulsed. From the Senate chamber to the village barroom, from one end of the continent to the other, denunciation, agitation, excitement has been the order of the day. For eight years the President of this Republic has stood upon a volcano, vomiting fire and flames upon him, and threatening the country itself with ruin and desolation, if the people did not expel the usurper, 10 despot, and tyrant, as he was called, from the high place to which the suffrages of millions of freemen had elevated him.

Great is the confidence which he has always reposed in the discernment and equity of the American people. I have been accustomed to see him for many years, and 15 under many discouraging trials; but never saw him doubt, for an instant, the ultimate support of the people. It was my privilege to see him often, and during the most gloomy period of the panic conspiracy, when the whole earth seemed to be in commotion against him, and when many 20 friends were faltering, and stout hearts were quailing, before the raging storm which bank machination, and senatorial denunciation, had conjured up to overwhelm him. I saw him in the darkest moments of this gloomy period; and never did I see his confidence in the ultimate support of his fellow-citizens forsake him for an instant. He always said the people would stand by those who stand by them; and nobly have they justified that confidence! That verdict, the voice of millions, which now demands the expurgation of that sentence 30 which the Senate and the bank then pronounced upon

him, as the magnificent response of the people's hearts to the implicit confidence which he then reposed in them. But it was not in the people only that he had confidence; there was another, and a far higher Power, to which he constantly looked to save the country and its defenders from every danger; and signal events prove that he did not look to that high Power in vain.

Sir, I think it right, in approaching the termination of this great question, to present this faint and rapid sketch of the brilliant, beneficent, and glorious administration of President Jackson. It is not for me to attempt to do it justice; it is not for ordinary men to attempt its history. His military life, resplendent with dazzling events, will demand the pen of a nervous writer; his civil administration, replete with scenes which have called into action so many and such various passions of the human heart, and which has given to native sagacity so many victories over practised politicians, will require the profound, luminous, and philosophical conceptions of a Livy, a Plutarch, or a Sallust. This history is not to be written in our day. The cotemporaries of such events are not the hands to describe them. Time must first do its office — must silence the passions, remove the actors, develop consequences, and canonize all that is sacred to honor, patriotism, and glory. In after ages the historic genius of our America shall produce the writers which the subject demands — men far removed from the contests of this day, who will know how to estimate this great epoch, and how to acquire an immortality for their own names by painting, with a master's hand, the immortal events of the patriot President's life.

And now, sir, I finish the task which, three years ago, I imposed on myself. Solitary and alone, and amidst the jeers and taunts of my opponents, I put this ball in motion. The people have taken it up, and rolled it forward, and I am no longer anything but a unit in the vast mass which now propels it. In the name of that mass I speak. I demand the execution of the edict of the people; I demand the expurgation of that sentence which the voice of a few Senators, and the power of their confederate, the Bank of the United States, has caused to be placed on the journal of the Senate, and which the voice of millions of freemen has ordered to be expunged from it.

JAMES KNOX POLK

INAUGURAL ADDRESS

*Gentlemen of the Senate, of the House of Representatives,
and Fellow-citizens:*

UNDER our happy system of government, the ultimate and supreme sovereignty rests in the people. The powers of government delegated by the people to their public functionaries are by our Constitution divided between
5 the Federal and State authorities. The State governments are not, as has been erroneously supposed by some, subordinate to the Federal government. "They are coordinate departments of one simple and integral whole." The States have parted with certain enumerated and
10 specified powers, and, by the Constitution of the United States, these are delegated to the Federal government, and can only be rightfully exercised by that government. "The powers not delegated to the United States by the
15 Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." By the partition of powers thus distinctly defined, it is manifest that each government possesses powers which are withheld from the other. And so long as each acts within its legitimate and proper sphere, the system works harmoniously, and affords to the citizen a greater amount of
20 security for life, liberty, and property, and in the pursuit

of happiness, than is to be found under any other government which has ever existed. When either overleaps the true boundary prescribed for its action, and usurps the exercise of powers properly belonging to the other, the harmony of the system is disturbed, and agitating collisions arise which are calculated to weaken the bonds of union. Whilst, therefore, the States should be jealous of every encroachment of the Federal government on *their* rights, they should be careful to confine themselves in their own action to the exercise of powers clearly reserved to them.

In ascertaining the true line of separation between the powers of the general government and of the States, much difficulty has often been experienced in the operations of our system. The powers delegated to the general government are either express or implied. The general rule of construction laid down by the General Assembly of Virginia in 1799 may be regarded as a sound one by which to determine whether a given power has been delegated to that government, or is reserved to the States. That rule is — "Whenever a question arises concerning the constitutionality of a particular power, the first question is, whether the power be *expressed* in the Constitution. If it be, the question is decided. If it be not *expressed*, the next question must be, whether it is properly an *incident* to an expressed power, and *necessary* to its execution. If it be, it may be exercised by Congress. If it be not, Congress cannot exercise it." If the power be not *expressed*, it is not enough that it may be *convenient* or *expedient* to exercise it, for such a construction of the Constitution of the United States would refer its exercise

to the unlimited and unrestrained discretion of Congress — to determine what would be *convenient* or *expedient*; thereby making the exercise of important powers, by the general government, to depend upon the varying discretion of successive Congresses. It must be a "*necessary and proper*" power. It must be an *incident* to an *express* power, "*necessary and proper*" to carry that express power into effect, and, without which, it could not be exercised, and would be nugatory.

10 Mr. Jefferson, whose sound expositions of the relative powers of the Federal and State governments but few of my constituents will be prepared at this day to question, near the close of a long and eventful life of public usefulness, declared "to be most false and unfounded, the doctrine that the compact, in authorizing its Federal branch
15 to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States, has given them thereby a power to do whatever *they* think, or pretend, would promote the general welfare, which construction
20 would make that, of itself, a complete government, without limitation of powers; but, that the plain sense and obvious meaning were, that they might levy the taxes necessary to provide for the general welfare, by the various acts of power therein specified and delegated to them,
25 and by no others."

In all cases of well-founded constitutional doubt, it is safest and wisest for all the functionaries of government, both State and Federal, to abstain from the exercise of
30 the doubtful power. In all such cases, it is both safest and wisest to appeal to the people, the only true source

of power in the constitutional forms, by an amendment of the fundamental law, to remove such doubt, either by an enlargement or a restriction of the doubtful power in question.

The Federal government has at different times assumed, 5 or attempted to exercise powers, which, in my judgment, have not been conferred upon that government by the compact. Among these, I am free to declare my solemn conviction that the Federal government possesses no constitutional power to incorporate a National Bank. 10 The advocates of a bank insist that it would be *convenient and expedient*, and that it would promote the "general welfare"; but they have, in my judgment, failed to show that the power to create it is either *expressly* granted, or that it is an *incident* to any *express* power, 15 that is "*necessary and proper*" to carry that power into effect. The alarming dangers of the power of such a corporation (vast and irresponsible as experience has shown it to be) to the public liberty, it does not fall within the scope of my present purpose fully to examine. We 20 have seen the power of associated wealth in the late Bank of the United States, wrestling with a giant's strength with the government itself,—and although finally overthrown,° it was not until after a long and doubtful contest. During the struggle, it manifested a power for mischief 25 which it would be dangerous to permit to exist in a free country. The panic and alarm, the distress and extensive suffering, which in its convulsive struggle to perpetuate its power it inflicted on the country, will not soon be forgotten. Its notorious alliance with leading poli- 30 ticians, and its open interference by means of the cor-

rupting power of money in the political contests of the times, had converted it into a political engine, used to control elections and the course of public affairs. No restraints of law could prevent any similar institution
5 from being the willing instrument used for similar purposes. The State of Tennessee, through her legislature, has repeatedly declared her settled opinions against the existence of such an institution, and at no time in its favor. She has instructed her senators, and requested
10 her representatives in Congress to vote against the establishment of such an institution. In these opinions, heretofore expressed by the State, I entirely concur.

Of the same character is the power which at some time has been attempted to be exercised by the Federal government, of first collecting by taxation on the people a
15 surplus revenue beyond the wants of that government, and then distributing such surplus, in the shape of donations, among the States: a power which has not been conferred on that government by any express grant, nor
20 is it an incident to any express power, "necessary and proper" for its execution. To concede such a power, would be to make the Federal government the tax-gatherer of the States, and accustom them to look to that source from which to supply the State treasuries, and to
25 defray the expenses of the State governments. It is clear that this constituted no one of the objects of the creation of the Federal government; and to permit its exercise would be to reduce the States to the degraded condition of subordinate dependencies upon that govern-
30 ment, to destroy their separate and independent sovereignty, and to make the government of the Union in

effect a consolidation. The power to make provision for the support of its own government, by the levy of the necessary taxes upon its own citizens, and the adoption of such measures of policy for its internal government not inconsistent with the Federal Constitution, as may be deemed proper and expedient, "remains to each State among its domestic and unalienated powers exercisable within itself and by its domestic authorities alone."

A surplus Federal revenue, raised by means of a tariff of duties, must necessarily be collected in unequal proportions from the people of the respective States. The planting and producing States must bear the larger portion of the burden. It was this inequality which has heretofore given rise to the just complaints of these States, as also of the commercial interests, against the operations of a high and protective tariff. If the proceeds of the sales of the public lands be set apart for distribution among the States, as has been sometimes proposed, the operation and effect would be the same; for, by abstracting from the Federal treasury the proceeds of the sales of the public lands, a necessity is thereby created for an increased tariff to the amount thus abstracted. To collect a surplus revenue by unequal taxation, and then to return to the people, by a distribution among the States, their own money, in sums diminished by the amount of the cost of collection and distribution, aside from its manifest injustice, is a power which it could never have been intended to confer on the Federal Government.

When, from the unforeseen operation of the revenue laws of the United States, a surplus at any time exists

or is likely to exist in the Federal treasury, the true remedy is, to reduce or to repeal the taxes so as to collect no more money than shall be absolutely necessary for the economical wants of that government, and thus leave what would otherwise be surplus uncollected in the pockets of the people.

It becomes the duty of all the States, and especially of those whose constitutions recognize the existence of domestic slavery, to look with watchfulness to the attempts which have been recently made to disturb the rights secured to them by the Constitution of the United States. The agitation of the Abolitionists^o can by no possibility produce good to any portion of the Union, and must, if persisted in, lead to incalculable mischief. The institution of domestic slavery, as it existed at the adoption of the Constitution of the United States, and as it still exists in some of the States, formed the subject of one of the compromises of opinion and of interests upon the settlement of which all the old States became parties to the compact and agreed to enter the Union. The new States were admitted into the Union upon an equal footing with the old States, and are equally bound by the terms of the compact. Any attempt on the part of the Federal government to act upon the subject of slavery, as it exists within the States, would be a clear infraction of the Constitution; and to disturb it within the District of Columbia, would be a palpable violation of the public faith, as well as of the clear meaning and obvious intention of the framers of the Constitution. They intended to leave, and they did in fact leave, the subject to the exclusive regulation and action of the States and Terri-

tories within which slavery existed or might exist. They intended to place, and they did in fact place it, beyond the pale of action within the constitutional power of the Federal government. No power has been conferred upon the Federal government, either by express grant or necessary implication, to take cognizance of, or in any manner or to any extent to interfere with, or to act upon the subject of domestic slavery, the existence of which in many of the States is expressly recognized by the Constitution of the United States.

Whether the agitation we have recently witnessed upon this delicate and disturbing subject has proceeded from a mistaken philanthropy, as may have been the case with a few misguided persons; or whether there is, I regret to say, but too much reason to fear, from a desire on the part of many persons, who manifest by their conduct a reckless disregard of the harmony of the Union and of the public good, to convert it into a political engine, with a view to control elections, its progress should be firmly resisted by all the constitutional means within the power of the State. The most casual observer of passing events cannot fail to have seen that modern Abolitionism, with rare and few exceptions among its advocates, has become, to a great extent, purely a political question. That many of the leading abolitionists are active political partisans, fully identified with, and constituting no inconsiderable part of, one of the political parties of the country, can no longer admit of doubt. They address themselves to the prepossessions and prejudices of the community in which they live, against slavery in the abstract, and, availing themselves of these prepossessions and

prejudices, are struggling to control political events. All the lovers of the Union of the States, and all patriotic citizens, whether of the slaveholding or nonslaveholding States, who are ardently attached to our free institutions, must view with indignant reprobation the use made of such an unholy agitation with such objects. The attempts made to introduce it for discussion into the Federal Legislature have been met in the proper spirit, not only by Southern representatives, but by a large portion of the Northern delegation in Congress. It is fortunate for the country, that, in the midst of this agitation, there is at the head of the Federal government a Chief Magistrate who, in the patriotic discharge of his high duties, has placed the seal of his unqualified condemnation upon any attempted action by Congress upon the subject of slavery in any manner, or to any extent, whether existing within the States or within the District of Columbia. That he deserves and will receive the support of the States and of the people, in every portion of the Union, in maintaining his uncompromising and publicly declared determination to preserve inviolate the compromises of the Federal Constitution and the reserved rights of the slaveholding States on this subject, cannot be doubted.

WILLIAM CAMPBELL PRESTON

INAUGURAL ADDRESS

Young Gentlemen of the College:

ENTERING upon the office to which the Trustees have appointed me, I have thought it not inappropriate to present myself to you, in a somewhat formal way, and to make a few remarks which the occasion seems to justify.

The intimate relations which are hereafter to subsist between us, involving very grave responsibilities on my part, and the deepest interest of life on yours, will be the more readily and efficiently established by an exposition of my understanding of our most prominent, respective duties, and of the feelings and purposes with which I now assume mine.

It has been the pleasure of the Trustees to call me from walks of life very remote from those I now enter upon. For many years, I have been busy amidst the active pursuits of men, taking some part in affairs where the conflict of interest, the collision of intellect, and the tumult of strenuous and stormy passions left but little leisure for those calm and meditative employments which are the occupation within these walls.

After thirty years' absence from them, I return, but in a new and trying condition, with sympathies in all your pursuits, to be sure, and tastes not entirely alienated from

science and literature, but with a deep and fearful anxiety, that I may, indeed must be, unqualified to discharge the trust as it ought to be. Under a conscious deficiency, I would have shrunk from this office, but that
5 I yielded my own opinion to that of those for whose judgment, experience, and knowledge of the institution, I have an entire deference. Of that Board of Trustees, whose command I obey, I can safely affirm, that having in the chances of life been occasionally thrown with men,
10 distinguished by the consent of the whole country, I have not found anywhere, even in those exalted stations to which a nation's interests call its most conspicuous citizens, a wiser, or more highly endowed body.

To its discretion and intelligence, the destinies of this
15 cherished institution are well confided, and I hold myself ready to conform to its wishes with the same implicit confidence, whenever it may think fit to remit me to the pursuits of private life, as now, that I relinquish those pursuits in compliance with them.

20 I have the more willingly acquiesced in their judgment, as it has been in favor of one who had differed with the State, on some important and exciting question. To be made its trusted agent under such circumstances, to be put without solicitation, in this place of confidence and
25 honor, in which the interests, the hopes, and the affections of the State are so deeply implicated, fills me with gratitude, and oppresses me with a painful sense of responsibility. In the swell of strong emotions which fill my heart, all vanity is quenched in the consciousness of in-
30 adequacy to make a suitable return.

What I bring, gentlemen, to my station, and what I

trust may in some sort make amends for my deficiencies, in other respects is, a deep and reverential love for this my Alma Mater, — a solemn sense of my duties, and I may be permitted to say, a love of letters, not altogether extinguished by contact with the world. Nor am I insensible in adopting this course of life, to the pleasing satisfaction (as Cicero says) of seeing myself surrounded by a circle of ingenuous youths, and conciliating by laudable means their esteem and affection. There certainly cannot be a more important or honorable occupation than to instruct the rising generation in the duties to which they may hereafter be called, — and I hope I may, without the imputation of arrogance, be allowed to adopt another sentiment of that illustrious Roman: —

“Ac fuit quidem cum mihi quoque initium requiescendi, 15
atque animum ad utriusque nostrum præclara studia referendi, fore justum et prope ab omnibus concessum arbitrari — si infinitus forensium rerum labor, et ambitionis occupatio, decursu honorum, etiam ætatis fluxu, 20
constitisset.”

In the pleasing task to which I now address myself, it will be my constant effort to promote your studies, and to prepare you for the duties of life (more important than life itself), with such stores of learning as may be acquired here, but more especially with ardent and virtuous aspirations to acquit yourselves with honor hereafter.

The immediate and ostensible object of our association is the pursuit of learning, and this might seem to be our sole purpose, but in truth learning is only a means to the great end we have in view. It is an instrument 30
which is prepared and fashioned here, with some instruc-

tions as to the mode of using it. It is but the armor, but a part of the armor, to be worn in the battlefield of life for the achievement of honorable and glorious victories, for the triumph of truth over error, of virtue over vice, of right over wrong. And although I cherish the conviction that there is a natural and intimate connection between knowledge and virtue, yet I know that they are not inseparable. There have been melancholy instances of great intellectual power, united to acquisitions from the whole circle of learning, without corresponding moral elevation. These, however, I regard as anomalies; I rejoice to believe that in the general order of Providence, whatever enlarges and exalts the intellect, promotes, purifies, and invigorates the virtues of the heart. If I did not believe in such a connection, I would abandon myself to indolence and despair. But the noble distinctive faculties of man, whose combination constitutes his dignity and glory, are harmonized by his Creator into a concerted action for a common purpose. Whatever enlightens the mind improves the heart, as the sun which illuminates the atmosphere warms the earth, and although it may happen that his beams are reflected from fields of ice, yet his general mission is to call forth whatever is useful and beautiful, and impregnate with vitality the whole body of nature. True knowledge is the knowledge of truth; as it is said in the fine arts, that nothing is beautiful but the true, so, in the wide signification of the word, it may be said that nothing is good but the true. To confer upon learning its just dignity and importance, it must be considered as subsidiary and auxiliary to the paramount ends of our being. It must always have in

view our responsibilities in this life, and the awful responsibilities of a far more exceeding weight hereafter. You are to be made intellectual men, that you may be fit moral agents: so that as you advance in learning, you may advance in the knowledge and appreciation of virtue, remembering always that the lamp which you light up is not a gaudy show, to please by its variegated radiance, but is intended for a more useful and noble purpose, to show you, amidst the double night of error and of passion which obscures your journey through life, the only ways of pleasantness and paths of peace. Undoubtedly learning of itself is graceful and ornamental, and knowledge is power, but learning and knowledge attain their true beauty and full power only when united to virtue, and this union is ennobled, and, so to speak, sanctified by piety, — making the highest condition of our nature. — Learning, — morality, — religion, — these are your great objects. These, in the right understanding of them, include all that is desirable. They comprehend those lesser morals, the aggregate of which make a gentleman fitted to adorn and delight society, — they comprehend all those sentiments which become a citizen born to a participation in the government of the commonwealth, and all those deep convictions and lofty aspirations which belong to heirs of eternity. This is my conception of the object and purposes for which we are associated. If we can persuade you to entertain a corresponding idea of your duties, our task will be an easy one. We shall be joint laborers in the same field, cheered by the sure prospect of a luxuriant harvest. This, our seedtime, will be a season of hope and joy, while we look forward with eager

and confident anticipation to the glories of a rich harvest, and still further to the garnering of it where there is no rust, and the thieves cannot break through nor steal.

But besides the ulterior and paramount value of the moral sentiment to which I have alluded, they are of immediate and vital consequence to us here. The good order and successful administration of the college depend entirely upon their influence.

You have passed the period of coercion, and already are moral agents. In all communities laws avail but little without a prevailing sentiment to sustain and carry them out in their true spirit. "Quid valeant leges sine moribus," is true everywhere, but most emphatically true here; our government resolves itself almost entirely into an appeal to the sense of honor and duty, without which our laws are nugatory, and their impotent penalties carry no sanction. The fear of the law which prompts to a cold and reluctant observance of it, may secure from punishment, but, as a principle of action, must always fail of any honorable success, and the government whose efficiency depends solely upon it, must fail in its main objects.

You cannot, young gentlemen, — you ought not to be governed by mere dint of law, — you must feel that there are other and higher rules than it imposes, — indeed other and higher laws than are to be found in our statutes, — laws in your own bosoms, written on your hearts, — the penalty for disobedience to which is the consciousness of wrong, — and the reward of obedience, the consciousness of right.

It may, and perhaps must be necessary, wherever

human nature is to be governed, to invoke the interposition of the law, — but our habitual and by far most pleasant, and as we hope, most efficient appeal, will be to your honor and sense of right.

We do not indulge the chimerical expectation that a moral discipline can be so far enforced as to supersede an occasional application of penal laws. Our observation of life permits no such hope, for in no association whatever, — not senates or councils, can be regulated by the mere discretion of the members, — much less can it be expected from the thoughtlessness and passions of the young. Acts of discipline must occur, and when the occasion requires them, they will be firmly and promptly applied, — but what we do calculate on, is the prevalence of a pervading sentiment, that will render such necessity infrequent, — a sentiment which will inspire more fear of offense than of punishment.

The impulsiveness and impatience belonging to your time of life, naturally make the degree of exertion and industry requisite to your proper advancement, irksome and painful to you. Indolence presents herself to the young, — aye! and to the old, — in a thousand seducing forms. Industry is of a harsh and crabbed aspect. The one seems to point to a smooth and flowery path, — the other to a rugged and painful ascent, — but around that seducing path lurk all the ills of life, — and that toilsome ascent, at every step opens wider and wider a broad and beautiful prospect, and leads eventually to those elevations to which the noble spirit aspires.

Industry is the prolific mother of many virtues. She produces as well as sustains them — they all cluster

around and nestle about her, growing and strengthening by her care. Genius itself, that divine quality which seems to be instinct with innate power, and to rise by its own upward tendency, — genius itself, is plumed for its highest flights, and trained to them by industry. It is an utter mistake to imagine that any endowment can dispense with labor. It is a fatal error into which young men fall, — no great achievement ever has or ever can be effected without it, — the mode of its application may be obscure, but its presence is not the less certain. We have heard of the "forest-born Demosthenes," — of "nature's darling," — of the "blind old man of Scio's rocky isle." These were men of genius, unquestionably, — but Henry, and Shakespeare, and Homer, were also men of labor, — they had the blessing of inspiration, but the blessing came to them after they had wrestled all night.

Our intercourse, I trust, will be characterized by the courtesy becoming gentlemen. My government, I hope, will be animated by the vigilance and tempered by the affection of a parent. If I see you preparing yourselves to go home to delight a father's heart, my bosom will swell with a parent's pride, and my vanity will be gratified if your proficiency authorizes me to believe that when the State shall hereafter point to its jewels, I may say I helped to fashion them.

I trust also, gentlemen, that both our official and social relations, may be such, that when you go into the world, and ascertain by experience the value of the lessons taught here, you will remember the College with affection, and me with no indifferent feelings, and meet me, when

the chances of life throw us together, not without emotion.

Young gentlemen, if I were better qualified than I am for this office, I know how vain my efforts must be, even with the assistance of my able colleagues and your zealous coöperation, without the gracious protection and help of our Heavenly Father. To Him, then, and to His beneficent providence, I humbly and earnestly commend the issue of this undertaking.

HENRY CLAY

A PLEA FOR THE UNION

Mr. PRESIDENT, this Union is threatened with subversion. I desire to take a very rapid glance at the course of public measures in this Union presently. I wanted, however, before I did that, to ask the Senate to look
5 back upon the career which this country has run from the adoption of the Constitution down to the present day. Was there ever a nation upon which the sun of heaven has shone which has exhibited so much of prosperity as our own? At the commencement of this
10 government, our population amounted to about four millions. It has now reached upwards of twenty millions. Our territory was limited chiefly and principally to that bordering upon the Atlantic Ocean, and that which includes the southern shores of the interior lakes of our
15 country. Our territory now extends from the northern provinces of Great Britain to the Rio Grande and the Gulf of Mexico; from the Atlantic Ocean on the one side, to the Pacific on the other; the largest extent of territory under one government existing upon earth, with only two
20 solitary exceptions. Our tonnage, from being nothing, has risen to a magnitude and amount to rival that of the nation which has been proudly called the mistress of the ocean. We have gone through many wars; one

with that very nation from whom, in 1776, we broke off, as weak and feeble colonies, when we asserted our independence as a member of the family of nations. And, sir, we came out of that struggle — unequal as it was, armed as she was at all points, in consequence of the long struggles of Europe, and unarmed as we were at all points, in consequence of the habits and nature of our country and its institutions — we came out of that war without the loss of any honor, whatever; we emerged from it gloriously. In every Indian war — we have been engaged in many of them — our arms have been triumphant. And without speaking at all as to the causes of the recent war with Mexico, whether they were right or wrong, and abstaining from the expression of any opinion as to the justice or propriety of the war when it commenced, all must unite in respect to the gallantry of our arms, and the glory of our triumphs. There is no page — there are no pages of history, which record more brilliant successes. With respect to the one in command of an important portion of our army, I need say nothing in praise of him who has been borne by the voice of his country to the highest station in it, mainly on account of his glorious military career. But of another military commander, less fortunate in other respects, I must take the opportunity of saying, that for skill — for science — for strategy — for bold and daring fighting — for chivalry of individuals and of masses — that portion of the Mexican war which was conducted by the gallant Scott as chief commander, stands unrivaled either by the deeds of Cortes himself, or by those of any other commander in ancient or modern times.

Our prosperity is unbounded. Nay, Mr. President, I sometimes fear that it is the very wantonness of our prosperity that leads us to these threatening ills of the moment, that restlessness and these erratic schemes throughout the whole country, some of which have even found their way into legislative halls. We want, I fear, the chastising wand of Heaven to bring us back to a sense of the immeasurable benefits and blessings which have been bestowed upon us by Providence. At this moment, with the exception of here and there a particular department in the manufacturing business of the country, all is prosperous and happy — both the rich and poor. Our nation has grown to a magnitude in power and in greatness, to command the respect, if it does not call for the apprehensions of all the powers of the earth with which we can come in contact. Sir, do I depict with colors too lively the prosperity which has resulted to us from the operation of the Constitution under which we live? Have I exaggerated in any degree?

Now, let me go a little into detail as to the sway in the councils of the nation, whether of the North or of the South, during the sixty years of unparalleled prosperity that we enjoy. During the first twelve years of the administration of the government, Northern counsels rather prevailed; and out of them sprung the Bank of the United States; the assumption of the State debts; bounties to the fisheries; protection to the domestic manufactures — I allude to the Act of 1789; neutrality in the wars with Europe; Jay's treaty; alien and sedition laws; and a *quasi* war with France. I do not say, sir, that those leading and prominent measures which were adopted

during the administration of Washington and the elder Adams were carried exclusively by Northern counsels. They could not have been, but were carried mainly by the sway which Northern counsels had obtained in the affairs of the country. 5

So, also, with the latter party, for the last fifty years. I do not mean to say that Southern counsels alone have carried the measures which I am about to enumerate. I know they could not exclusively have carried them; but I say they have been carried by their preponderating influence, with coöperation, it is true, and large coöperation, in some instances, from the northern section of the Union.

And what are those measures during the fifty years that Southern counsels have perponderated? The embargo and other commercial restrictions of noninter-15 course and nonimportation; war with Great Britain; the Bank of the United States overthrown; protection to domestic manufactures enlarged and extended (I allude to the passage of the Act of 1815 or 1816); the Bank of the United States reëstablished; the same bank put 20 down; reëstablished by Southern counsels and put down by Southern counsels; Louisiana acquired; Florida bought; Texas annexed; war with Mexico; California and other Territories acquired from Mexico by conquest and purchase; protection superseded and free trade 25 established; Indians removed west of the Missouri; fifteen new States admitted into the Union. I may very possibly have omitted some of the important measures which have been adopted during the later period or time to which I have referred — the last fifty years; but these 30 I believe are the most prominent.

I do not deduce from the enumeration of the acts of the one side or the other, any just cause of reproach to the one side or the other, although one side or the other has predominated in the two periods to which I have referred. It has been at least the work of both, and neither need justly reproach the other. But I must say, in all candor and sincerity, that least of all ought the South to reproach the North, when we look at the long list of measures we have had under our sway in the councils of the nation, and which have been adopted as the policy of the government; when we reflect that even opposite doctrines have been prominently advanced by the South and carried at different times. A Bank of the United States was established under the administration of Mr. Madison, with the coöperation of the South. I do not, when I speak of the South or the North, speak of the entire South or North: I speak of the prominent and larger proportion of the South or North. It was during Mr. Madison's administration that the Bank of the United States was established. The friend [MR. CALHOUN] whose sickness I again deplore, as it prevents us from having his attendance here upon this occasion, was the chairman of the committee of the House of Representatives, and carried the measure through Congress. I voted for it with all my heart, although I had been instrumental in putting down the old Bank of the United States. I had changed my mind; and I coöperated in the establishment of the bank of 1816. That same bank was again put down by Southern counsels, with General Jackson at their head, at a later period. Then, with respect to the policy of protection: the South in 1815

— I mean the prominent and leading men of the South, Lowndes, Calhoun, and others — united in extending a certain measure of protection to the domestic manufactures of the South, as well as of the North. You find, a few years afterwards, that the South opposes the most serious objection to this policy, at least one member of the Union staking upon that objection the dissolution of the Union.

Let us take another view; and of these several views no one is brought forward in any spirit of reproach, but in a spirit of conciliation — not to provoke or exasperate, but to quiet and produce harmony and repose, if possible. What have been the territorial acquisitions made by this country, and to what interests have they conduced? Florida, where slavery exists, has been introduced. All the most valuable parts of Louisiana have also added to the extent and consideration of the slaveholding portion of the Union; for although there is a large extent of that territory north of $36^{\circ} 30'$, yet, in point of intrinsic value and importance, I would not give the single State of Louisiana for the whole of it. All Louisiana, with the exception of what lies north of $36^{\circ} 30'$, including Oregon, to which we obtained title mainly on the ground of its being a part of the acquisition of Louisiana; all Texas, all the Territories which have been acquired by the government of the United States during sixty years of the operation of that government, have been slave Territories — theaters of slavery — with the exception I have mentioned lying north of the line of $36^{\circ} 30'$. But how was it in the case of a war made essentially by the South, growing out of the annexation of Texas, which was a measure

pressed by the South upon the councils of the country, and which led to the war with Mexico? I do not say of the whole South; but a major portion of the South pressed the annexation of Texas upon the country, and 5 that led to a war with Mexico, and to the ultimate acquisition of these Territories, which now constitute the bone of contention between the members of the Confederacy. And now, when, for the first time, any free Territory — after these great acquisitions in Florida, 10 Louisiana, and Texas, had been made and redounded to the benefit of the South — now, when, for the first time, free Territories are attempted to be introduced — Territories without the institution of slavery, I put it to the hearts of my countrymen of the South, if it is right 15 to press matters to the disastrous consequences that have been intimated no longer ago than this very morning, upon the presentation of the resolutions from North Carolina.

A SENATOR here offered to move an adjournment.

20 MR. CLAY. Mr. President, I hope the Senate will only have the goodness — if I don't tire out their patience, to permit me to go on. I would prefer concluding to-day. I begin to see land. I shall pretty soon arrive at the end. I had much rather occupy half an hour now than leave 25 what I have to say for to-morrow — to trespass upon the patience of the Senate another day.

Such is the Union, and such are its glorious fruits. We are told now, and it is rung throughout this entire country, that the Union is threatened with subversion 30 and destruction. Well, the first question which naturally arises is, supposing the Union to be dissolved — having

all the causes of grievances which are complained of — how far will a dissolution furnish a remedy for those grievances? If the Union is to be dissolved for any existing causes, it will be dissolved because slavery is interdicted or not allowed to be introduced into the ceded Territories; because slavery is threatened to be abolished in the District of Columbia, and because fugitive slaves are not returned, as in my opinion they ought to be, restored to their masters. These I believe will be the causes, if there be any causes, which can lead to the direful event to which I have referred.

Well, now, let us suppose that the Union has been dissolved. What remedy does it furnish for the grievances complained of in its united condition? Will you be able to push slavery into the ceded Territories? How are you to do it, supposing the North — all the States north of the Potomac, and which are opposed to it — in possession of the navy and army of the United States? Can you expect, if there is a dissolution of the Union, that you can carry slavery into California and New Mexico? You cannot dream of such a purpose. If it were abolished in the District of Columbia, and the Union was dissolved, would the dissolution of the Union restore slavery in the District of Columbia? Are you safer in the recovery of your fugitive slaves in a state of dissolution or of severance of the Union, than you are in the Union itself? Why, what is the state of the fact *in* the Union? You lose *some* slaves. You recover some others. Let me advert to a fact which I ought to have introduced before, because it is highly creditable to the courts and juries of the free States. In every case, so far as my informa-

tion extends, where an appeal has been made to the courts of justice for the recovery of fugitives, or for the recovery of penalties inflicted upon persons who have assisted in decoying slaves from their masters and aiding them in escaping from their masters — as far as I am informed, the courts have asserted the rights of the owner, and the juries have promptly returned adequate verdicts in favor of the owner. Well, this is some remedy. What would you have if the Union were dissevered? Why, sir, then the severed parts would be independent of each other — foreign countries! Slaves taken from the one into the other would be there like slaves now escaping from the United States into Canada. There would be no right of extradition — no right to demand your slaves — no right to appeal to the courts of justice to demand your slaves which escape, or the penalties for decoying them. Where one slave escapes now, by running away from his owner, hundreds and thousands would escape if the Union were severed in parts — I care not where nor how you run the line, if independent sovereignties were established.

Well, finally, will you, in a state of dissolution of the Union, be safer with your slaves within the bosom of the States than you are now? Mr. President, that they will escape much more frequently from the border States, no one will doubt.

But, I must take the occasion to say that, in my opinion, there is no right on the part of one or more of the States to secede from the Union. War and the dissolution of the Union are identical and inseparable. There can be no dissolution of the Union, except by consent or by war. No one can expect, in the existing state of things, that that

consent would be given, and war is the only alternative by which a dissolution could be accomplished. And, Mr. President, if consent were given — if possibly we were to separate by mutual agreement and by a given line, in less than sixty days after such an agreement had been executed, war would break out between the free and slaveholding portions of this Union — between the two independent portions into which it would be erected in virtue of the act of separation. Yes, sir, sixty days — in less time than sixty days, I believe, our slaves from Kentucky would be fleeing over in numbers to the other side of the river, would be pursued by their owners, and the excitable and ardent spirits who would engage in the pursuit would be restrained by no sense of the rights which appertain to the independence of the other side of the river, supposing it, then, to be the line of separation. They would pursue their slaves; they would be repelled, and war would break out. In less than sixty days, war would be blazing forth in every part of this now happy and peaceable land.

But how are you going to separate them? In my humble opinion, Mr. President, we should begin at least with three Confederacies — the Confederacy of the North, the Confederacy of the Atlantic Southern States (the slaveholding States), and the Confederacy of the Valley of the Mississippi. My life upon it, sir, that vast population that has already concentrated, and will concentrate, upon the head waters and tributaries of the Mississippi, will never consent that the mouth of that river shall be held subject to the power of any foreign State whatever. Such, I believe, would be the consequences of a dissolution

of the Union. But other confederacies would spring up, from time to time, as dissatisfaction and discontent were disseminated over the country. There would be the Confederacy of the Lakes — perhaps the Confederacy of New England, and of the Middle States.

But, sir, the veil which covers these sad and disastrous events that lie beyond a possible rupture of this Union is too thick to be penetrated or lifted by any mortal eye or hand.

10 Mr. President, I am directly opposed to any purpose of secession, of separation. I am for staying within the Union, and defying any portion of this Union to expel or drive me out of the Union. I am for staying within the Union, and fighting for my rights — if necessary,
15 with the sword — within the bounds and under the safeguard of the Union. I am for vindicating these rights; but not by being driven out of the Union rashly and uncere-
moniously by any portion of this Confederacy. Here I am within it, and here I mean to stand and die; as far
20 as my individual purposes or wishes can go — within it to protect myself, and to defy all power upon earth to expel me or drive me from the situation in which I am placed. Will there not be more safety in fighting within the Union than without it?

25 Suppose your rights to be violated; suppose wrongs to be done you, aggressions to be perpetrated upon you, cannot you better fight and vindicate them, if you have occasion to resort to that last necessity of the sword, within the Union, and with the sympathies of a large
30 portion of the population of the Union of these states differently constituted from you, than you can fight

and vindicate your rights, expelled from the Union, and driven from it without ceremony and without authority? I said that I thought that there was no right on the part of one or more of the States to secede from this Union. I think that the Constitution of the thirteen States was made, not merely for the generation which then existed, but for posterity, undefined, unlimited, permanent, and perpetual—for their posterity, and for every subsequent State which might come into the Union, binding themselves by that indissoluble bond. It is to remain for that posterity now and forever. Like another of the great relations of private life, it was a marriage that no human authority can dissolve or divorce the parties from; and, if I may be allowed to refer to this same example in private life, let us say what man and wife say to each other: We have mutual faults; nothing in the form of human beings can be perfect; let us, then, be kind to each other, forbearing, conceding; let us live in happiness and peace.

Mr. President, I have said what I solemnly believe—that the dissolution of the Union and war are identical and inseparable; that they are convertible terms.

Such a war, too, as that would be, following the dissolution of the Union! Sir, we may search the pages of history, and none so furious, so bloody, so implacable, so exterminating, from the wars of Greece down, including those of the Commonwealth of England, and the revolution of France—none, none of them raged with such violence, or was ever conducted with such bloodshed and enormities as will that war which shall follow that disastrous event—if that event ever happens—of dissolution.

And what would be its termination? Standing armies and navies, to an extent draining the revenues of each portion of the dissevered empire, would be created; exterminating wars would follow — not a war of two or
5 three years, but of interminable duration — an exterminating war would follow, until some Philip or Alexander, some Cæsar or Napoleon, would rise to cut the Gordian knot, and solve the problem of the capacity of man for self-government, and crush the liberties of both the
10 dissevered portions of this Union. Can you doubt it? Look at history — consult the pages of all history, ancient or modern: look at human nature — look at the character of the contest in which you would be engaged in the supposition of a war following the dissolution of the Union,
15 such as I have suggested — and I ask you if it is possible for you to doubt that the final but perhaps distant termination of the whole will be some despot treading down the liberties of the people? — that the final result will be the extinction of this last and glorious light which is lead-
20 ing all mankind, who are gazing upon it, to cherish hope and anxious expectation that the liberty which prevails here will sooner or later be advanced throughout the civilized world? Can you, Mr. President, lightly contemplate the consequences? Can you yield yourself to
25 a torrent of passion, amidst dangers which I have depicted in colors far short of what would be the reality, if the event should ever happen? I conjure gentlemen — whether from the South or the North, by all they hold dear in this world — by all their love of liberty — by all their veneration
30 for their ancestors — by all their regard for posterity — by all their gratitude to Him who has bestowed upon

them such unnumbered blessings — by all the duties which they owe to mankind, and all the duties they owe to themselves — by all these considerations I implore them to pause — solemnly to pause — at the edge of the precipice, before the fearful and disastrous leap is taken in the yawning abyss below, which will inevitably lead to certain and irretrievable destruction.

And, finally, Mr. President, I implore, as the best blessing which Heaven can bestow upon me upon earth, that if the direful and sad event of the dissolution of the Union shall happen, I may not survive to behold the sad and heartrending spectacle.

ALEXANDER HAMILTON STEPHENS

THE SOUTH'S RIGHTS IN THE UNION AND IN THE PUBLIC
DOMAIN

WE hear a great deal about settlement, adjustment, compromise, harmony, and union. Now I am for all these. I am no enemy to the Union. And those of this House who know much of me, know full well that I mean
5 exactly what I say. I repeat, I am no enemy to the Union — and I am for its preservation and its perpetuation, if it can be done upon principles of equality and justice. Attachment to the Union with me and with the South generally, I think, is a sentiment of patriotism —
10 it grows out of the recollections of the past, the glories of the present, and the hopes of the future. It arises from no base calculation of dollars and cents. But I tell gentlemen of the North it is for them now to determine whether it shall be preserved or not. In point of money
15 value, I think it is worth more to the North than to the South. We have heard but little from gentlemen from that section, for eight months past, but eulogies upon the Union. If they are sincere in the expression of this deep devotion to the institutions of our fathers, it is time for
20 them to present the offering which they are willing to

make upon the altar of our common country for its preservation. If they expect the South to make all the sacrifices, to yield everything, and to permit them to carry out their sectional policy under the cry of "our glorious Union," they will find themselves most sadly mistaken. 5 It is time for mutual concessions. This Union was formed for the protection of the lives, the liberty, and the property of those who entered into it, and those who should fill their places after them. Allegiance and protection are reciprocal; where no protection is extended, no rightful 10 allegiance can be claimed. And no people, in my judgment, who deserve the name of freemen, will continue their allegiance to any government which arrays itself not only against their property, but against their social and civil organization. If you, gentlemen of the North, then, 15 intend to ingraft upon the policy of this common government your antislavery views, and to make its action conform to your sectional purposes, it is useless to say anything more of compromise, settlement, adjustment, or union. It is as well for us to come to a distinct under- 20 standing upon the subject at once. I do not place a low estimate upon the value of the Union to the South; but I do not consider its dissolution, with all the manifold attending evils of such an event in full view before me, as the greatest calamity that could befall us. Far from it. 25 There is no evil which can fall upon any people, in my opinion, equal to that of the degradation which always follows a submission to insult, injury, outrage, and aggression. And whenever this government is brought in hostile array against me and mine, I am for disunion — openly, 30 boldly, and fearlessly, for *revolution*. I speak plainly.

Gentlemen may call this "treason" if they please. Sir, epithets have no terrors for me. The charge of "*traitor*" may be whispered in the ears of the timid and craven-hearted. It is the last appeal of tyrants. It is no new word of modern coinage. It is a term long since familiar to those who know how freedom is lost and how freedom may be won. And I say here, in the presence of this House, in broad day, that I will acknowledge allegiance to no government that puts the property of the people to which I belong out of the pale of the law, and which attempts to fix public odium and reprobation upon their social order and civil organization. When that day comes, if it ever does, "down with the government" will be my motto and watchword. When I am *outlawed* by you, I shall become your implacable enemy. I shall never kiss the rod that smites me. And no people who do not deserve to be scoffed at, trampled upon, and kicked by their oppressors, will. I told you that we might as well talk plainly upon this subject, and I intend to do it. And it is for you now, who have nothing on your lips but "*union*," if you are in earnest in your professions, to come forward and assist in devising the ways and means of sustaining it. I have on a former occasion given my views upon the subject of our differences, and I intend to repeat them before I close; but I have not yet heard anything from those who compose the majority in this House of a conciliatory character. If your only reliance for harmony, peace, and union is *force*, come out and say so; or if you have any plan of conciliation, submit it. I am for conciliation, if it can be accomplished upon any reasonable and just principles. I am also for making a

clean business of it. I am for no partial arrangement. If we aim at peace, let us have no temporary truce, but permanent quiet and repose. This, in my opinion, can only be done by a settlement of all the questions growing out of these territorial acquisitions upon liberal and proper terms. What are such terms? This is the practical point for us now to consider.

The gentleman from Pennsylvania [MR. WILMOT] said the other day, that these agitations would never cease until the South ceased her endeavors to force the general government to conform its policy to their sectional views and interests. This was the purport of his remarks, if I heard him correctly. In this he virtually charged that these agitations came from the South, and without just cause. And the correctness of this accusation I deny. When, let me ask that gentleman, did the South ever attempt to control the action of this government for the promotion of her peculiar interests? When did she ever ask this government to pass any law for the promotion of her interests? The North has repeatedly asked for tariff acts and navigation acts, upon which their interests so much depend — which have been repeatedly granted. It is true that men from the South have often voted for such measures when presented and urged by the North — not because the South was particularly interested in them, but because the North was, and they were willing to advance the interests of the North, when, in their opinion, they could do so without injury or detriment to other sections. But when did the South ever invoke the action of this government for its exclusive benefit? I ask for the instance to be named. I recollect but one, and that

is the passage of a law more effectually to secure the rendition of fugitives from labor; which is our right expressly guaranteed under the Constitution; and this you continue to refuse us. And how is it upon this very territorial question which is now the source of the excitement, which the gentleman from Pennsylvania says will never be allayed until the South ceases her endeavors to gain an unjustifiable control over the action of the government? How does this case stand? Who is it that is attempting to control the policy of the government to carry out their sectional views and purposes?

A public domain has been acquired by the common blood and common treasure of all, and the South, who is charged with endeavoring to control the government for their purposes, asks nothing but that the common territory, which is the public property, may be opened to the entry and settlement and equal enjoyment of all the citizens of every part of the Republic, with their property of every description; while it is the North who comes here and demands that the whole of this common domain shall be set apart exclusively for themselves, or for themselves and such persons from the South as will strip themselves of a certain species of their property, and conform their views to the policy of the North. I submit it to every candid man in this House, and to every intelligent and candid man in the world, outside of the House, if this is not a fair statement of the question? The South asks no discrimination in her favor. It is the North that is seeking to obtain discriminations against her and her people. And who leads in this endeavor to control the action of the government for sectional objects?

It is the gentleman himself, who brings this charge against the South. Sir, I deny the charge, and repel it. And I tell that gentleman, and the House, if these agitations are not to cease until the South shall quietly and silently yield to these demands of the North, it is useless to talk of any amicable settlement of the matters in controversy. If that is the basis you propose, we need say nothing further about agreement or adjustment — upon those terms we can never settle. The people of the South have as much right to occupy, enjoy, and colonize, these Territories with their property, as the people of the North have with theirs. This is the basis upon which I stand, and the principles upon which it rests are as immutable as right and justice. They are the principles of natural law, founded in natural justice, as recognized by the ablest publicists who have written upon the laws of nations and the rights pertaining to conquests. These acquisitions belong to the whole people of the United States, as conquerors. They hold them under the Constitution, and the general government as common property in a corporate capacity. *Yes*

Vattel, in treating on this subject in his work on the laws of nations, says (book 1, chap. 20, p. 113):—

X “All members of a corporation have an equal right to the use of the common property. But respecting the manner of enjoying it, the body of the corporation may make such regulations as they may think proper, provided that those regulations be not inconsistent with that equality of right which ought to be preserved in a communion of property. Thus a corporation may determine the use of a common forest or a common pasture, either allotting it to all the members, according to their

wants, or allotting each an equal share; but they have not a right to *exclude any one of the members, or to make a distinction to his disadvantage, by assigning him a less share than that of the others.*

5 The principles here set forth are those upon which I place the merits and justice of our cause. Under our Constitution, the power of making regulations for the enjoyment of the common domain devolves upon Congress, the common agent of all the parties interested in it.
10 In the execution of this trust, it is the duty of Congress to pass all laws necessary for an equal and just participation in it. And so far from this common agent having any right to exclude a portion of the people, or "*to make distinctions to their disadvantage,*" it is the duty of Con-
15 gress to open the country by the removal of all obstructions, whether they be existing laws or anything else, and to give equal protection to all who may avail themselves of the right to use it. But you men of the North say that we of the South wish to carry our slaves there,
20 and that the free labor of the North cannot submit to the degradation of being associated with slave labor. Well, then, we say, as the patriarch of old said to his friend and kinsman,^a when disputes arose between the herdmen of their cattle: "Let there be no strife, I pray thee, between
25 me and thee, and between my herdmen and thy herdmen, for we be brethren. Is not the whole land before thee? Separate thyself, I pray thee, from me. If thou wilt take the left hand, then I will go to the right; or, if thou depart to the right hand, then I will go to the left." In
30 other words, we say, if you cannot agree to enjoy this public domain in common, let us *divide* it. You take a

share, and let us take a share. And I again submit to an intelligent and candid world if the proposition is not fair and just? — and whether its rejection does not amount to a clear expression of your fixed determination to exclude us entirely from any participation in this public domain?

Now, sir, all that we ask, or all that I ask, is for Congress to open the entire country, and give an equal right to all the citizens of all the States to enter, settle, and colonize it with their property of every kind; or to make an equitable division of it. Is this wrong? Is it endeavoring to control the action of Congress improperly to carry out sectional views and interests? And am I to subject myself to the intended reproach of being an *ultraist* for insisting upon nothing but what is just and right? If so, I am willing to bear whatever of reproach the epithet may impart. If a man be an *ultraist* for insisting upon nothing but his rights, with a willingness to compromise even these upon any fair and reasonable terms, without a total abandonment of them, then I am an *ultraist*. And I am mistaken in the character of that people amongst whom I was born and with whom I have been reared, if a large majority of them, when all their propositions for adjustment and compromise shall have been rejected, will not be *ultraists* too. Be not deceived and do not deceive others — this Union can never be maintained by force. With the confidence and affections of the people of all sections of the country, it is capable of being the strongest and best government on earth. But it can never be maintained upon any other principles than those upon which it was formed. All free govern-

ments are the creatures of volition — a breath can make them and a breath can destroy them. This government is no exception to the rule. And when once its spirit shall have departed, no power on earth can ever again
5 infuse in it the Promethean spark^o of life and vitality. You might just as well attempt to raise the dead.

Mr. Chairman, when I look to the causes which lie at the bottom of these differences of opinion between the North and the South, and out of which this agitation
10 springs; when I look at their character, extent, and radical nature — entering, as they necessarily do, into the very organization of society with us, I must confess that unpleasant apprehensions for the future permanent peace and quiet of the different States of this Union force them-
15 selves upon my mind. I am not, however, disposed to anticipate evil by indulging those apprehensions unless compelled to do so. It may be that we have the seeds of dissolution in our system which no skill can eradicate, just as we carry with us in our bodies the seeds of death
20 which will certainly do their work at the allotted time. But because we are all conscious that we must die, it does not follow that we should hasten the event by an act of suicide. We have the business, duties, and obligations of life to discharge. So with this government.
25 Because I may have serious apprehensions of the workings of causes known to exist, I do not conceive it therefore to be in the line of duty to anticipate the natural effects of those causes by any rash or unjustifiable act. I am disposed rather to hope for the best, while I feel
30 bound to be prepared for the worst. What is really to be the future fate and destiny of this Republic is a matter

of interesting speculation; but I am well satisfied that it cannot last long, even if the present differences be adjusted, unless these violent and bitter sectional feelings of the North be kept out of the National Halls. This is a conclusion that all must come to, who know anything of the lessons of history. But our business to-day is with the present, and not the future; and I would now invoke every member of this House who hears me, with the same frankness, earnestness, and singleness of purpose with which I have addressed them throughout these remarks, to come up like men and patriots, and relieve the country from the dangerous embarrassments by which it is at this time surrounded. It is a duty we owe to ourselves, to the millions we represent, and to the whole civilized world. To do this, I tell you again, there must be concessions by the North as well as the South. Are you not prepared to make them? Are your feelings too narrow and restricted to embrace the whole country and to deal justly by all its parts? Have you formed a fixed, firm, and inflexible determination to carry your measures in this House by numerical strength, and then to enforce them by the bayonet? If so, you may be prepared to meet the consequences of whatever follows. The responsibility will rest upon your own heads. You may think that the suppression of an outbreak in the Southern States would be a holiday job for a few of your Northern regiments, but you may find to your cost, in the end, that seven millions of people fighting for their rights, their homes, and their hearthstones, cannot be "easily conquered." I submit the matter to your deliberate consideration.

I have told you, sincerely and honestly, that I am for peace and the Union upon any fair and reasonable terms — it is the most cherished sentiment of my heart. But if you deny these terms — if you continue “deaf to the voice” of that spirit of justice, right, and equality, which should always characterize the deliberations of statesmen, I know of no other alternative that will be left to the people of the South, but, sooner or later, “to acquiesce in the necessity” of “holding you, as the rest of mankind, enemies in war — in peace, friends.”

J. C. BRECKINRIDGE

EULOGY ON HENRY CLAY

Mr. Speaker, I rise to perform the melancholy duty of announcing to this body the death of HENRY CLAY, late a senator in Congress from the Commonwealth of Kentucky.

Mr. CLAY expired at his lodgings in this city yesterday morning at seventeen minutes past eleven o'clock, in the seventy-sixth year of his age. His noble intellect was unclouded to the last. After protracted sufferings, he passed away without pain; and so gently did the spirit leave his frame that the moment of departure was not observed by the friends who watched at his bedside. His last hours were cheered by the presence of an affectionate son, and he died surrounded by friends who, during his long illness, had done all that affection could suggest to soothe his sufferings.

Although this sad event has been expected for many weeks, the shock it produced, and the innumerable tributes of respect to his memory exhibited on every side, and in every form, prove the depth of the public sorrow and the greatness of the public loss.

Imperishably associated as his name has been for fifty years with every great event affecting the fortunes of our

country, it is difficult to realize that he is indeed gone forever. It is difficult to feel that we shall see no more his noble form within these walls — that we shall hear no more his patriot tones, now rousing his countrymen to vindicate their rights against a foreign foe, now imploring them to preserve concord among themselves. We shall see him no more. The memory and the fruits of his services alone remain to us. Amidst the general gloom, the Capitol itself looks desolate, as if the genius of the place had departed. Already the intelligence has reached almost every quarter of the Republic, and a great people mourn with us, to-day, the death of their most illustrious citizen. Sympathizing, as we do, deeply, with his family and friends, yet private affliction is absorbed in the general sorrow. The spectacle of a whole community lamenting the loss of a great man is far more touching than any manifestation of private grief. In speaking of a loss which is national, I will not attempt to describe the universal burst of grief with which Kentucky will receive these tidings. The attempt would be vain to depict the gloom that will cover her people, when they know that the pillar of fire is removed, which has guided their footsteps for the life of a generation.

It is known to the country that, from the memorable session^o of 1849-1850, Mr. CLAY's health gradually declined. Although several years of his senatorial term remained, he did not propose to continue in the public service longer than the present session. He came to Washington chiefly to defend, if it should become necessary, the measures of adjustment, to the adoption of which he so largely contributed; but the condition of his

health did not allow him, at any time, to participate in the discussions of the Senate. During the winter, he was confined almost wholly to his room, with slight changes in his condition, but gradually losing the remnant of his strength. Through the long and dreary winter, he conversed much and cheerfully with his friends, and expressed a deep interest in public affairs. Although he did not expect a restoration to health, he cherished the hope that the mild season of spring would bring to him strength enough to return to Ashland, and die in the bosom of his family. But alas! spring, that brings life to all nature, brought no life nor hope to him. After the month of March, his vital powers rapidly wasted, and for weeks he lay patiently awaiting the stroke of death. But the approach of the destroyer had no terrors for him. No clouds overhung his future. He met the end with composure, and his pathway to the grave was brightened by the immortal hopes which spring from the Christian faith.

Not long before his death, having just returned from Kentucky, I bore to him a token of affection from his excellent wife. Never can I forget his appearance, his manner, or his words. After speaking of his family, his friends, and his country, he changed the conversation to his own future, and looking on me with his fine eye undimmed, and his voice full of its original compass and melody, he said: "I am not afraid to die, sir. I have hope, faith, and some confidence. I do not think any man can be entirely certain in regard to his future state, but I have an abiding trust in the merits and mediation of our Saviour." It will assuage the grief of his family to know that he looked hopefully beyond the tomb, and

a Christian people will rejoice to hear that such a man in his last hours reposed with simplicity and confidence on the promises of the Gospel.

It is the custom on occasions like this to speak of the parentage and childhood of the deceased, and to follow him, step by step, through life. I will not attempt to relate even all the great events of Mr. CLAY's life, because they are familiar to the whole country, and it would be needless to enumerate a long list of public services which form a part of American history.

Beginning life as a friendless boy, with few advantages save those conferred by nature, while yet a minor he left Virginia, the State of his birth, and commenced the practice of law at Lexington, in Kentucky. At a bar remarkable for its numbers and talent, Mr. CLAY soon rose to the first rank. At a very early age he was elected from the county of Fayette to the General Assembly of Kentucky, and was the Speaker of that body. Coming into the Senate of the United States, for the first time, in 1806, he entered upon a parliamentary career, the most brilliant and successful in our annals. From that time, he remained habitually in the public eye. As a senator, as a member of this House, and its Speaker, as a representative of his country abroad, and as a high officer in the executive department of the government, he was intimately connected for fifty years with every great measure of American policy. Of the mere party measures of this period, I do not propose to speak. Many of them have passed away, and are remembered only as the occasion for the great intellectual efforts which marked their discussion. Concerning others, opinions are still divided. They will

go into history, with the reasons on either side rendered by the greatest intellects of the time.

As a leader in a deliberative body, Mr. CLAY had no equal in America. In him, intellect, person, eloquence, and courage united to form a character fit to command. 5 He fired with his own enthusiasm, and controlled by his amazing will, individuals and masses. No reverse could crush his spirit, nor defeat reduce him to despair. Equally erect and dauntless in prosperity and adversity; when successful, he moved to the accomplishment of his pur- 10 poses with severe resolution; when defeated, he rallied his broken bands around him, and from his eagle eye shot along their ranks the contagion of his own courage. Destined for a leader, he everywhere asserted his destiny. In his long and eventful life he came in contact with men 15 of all ranks and professions, but he never felt that he was in the presence of a man superior to himself. In the assemblies of the people, at the bar, in the Senate — everywhere within the circle of his personal presence he assumed and maintained a position of preëminence. 20

But the supremacy of Mr. CLAY as a party leader was not his only nor his highest title to renown. That title is to be found in the purely patriotic spirit which, on great occasions, always signalized his conduct. We have had no statesman who in periods of real and imminent public 25 peril has exhibited a more genuine and enlarged patriotism than HENRY CLAY. Whenever a question presented itself actually threatening the existence of the Union, Mr. CLAY, rising above the passions of the hour, always exerted his powers to solve it peacefully and honorably. 30 Although more liable than most men, from his impetuous

and ardent nature, to feel strongly the passions common to us all, it was his rare faculty to be able to subdue them in a great crisis, and to hold towards all sections of the Confederacy the language of concord and brotherhood.

5 Sir, it will be a proud pleasure to every true American heart to remember the great occasions when Mr. CLAY has displayed a sublime patriotism — when the ill-temper engendered by the times, and the miserable jealousies of the day, seemed to have been driven from his bosom, by the
10 expulsive power of nobler feelings — when every throb of his heart was given to his country, every effort of his intellect dedicated to her service. Who does not remember the three periods when the American system of government was exposed to its severest trials; and who does
15 not know that when history shall relate the struggles which preceded and the dangers which were averted by the Missouri Compromise — the tariff compromise of 1832, and the adjustment of 1850, the same pages will record the genius, the eloquence, and the patriotism of HENRY CLAY?
20 Nor was it in Mr. CLAY's nature to lag behind until measures of adjustment were matured, and then come forward to swell a majority. On the contrary, like a bold and real statesman, he was ever among the first to meet the peril, and hazard his fame upon the remedy.
25 It is fresh in the memory of us all that, when lately the fury of sectional discord threatened to sever the Confederacy, Mr. CLAY, though withdrawn from public life, and oppressed by the burden of years, came back to the Senate, the theater of his glory, and devoted the remnant
30 of his strength to the sacred duty of preserving the union of the States.

With characteristic courage he took the lead in proposing a scheme of settlement. But while he was willing to assume the responsibility of proposing a plan, he did not, with petty ambition, insist upon its adoption to the exclusion of other modes; but taking his own as a starting point for discussion and practical action, he nobly labored with his compatriots to change and improve it in such form as to make it an acceptable adjustment. Throughout the long and arduous struggle, the love of country expelled from his bosom the spirit of selfishness,¹⁰ and Mr. CLAY proved for the third time that though he was ambitious, and loved glory, he had no ambition to mount to fame on the confusions of his country. And this conviction is lodged in the hearts of the people; the party measures and the party passions of former times¹⁵ have not, for several years, interposed between Mr. CLAY and the masses of his countrymen. After 1850 he seemed to feel that his mission was accomplished, and during the same period the regards and affections of the American people have been attracted to him in a remarkable degree.²⁰ For many months the warmest feelings, the deepest anxieties of all parties, centered upon the dying statesman; the glory of his great actions shed a mellow luster on his declining years, and to fill the measure of his fame, his countrymen, weaving for him the laurel wreath,²⁵ with common hands, did bind it about his venerable brows, and send him, crowned, to history.

The life of Mr. CLAY, sir, is a striking example of the abiding fame which surely awaits the direct and candid statesman. The entire absence of equivocation or disguise³⁰ in all his acts was his master key to the popular

heart; for while the people will forgive the errors of a bold and open nature, he sins past forgiveness who deliberately deceives them. Hence Mr. CLAY, though often defeated in his measures of policy, always secured the respect of his opponents without losing the confidence of his friends. He never paltered in a double sense. The country was never in doubt as to his opinions or his purposes. In all the contests of his time, his position on great public questions was as clear as the sun in a cloudless sky. Sir, standing by the grave of this great man, and considering these things, how contemptible does appear the mere legerdemain of politics! what a reproach is his life on that false policy which would trifle with a great and upright people! If I were to write his epitaph, I would inscribe as the highest eulogy, on the stone which shall mark his resting place, "Here lies a man who was in the public service for fifty years, and never attempted to deceive his countrymen."

While the youth of America should imitate his noble qualities, they may take courage from his career and note the high proof it affords that under our equal institutions the avenues to honor are open to all. Mr. CLAY rose by the force of his own genius, unaided by power, patronage, or wealth. At an age when our young men are usually advanced to the higher schools of learning, provided only with the rudiments of an English education, he turned his steps to the West, and amidst the rude collisions of a border life, matured a character whose highest exhibitions were destined to mark eras in his country's history. Beginning on the frontiers of American civilization, the orphan boy, supported only by the consciousness of his

own powers, and by the confidence of the people, surmounted all the barriers of adverse fortune, and won a glorious name in the annals of his country. Let the generous youth, fired with honorable ambition, remember that the American system of government offers on every hand bounties to merit. If, like CLAY, orphanage, obscurity, poverty, shall oppress him; yet if, like CLAY, he feels the Promethean spark^o within, let him remember that his country, like a generous mother, extends her arms to welcome and to cherish every one of her children¹⁰ whose genius and worth may promote her prosperity or increase her renown.

Mr. Speaker, the signs of woe around us and the general voice announce that another great man has fallen. Our consolation is that he was not taken in the vigor of his¹⁵ manhood, but sunk into the grave at the close of a long and illustrious career. The great statesmen who have filled the largest space in the public eye, one by one are passing away. Of the three great leaders of the Senate, one alone remains, and he must follow soon. We shall²⁰ witness no more their intellectual struggles in the American forum; but the monuments of their genius will be cherished as the common property of the people, and their names will continue to confer dignity and renown upon their country.²⁵

Not less illustrious than the greatest of these will be the name of CLAY — a name pronounced with pride by Americans in every quarter of the globe; a name to be remembered while history shall record the struggles of modern Greece for freedom, or the spirit of liberty burn³⁰ in the South American bosom,^o a living and immortal

name — a name that would descend to posterity without the aid of letters, borne by tradition from generation to generation. Every memorial of such a man will possess a meaning and a value to his countrymen. His tomb will be a hallowed spot. Great memories will cluster there, and his countrymen, as they visit it, may well exclaim —

10 "Such graves as his are pilgrim shrines,
 Shrines to no creed or code confined;
 The Delphian vales, the Palestines,
 The Meccas of the mind."

JOHN BELL

THE NEBRASKA BILL

HAVING thus gone over all the grounds of objection suggested against the validity of the Missouri Compromise, I trust it will be seen that I am not disposed to controvert them either as to fact or doctrine, with such exceptions only as upon more deliberate consideration, 5 by those who asserted them, will be allowed to be well taken.

But, sir, admitting them, with the exceptions I have stated, to be incontrovertibly true, still the main question remains to be considered and decided: Do these facts 10 and doctrines demonstrate the expediency of disturbing the Missouri Compromise under existing circumstances? and in coming to an affirmative conclusion upon this question I hesitate, I pause.

I have listened with attention to all the luminous ex- 15 positions of theories of constitutional construction, and of popular sovereignty; to the ingenious application of doctrinal points to questions of compacts and compromises by the friends of this measure. The question has been fruitful of themes for dialectic display; for the 20 exhibition of great powers of analysis and logical acumen; but the whole argument has been singularly defective and unsatisfactory upon the main question, What practical advantage or benefit to the country generally, or to the

South in particular, will the repeal of the Missouri Compromise secure?

It is asserted with great confidence that the application of the principle of nonintervention to these Territories, and the repeal of the Missouri Compromise, will have the effect to transfer to the local legislatures, the Territories and States, and to relieve Congress for the future from the most dangerous and distracting subject of controversy which ever has, or ever can, disturb its deliberation; that the source of those sectional conflicts and agitations upon the subject of slavery, which have more than once threatened the peace of the country, will be removed; that justice will be done to the South; that the Constitution will be restored and vindicated; and a new guarantee be provided for the stability of the Union.

I need not say that if one half of the many beneficent results predicated of this measure can be shown to follow as a probable consequence of its adoption, I would no longer hesitate to give it my support; but, unfortunately, the argument has proceeded no further than the affirmation, without showing how these results must or will follow. Some gentlemen, delighted at the prospect of seeing a favorite theory of the right of the inhabitants of a Territory to govern themselves recognized by a vote of Congress — others in ecstasies with the prospect of a similar recognition of some favorite notion or doctrine of constitutional interpretation, after expending the whole force of their great ability in elucidating their respective creeds, forthwith jump to the conclusion that the happiest results will necessarily and inevitably follow the adoption of this measure.

Upon what rational calculation do gentlemen assume that they can establish, upon a firm foundation, any one of the favorite principles or doctrines incorporated in this bill, and especially when they consider, as they ought, the inherent element of disturbance which exists in the nature of the subject? How establish beyond future controversy the principle of nonintervention by a vote of this Congress which the next, or any subsequent Congress, may annul? How restore a violated Constitution, settle a question of constitutional power, or a rule of constitutional construction, when so many of the interests and passions connected with these questions are necessarily political, and liable to change and vibrate with the changing interests and composition of parties? Congress, by its votes, has often reversed the decisions of the judicial department of the government on questions of constitutional power and construction, and still oftener its own decisions. In the very nature of things, no such stability as is argued can be given to any principle which this Congress may sanction by its vote on this bill. 20

If this be so, how can this measure furnish any new guarantee for the preservation of the Union? Or how transfer to the Territories and take away from Congress those distracting and sectional questions which so often intrude themselves here? And, above all, how will the passage of this bill remove the source of those slavery agitations at the North, which have heretofore, upon two memorable occasions,^o filled the country with alarm for the safety of the Union? Is there no danger that, instead of staunching, you will open afresh "this bleeding wound of the country"? 30

Sir, I believe there is a better feeling prevailing at the North towards the South than formerly; but would it not be wise on the part of the South to do nothing to reverse the current of that better feeling, unless urged by some great necessity in vindication of its rights?

But it is said that these antislavery feelings at the North are nothing more than the prejudices of education and a false philanthropy. Admit them to be nothing more than prejudices; are they, therefore, to be disregarded by statesmen, who have the control of the affairs of a great country in their hands? An eminent British statesman, I do not now remember who, once said of a cotemporary, that but for one defect, he would be the greatest statesman of the times; that was, that he had no regard for public prejudices of any kind; and whatever measure appeared to him to be right and proper in itself he would insist upon, though it might excite the opposition and inflame the passions of the whole country.

Mr. PETTIT. He was right, and he ought to have done so.

Mr. BELL. I cannot agree with the Senator; but I say to him frankly that occasions may arise when I would be as little disposed to yield to prejudices as any man in or out of this Chamber, especially when these prejudices are sectional, and when any great wrong or injustice shall be done by one section of the Union to another. In such a case, should time and chance offer an opportunity of redress, then I would take the risk of deepening and defying those prejudices. I know it may be said that this is precisely such a case as I have here

presented. A great wrong, it is alleged, has been done to the South by the Missouri Compromise, and chance has presented the opportunity for redress; and this brings up fairly the inquiry, whether the passage of this bill is of such importance to the interests of the South that every Southern senator should support it, whatever scruples he may have in relation to some of its provisions? What has the South to gain by the adoption of this measure? Will the passage of this bill redress any wrong or injustice heretofore done by the North to the South? I have already admitted that injustice was done to the South by the Missouri Compromise; but, after all, what was the extent of that injustice? I take it for granted that there is not a man who has ever considered those laws which in this country control the geographical extension or diffusion of slavery, who will pretend that if the Missouri Compromise Act had never been passed, slavery would have gone north of the northern boundary of Missouri. Then the whole extent of the wrong done the South by that measure was to prohibit slavery between that boundary and the line of $36^{\circ} 30'$; and not even to that extent, unless it shall turn out that this intermediate Territory is adapted to slave labor. In this intermediate Territory all will agree that such is the character of the country generally — so large a portion of it consisting of sterile desert — that but one slave State could, under any circumstances, be formed within its limits. Now, this being the extent of the wrong done the South by the Missouri Compromise, will this bill, if it shall pass, redress it? Will slavery be established in the Kansas Territory proposed to be organized under its provisions? Does any

one, who has fully considered the subject, believe that this Territory will become a slave State?

But it is earnestly insisted that the principle of non-intervention, proposed to be established by this bill, will be of the greatest value and importance to the South, whether slavery shall be authorized in these Territories or not. It will secure the just rights of the South in all time to come. I have already shown that you can establish permanently no principle by this bill. But I will
10 assume that the vote which may be given on the passage of this bill, giving the sanction of Congress to the principle of nonintervention, shall stand unrepealed, and become the established doctrine of the country; still the question recurs, of what practical value will it be to
15 the South? Does any Southern man suppose that slavery will ever go into any of the Territories which, at any future time, may be carved out of the large extent of country included within the bounds of the Nebraska Territory, as proposed to be organized by this bill? I
20 take it for granted that no such idea is entertained by any one. Where is the other and remaining Territory of the United States to which this principle of nonintervention can be made available, or of any value to the South? The territory west of Arkansas will be more irrevocably dedi-
25 cated to the exclusive possession of the Indians, and more effectually barred against the formation of a new slave State, under the operation of this bill, than heretofore; for it will be the last and only retreat of the emigrant and other tribes now in the territory west of Missouri. Utah
30 and New Mexico are already organized Territories, according to the principle of nonintervention. The right to form

new slave States out of the ample territory of Texas is guaranteed by a compact far safer and stronger than any which Congress can furnish by giving its sanction to this measure.

There is a little spot of hopelessly barren country, of 5 some few thousand square miles in extent, ceded to the United States by Texas, under a provision of the compromise acts of 1850, to which this principle of non-intervention, if established, may be applied, if it can be safely done without violating the compact under which 10 Texas came into the Union, and that is all. And is it for this poor boon — if my friends will allow the expression — this phantom! that we are called upon to sanction a measure which will impart new life and vigor — arm with new heads and fangs, the now half-conquered Hydra^o 15 of the North? Is it for this! that we are called upon to give promise of a better day to those political agitators at the North, who have staked their whole fortunes and hopes of power upon the successful formation of a great Northern and sectional party — the last and most fatal 20 evil that can befall the country; for its consummation will be the destruction of the Constitution and the extinction of public liberty? Is it for this! that we are called upon to supply new weapons of warfare to all the enemies of the South; and to invite a combination of Whig Free- 25 Soilers, Soft Shell and Independent Democrats,^o Liberty Men, Abolitionists, Socialists, and Atheists, founded upon no common principle but hostility to the South — no common object but the acquisition of power and the spoils?

But, Mr. President, it is said that we may make 30

acquisitions of territory hereafter — perhaps from Mexico — and that then the South will have the benefit of the principle of nonintervention recognized in this bill. I fear, sir, that this, too, will prove a phantom; but if ever
5 any such acquisition of new territory shall be made — and I hope the date of such acquisitions will be far in the future — I trust it will be under the influence of some great national and patriotic impulse — prompted by considerations of a common interest, and a policy which
10 knows no North, no South; and these will furnish far stronger guarantees of the rights of the South in any such acquisitions, than any vote of Congress in favor of this measure. But if it be deemed of any — the slightest — importance to any future interest of the South that
15 the sentiment of this Congress shall be expressed in favor of the principle of nonintervention, why not bring forward a joint resolution declaratory of the principle?

I have already said that there is no difference between myself and my Southern friends in relation to this principle.
20 I will vote for such a resolution most cheerfully. I have said already, and I repeat, that if I could take the view of the importance of this measure to the country which my Southern friends do — cutting off the source of all future controversy between the North and the South —
25 putting an end to agitation in both sections upon the subject of slavery — I would feel justified in waiving all my objections to this bill, and in uniting heartily with them in its support. We differ only as to the results of the measure.

30 Sir, a reason has been urged why every Southern senator should support this bill which I have not yet noticed.

A great, truly national, and patriotic party,^o it is suggested, is now in the ascendancy at the North, which makes a voluntary tender of the principle of nonintervention to the acceptance of the South, to be a rule by which all questions relating to slavery in the Territories may hereafter be settled; and it is insisted that a sense of gratitude, if nothing else, should rally the whole South in its support. I acknowledge the obligation for their generous intentions; but unless some more certain and substantial benefit can be derived from the provisions of this bill than I can detect, I think our gratitude to those gentlemen of the North who have stood so generously and boldly by the South in sustaining the compromise acts of 1850, as well as those who are now prepared to sustain the provisions of this bill, will be best shown by accepting nothing, insisting upon nothing, that can imperil their present ascendancy. As a Southern man, I would desire to husband all their strength. The time may come, the occasion may not be far distant, when their unbroken energies may be required in sustaining measures and interests of the greatest practical advantage to the whole country.

Mr. President, unless all the signs of the times are deceptive, we are, at this moment, on the eve of great events. A war between the great powers of Europe seems to be inevitable; and a general convulsion of the Old World seems not improbable. In either event, none but the Omniscient Ruler of all things can know how we are to escape the general calamity; or how soon we may be forced, in vindication of our national rights, to become parties to the general strife. But if the existing crisis in

the affairs of Europe should pass without a war, it requires no great sagacity to perceive that we have no assurance that Great Britain and France, whose policy in setting bounds to the further growth and expansion of this great country has already been indicated, will not be further developed by proceedings on their part which can no longer be patiently submitted to.

It is for this reason, among others, that I so deeply regret the recurrence of any cause for the renewal of those fierce sectional controversies which tend so much to distract the national councils and impair the national energies. The North and the South united, and cordial in the vindication of a national quarrel, this country has nothing to fear from any conflict with foreign powers, come when it may.

SAMUEL HOUSTON

THE KANSAS-NEBRASKA BILL

Mr. President, I cannot believe that the agitation created by this measure ° will be confined to the Senate Chamber. I cannot believe, from what we have witnessed here to-night, that this will be the exclusive arena for the exercise of human passions, and the expression of public opinions. If the Republic be not shaken, I will thank Heaven for its kindness in maintaining its stability. To what extent is it proposed to establish the principle of nonintervention? Are you extending it to a domain inhabited by citizens, or to a barren prairie, a wilderness, 10 or even to forty thousand wild Indians? Is this the diffusive excellence of nonintervention? I, sir, am for nonintervention upon the principles which have heretofore been recognized by this government. Hitherto Territories have been organized — within my recollection 15 Alabama, Missouri, Florida, Arkansas, Mississippi, Wisconsin, and Iowa have been organized — and the principle now proposed was not deemed essential to their well-being; and is there any infirmity in their constitutions or their growth? Sir, has any malign influence attached 20 to them from their simple, economical organization? It may be that the word “economy” is deemed obsolete in the present condition of our treasury. Were it otherwise,

I am simple enough to confess that the organization of two Territories — when there are not people to constitute an ordinary county in one of the populous States of this Union, and when those who do inhabit the Territories are
5 United States soldiers, who are not entitled to vote at elections in the States or Territories — is not a procedure that can be characterized as economical. If the principle of nonintervention be correct, it is correct where the Territories have been governed by laws of Congress until
10 they are prepared to make application for admission as States. Then they have a right to elect their delegates to convention, for the purpose of framing State constitutions, which, if accepted by Congress, invest them with all the sovereign rights of States; and then, for the first
15 time, they have the complete power of self-government. A Territory under the tutelage of Congress can form no organic laws, either admitting or excluding slavery. A people without organic laws might alternately enact and repeal all laws and reenact them without limitation, as
20 they would have no local constitution. Congress has a supervision over the action of all Territories until they become sovereign States. In the formation of State governments, I can say that they have the exclusive right to determine whether they will come into the
25 Union with or without slavery. There, sir, is the application of the principle of nonintervention, and one that I have always maintained.

But gentlemen speak of sovereignty — they say that the people are sovereign, and are supreme. Sir, I bow
30 with all deference to that sovereignty; but I do not apply the principle to the territories in their unorganized

and chrysalis condition. Sovereignty implies the power of organization, and a self-acting, self-moving, and self-sustaining principle; but the Territories have it not. They only acquire it when they become constituent parts of this Confederacy. 5

But we are told that the South has stood by the Compromise. I am glad of it. Yet gentlemen have protested against the recognition of North and South. Why, sir, they are recognized every day. The distinction has been recognized by the statesmen of every day, and every section of the country. Am I to be told that the question has not assumed that character, and that it will not operate to carry sectional influence with it to a certain extent? It is impossible that you can divest it of a sectional character to some extent. Why, we are told, in 15 the very breath that declares there is no such principle recognized, that the North has violated the Missouri Compromise, and the South has maintained it; and yet do you tell me that there is no North and no South? Let us look at the action of the North and South. I am not 20 going back to make a technical, or legal, or constitutional argument upon the facts and circumstances of the Missouri Compromise — its creation, its progress, its recognition, and final decision. I am not going to characterize it as a compact as distinguished from a compromise, because I can see no reasonable application of the one that 25 does not belong to the other.

I again ask, what benefit is to result to the South from this measure, if adopted? I have shown, I hope, that if you repeal this Missouri Compromise, Texas has no 30 guarantee left for the multiplication of her States, if she

chooses to make them. What are its advantages? Will it secure these Territories to the South? No, sir, not at all. But, the gentlemen tell us, it is *the principle* that we want. I can perceive but one principle involved in the measure, and that principle lies at the root of agitation; and from that all the tumult and excitements of the country must arise. That is the only principle I can perceive. We are told by Southern, as well as Northern gentlemen, those who are for it, and those who are against it, that slavery will never be extended to that Territory, that it will never go there; but it is the principle of non-intervention that it is desired to establish. Sir, we have done well under the *intervention* of the Missouri Compromise, if the gentlemen so call it, in other Territories; and, I adjure you, when there is so much involved, not to press this matter too far. What is to be the consequence? If it is not in embryo, my suggestion will not make it so. It has been suggested elsewhere, and I may repeat it here, what is to be the effect of this measure if adopted, and you repeal the Missouri Compromise? The South is to gain nothing by it; for honorable gentlemen from the South, and especially the junior senator from Virginia [Mr. HUNTER], characterize it as a miserable, trifling little measure. Then, sir, is the South to be propitiated or benefited by the conferring upon her of a miserable, trifling little measure? Will that compensate the South for her uneasiness? Will it allay the agitation of the North? Will it preserve the union of these States? Will it sustain the Democratic or the Whig party in their organizations? No, sir, they all go to the wall. What is to be the effect on this government? It is to be most

ruinous and fatal to the future harmony and well-being of the country. I think that the measure itself would be useless. If you establish intervention, you make nothing by that. But what will be the consequence in the minds of the people? They have a veneration for that compromise. They have a respect and reverence for it, from its antiquity and the associations connected with it, and repeated references to it that seem to suggest that it marked the boundaries of free and slave territory. They have no respect for it as a compact — I do not care what you call it — but as a line, defining certain rights and privileges to the different sections of the Union. The abstractions which you indulge in here can never satisfy the people that there is not something in it. Abrogate it or disannul it, and you exasperate the public mind. It is not necessary that reason should accompany excitement. Feeling is enough to agitate without much reason, and that will be the great prompter on this occasion. My word for it, we shall realize scenes of agitation which are rumbling in the distance now.

But, sir, the people are not going into abstractions to understand this subject. Nor will there be a lawyer at every point, every crossroad, every public meeting, every muster, or every courthouse, to give elaborate dissertations upon the unconstitutionality of the Missouri Compromise. I care nothing about its constitutionality or unconstitutionality. Not one straw do I care about it on account of the circumstances out of which it grew, and the benefits flowing from it. Mr. Jefferson said he could not find constitutional authority for the acquisition of Louisiana. If that was the case, even if the Compromise,

based upon an unconstitutional act, to reconcile the different sections of the country was without authority of the Constitution, it became a legitimate subject of legislation.

I say legitimate, because it was an acquisition of territory which must be governed in some manner suited to the exigencies of the occasion. Hence the resort to the principle of compromise, and to legislation. Was the acquisition of Florida constitutional? I think not. Yet we retain it as one of our States. Was the acquisition of Texas constitutional? No, sir, it was not. It was a mere act of legislation on the part of this government — a compromise — precisely such as the compromise which this bill proposes to repeal. But Texas is in, and you cannot thrust us out; and that is the whole of it. But it is not constitutional. If it is not, and validity attaches only to *compacts*, in contradistinction to *compromises*, then this is a compact predicated upon the compromise of Missouri.

I do not know whether it is constitutional, technically. It is sufficient for me to know that it has stood for more than thirty years, and received the approbation of our wisest and ablest statesmen, from the day of its adoption down to the present, and was never questioned until after the commencement of the present session of Congress. It is strange that an unconstitutional law should have remained so long in force amid all the agitation, and excitement, and bitterness between the North and the South; and that this is the first proposition ever made to repeal it. Have we to yield to it without any necessity, and without any excuse for it, when we see that discord will run riot in our land?

Mr. President, I shall say but little more. My address may have been desultory. It embraces many subjects which it would be very hard to keep in entire order. We have, in the first place, the extensive territory; then we have the considerations due to the Indians; and then we have the proposed repeal of the Missouri Compromise, which seems to require the most explanation, and to be the main point in the controversy. The great principle involved in that repeal is nonintervention, which, we are told, is to be of no practical benefit, if the Compromise is repealed. It can have no effect but to keep up agitation. Sir, the friends who have survived the distinguished men who took prominent parts in the drama of the Compromise of 1850 ought to feel gratified that those men are not capable of participating in the events of to-day, but that they were permitted, after they had accomplished their labors, and seen their country in peace, to leave the world, as Simeon did, with the exclamation, "Lord, now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation." They departed in peace, and they left their country in peace. They felt, as they were about to be gathered to the tombs of their fathers, that the country they had loved so well, and which had honored them — that country upon whose fame and name their doings had shed a bright luster which shines abroad throughout all Christendom — was reposing in peace and happiness. What would their emotions be if they could now be present and see an effort made, if not so designed, to undo all their work, and to tear asunder the cords that they had bound around the hearts of their countrymen? They have departed. The nation felt the wound; and

we see the memorials of woe still in this Chamber. The proud symbol [the eagle] above your head remains enshrouded in black, as if it deplored the misfortune which had fallen upon us, or as a fearful omen of future calamities which await our nation, in the event this bill should become a law. Above it I behold the majestic figure of WASHINGTON, whose presence must ever inspire patriotic emotions, and command the admiration and love of every American heart. By these associations I adjure you to regard the contract once made to harmonize and preserve this Union. *Maintain the Missouri Compromise!* Stir not up agitation! Give us peace!

This much I was bound to declare — in behalf of my country, as I believe, and I know in behalf of my constituents. In the discharge of my duty I have acted fearlessly. The events of the future are left in the hands of a wise Providence; and, in my opinion, upon the decision which we make upon this question, must depend *union or disunion*.

H. W. HILLIARD.

DANIEL WEBSTER—HIS GENIUS AND CHARACTER

Mr. President, Ladies and Gentlemen,—We should read the history of the rise and fall of an empire to little purpose if we failed to discover the causes which produced its prosperity or sapped its strength, and it would be an idle task to recount the events of a great life if we could not comprehend the element which constituted its greatness.

When a great man passes away from the world, we review his career, we linger over the grand passages of his life—his adversities and his triumphs; but, while we desire to know what he has performed, we are far more deeply interested in discerning what he has thought and what he has felt. The external life, whatever may be its splendor, interests us less than the great soul itself. We study great historic periods not merely that we may trace the changing fortunes of a dynasty or the eventful progress of a nation, but we seek to read in the facts spread out before us the philosophy which they teach.

We follow the hero from the battlefield and the statesman from the senate chamber that we may study the man; we seek to analyze him, and to read the soul which makes him what he really is—which imparts to his life the heroism and the grandeur which the world has dis-

covered and applauded. Nothing interests us so much as character.

It is our purpose this evening to exhibit, so far as we can in so brief a period, the character of a great statesman, who, as Clarendon says of the Duke of Buckingham,^o lately rode in the troubled and boisterous waters of public affairs as admiral, and to present the qualities which, in their grand assemblage, gave him his preëminence among the men of our times.

10 The traveler who visits the Alps feels his conception of the sublime heightened as he beholds that great mountain range lifting its ice-clad summits to the cloud region. The soul, exalted and ennobled, enjoys a glorious communion with nature.

15 But when the glance is turned upon Mont Blanc,^o standing in solitary grandeur, its head crowned with everlasting glaciers, and towering above all surrounding objects, we recognize it at once as a monarch, peerless amid the colossal forms which stand about it, and un-
20 approachable in its eternal majesty.

So, in exploring the civil history of our country, when the eye glances along the line of illustrious men who have lived and died in the service of the Republic, it rests upon the form of Daniel Webster as its grand proportions
25 stand out before us against the sky of the past.

It is not our purpose to trace the career of Mr. Webster, but our wish is to present a view of the man as he so lately stood among us; to analyze his character; to study the great element which entered into it; and to discover
30 where the secret of his strength was hid.

A really great man is the grandest object which this

world ever exhibits. The heavens in their magnificence — the ocean in its sublime immensity — mountains standing firm upon their granite foundations, all are less imposing than a living man in the possession of his highest faculties. 5

It is not always that the majesty of the intellect is symbolized in the external man, but in the case of Webster it was so. His appearance was nothing less than grand. In the midst of his peers in the Senate, he stood like a tower, in shape and gesture proudly eminent; or he sat, 10 amid its august deliberations, as if upon his broad shoulders alone he could bear the weight of the government. His head rose with an ample swell, which reminded one of that dome which Michael Angelo hung^o in the heavens. His eyes were large, dark, and with that fathomless depth 15 which gives so fine an expression to the face. These, with his dark complexion and hair, presented at all times a spectacle which would fix the attention if seen in any assemblage of men; but it was when he was roused by some great theme, or fired by some important debate, 20 that he rose into an aspect of Olympian power and grandeur. Then we could comprehend Milton's description of the style of Demosthenes^o:—

"He shook the Arsenal,
And fulminated over Greece."

25

A thundercloud seemed at times to hang upon his brow, but as he advanced in his argument, something like a smile, resembling a ray of sunlight, would pass over his features.

No grander spectacle could be witnessed than that 30
o

which he presented when his mighty intellect was in full play, and the great passion of his nature glowed in his countenance. It was like looking upon a great mountain, in whose depths the molten ore, under the intense heat of internal fires, begins to flow, and at length pours out in a broad stream of living flame.

There can be no true eloquence which is not in some way allied to poetry, nor can there be true greatness of any kind which is the work of the head; the heart must originate it, or it is no greatness at all. Practical men must be, if they would achieve great exploits in this latter half of the nineteenth century; but the curse of our times is utilitarian philosophy, falsely so called, which would ignore the heart within the living man, make him forget the green fields of his boyhood, the sweet recollections of home, the whole face of nature, and everything but Mammon,^o —

“The least erected spirit that fell from heaven”;

for even in heaven his looks and thoughts

20 “Were always downward bent, admiring more
The riches of heaven’s pavement, trodden gold,
Than aught divine or holy else enjoyed
In vision beatific.”

Mr. Webster loved nature passionately. The brooks, the hills, the valleys, the snow-clad mountains, the sun gilding the east with purple light, or kindling a blaze of splendor over all the western sky — all this he looked upon with a glance which took in the beauty and the glory of the scene. Nothing was lost upon him; no sound which greeted the ear with music in its tones, no touch

of nature upon the heavens or the earth which the eye could rest upon, was unheeded by him. He saw everything and he heard everything as a poet sees and hears the aspects and voices of nature. All appealed to the great deep of his moral nature, as the stars of heaven are mirrored in the bosom of the ocean.

His was not a soul to sink overpowered by any scene of nature, however magnificent or sublime; it rose and kindled with the glories which surrounded it; and while he felt awed beneath the display of God's power and glory in the outspread heavens, he at the same time felt his soul swell with adoring gratitude to Him because He did condescend to visit man.

He pressed into his service all the elements about him, and he treasured up beautiful and great thoughts, that he might use them when the occasion came.

Standing in Quebec, and witnessing a morning parade of British troops, he caught an idea of the widespread power of England, which he uttered years after in one of his great speeches.

He was speaking of the principle of the Revolution, and he says of our fathers, "On this question of principle, while actual suffering was yet afar off, they raised their flag against a power, to which, for purposes of foreign conquest and subjugation, Rome, in the height of her glory, is not to be compared; a power which has dotted over the surface of the whole globe with her possessions and military posts; whose morning drumbeat, following the sun, and keeping company with the hours, circles the earth daily with one continuous and unbroken strain of the martial airs of England."

Nothing in the language which we speak is finer than the poetical thought which he introduces into his Bunker Hill speech when the great monument was inaugurated:—

5 "Let it rise — let it rise till it meets the sun in his coming. Let the earliest light of the morning gild it, and parting day linger and play on its summit."

Another great quality in Mr. Webster's oratory was his acquaintance with classical literature, and this, we think,
10 ought to be noticed next to that poetical element in his nature to which we have just referred.

He stands without rival among American statesmen in that style of oratory, excepting only John Randolph,^o whose discursive and eccentric orations can hardly be
15 classed with regular parliamentary speeches, and Mr. Pinkney,^o of Maryland, whose fame rests chiefly upon his arguments before the Supreme Court of the United States, but whose beautiful speech in the case of the Nereid entitles him to a high rank in that school. In this respect
20 the British statesmen far excel us. We read their speeches with delight; they are in themselves classics.

Two most felicitous quotations from the Iliad, which Mr. Webster made on two occasions of great interest to the country, occur to me.

25 He closes his speech, made on the 7th of March, 1850,^o with a description of the completeness given to our extended territorial possessions by the acquisition of California. The two great oceans of the world then washed our borders. "We realize," he said, "on a mighty scale,
30 the beautiful description of that ornamental border of the buckler of Achilles^o:—

"Now, the broad shield complete, the artist crowned
With his last hand, and poured the ocean round;
In living silver seem'd the waves to roll,
And beat the buckler's verge, and bound the whole."

The other classical quotation to which we allude was made in a speech delivered in the Senate, when Mr. Webster, after the death of General Taylor,^o resumed the discussion of the Compromise measures, which had been interrupted by that event. He paid a beautiful tribute to the hero-President before entering upon his argument, and closed it with the lines from Homer:—

"Such honors Ilium to her hero paid,
And peaceful slept the mighty Hector's shade."

There was a comprehensiveness in Mr. Webster's range of thoughts which never failed to appear in all that he wrote or spoke; he never took a small view of a subject. This gave to his style a massiveness which distinguished it from that of any of his contemporaries. Indeed, it was Miltonic: what the author of "Paradise Lost" was among poets, Mr. Webster was among the writers and the orators of our time.

His logical power was great; and he could furnish an argument ponderous as a cable which would hold a ship of war steady to its mooring in a tempest, while his poetical nature, his refined taste, and his acquaintance with general literature imparted an ornate beauty to his style, and a magnificence, rising sometimes into grandeur, which surpassed the noblest efforts of Cicero^o in ancient, or of Burke^o in modern, times.

There was a breadth of view in his examination of a

question which reminded one who listened to him of the far-sweeping horizon which stretches around when we stand upon a mountain peak.

All these elements, however, could not have given him that ascendancy in the Senate, which he held as an orator, if he had not possessed yet another quality — Patriotism. He loved his country with a fervor that has never been surpassed. Impressive as he always was, — great as he often was at the bar, in the senate chamber, and before the people, — he rose to sublimity when he spoke of the power and glory of the Republic, or depicted its future grandeur. An indescribable majesty seemed to invest his person on such occasions, and he stood like an ancient demigod swaying the destinies of a nation. He loved New England; he loved his paternal home in the New Hampshire hills, half hid amid the snowdrifts of winter; he loved Massachusetts, which always cheered and sustained him; but his love was not confined to New England; it was limited only to the remotest verge of the domain over which the eagles of his country flew. He was not a Massachusetts man, nor a New England man, nor a Northern man; his great soul swept beyond these narrow limits; and while New Hampshire might claim him because she gave him birth, and Massachusetts might claim him as her great senator, and the North might claim him as the noblest and proudest advocate of her policy, shedding the splendor of his imperial intellect over all her institutions, no section could appropriate him, for he was himself nothing less than an American.

It was this that imparted the highest glory to his great efforts. In ordinary times he was a senator from the

State of Massachusetts, ready to vindicate her policy and defend her interests, with enlarged national views, it is true, all the while; but when a great crisis came, which involved the stability of the government, or threatened the glory of the Republic, his soul expanded under the intense fires of patriotism, and his eye, like that of the eagle in the blaze of noonday splendor, swept the remotest verge of the country, and he forgot all lesser distinctions in the proud consciousness that he was an American senator. 10

The greatest speech^o which he ever uttered was made in reply to Mr. Hayne. That speech, whether we regard the magnitude of the interests which it reviewed, the danger which impended over the institutions of the country, the effect produced by its delivery, or the amazing grandeur 15 of the effort itself, was as important and as impressive as a battle.

All the great elements which entered into the composition of Mr. Webster's character were displayed in it. The figure with which it opens, the allusion to the mariner, 20 who has for days lost sight of the heavens, availing himself of the first pause in the storm to take his latitude; his tribute to Massachusetts; his passionate declaration of his purpose to stand by American liberty, or to fall with it amid the proudest monuments of her glory; his 25 great argument in defense of the integrity of the Federal government and his triumphant and sublime peroration, closing with the memorable words, "LIBERTY AND UNION, now and forever, one and inseparable," — all were characteristic of the orator, who was the living im- 30 personation of the idea which has come down to us

from ancient Greece of transcendent eloquence like that of Demosthenes when he delivered the Oration for the Crown.

Over the senate chamber the American flag was flying, and through the glass dome its folds might be seen floating in the breeze, as Mr. Webster uttered that passage which described its bearing those words emblazoned upon it in characters of living light; while the effect upon the audience which thronged every spot within the reach of his voice was overwhelming, the words still ring in our ears, and the scene will be preserved by History and Painting as one of the most memorable and impressive which has occurred in the fortunes of the Republic.

But we cannot linger this evening over scenes which attract us. We must content ourselves with a hurried glance at the great man whose form so lately towered among us so stately and majestic, and of whose sudden prostration we think, as Thackeray^o says of Lingo, with emotions such as we experience when we think of the fall of an empire.

But we may be allowed to say that it is the crowning glory of his career that the last great utterance which he ever made — his speech of the 7th of March, 1850 — was an utterance of great and patriotic sentiments, sounding out through the whole land; appealing to Massachusetts to stand by the Constitution; assuring the South of his purpose to carry out the provision of the national compact; calling upon the country, as a conscript father might have appealed to Rome, to be true to herself, — an utterance which will sound out to future ages.

It was a heroic speech, and entitled him to the name which his friends had long ago given him of "Defender of the Constitution." Such a man was

"Not for an age,
But for all time."

5

Turning away from the Capitol, quitting his department of State with a heart yearning for the quiet of home, the fresh pure air of the seashore to fan his fevered cheek, and the endearment of kindred to soothe his declining days, the great statesman went to Marshfield: he went there to die.

These last days were as full of solemn grandeur as the light streaming through the stained-glass window of a cathedral. The statesman is lost sight of; we see only the man. There are words uttered which disclose the deep religious sentiment that was an element in his nature; words of trust in God; broken utterances as to His rod and His staff supporting the steps about to enter the valley of the shadow of death; words that tell how much of poetry there was in his heart; broken lines of Gray's "Elegy in a Country Churchyard."

"The curfew tolls the knell of parting day";

and a solemn, final leave-taking of the loved ones of his household.

Then the light faded out of those large, lustrous eyes, and Webster was dead.

Wherever the tidings spread, the flag of the country drooped; men were startled in high places and in humble ones; some wept; and all who could reach Marshfield

went to look upon the dead majesty of the nation, as it lay in the deep, tranquil sleep of death, under the spreading boughs of an immense tree, which had often sheltered its lord when living.

5 What a career closed there! a career far the most brilliant which has been seen in this country.

We heard of his death as we should have received the intelligence of a national calamity.

HENRY ALEXANDER WISE

THE AMERICAN PARTY AND THE ROMAN CATHOLICS

You tell the people that Catholics never gave aid to civil liberty; that they never yet struck a blow for the freedom of mankind. Who gave you alliance against the king of England? Who but that Catholic king, Louis XVI°? He sent you from the court of Versailles, 5 the boy of Washington's camp, a foreigner who never was naturalized, but bled at the redoubt at Yorktown. And not only did Lafayette bleed at the redoubt of Yorktown, when Arnold, a native proved, like Absalom, a traitor, but when the German, De Kalb,° fell at the 10 field of Camden, on Southern soil, with fourteen bayonet wounds transfixing his body, and, dying, praised Maryland militia, Gates, the Yankee native, ran seventy-five miles without looking behind. And not only that: In that intense moment when the Declaration of our In- 15 dependence was brought into Carpenter's Hall by Rutledge and Franklin and Jefferson, and laid upon the table — that holy paper, which not only pledged life and honor, but fortune, too — realize that moment of intense, of deep, of profound interest, when the Independence of 20 this land hung upon the acts of men; when, one by one, men arose from their seats and went to the table to pledge

lives and fortunes and sacred honor, — at length one spare, pale-faced man arose and went and dipped the pen into ink and signed "Charles Carroll," and when reminded that it might not be known what Charles Carroll it was, 5 that it be known that it was a Charles Carroll who was pledging a principality of fortune, he added the words "of Carrollton." He was a Catholic representative from a Catholic colony. And, sir, before George Washington was born, before Lafayette wielded the sword or Charles 10 Carroll the pen for his country, six hundred and forty years ago, on the 16th of June, 1214, there was another scene enacted on the face of the globe, when the general character of all charters of freedom was gained — when one man — a man called Stephen Langton° — swore the 15 barons of England, for the people, against the orders of the Pope and against the power of the King — swore the barons on the high altar of the Catholic Church at St. Edmondsbury, that they would have Magna Charta or die for it, — the charter which secures to every one of 20 you to-day trial by jury, freedom of the press, freedom of the pen, the confronting of witnesses with the accused, and the opening of secret dungeons — that charter was obtained by Stephen Langton against the Pope and against the king of England; and if you Know-nothings° 25 don't know who Stephen Langton was, you know nothing sure enough. He was a Catholic archbishop of Canterbury. I come here not to praise the Catholics, but I come here to acknowledge historical truth, and to ask of Protestants what has heretofore been the pride 30 and boast of Protestants, — tolerance of opinion in religious faith. All we ask is tolerance. All we ask is,

that if you hate the Catholics because they have proscribed heretics, you won't outproscribe proscription. If you hate the Catholics because they have nunneries and monasteries and jesuitical orders, don't outjesuit the Jesuits^o by going into dark-lantern secret chambers 5 to apply test oaths. If you hate the Catholics because you say they encourage the Machiavellian^o expediency of telling lies sometimes, don't swear yourselves not to tell the truth. Here are the oaths — the oaths that bind you under no circumstances to disclose who you are or 10 what you are, and that bind you not only to political, but to social proscription. Here is your book (holding up a copy of the American ritual) — your Bible which requires you to stick up your notices between midnight and daybreak. I don't object to secrecy. I am a member 15 of a secret order, and I am proud to be a brother Mason; and I am at liberty by my order to say that as to its ends, its purposes, its designs, Masonry has no secrets. Its ends, its purposes, its aims, are to make a brotherhood of charity amongst men. Its end is the end of the 20 Christian law of religion. I know not how any Mason can be a Know-nothing. Masonry binds its members to respect and obey the laws of the land in which we live; and when the Constitution of the United States declares that no religious test shall be made a qualification for 25 office, Masonry dare not interpose by conspiring, in a secret association, to attempt to make a religious test a qualification for office. When Virginia has an act of religious freedom — an act that is no longer a mere statute law, but is now a part of the organic law, and which says 30 that no man shall be burdened for religious opinion's

sake — Masonry dare not conspire to burden any man for opinion's sake. Masonry has no secrets but the simple tests by which it recognizes its brotherhood. It is bound to respect the law and to tolerate differences of opinion in religion and politics. I do not complain of secrecy, but I complain of secrecy for political objects. What is your object? It is to assail the Constitution of the United States, to conspire, to contradict the Constitution and laws of the land; it is to conspire against the Constitution and laws, and swear men by test oaths — the most odious instruments of tyranny that intolerance and proscription have ever devised. It is not only to proscribe Catholics and foreigners, but it is to proscribe Protestants and natives, too, who will not unite with you in proscribing Catholics and foreigners. It is further than that: It destroys all individuality in the man. You bring in your novitiate, you swear him to do — what? To give up his conscience, his judgment, his will, to the judgment and the conscience and the will of an association of men who are not willing that others should enslave them, but by their test oath enslave themselves.

J. L. M. CURRY

ON THE ADMISSION OF KANSAS

Mr Chairman, the Kansas bill^o contains three distinct features. First. It denies to Congress the power to legislate slavery into a Territory, or exclude it therefrom; and, without lifting the unconstitutional Missouri restrictions^o to the dignity of a formal repeal, simply declares it "inoperative and void." Second. It transfers the powers of Congress to the Territorial legislature, and vests in it full jurisdiction over all rightful subjects of legislation, leaving the people *perfectly free* to regulate their *domestic institutions in their own way*, subject only ¹⁰ to the Constitution of the United States. Third. It guarantees to the people of the Territory admission as a State into the Union, with or without slavery, as their constitution may prescribe at the time of such admission.

The passage of such a bill was an era in political science, ¹⁵ and a monument marking its advancement. Founded on the principle of local self-government, keeping a strict separation between "local and Federal interests," it avoided sectional collisions, limited Northern supremacy, and protected a distant people against the fluctuating and ²⁰ oppressive legislation of a geographical majority, plethoric with power, intent on its purposes, ignorant of local wants, and incapable, because acting out of the

sphere of intelligence and observation, of promoting domestic happiness and security. Prior to its adoption, Congress had arrogated a despotic, because unlimited, power over the Territories, fixing their normal condition, regulating their institutions, prescribing their civilization, and controlling their destiny. The Kansas bill reversed this practice, confined the Federal legislature within the scope of its limited jurisdiction, and withdrew the vexed question of slavery from congressional consideration, and transferred it to the arbitrament of those interested, and who were most intimately affected by the existence or non-existence of slave labor. It acknowledged the inability of Congress to legislate for the local and domestic interests of a remote people; refused to subject them to Federal dominion, and threw them upon their own resources, to develop their own system of culture, and contend for all the prizes of life. The measure was intended to stop the flowing of the bitter waters of Marah^o; to stop agitation in Congress, to stop discord and strife and fraternal hate, and accomplish a permanent settlement, in principle and in substance. It was not a mere temporary adjustment, contingent on popular caprice, or controlled by paltry considerations of policy or expediency, but a final, conclusive, and irrevocable settlement, for all time to come, and for every territorial organization. As such, it was accepted by the people of the United States; and as such, a common patriotism of all sections rejoiced in its consummation. It violated no principle of justice, conflicted with no constitutional prohibition; but in truth and justice met together, freedom and the Constitution embraced each other.

It antagonized centralization, and was a happy illustration of local self-government.

Under the practical application of the law, in October, 1856, "the sense" of the people of Kansas has been taken "upon the expediency of calling a convention to form a State constitution." An affirmative vote being given, the Territorial legislature passed a law for the election of delegates to the Convention by popular suffrage. The delegates were legally chosen at a fair and public election. The Convention, thus rightfully summoned by a popular vote, and the legislature, assembled and framed a republican Constitution, and submitted so much of the instrument as related to slavery, to a direct popular vote on the 21st of December last; and now, all the initiatory steps having been taken, in accordance with, and subordinate to, the Territorial authorities, which have been recognized by the executives and judiciary of Kansas, the President and people of the United States, she knocks at the door for the privilege of admission into this Confederacy, and to be recognized as a peer. From beginning to end, *ab ovo usque ad malum*,^o the forms of law have been observed; and while occasional excesses have been committed, the Constitution and the Convention have been the work of conservatives and the law abiding, in opposition to those who have been guilty of faction and disorder; and, in the language of Governor Walker,^o a rebellion so iniquitous, and necessarily involving such awful consequences as has never before disgraced any age or country.

Compared with California and Michigan, the action of Kansas has been sober, methodical, and blameless;

and but for its action on slavery, but for the fact that, in her high discretion she has cast her lot with the South, scarce a word of other than simulated dissent would have been heard from any quarter. Attracting the attention
5 of all sections; being the arena of a fierce and uninterrupted contest; subject to unnatural and stimulated immigration, Kansas has slowly and regularly and publicly and voluntarily taken every step, the successive processes of which have led her from the wilderness, through the
10 intermediate organizations, up to her present attitude of a sovereign State, desiring admission into the great sisterhood of sovereign States. She is met with cold rebuffs and refusals, and to sustain the project of remanding her back to Territorial pupilage, the most singular
15 pretexts are alleged, the most monstrous doctrines are avowed, the most glaring injustice is proposed to be done, the most reckless inconsistency is practiced.

Several positions have been assumed in both branches of Congress by those who were classed heretofore as friends
20 and advocates of the Kansas bill to justify their present hostility to her admission, and their failure to allow her the guaranteed privilege of coming into the Union, with or without slavery, as the Constitution may prescribe. The most prominent objection, most earnestly urged,
25 and most confidently insisted upon, is, that the Convention did not submit the *whole* Constitution to popular ratification or rejection. I fear, Mr. Chairman, this is an afterthought, trumped up for the occasion. What was, a short while ago, the curse of the age, the foul blot upon
30 our national escutcheon, the aggregation of all ills, has suddenly become the most insignificant and unimportant

part of the Constitution. I will not use harsh terms in characterizing such conduct, but to me it is singularly unaccountable. What was the bone of contention in the Kansas bill? Slavery. What was the obnoxiousness of the Missouri restriction? The localizing and proscription of slavery. What was the burden of Abolition accusation? The extension of slavery. What was the theme of song, and lecture, and sermon, and speech, and petition, and clerical protest, but slavery? Every intelligent man must feel and know that if the constitution of Kansas had been, in the language of my friend from Ohio [Mr. Cox], "an emanation from the pit," and had excluded slavery, it would have been tolerated and defended by the greater portion of those who are now so rampant and hostile; while, on the contrary, if it had been perfect as inspiration, and, like inspiration, recognized the existence of slavery, it would have been assailed and condemned. The whole controversy and agitation, for four years, on the Kansas bill, have grown out of slavery.

Mr. Chairman, if the history of our country were read by the light of the Constitution alone, these constant slavery agitations and discussions in Congress, the hot and eager haste manifested to introduce nonslaveholding States into the Union, and the embarrassments and delays and obstacles thrown in the way of the admission of slaveholding States, would be absolutely incomprehensible. To dedicate California to hireling labor, to swell the political preponderance of the North, the most gigantic and unparalleled fraud and robbery are unblushingly committed, and the Constitution and the rights of the South

are ruthlessly trampled under foot. To destroy forever the equilibrium in the Senate, and deprive us of that necessary protection and safeguard, new States are carved out of the Territories, and acquisitions of land, contiguous to the South, and adapted to slave labor, are persistently opposed and prevented. And now, when Kansas, under a solemn stipulation, and in spite of the mischievous opposition of her governors, forms her domestic institutions in her own way, to defeat her admission, there are
10 to be found prominent men, who violate their antecedents, disown and disinherit their own offspring, break up cherished political associations, form unholy alliances, and sit "cheek by jowl" and become as loving as Damon and Pythias with those, for whom, but a few moons since,
15 the English language was found inadequate to furnish sufficient invectives and reproaches. The statesman and philosopher and patriot may well pause to inquire into the cause of this singular spectacle. Other causes may be assigned; timid but well-meaning men may search
20 after pretexts in the apparent irregularities in Kansas; but to the mind of the South, to the public conviction of that people, there is but one satisfactory solution of the problem, and that is the recognition of slavery in the Constitution, the difference of social relations, the im-
25 placable and inveterate hostility of her enemies. I do not refer, in this classification of opponents, to those who denounce slavery as the sum of all villainies and abominations, and, following out their depraved instincts and sentiments, would pursue a phantom of speculative
30 liberty and equality, and reconstruct government, not in submission to the word of God, but in defiance of His

decrees and prophecies and providence, and in contemptuous disregard of those first and everlasting principles which are necessary to preserve freedom from licentiousness, and self-government from anarchy; but I allude to that class, not given over to judicial blindness and atheism, who profess a reverence for God, who worketh all things after the counsel of His own will, and a love for the Constitution, with all its grants, guarantees, and prohibitions. And what has been done to merit or justify this exclusion from common territory, and this denial of constitutional equality? In the past, whenever perils have environed us, and a common foe invaded our land, interrupted our commerce, or injured our citizens, the South has been lavish of her money and her treasure. In the tented field, in the councils of the Republic, at home and abroad, *everywhere*, her sons have reflected luster on the American name, and furnished materials for immortal history. Infringing the rights of no section, sharing none of the *bounties* of the government, bearing, through Federal legislation, an undue proportion of its burdens, she has never asked anything but severe constitutional justice, and she only asks that now. To-day, although in a minority, she is recognized and admitted, by all right-thinking men, as the conservative portion of the Union, and the only effectual breakwater against social, moral, and political innovations. Are there Northern laborers who, grinding under the oppression of power, eke out a miserable existence, or, suffering from the terrible pecuniary crisis upon us, gaze at the gorgeous palaces and splendid equipages and costly apparel around them, and with hungry mouths cry out, with startling

and terrific emphasis, "Bread or blood!" The Southern laborers, in contentment and plenty, are scarcely aware of any financial pressure, because labor and capital are there harmonized, and there is no conflict between
5 them.

W. L. YANCEY

ON THE PLATFORM OF THE DEMOCRATIC PARTY

Gentlemen of the Convention, my State has now to ask of this body the adoption of the resolutions reported by the majority^o of the Committee, because her Representatives here believe that they substantially conform to the principles enunciated in her platform, which we are instructed to insist upon as the only basis upon which Alabama can associate with the National Democracy as a party. My State, gentlemen of the Convention, has been the mark of many a shaft of calumny and of misrepresentation and falsehood in relation to their political position.

It has been charged, in order to demoralize whatever influence we might be entitled to, either from our personal or political characteristics, or as representatives of the State of Alabama, that we are disruptionists, disunionists *per se*; that we desire to break up the party in the Union itself. Each and all of these allegations, come from That quarter they may, I pronounce to be false. There is no disruptionist that I know of, and if there are factionists in our delegation they could not have got in there with the knowledge upon the part of our State Convention that they were of so un-

enviable a character. We come here with two great purposes; first, to save the constitutional rights of the South, if it lies in our power to do so. We desire to save the South by the best means that present themselves to us, 5 and the State of Alabama believes that the best means now in existence is the organization of the Democratic party, if we shall be able to persuade it to adopt the constitutional basis upon which we think the South alone can be saved. Democrats ourselves from youth upward, 10 belonging to a State that has never been anything but Democratic, always voting for a Democratic President, and nearly always sending a united vote to the House of Representatives, and Democratic senators to the Senate of the United States, we prefer that the honor of saving 15 the country shall crown the brow of the Democratic party. Deceived as we have been by much shown in the history of that party, we yet have some hope that it will come to the rescue of the country; we have some confidence that it has a desire to come to the rescue. We have come 20 here, then, with the twofold purpose of saving the country and of saving the Democracy; and if the Democracy will not lend itself to that high, holy, and elevated purpose; if it cannot elevate itself above the mere question of how perfect shall be its mere personal organization and how 25 widespread shall be its mere personal organization and how widespread shall be its mere voting success, then, we say to you, gentlemen, mournfully and regretfully, that, in the opinion of the State of Alabama, and, I believe, of the whole South, you have failed in your mission, 30 and it will be our duty to go forth and make an appeal to the loyalty of the country to stand by that Con-

stitution which party organizations have deliberately rejected.

* * * * *

It is but natural that the North, conscious of voting strength in Congress, should seek to wield the government to its own aggrandizement, and should listen restlessly, and often defiantly, to the stern demand of the South that the constitutional restraints of delegated power should be rigidly observed; but at the same time, you must remember that it is not only natural for the South to do this, but that it is constitutional; and it is in the compact that you shall forbear.

The simple position of Alabama, then, is upon the Constitution of the country. Taking our position as a minority, and holding that Constitution up against your prejudices — holding it up against your passions — holding it up against your loose notions of what are your duties as regards the minority, and as regards yourselves — holding it up as something that you must and shall respect — as it is something that you say you do respect — thus planting ourselves purely upon the Constitution, and asking nothing which that instrument does not grant, we have a right to ask, not only of this young giant of the West, but of this older Northeast and North, that they will calmly and considerately and intelligently with us read that instrument and see wherein we are wronged, and wherein you are aggressing. *We of the South, it is a possibility, may mistake our constitutional position. We of the South may be wrong in our exposition of the Constitution. There is a possibility that you may be right. There is a possibility that, in view of our interest*

upon this question, you have more impartially considered it than we have, and that our views upon this question are not quite supported by the rigid letter and spirit of the Constitution. I have no doubt on this question; our people
5 have no doubt upon it; but in order to show you what I conceive to be your duty, and I trust you will think I do so in all proper deference, I will consider that such may be the case. Then how is it? Ours is the property
invaded; ours are the institutions which are at stake;
10 ours is the peace that is to be destroyed; ours is the property that is to be destroyed; ours is the honor at stake — the honor of children, the honor of families, the lives, perhaps, of all — all of which rests upon what your
course may ultimately make a great heaving volcano of
15 passion and crime, if you are enabled to consummate your designs. Bear with us, then, if we stand sternly upon what is yet that dormant volcano, and say we yield no position here until we are convinced we are wrong.
We are in a position to ask you to yield. What right
20 of yours, gentlemen of the North, have we of the South ever invaded? What institution of yours have we ever assailed, directly or indirectly? What laws have we ever passed that have invaded, or induced others to invade, the sanctity of your homes or to put your lives in
25 jeopardy, or were likely to destroy the fundamental institutions of your States? The wisest, the most learned, and the best amongst you will remain silent, because you cannot say that we have done this thing. If their view is right and ours is not strictly demanded by
30 the compact, still the consequence, in a remote degree, of your proposition, may bring this result upon us; and if

you have no domestic nor municipal peace at stake, and no property at stake, and no fundamental institutions of your liberties at stake, are we asking any too much of you to-day when we ask you to yield to us in this matter as brothers, in order to quiet our doubts — for in yielding you lose nothing that is essentially right?

* * * * *

What does all this indicate? The Democratic party, we are here told truly, once had an overpowering influence in the Northern States, and we have been taunted here, to-day, that there was once a time when Democracy was not prevalent at the South, and when the Northern States could elect a Democratic President without the aid of the Southern vote. I acknowledged it. I acknowledge that so long as mere party issues were before the country, not involving any of its fundamental institutions, the South differed with each other on these issues of policy. The question of the United States Bank, of internal improvement by the general government, and of the tariff, caused great differences of opinion at the South.

In the Northern States the Democratic party was overwhelmingly in the ascendant. Why are they not so now? And why is the South more unitedly Democratic? The answer is ready. — The antislavery sentiment is dominant at the North — the slavery sentiment is dominant at the South. And, gentlemen, let me tell you why, if it is not presumption in me to tell you, you have grown weaker and weaker. It is my belief, from some observation and reflection upon this subject, that you are not in the ascendant now because you have tampered with the antislavery feeling of that section. I do not mean that

you have tampered with it or yielded to it as a matter of choice. I do not mean that you are willful traitors to your convictions of duty, but this is what I do mean: that in your own hearts, finding the overwhelming preponderance of power in the antislavery sentiment, believing it to be the common will of your people, you hesitated, you trembled before its march, and you did not triumph over the young Hercules in his cradle^o because you made no direct effort to do so.

* * * * *

10 You gave up the real ground of battle, the key to success, when you acknowledged, what was the foundation of the antislavery sentiment, that slavery was wrong. You acknowledged that it could not exist anywhere by the law of nature or by the law of God; that
15 it could exist nowhere except by virtue of statutory enactment. In that you yielded the whole question. In that you showed the weakness of the soldier who doubts in the midst of the conflict on the field of battle. You simply said beseechingly to your antislavery country-
20 men, "Slavery does exist, but we are not to blame for it." There was the weakness of your position. If you had taken the position that had been taken by one gallant son of the South, who proclaimed, under the hisses of thousands, that slavery was right, that antislavery
25 demon, if not dead, would long since have been in chains at your feet.

* * * * *

Now what does all this indicate to us? Gentlemen, these are, in part, evidences which, I solemnly assure you, have produced in the South — I speak by authority for

Alabama, and I speak from assurances which I believe cannot be mistaken from other States — a widespread and deep-seated conviction that the South, with her institutions, is unsafe in the Union. It is upon that basis, upon these premises, that we proceed when we come here — when Alabama comes here and asks you to consider well your position upon this subject; to take a new departure if it is, even as you say, a new departure. If it is but the reaffirmance of an old truth, we ask you to reaffirm it in more distinct and unequivocal language, in order to reassure the Southern people of safety in the party and in the Union, and thus save both from disruption. I pass on with — I will not use so strong an expression as “contempt” — but I conceive that I cannot afford to notice any of the specious declamation and partisan arguments that have been made here to-day. We come with the Constitution in our hand and say to you, if we have been wrong, let us reason together and see if we cannot be set right; if we have been right, let us reëndorse that right in plainer and less equivocal language. And why? If I had come here, my countrymen, as a disunionist — if I had come here as a disruptionist — if I had come here as a factionist — I should come to you now with the Alabama platform in my hand, and present it for adoption or rejection, without the dotting of an “i” or the crossing of a “t.” But, I say to you frankly, while the majority platform is not all that Alabama wants, it is not even all that Alabama asks; that, while it falls short, indeed, of what I believe the highest policy of a statesman should be, to arrest this great evil — this cancer, which is not only eating into your body, but

into the body of the country at large — from a desire to harmonize — from a desire to confer with brothers — knowing that you represent all the sections of this vast and magnificent Republic, we are willing to come together upon some such platform as you may make which shall afford to us protection in the South; and we think you can afford to yield that to us, especially when it will bring to the support of your platform a united South; and therefore it is that I intend to vote for the majority platform, which, if not giving us all, yet provides for an active application of the principles substantially involved in the Alabama Resolutions. We may therefore accept that platform with honor, and continue our deliberations with you.

* * * * *

15 It was only when the South had obtained an advantage in Kansas, and was about to test the question whether another slave State could be admitted into the Union, that this new phase of squatterism appeared as a practical issue under the more euphonious name of popular sovereignty.^o Kansas applied for admission under the Lecompton Constitution,^o recognizing the institution of African slavery. The people who had elected the delegates to the Convention had required no submission of such constitution as might be framed. But the Convention did submit the vexed question of slavery, and that was ratified by the people. This was all done "in their own way," and in strict accordance with the organic act.

Mr. Douglas then, for the first time, in practical, tangible form, brought forward the astonishing doctrine, that the will of the State Convention — assembled by legal

authority, and by the will of the people — clothed for the first time with the right to do a sovereign act — the formation of the governmental institutions of a new State, must submit the result of their labors to a popular vote at the hustings — the Convention, in which alone lies any claim to the assumption of power to make the fundamental law in our system of Republican government, must yield its own judgment to the mere masses.

The argument was that the inherent right of the people to all the powers of self-government had been invaded; ¹⁰ dogmas of the Declaration of Independence are brought forward to assert the most revolutionary and incendiary doctrines; dogmas of the Revolution are brought forward for the support of principles destructive of all binding force and security of organic law; and we who are not a ¹⁵ mobocracy, we who are not in fact a democracy in form of government; we who have a representative government, where laws and constitutions are made by representative power, ought to guard well our safety lest the wisdom, judgment, and experience of the past be thrown ²⁰ down and trampled upon in the wild passionate struggle of the masses for party or agrarian ascendancy.

Gentlemen of the Convention, that venerable, that able, that revered jurist, the honorable Chief Justice^o of the United States, trembling upon the very verge of the grave, ²⁵ for years kept merely alive by the pure spirit of patriotic duty that burns within his breast — a spirit that will not permit him to succumb to the gnawings of disease and the weakness of mortality, — which held him, as it were, suspended between two worlds, with his spotless ermine ³⁰ around him, standing upon the very altar of justice, has

given to us the utterance of the Supreme Court of the United States upon this very question.

Let the murmur of the hustings be stilled — let the voices of individual citizens, no matter how great and respected in their appropriate spheres, be hushed, while the law, as expounded by the constituted authority of the country, emotionless, passionless, and just, rolls in its silvery cadence over the entire realm, from the Atlantic to the Pacific, and from the ice-bound regions of the North to the glittering waters of the Gulf. What says that decision? That decision tells you, gentlemen, that the Territorial legislature has no power to interfere with the slaveowner in the Territory while in a territorial condition. That decision tells you that this government is a union of sovereign States; which States are coequal, and in trust for which coequal States the government holds the Territories. It tells you that the people of those coequal States have a right to go into these Territories, thus held in trust, with every species of property which is recognized as property by the States in which they live or by the Constitution of the United States. The venerable magistrate — the Court concurring with him — decided it is the duty of this government to afford some government for the Territories which shall be in accordance with this delegated trust power held for the States and for the people of the States. That decision goes still further; it tells you that if Congress has seen fit, for its own convenience, and somewhat in accordance with the sympathies and instincts and genius of our institutions, to accord a form of government to the people of the Territories, it is to be administered precisely as Congress can administer it, and

to be administered as a trust for the coequal States of this Union, and the citizens of those States who choose to emigrate to those Territories. That decision goes on to tell you this; that as Congress itself is bound to protect the property which is recognized as such of the citizens of any of the States — as Congress itself, not only has no power, but is expressly forbidden to exercise the power to deprive any owner of his property in the Territories, therefore, says that venerable, that passionless representative of justice, who yet hovers on the confines of the grave — therefore, no government formed by that Congress can have any more power than the Congress that created it.

But, we are met right here with this assertion; we are told by the distinguished advocate of this doctrine of popular sovereignty that this opinion is not a *decision* of the Supreme Court, but merely the opinion of citizen Taney. He does not tell you, my countrymen, that it is not the *opinion* of the great majority of the Supreme Court bench. Oh, no; but he tells you that it is a matter that is *obiter dicta*° outside the jurisdiction of the Court; in other words, extra-judicial — that it is simply the opinion of Chief Justice Taney, as an individual, and not the decision of the Court, because it was not the subject-matter before the Court. Now, Mr. Douglas and all others who make that assertion and undertake to get rid of the moral, the constitutional, the intellectual power of the argument, put themselves directly in conflict with the venerable Chief Justice of the Supreme Court of the United States, and with the recorded decision of the Court itself — because Chief Justice Taney, after dispos-

ing of the demurrer in that case, undertook to go on and to decide the question upon the facts and merits of the case, and, said he, in doing that, we are met with the objection "that anything we may say upon that part of
5 the case will be extra-judicial and mere *obiter dicta*. This is a manifest mistake, etc."; and the Court — not Chief Justice Taney, but the whole Court, with but two dissenting voices — decided that it was not *obiter dicta*; that it was exactly in point, within the jurisdiction of the
10 Court, and that it was the duty of the Court to decide it. Now then, who shall the democracy recognize as authority on this point — a statesman, no matter how brilliant and able and powerful in intellect, in the very meridian of life — animated by an ardent and consuming
15 ambition — struggling as no other man has ever done for the high and brilliant position of candidate for the presidency of the United States, at the hand of this great party — or that old and venerable jurist who, having filled his years with honor, leaves you his last great decision
20 before stepping from the high place of earthly power into the grave to appear before his Maker, in whose presence deception is impossible, and earthly position as dust in the balance?

LOUIS TREZEVANT WIGFALL

SOUTH CAROLINA AND SECESSION

MR. WIGFALL. Mr. President, as a further reason for supposing that, by the Constitution of the United States itself, the fact is established that the inhabitants who reside upon that territory between the two oceans, and between the Lakes and the Gulf, do not compose one single political community, but are divided into thirty-three separate, distinct political communities, called States, I shall allude now to the second section of the third article of the Constitution, which provides that the judicial power shall extend to all controversies — 10

"Between a State and citizens of another State; between citizens of different States."

Here is a distinct declaration that there are States, and every lawyer knows that a bill is subject to demurrer in any of the Federal courts which does not state distinctly that the parties litigant are citizens of different States. The first section of the fourth article declares that —

"Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State." 20

The second section declares that —

"The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."

Now, is there any State constitution in which there is a declaration that the citizens of each county shall be entitled to the privileges and immunities of citizens of the different counties? Could such phraseology be used in this Constitution unless there were different States, different political communities, different governments, different nations — composing what? The Constitution in its preamble declares what — the United States. That is the form of government under which we are living; that is the form of government that was established by the thirteen original States; that is the form of government between the thirty-three present States. There is one other clause — it is the second clause of the second section of the fourth article:—

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

20 Now, here is, in this Federal compact, a declaration that treason may be committed against a State. I ask every lawyer who has a seat in this Chamber whether treason is a crime that can be committed except against sovereignty? If, then, these States are sovereign, if they are political communities, if treason may be committed against them, there is an end of the argument. But I may be answered that treason may also be committed against the United States. I am fully aware of that. Treason consists in levying war against the United States; and one who levies war against the United States, being

30

a citizen of one of those United States, necessarily levies war against his own State, and is therefore guilty of treason. But while that hypothesis is perfectly consistent with the premise which I have laid down, that the States are sovereign, the other is directly in conflict with it. If the inhabitants of the United States be one political community; if they compose a nation; if there are no States, but all the inhabitants together compose one State or nation, then it is utterly impossible that treason can be committed against any one of these geographical divisions; 10 as impossible as that treason can be committed against a county. I really do not know how to argue questions so plain. To my mind, they are so conclusive that I need but to state them and feel that argument could not add to their force. 15

I had intended to go somewhat at length into this question; but I shall not weary the Senate further. It is important now that we should begin to understand our position and what we are to do. It is known to every senator upon this floor that one of the States of this 20 Union will, before this day next week, cease to be one of the United States. She will pass a solemn ordinance before this day week. I see the senator from New York [Mr. KING] smiles. Probably on the other side of your face you will laugh before this thing is terminated. 25 Laugh on, laugh on. Before this day next week, I hazard the assertion that South Carolina, in convention assembled, will have revoked the ratification of the treaty which makes her one of these United States. Having revoked that ratification, she will adopt an amend- 30 ment to her constitution by which she will have vested

in the government of South Carolina all those powers which she, conjointly with the other States, had previously exercised through this foreign department, and in the government of South Carolina will be vested the right to
5 declare war, to conclude peace, to make treaties, to enter into alliances, and to do all other matters and things which sovereign States may of right do. When that is done, a minister plenipotentiary and envoy extraordinary will be sent to present his credentials; and when they
10 are denied, or refused to be recognized by this government, I say to you that the sovereignty of her soil will be asserted, and it will be maintained at the point of the bayonet. Laugh! Nero fiddled while Rome was burning; and you who have it in your power even yet to save
15 your suffering poor in the dead of winter, when they need both food and fuel, from starvation and destruction, are here treating with contempt those who wish to discuss these questions soberly and seriously. That the people of South Carolina will assert their independence, is a fact
20 that is known to every man within the sound of my voice. And why should they not, if they see fit? I read yesterday the oath of allegiance that is required of every citizen in that State. When South Carolina became one of the States of this Union, that oath of allegiance and fealty
25 to the State of South Carolina was upon her statute book and in her constitution. These other States confederated with her, knowing that her citizens were bound to swear allegiance to their own State, and obedience only to the Constitution of the United States and of their own State.
30 There was more than this oath of allegiance which they swore: —

"I do acknowledge the State of South Carolina is, and of right ought to be a free, independent, and sovereign State." . . .

"And I do further swear that I will bear faith and true allegiance to the said State, and, to the utmost of my power, will support, maintain, and defend" —

5

What?

"the freedom and independence thereof."

With that oath upon the record, she was admitted into this Union; and it will not do now for her sister States, or for this agency of the States, that has no power except by the permission of the States, that exercises no power except by the permission of the States, and that can be stripped of every power by those States, to deny that the people of that State are bound to obey their oaths. Those who swear to obey the Constitution of the United States and violate it, laugh at oaths; but, thank God, the people amongst whom I have lived, and whom I represent upon this floor, have never dealt so lightly with their oaths. I say that a more monstrous outrage will not have been committed in any country, than will be committed if this government attempts coercion in any manner. It is impracticable; it is unconstitutional; it is revolutionary; and the moment that this government, through its executive, legislative, and judicial departments, or through any of them, shall deny that these States are sovereign, and shall attempt to reduce one of the parties to the compact to the condition of a conquered province, such offense will be given to every other State as to cause them to rally to their respective standards, and rescue the Constitution from the grasp of those who would tear it up and trample it under foot.

For years past that unfortunate but gallant people have been misrepresented. Their palmetto has withered° under the blighting influence of the breath of slander, and its broad leaves have been like the leaves of the funereal cypress; but, thank God, it is again spreading its branches to the sun, and, green and luxuriant, it now presents itself to the gaze of the people of the thirty-three States as in the brightest days of its glory. Sneers and scoffs will not serve your purpose. Your eighteen million will find a gallant few who will welcome them, as was well said the other day by the senator from Georgia [Mr. IVERSON], "with bloody hands to hospitable graves." You may conquer them; you may trail that palmetto banner in the dust; but you will never reduce that people to slavery. No, sir; South Carolina may be made a graveyard of freemen, but, before God, it will never be the habitation of slaves.

When you know that the citizens of that State have sworn allegiance to it, and are bound, on their oaths, to obey the behests of their sovereign; when you know that that State is going out of the Union, is there any sense, is there any justice, is there any humanity, in attempting to keep her in it? You talk about enforcing the laws! There is no man who would go further for enforcing the laws within the limits of the United States than I would; and as long as South Carolina remains in the Union, the laws should be enforced there; and I hazard the assertion that there will be no necessity for enforcing them; they will be obeyed. I judge that when her minister visits this court and presents his credentials, that State will wait until that question has been acted upon; and not

until her right to secede is denied, and authoritatively denied, will she insist that the Federal troops shall be removed from those forts which she has ceded to the Union.

I regretted extremely to see that the President of the United States was laboring under a misapprehension as to the title by which these forts are held and the consideration for which they were ceded to the United States. I will not weary the Senate by reading further from the records which establish these great historical facts, but I state that, from the Declaration of Independence, and a year before it, until the year 1805, South Carolina was the possessor of all that soil upon which those forts are erected. In 1805 she ceded, voluntarily, to the United States, without money and without price, those forts, upon two conditions only: that they should be kept in repair, and be garrisoned by the Federal government. She, previously to that time, ceded all that territory, without money and without price, upon which the great and gallant States of Mississippi and Alabama have been erected. Then, having ceded for Federal purposes the land upon which these forts are erected, she appointed commissioners, and out of her own treasury paid for having the land surveyed, and, as appears from a letter from the engineer who was sent there to examine the forts, when this government had not the money to make the repairs, the citizens of Charleston voluntarily raised the necessary money in order to have the repairs made. It is unfortunate that the President did not inform himself as to the facts before insinuating that she sold for money this property, and therefore was not entitled to claim it.

It was her voluntary gift to the United States for Federal purposes. When she ceases to be one of the United States,^o the purposes for which she made the cession ceases; and those forts, and the land upon which
5 they have been erected, should be ceded back to the State. While these matters are negotiating, I have no doubt that the State will stay her hand. It can be no offense to her honor or to her dignity that the troops shall not be removed the instant she has seceded. They must
10 remain there for a moment; they must for a minute; they must for an hour; they must *ex necessitate rei* for a week, possibly for a month. Therefore, until this government has authoritatively denied her right, and until those troops are there kept for the purpose of subjugation,
15 no offense will be offered to her honor, and no violence be done by her. But if there is an attempt, which I trust in God there may not be, to strengthen those garrisons, or in a moment of imprudence a man-of-war should be sent into that harbor, I say to you that those forts will be
20 taken, cost it the life of every man in that State.

Now it has got to be a fashion to speak of "the chivalry"; and when South Carolina is mentioned, it has become fashionable to speak in such terms as to indicate that those men are not apt to act up to their words. When
25 have her citizens shown themselves deficient in manhood? By the constitutional compact she agreed that this government should have the right to declare war; and when war was declared by the United States against England, and in other sections of this country questions were made
30 as to whether the militia could be marched beyond the limits of their respective States, South Carolina, of her

own accord, raised and equipped and put into the field, to cross bayonets with British regulars, one brigade, commanded by one who a few years ago was a senator from that State. I mean Daniel Elliott Huger. When the war broke out with Mexico, and that State was called upon for a regiment, she responded on the instant, and made an appropriation not only for putting her regiment in the field, but for uniforming them, and they went to Mexico under their own palmetto; they wore their State uniforms, and they were known as the Palmettoes. And, sir, how did they discharge their duties then? Did they falter when red battle stamped his foot? I read from Claiborne's "Life of John A. Quitman":—

"Colonel Butler, of the South Carolinians, had left his sick bed against the remonstrances of his friends to lead the Palmettoes to the combat. Early in the engagement his horse was shot under him. Soon after he received a painful wound in the knee, and yielded the command to Lieutenant Colonel Dickinson. Taking the palmetto flag from the hands of Sergeant Beggs, Dickinson placed himself in front, and Beggs was immediately shot down. Colonel Butler now came up to resume the command, and was killed by the side of Dickinson, while standing under the flag. Dickinson himself soon fell mortally wounded (he died some weeks afterward), and Major Gladden received it from his hands and committed it to Lieutenant Baker, who being unable from debility and exhaustion to carry it, Major Gladden placed it in the hands of Patrick Leonard, and led his regiment to the charge. His men fell rapidly, but not one wavered, from first to last, under the concentrated fire of the enemy. In the whole history of war there has never been a more striking example of indifference to death, the result of stern resolve. Each man fought for the honor of Carolina. Several companies were almost

annihilated. Some had not men enough to bury their dead, or bear their wounded to the ambulances. The uniforms of some of the officers were literally torn from their persons; the color-bearers were shot down, but the flag, bathed in their blood, was always seized as they fell and borne to the front. Proudly it floated through the tempest of death until the victory had been won, and then, all torn and blood-stained, it drooped over its own glorious dead. The regiment entered the battle with two hundred and seventy-three rank and file, and when it was over it mustered one hundred and sixty! It had none missing; its dead and wounded made up the deficiency."

These are the men who are denounced; these are the men who are ridiculed; this is the State that I saw, in a Black Republican paper within the last week, compared to one of the counties of New York, and held inferior to Brooklyn, because they had not the numerical strength of that city! There is a point beyond which endurance, like patience, ceases to be a virtue. We are reaching that point rapidly. When South Carolina, previously to the Revolution, espoused the quarrel of other States — though she suffered comparatively nothing, for she was the favored colony, as I said yesterday — no one then complained that she was going too far; no one then complained that she was precipitating a revolution.

Now the complaint is made. Why, if she has not suffered materially as other States have suffered, shall she be debarred the poor privilege of vindicating her honor? Suppose that she has not been robbed and plundered as the border States have been robbed and plundered: has she not been insulted? Have the Black Republican States kept their faith or observed their oaths? Has not legis-

lature after legislature, in open violation of the Constitution, passed laws to prevent the recapture of fugitive slaves, though it is a part of the Constitution? If a treaty of peace and amity was entered into between Great Britain and the United States to-morrow, and in that treaty of peace it were provided that fugitives from justice should be delivered up on the respective demands of the different governments, what would be said if, before the ink were dry, the British Parliament should pass a law prohibiting the use of the jails of Great Britain, pass a law prohibiting the subjects of Great Britain, and her officers, either legislative, executive, or judicial, from carrying that treaty into execution?

I am told that the proposition is preposterous; that such perfidy would not be tolerated; and that not only the United States would declare war, but that continental Europe would combine to blot from the map of nations a people so perfidious. Why, senators, the story is but half told. What would you say if, after this treaty was entered into between these high contracting parties, the British Parliament, with the consent of the Queen, were to pass a law to provide that every British judge, that every member of Parliament, that every executive officer, from constable up to the Queen, should swear solemnly upon the revelation of God that they would carry this treaty into effect, and that when the ink was hardly dry upon the parchment which had rendered this oath necessary, and when all these various officers, legislative, executive, and judicial, had sworn that they would carry that treaty into effect, the British Parliament were to pass an act prohibiting every officer and every citizen from execut-

ing that particular clause of the treaty? Here is perjury added to perfidy; and I say to you that, by the Constitution of the United States, no man can sit in any legislature unless he swears to obey that Constitution; 5 and that every Black Republican legislator who has voted for one of those laws passed for the purpose of defeating the execution of that treaty has sworn before God that he will obey this Constitution; and that in open violation of his oath he has passed a law punishing with fine and 10 imprisonment any man who shall observe his oath. Is this not true? You dare not deny it. And when States confederated with your States complain of this perfidy and perjury, they are told that if they do not silently and patiently "with bated breath and whispering humble- 15 ness" submit, your eighteen million free white men will come down there and reduce them to the condition of conquered provinces; that their own army and their own navy and their own treasury shall be used for their subjugation.

20 When some of these States that are not robbed choose not to submit longer to be confederated with States that are faithless, they are answered by saying, "Why do not you wait till the States that are robbed shall resist?" "Why, sir, if I and a friend happen to be passing along 25 Pennsylvania Avenue, and both are slapped in the face, and in addition to the indignity, the purse of my friend is also taken from him, does his submission devolve upon me any duty also to submit? Because robbery has not been added to insult and perjury and perfidy, South 30 Carolina and Georgia and Florida and Alabama and Mississippi and Texas and Arkansas are not to complain!

This sort of logic we do not understand in that section of the country. Our misapprehension, doubtless, is the result of the "barbarism of slavery." In that country there are men who, even in this utilitarian age, are not dead to all sentiment; who defend with the hazard of 5 their lives and with their blood their personal honor; and will be as ready to defend the honor of their States as they are their individual respectability. It is the declaration of divine justice that he who sheds man's blood shall have his blood shed by man; and I say that he who 10 taints the blood more kills than he who sheds it. That proud State that I am speaking of — and I speak of her because she has no representative upon this floor, and because she is about to act, and because there has been an effort to isolate her from her sisters — has not hereto- 15 fore, and will not hereafter, show any insensibility to that which touches her honor. Her citizens are few; they may be conquered; there may be none left to tell the story of their disaster. It does not follow, senators, that because a people are weak, they are going to submit to 20 tyranny.

History tells us of the king of Lacedæmon and his three hundred who died at Thermopylæ.^o There was an oath in Sparta as there is an oath in South Carolina. The people of South Carolina have sworn to maintain 25 the independence and the freedom of their State. It is the law of that State. When Leonidas and his gallant three hundred fell, history tells us — I know not whether the inscription is still to be seen — that upon the stone which covered that gallant dead were inscribed 30 these words, "Stranger, tell the Lacedæmonians that we

lie here in obedience to their laws." In my own State there is an inscription not less touching. Upon the blood-stained stones of the Alamo^o there is now to be seen written these words: "Thermopylae had her messengers
5 of death; the Alamo had none." Those who have no sentiment; those who laugh at it; those who regard a sense of honor as one of the relics of barbarism and the incident of the institution of slavery, I know do not understand, or comprehend, or appreciate the feelings
10 which influence the people of the slaveholding States.

Thank God, there are also in the other section a gallant few — that old, glorious Constitution-loving Democratic party, from some of whom we have, upon issues which we regarded material, differed of late. I trust in God, sir,
15 that the hatchet will be buried between us in this great struggle that is coming on for constitutional liberty under the question as to whether one of the sovereign States of this Union shall be coerced or not. I remember how gallantly our flag, with the Constitution emblazoned upon
20 it, was borne by VALLANDIGHAM and RICHARDSON and LOGAN and COX and McCLEARNAND and others of that old guard; and though last, not least, my friend from Ohio [Mr. PUGH], a patriot and a soldier. When his country called upon him he answered promptly to the call, and in
25 the bloody fields of Mexico showed that he had not lost either patriotism or the sense of personal or national honor. They, I trust, will bring to the altar of the Constitution their feelings of alienation, and, sacrificing them, stand by the Constitution. If we cannot save this Union
30 as it was originally formed by these States, let it be dissolved rather than see a military despotism erected upon

its ruins. There is now an effort making to erect such a despotism. The edifice is not yet completed. South Carolina, thank God! has laid her hand upon one of the pillars, and she will shake it until it totters first, and then topples. She will destroy that edifice, though she perish amid the ruins.

ROBERT TOOMBS

ON PROPOSITIONS TO THE COMMITTEE OF THIRTEEN

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

The success of the Abolitionists and their allies, under the name of the Republican party, has produced its logical
15 results already. They have for long years been sowing dragons' teeth, and have finally got a crop of armed men. The Union, sir, is dissolved. That is an accomplished fact in the path of this discussion that men may as well heed. One of your confederates has already, wisely,
20 bravely, boldly, confronted public danger, and she is only ahead of many of her sisters because of her greater facility for speedy action. The greater majority of those sister States, under like circumstances, consider her cause

as their cause; and I charge you in their name to-day, "Touch not Saguntum."^o It is not only their cause; but it is a cause which receives the sympathy and will receive the support of tens and hundreds of thousands of honest patriotic men in the nonslaveholding States, who have hitherto maintained constitutional rights, who respect their oaths, abide by compacts, and love justice. And while this Congress, this Senate, and this House of Representatives are debating the constitutionality and the expediency of seceding from the Union, and while the perfidious authors of this mischief are showering down denunciations upon a large portion of the patriotic men of this country, those brave men are coolly and calmly voting what you call revolution — aye, sir, doing better than that: arming to defend it. They appealed to the Constitution, they appealed to justice, they appealed to fraternity, until the Constitution, justice, and fraternity were no longer listened to in the legislative halls of their country, and then, sir, they prepared for the arbitrament of the sword; and now you see the glittering bayonet, and you hear the tramp of armed men from your capital to the Rio Grande. It is a sight that gladdens the eyes and cheers the heart of other millions ready to second them. Inasmuch, sir, as I have labored earnestly, honestly, sincerely, with these men to avert this necessity so long as I deemed it possible, and inasmuch as I heartily approve their present conduct of resistance, I deem it my duty to state their case to the Senate, to the country, and to the civilized world.

Senators, my countrymen have demanded no new government; they have demanded no new Constitution. Look to their records at home and here from the beginning

of this national strife until its consummation in the disruption of the Empire, and they have not demanded a single thing except that you shall abide by the Constitution of the United States; that constitutional rights shall
5 be respected, and that justice shall be done. Sirs, they have stood by your Constitution; they have stood by all its requirements; they have performed all of its duties unselfishly, uncalculatingly, disinterestedly, until a party sprang up in this country which endangered their social
10 system — a party which they arraign, and which they charge before the American people and all mankind, with having made proclamation of outlawry against four thousand millions of their property in the Territories of the United States; with having put them under the ban of the
15 Empire in all the States in which their institutions exist, outside of the protection of Federal laws; with having aided and abetted insurrection from within and invasion from without, with the view of subverting those institutions, and desolating their homes and their firesides. For
20 these causes they have taken up arms. I shall proceed to vindicate the justice of their demands, the patriotism of their conduct. I will show the injustice which they suffer and the rightfulness of their resistance.

I have stated that the discontented States of this
25 Union have demanded nothing but clear, distinct, unequivocal, well-acknowledged constitutional rights; rights affirmed by the highest judicial tribunals of their country; rights older than the Constitution; rights which are planted upon the immutable principles of natural justice; rights
30 which have been affirmed by the good and the wise of all countries, and of all centuries. We demand no power to

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

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

What do these rebels demand? First, "that the people of the United States shall have an equal right to emigrate and settle in the present, or any future acquired Territories, with whatever property they may possess (including slaves), and be securely protected in its peaceable enjoyment until such Territory may be admitted as a State into the Union, with or without slavery, as she may determine, on an equality with all existing States." That is our territorial demand. We have fought for this Territory when blood was its price. We have paid for it when gold was its price. We have not proposed to exclude you, though you have contributed very little of either blood or money. I refer especially to New England. We demand

only to go into those Territories upon terms of equality with you, as equals in this great Confederacy, to enjoy the common property of the whole Union, and receive the protection of the common government, until the Territory is
5 capable of coming into the Union as a sovereign State, when it may fix its own institutions to suit itself.

The second proposition is: "that property in slaves shall be entitled to the same protection from the government of the United States, in all of its departments, every-
10 where, which the Constitution confers the power upon it to extend to any other property, provided nothing herein contained shall be construed to limit or restrain the right now belonging to every State to prohibit, abolish, or establish and protect slavery within its limits." We demand
15 of the common government to use its granted powers to protect our property as well as yours. For this protection we pay as much as you do. This very property is subject to taxation. It has been taxed by you, and sold by you for taxes. The title to thousands and tens of thousands
20 of slaves is derived from the United States. We claim that the government, while the Constitution recognizes our property for purposes of taxation, shall give it the same protection that it gives yours. Ought it not to do so? You say no. Every one of you upon the committee said
25 no. Your senators say no. Your House of Representatives says no. Throughout the length and breadth of your conspiracy against the Constitution, there is but one shout of no! This recognition of this right is the price of my allegiance. Withhold it, and you do not get my obedience. This is the philosophy of the armed men who have
30 sprung up in this country. Do you ask me to support a

government that will tax my property; that will plunder me; that will demand my blood, and will not protect me? I would rather see the population of my own native State laid six feet beneath her sod than that they should support for one hour such a government. Protection is the price of obedience everywhere, in all countries. It is the only thing that makes government respectable. Deny it, and you cannot have free subjects or citizens; you may have slaves.

We demand, in the next place, "that persons committing crimes against slave property in one State, and fleeing to another, shall be delivered up in the same manner as persons committing crimes against other property, and that the laws of the State from which such persons flee shall be the test of criminality." That is another one of the demands of an extremist and rebel. The Constitution of the United States, article four, section two, says:—

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

But the nonslaveholding States, treacherous to their oaths and compacts, have steadily refused, if the criminal only stole a negro, and that negro was a slave, to deliver him up. It was refused twice on the requisition of my own State as long as twenty-two years ago. It was refused by Kent and by Fairfield, governors of Maine, and representing, I believe, each of the then Federal parties. We appealed then to fraternity, but we submitted; and

this constitutional right has been, practically, a dead letter from that day to this.

The next case came up between us and the State of New York, when the present senior senator [Mr. SEWARD] was the governor of that State; and he refused it. Why? He said it was not against the laws of New York to steal a negro, and therefore he would not comply with the demand. He made a similar refusal to Virginia. Yet these are our confederates; these are our sister States! There is the bargain; there is the compact. You have sworn to it. Both these governors swore to it. The senator from New York swore to it. The governor of Ohio swore to it when he was inaugurated. You cannot bind them by oaths. Yet they talk to us of treason; and I suppose they expect to whip freemen into loving such brethren! They will have a good time in doing it! It is natural we should want this provision of the Constitution carried out. The Constitution says slaves are property; the Supreme Court says so; the Constitution says so. The theft of slaves is a crime; they are a subject-matter of felonious asportation. By the text and letter of the Constitution you agreed to give them up. You have sworn to do it, and you have broken your oaths. Of course, those who have done so look out for pretexts. Nobody expected them to do otherwise. I do not think I ever saw a perjurer, however bald and naked, who could not invent some pretexts to palliate his crime, or who could not, for fifteen shillings, hire an Old Bailey lawyer^o to invent some for him. Yet this requirement of the Constitution is another one of the extreme demands of an extremist and a rebel.

The next stipulation is that fugitive slaves shall be

surrendered under the provisions of the Fugitive Slave act of 1850, without being entitled either to a writ of *habeas corpus* or trial by jury, or other similar obstructions of legislation, in the State to which he may flee. Here is the Constitution:—

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

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

delivered up upon demand. White people are delivered up every day in this way ; but not slaves. Slaves, black people, you say, are entitled to trial by jury ; and in this way schemes have been invented to defeat your plain constitutional obligations.

Senators, the Constitution is a compact. It contains all our obligations and duties of the Federal government. I am content, and have ever been content, to sustain it. While I doubt its perfection ; while I do not believe it was
10 a good compact ; and while I never saw the day that I would have voted for it as a proposition *de novo*, yet I am bound to it by oath and by that common prudence which would induce men to abide by established forms, rather than to rush into unknown dangers. I have given to it,
15 and intend to give to it, unfaltering support and allegiance ; but I choose to put that allegiance on the true ground, not on the false idea that anybody's blood was shed for it. I say that the Constitution is the whole compact. All the obligations, all the chains that fetter the limbs of my
20 people, are nominated in the bond, and they wisely excluded any conclusion against them, by declaring that the powers not granted by the Constitution to the United States, or forbidden by it to the States, belonged to the States respectively or the people. Now I will try it by
25 that standard ; I will subject it to that test. The law of nature, the law of justice, would say — and it is so expounded by the publicists — that equal rights in the common property shall be enjoyed. Even in a monarchy the king cannot prevent the subjects from enjoying equality
30 in the disposition of the public property. Even in a despotie government this principle is recognized. It was the

blood and the money of the whole people (says the learned Grotius, and say all the publicists) which acquired the public property, and therefore it is not the property of the sovereign. This right of equality being, then, according to justice and natural equity, a right belonging to all States, when did we give it up? You say Congress has a right to pass rules and regulations concerning the Territory and other property of the United States. Very well. Does that exclude those whose blood and money paid for it? Does "dispose of" mean to rob the rightful owners? You must show a better title than that, or a better sword than we have.

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

The Northern doctrine was, many years ago, that the Supreme Court was the judge. That was their doctrine in 1800. They denounced Madison for the report of 1799, on the Virginia Resolutions; they denounced Jefferson for framing the Kentucky Resolutions, because they were presumed to impugn the decisions of the Supreme Court of the United States; and they declared that that court was made, by the Constitution, the ultimate and supreme arbiter. That was the universal judgment — the declaration of every free State in this Union, in answer to the Virginia resolutions of 1798, or of all who did answer, even including the State of Delaware, then under Federal control.

The Supreme Court have decided that, by the Constitution, we have a right to go to the Territories and be protected there with our property. You say, we cannot decide the compact for ourselves. Well, can the Supreme Court decide it for us? Mr. Lincoln says he does not care what the Supreme Court decides, he will turn us out anyhow. He says this in his debate with the honorable senator from Illinois [Mr. DOUGLAS]. I have it before me. He said he would vote against the decision of the Supreme Court. Then you do not accept that arbiter. You will not take my construction; you will not take the Supreme Court as an arbiter; you will not take the practice of the government; you will not take the treaties under Jefferson and Madison; you will not take the opinion of Madison upon the very question of prohibition in 1820. What, then, will you take? You will take nothing but your own judgment; that is, you will not only judge for yourselves, not only discard the court, discard our construction, discard the

practice of the government, but you will drive us out, simply because you will it. Come and do it! You have sapped the foundations of society; you have destroyed almost all hope of peace. In a compact where there is no common arbiter, where the parties finally decide for themselves, the sword alone at last becomes the real, if not the constitutional, arbiter. Your party says that you will not take the decision of the Supreme Court. You said so at Chicago; you said so in committee; every man of you in both Houses says so. What are you going to do? You say *we shall submit to your construction*. We shall do it, if you can make us; but not otherwise, or in any other manner. That is settled. You may call it secession, or you may call it revolution; but there is a big fact standing before you, ready to oppose you — that fact is, freemen with arms in their hands. The cry of the Union will not disperse them; we have passed that point; they demand equal rights: you had better heed the demand.

You will not regard Confederate obligations; you will not regard constitutional obligations; you will not regard your oaths. What, then, am I to do? Am I a freeman? Is my State, a free State, to lie down and submit because political fossils raise the cry of the glorious Union? Too long already have we listened to this delusive song. We are freemen. We have rights; I have stated them. We have wrongs; I have recounted them. I have demonstrated that the party now coming into power has declared us outlaws, and is determined to exclude four thousand million of our property from the common Territories; that it has declared us under the ban of the Empire, and out of the protection of the laws of the United

States everywhere. They have refused to protect us from invasion and insurrection by the Federal power, and the Constitution denies to us in the Union the right either to raise fleets or armies for our own defense. All these charges I have proven by the record; and I put them before the civilized world, and demand the judgment of to-day, of to-morrow, of distant ages, and of Heaven itself, upon the justice of these causes. I am content, whatever it be, to peril all in so noble, so holy a cause. We have appealed, time and time again, for these constitutional rights. You have refused them. We appeal again. Restore us these rights as we had them, as your court adjudges them to be, just as all our people have said they are; redress these flagrant wrongs, seen of all men, and it will restore fraternity, and peace, and unity, to all of us. Refuse them, and what then? We shall then ask you, "Let us depart in peace." Refuse that, and you present us war. We accept it; and inscribing upon our banners the glorious words, "liberty and equality," we will trust to the blood of the brave and the God of battles for security and tranquillity.

JEFFERSON DAVIS

FAREWELL TO THE SENATE

I rise, Mr. President, for the purpose of announcing to the Senate that I have satisfactory evidence that the State of Mississippi, by a solemn ordinance of her people in convention assembled, has declared her separation from the United States. Under these circumstances, of course my functions are terminated here. It has seemed to me proper, however, that I should appear in the Senate to announce that fact to my associates, and I will say but very little more. The occasion does not invite me to go into argument; and my physical condition would not permit me to do so if it were otherwise; and yet it seems to become me to say something on the part of the State I here represent, on an occasion so solemn as this.

It is known to senators who have served with me here, that I have for many years advocated, as an essential attribute of State sovereignty, the right of a State to secede from the Union. Therefore, if I had not believed there was justifiable cause; if I had thought that Mississippi was acting without sufficient provocation, or without an existing necessity, I should still, under my theory of the government, because of my allegiance to the State of which I am a citizen, have been bound by her action. I, however,

may be permitted to say that I do think she has justifiable cause, and I approve of her act. I conferred with her people before that act was taken, counseled them then that if the state of things which they apprehended should exist when the convention met, they should take the action which they have now adopted.

I hope none who hear me will confound this expression of mine with the advocacy of the right of a State to remain in the Union, and to disregard its constitutional obligations by the nullification of the law. Such is not my theory. Nullification and secession, so often confounded, are indeed antagonistic principles. Nullification is a remedy which it is sought to apply within the Union, and against the agent of the States. It is only to be justified when the agent has violated his constitutional obligation, and a State, assuming to judge for itself, denies the right of the agent thus to act, and appeals to the other States of the Union for a decision; but when the States themselves, and when the people of the States, have so acted as to convince us that they will not regard our constitutional rights, then, and then for the first time, arises the doctrine of secession in its practical application.

A great man who now reposes with his fathers,^o and who has been often arraigned for a want of fealty to the Union, advocated the doctrine of nullification, because it preserved the Union. It was because of his deep-seated attachment to the Union, his determination to find some remedy for existing ills short of a severance of the ties which bound South Carolina to the other States, that Mr. Calhoun advocated the doctrine of nullification, which he proclaimed to be peaceful, to be within the limits of

State power, not to disturb the Union, but only to be a means of bringing the agent before the tribunal of the States for their judgment.

Secession belongs to a different class of remedies. It is to be justified upon the basis that the States are sovereign. 5 There was a time when none denied it. I hope the time may come again, when a better comprehension of the theory of our government, and the inalienable rights of the people of the States, will prevent any one from denying that each State is a sovereign, and thus may reclaim the 10 grants which it has made to any agent whomsoever.

I therefore say I concur in the action of the people of Mississippi, believing it to be necessary and proper, and should have been bound by their action if my belief had been otherwise; and this brings me to the important point 15 which I wish on this last occasion to present to the Senate. It is by this confounding of nullification and secession that the name of a great man, whose ashes now mingle with his mother earth, has been invoked to justify coercion^o against a seceded State. The phrase "to execute 20 the laws," was an expression which General Jackson applied to the case of a State refusing to obey the laws while yet a member of the Union. That is not the case which is now presented. The laws are to be executed over the United States, and upon the people of the United 25 States. They have no relation to any foreign country. It is a perversion of terms, at least it is a great misapprehension of the case, which cites that expression for application to a State which has withdrawn from the Union. You may make war on a foreign State. If it be the pur- 30 pose of gentlemen, they may make war against a State

which has withdrawn from the Union; but there are no laws of the United States to be executed within the limits of a seceded State. A State finding herself in the condition in which Mississippi has judged she is, in which her safety requires that she should provide for the maintenance of her rights out of the Union, surrenders all the benefits (and they are known to be many), deprives herself of the advantages (they are known to be great), severs all the ties of affection (and they are close and enduring), which have bound her to the Union; and thus divesting herself of every benefit, taking upon herself every burden, she claims to be exempt from any power to execute the laws of the United States within her limits.

I well remember an occasion when Massachusetts was arraigned before the bar of the Senate, and when then the doctrine of coercion was rife and to be applied against her because of the rescue of a fugitive slave in Boston. My opinion then was the same that it is now. Not in a spirit of egotism, but to show that I am not influenced in my opinion because the case is my own, I refer to that time and that occasion as containing the opinion which I then entertained, and on which my present conduct is based. I then said, if Massachusetts, following her through a stated line of conduct, chooses to take the last step which separates her from the Union, it is her right to go, and I will neither vote one dollar nor one man to coerce her back; but will say to her, Godspeed, in memory of the kind associations which once existed between her and the other States.

It has been a conviction of pressing necessity, it has been a belief that we are to be deprived in the Union of the

rights which our fathers bequeathed to us, which has brought Mississippi into her present decision. She has heard proclaimed the theory that all men are created free and equal, and this made the basis of an attack upon her social institutions; and the sacred Declaration of Independence has been invoked to maintain the position of the equality of the races. That Declaration of Independence is to be construed by the circumstances and purposes for which it was made. The communities were declaring their independence; the people of those communities were asserting that no man was born — to use the language of Mr. Jefferson — booted and spurred to ride over the rest of mankind; that men were created equal — meaning the men of the political community; that there was no divine right to rule; that no man inherited the right to govern; that there were no classes by which power and place descended to families, but that all stations were equally within the grasp of each member of the body politic. These were the great principles they announced; these were the purposes for which they made their declaration; these were the ends to which their enunciation was directed. They have no reference to the slave; else, how happened it that among the items of arraignment made against George III was that he endeavored to do just what the North has been endeavoring of late to do — to stir up insurrection among our slaves? Had the Declaration announced that the negroes were free and equal, how was the Prince to be arraigned for stirring up insurrection among them? And how was this to be enumerated among the high crimes which caused the colonies to sever their connection with the mother country? When our Consti-

tution was formed, the same idea was rendered more palpable, for there we find provision made for that very class of persons as property; they were not put upon the footing of equality with white men — not even upon that of paupers and convicts; but, so far as representation was concerned, were discriminated against as a lower caste, only to be represented in the numerical proportion of three fifths.

Then, Senators, we recur to the compact which binds us together; we recur to the principles upon which our government was founded; and when you deny them, and when you deny to us the right to withdraw from a government which thus perverted threatens to be destructive of our rights, we but tread in the path of our fathers when we proclaim our independence, and take the hazard. This is done not in hostility to others, not to injure any section of the country, not even for our own pecuniary benefit; but from the high and solemn motive of defending and protecting the rights we inherited, and which it is our sacred duty to transmit unshorn to our children.

I find in myself, perhaps, a type of the general feeling of my constituents towards yours. I am sure I feel no hostility to you, Senators from the North. I am sure there is not one of you, whatever sharp discussion there may have been between us, to whom I cannot now say, in the presence of my God, I wish you well; and such, I am sure, is the feeling of the people whom I represent towards those whom you represent. I therefore feel that I but express their desire when I say I hope, and they hope, for peaceful relations with you, though we must part. They may be mutually beneficial to us in the future, as they have

been in the past, if you so will it. The reverse may bring disaster on every portion of the country; and if you will have it thus, we will invoke the God of our fathers, who delivered them from the power of the lion, to protect us from the ravages of the bear; and thus, putting our trust in God, and in our own firm hearts and strong arms, we will vindicate the right as best we may.

In the course of my service here, associated at different times with a great variety of senators, I see now around me some with whom I have served long; there have been points of collision; but whatever of offense there has been to me, I leave here; I carry with me no hostile remembrance. Whatever offense I have given which has not been redressed, or for which satisfaction has not been demanded, I have, Senators, in this hour of our parting, to offer you my apology for any pain which, in heat of discussion, I have inflicted. I go hence unincumbered of the remembrance of any injury received, and having discharged the duty of making the only reparation in my power for any injury offered.

Mr. President, and Senators, having made the announcement which the occasion seemed to me to require, it only remains for me to bid you a final adieu.

JUDAH P. BENJAMIN

FAREWELL TO THE SENATE

MR. BENJAMIN. Mr. President, if we were engaged in the performance of our accustomed legislative duties, I might well rest content with the simple statement of my concurrence in the remarks just made by my colleague.^o
5 Deeply impressed, however, with the solemnity of the occasion, I cannot remain insensible to the duty of recording, amongst the authentic reports of your proceedings, the expression of my conviction that the State of Louisiana has judged and acted well and wisely in this
10 crisis of her destiny.

Sir, it has been urged, on more than one occasion, in the discussions here and elsewhere, that Louisiana stands on an exceptional footing. It has been said that whatever may be the rights of the States that were original
15 parties to the Constitution — even granting *their* right to resume, for sufficient cause, those restricted powers which they delegated to the general government in trust for their own use and benefit — still Louisiana can have no such right, because *she* was acquired by purchase.^o
20 Gentlemen have not hesitated to speak of the sovereign States formed out of the territory ceded by France as property bought with the money of the United States, - belonging to them as purchasers; and, although they

have not carried their doctrine to its legitimate results, I must conclude that they also mean to assert, on the same principle, *the right of selling for a price that which for a price was bought.*

I shall not pause to comment on this repulsive dogma of a party which asserts the right of property in free-born white men, in order to reach its cherished object of destroying the right of property in slave-born black men — still less shall I detain the Senate in pointing out how shadowy the distinction between the condition of the servile African and that to which the white freemen of my State would be reduced, if it indeed be true that they are bound to this government by ties that cannot be legitimately dissevered, without the consent of that very majority which wields its powers for their oppression. I simply deny the fact on which the argument is founded. I deny that the province of Louisiana, or the people of Louisiana, were ever conveyed to the United States for a price as property that could be bought or sold at will. Without entering into the details of the negotiation, the archives of our State department show the fact to be, that although the domain, the public lands, and other property of France in the ceded province, were conveyed by absolute title to the United States, *the sovereignty was not conveyed, otherwise than in trust.*

A hundred fold, sir, has the government of the United States been reimbursed by the sales of public property, of public lands, for the price of the acquisition; but not with the fidelity of the honest trustee has it discharged the obligations as regards the sovereignty.

I have said that the government assumed to act as

trustee or guardian of the people of the ceded province, and covenanted to transfer to them the sovereignty thus held in trust for their use and benefit, as soon as they were capable of exercising it. What is the express language of the treaty?

"The inhabitants of the ceded Territory *shall be incorporated in the Union* of the United States, and admitted *as soon as possible*, according to the principles of the Federal Constitution, to the enjoyment of *all* the rights, advantages, and immunities of citizens of the United States; and in the meantime they shall be maintained and *protected* in the enjoyment of their liberty, *property*, and the religion which they profess."

And, sir, as if to mark the true nature of the cession in a manner too significant to admit of misconstruction, the treaty stipulates no price; and the sole consideration for the conveyance, as stated on its face, is the desire to afford a strong proof of the friendship of France for the United States. By the terms of a separate convention stipulating the payment of a sum of money, the precaution is again observed of stating that the payment is to be made, not as a consideration or a price or a condition precedent of the cession, but it is carefully distinguished as being a consequence of the cession. It was by words thus studiously chosen, sir, that James Monroe and Thomas Jefferson^o marked their understanding of a contract now misconstrued as being a bargain and sale of sovereignty over freemen. With what indignant scorn would those stanch advocates of the inherent right of self-government have repudiated the slavish doctrine now deduced from their action!

How were the obligations of this treaty fulfilled? That Louisiana at that date contained slaves held as property by her people through the whole length of the Mississippi Valley — that those people had an unrestricted right of settlement with their slaves under legal protection throughout the entire ceded province — no man has ever yet had the hardihood to deny. Here is a treaty promise to *protect* that property, that *slave property*, in that *Territory*, before it should become a State. That this promise was openly violated, in the adjustment forced upon the South at the time of the admission of Missouri, is a matter of recorded history. The perspicuous and unanswerable exposition of Mr. Justice Catron,^o in the opinion delivered by him in the Dred Scott case, will remain through all time as an ample vindication of this assertion. 15

If, then, sir, the people of Louisiana had a right, which Congress could not deny, of the admission into the Union with *all* the rights of *all* the citizens of the United States, it is in vain that the partisans of the right of the majority to govern the minority with despotic control, attempt to establish a distinction, to her prejudice, between her rights and those of any other State. The only distinction which really exists is this: that she can point to a breach of treaty stipulations expressly guaranteeing her rights, as a wrong superadded to those which have impelled a number of her sister States to the assertion of their independence. 20

The rights of Louisiana as a sovereign State are those of Virginia; no more, no less. Let those who deny her right to resume delegated powers, successfully refute the claim of Virginia to the same right, in spite of her 25 30

express reservation made and notified to her sister States when she consented to enter the Union. And, sir, permit me to say that, of all the causes which justify the action of the Southern States, I know none of greater gravity
5 and more alarming magnitude than that now developed of the denial of the right of secession. A pretension so monstrous as that which perverts a restricted agency, constituted by sovereign States for common purposes, into the unlimited despotism of the majority, and denies
10 all legitimate escape from such despotism, when powers not delegated are usurped, converts the whole constitutional fabric into the secure abode of lawless tyranny, and degrades sovereign States into provincial dependencies.

15 It is said that the right of secession, if conceded, makes of our government a mere rope of sand; that to assert its existence imputes to the framers of the Constitution the folly of planting the seeds of death in that which was designed for perpetual existence. If this imputation
20 were true, sir, it would merely prove that their offspring was not exempt from that mortality which is the common lot of all that is not created by higher than human power. But it is not so, sir. Let facts answer theory. For two thirds of a century this right has been known by many
25 of the States to be, at all times, within their power. Yet, up to the present period, when its exercise has become indispensable to a people menaced with absolute extermination, there have been but two instances in which it has been even threatened seriously: the first, when
30 Massachusetts led the New England States in an attempt to escape from the dangers of our last war with Great

Britain; the second, when the same State proposed to secede on account of the admission of Texas as a new State into the Union.

Sir, in the language of our declaration of secession from Great Britain it is stated, as an established truth, that "all experience has shown that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they have been accustomed." And nothing can be more obvious to the calm and candid observer of passing events than that the disruption of the Confederacy has been due, in great measure, not to the existence, but to the denial, of this right. Few candid men would refuse to admit that the Republicans of the North would have been checked in their mad career, had they been convinced of the existence of this right, and the intention to assert it. The very knowledge of its existence, by preventing occurrences which alone could prompt its exercise, would have rendered it a most efficient instrument in the preservation of the Union. But, sir, if the fact were otherwise — if all the teachings of experience were reversed — better, far better, a rope of sand, aye, the flimsiest gossamer that ever glistened in the morning dew, than chains of iron and shackles of steel; better the wildest anarchy, with the hope, the chance, of one hour's inspiration of the glorious breath of freedom, than ages of the hopeless bondage and oppression to which our enemies would reduce us.

We are told that the laws must be enforced; that the revenues must be collected; that the South is in rebellion without cause, and that her citizens are traitors.

Rebellion! The very word is a confession; an avowal of tyranny, outrage, and oppression. It is taken from the despot's code, and has no terror for other than slavish souls. When, sir, did millions of people, as a single man, rise in organized, deliberate, unimpassioned rebellion against justice, truth, and honor? Well did a great Englishman exclaim on a similar occasion:—

"You might as well tell me that they rebelled against the light of heaven; that they rejected the fruits of the earth. Men do not war against their benefactors; they are not mad enough to repel the instincts of self-preservation. I pronounce fearlessly that no intelligent people ever rose, or ever will rise, against a sincere, rational, and benevolent authority. No people were ever born blind. Infatuation is not a law of human nature. When there is a revolt by a free people, with the common consent of all classes of society, there must be a *criminal* against whom that revolt is aimed."

Traitors! Treason! Aye, sir, the people of the South imitate and glory in just such treason as glowed in the soul of Hampden°; just such treason as leaped in living flame from the impassioned lips of Henry°; just such treason as encircles with a sacred halo the undying name of Washington!

You will enforce the laws. You want to know if we have a government; if you have any authority to collect revenue; to wring tribute from an unwilling people? Sir, humanity desponds, and all the inspiring hopes of her progressive improvement vanish into empty air at the reflections which crowd on the mind at hearing repeated, with aggravated enormity, the sentiments against which a Chatham° launched his indignant thunders

nearly a century ago. The very words of Lord North^o and his royal master are repeated here in debate, not as quotations, but as the spontaneous outpourings of a spirit the counterpart of theirs.

In Lord North's speech, on the destruction of the tea^s in Boston harbor, he said:—

"We are no longer to dispute between legislation and taxation; *we are now only to consider whether or not we have any authority there.* It is very clear we have none, if we suffer the property of our subjects to be destroyed. We must punish, con-¹⁰ trol, or yield to them."

And thereupon he proposed to close the port of Boston, just as the representatives of Massachusetts now propose to close the port of Charleston, *in order to determine whether or not you have any authority there.* It is thus¹⁵ that, in 1861, Boston is to pay her debt of gratitude to Charleston, which, in the days of her struggle, proclaimed the generous sentiment that "the cause of Boston was the cause of Charleston." Who, after this, will say that republics are ungrateful? Well, sir, the statesmen of²⁰ Great Britain answered to Lord North's appeal, "yield." The courtiers and the politicians said, "punish," "control." The result is known. History gives you the lesson. Profit by its teachings.

So, sir, in the address sent under the royal sign-manual²⁵ to Parliament, it was invoked to take measures "for better securing the execution of the laws," and acquiesced in the suggestion. Just as now, a senile Executive,^o under the sinister influence of insane counsels, is proposing, with your assent, "to secure the better execution of the³⁰

laws," by blockading ports and turning upon the people of the States the artillery which they provided at their own expense for their own defense, and intrusted to you and to him for that and for no other purpose. Nay, even in States that are now exercising the undoubted and most precious rights of a free people; where there is no secession; where the citizens are assembling to hold peaceful elections for considering what course of action is demanded in this dread crisis by a due regard for their own safety and their own liberty; aye, even in Virginia herself, the people are to cast their suffrages beneath the undisguised menaces of a frowning fortress. Cannon are brought to bear on their homes, and parricidal hands are preparing weapons for rending the bosom of the mother of Washington.

Sir, when Great Britain proposed to exact tribute from your fathers against their will, Lord Chatham said:—

"Whatever is a man's own is absolutely his own; no man has a right to take it from him without his consent. Whoever attempts to do it, attempts an injury. Whoever does it, commits a robbery. You have no right to tax America. I rejoice that America has resisted." . . . "Let the sovereign authority of this country over the colonies be asserted in as strong terms as can be devised, and be made to extend to every point of legislation whatever, so that we may bind their trade, confine their manufactures, and exercise every power, *except that of taking money out of their own pockets without their consent.*"

It was reserved for the latter half of the nineteenth century, and for the Congress of a republic of freemen, to witness the willing abnegation of all power, save that of exacting tribute. What imperial Britain, with the

haughtiest pretensions of unlimited power over dependent colonies, could not even attempt without the vehement protest of her greatest statesmen, is to be enforced in aggravated form, if you can enforce it, against independent States. 5

Good God! sir, since when has the necessity arisen of recalling to American legislators the lessons of freedom taught in lisping childhood by loving mothers; that pervade the atmosphere we have breathed from infancy; that so form part of our very being, that in their absence 10 we would lose the consciousness of our own identity? Heaven be praised that all have not forgotten them; that when we shall have left these familiar Halls, and when force bills, blockades, armies, navies, and all the accustomed coercive appliances of despots shall be proposed and advocated, voices shall be heard from this side of the Chamber that will make its very roof resound with the indignant clamor of outraged freedom. Methinks I still hear ringing in my ears the appeal of the eloquent representative [Hon. GEORGE H. PENDLETON, 20 of Ohio] whose Northern home looks down on Kentucky's fertile borders: "*Armies, money, blood, cannot maintain this Union; justice, reason, peace, may.*"

And now to you, Mr. President, and to my brother senators, on all sides of this Chamber, I bid a respectful 25 farewell; with many of those from whom I have been radically separated in political sentiment, my personal relations have been kindly, and have inspired me with a respect and esteem that I shall not willingly forget; with those around me from the Southern States, I part as 30 men part from brothers on the eve of a temporary absence,

with a cordial pressure of the hand and a smiling assurance of the speedy renewal of sweet intercourse around the family hearth. But to you, noble and generous friends, who, born beneath other skies, possess hearts
5 that beat in sympathy with ours; to you, who, solicited and assailed by motives the most powerful that could appeal to selfish natures, have nobly spurned them all; to you who, in our behalf, have bared your breasts to the fierce beatings of the storm, and made willing sacrifice of life's most
10 glittering prizes in your devotion to constitutional liberty; to you, who have made our cause your cause, and from many of whom I feel I part forever, what shall I, can I say? Naught, I know and feel, is needed for myself; but this I will say for the people in whose name I
15 speak to-day: whether prosperous or adverse fortunes await you, one priceless treasure is yours — the assurance that an entire people honor your names, and hold them in grateful and affectionate memory. But with still sweeter and more touching return shall your unselfish
20 devotion be rewarded. When, in after days, the story of the present shall be written; when history shall have passed her stern sentence on the erring men who have driven their unoffending brethren from the shelter of their common home, your names will derive fresh luster
25 from the contrast; and when your children shall hear repeated the familiar tale, it will be with glowing cheek and kindling eye, their very souls will stand a-tiptoe as their sires are named, and they will glory in their lineage from men of spirit as generous and of patriotism as high-
30 hearted as ever illustrated or adorned the American Senate.

L. Q. C. LAMAR

EULOGY ON CHARLES SUMNER

Mr. Speaker, in rising to second the resolutions just offered, I desire to add a few remarks which have occurred to me as appropriate to the occasion. I believe that they express a sentiment which pervades the hearts of all the people whose representatives are here assembled. 5 Strange as in looking back upon the past the assertion may seem, impossible as it would have been ten years ago to make it, it is not the less true that to-day Mississippi regrets the death of CHARLES SUMNER^o and sincerely unites in paying honors to his memory. Not because 10 of the splendor of his intellect, though in him was extinguished one of the brightest of the lights which have illustrated the councils of the government for nearly a quarter of a century; not because of the high culture, the elegant scholarship, and the varied learning which 15 revealed themselves so clearly in all his public efforts as to justify the application to him of Johnson's^o felicitous expression, "he touched nothing which he did not adorn"; not this, though these are qualities by no means, it is to be feared, so common in public places as to make their 20 disappearance, in even a single instance, a matter of indifference; but because of those peculiar and strongly marked moral traits of his character which gave the coloring to the whole tenor of his singularly dramatic public

career; traits which made him for a long period to a large portion of his countrymen the object of as deep and passionate a hostility as to another he was one of enthusiastic admiration, and which are not the less the cause
5 that now unites all these parties, ever so widely differing, in a common sorrow to-day over his lifeless remains.

It is of these high moral qualities which I wish to speak; for these have been the traits which, in after years, as I have considered the successive acts and utterances of
10 this remarkable man, fastened most strongly my attention, and impressed themselves most forcibly upon my imagination, my sensibilities, my heart. I leave to others to speak of his intellectual superiority, of those rare gifts with which nature had so lavishly endowed him, and of
15 the power to use them which he had acquired by education. I say nothing of his vast and varied stores of historical knowledge, or of the wide extent of his reading in the elegant literature of ancient and modern times, or of his wonderful power of retaining what he had read,
20 or of his readiness in drawing upon these fertile resources to illustrate his own arguments. I say nothing of his eloquence as an orator, of his skill as a logician, or of his powers of fascination in the unrestrained freedom of the social circle, which last it was my misfortune not to have
25 experienced. These, indeed, were the qualities which gave him eminence not only in our country, but throughout the world; and which have made the name of CHARLES SUMNER an integral part of our nation's glory. They were the qualities which gave to those moral traits of which
30 I have spoken the power to impress themselves upon the history of the age and of civilization itself; and with-

out which those traits, however intensely developed, would have exerted no influence beyond the personal circle immediately surrounding their possessor. More eloquent tongues than mine will do them justice. Let me speak of the characteristics which brought the illustrious senator who has just passed away into direct and bitter antagonism for years with my own State and her sister States of the South.

CHARLES SUMNER was born with an instinctive love of freedom, and was educated from his earliest infancy to the belief that freedom is the natural and indefeasible right of every intelligent being having the outward form of man. In him, in fact, this creed seems to have been something more than a doctrine imbibed from teachers, or a result of education. To him it was a grand intuitive truth inscribed in blazing letters upon the tablet of his inner consciousness, to deny which would have been for him to deny that he himself existed. And along with this all-controlling love of freedom, he possessed a moral sensibility keenly intense and vivid, a conscientiousness which would never permit him to swerve by the breadth of a hair from what he pictured to himself as the path of duty. Thus were combined in him the characteristics which have in all ages given to religion her martyrs and to patriotism her self-sacrificing heroes.

To a man thoroughly permeated and imbued with such a creed, and animated and constantly actuated by such a spirit of devotion, to behold a human being or a race of human beings restrained of their natural rights to liberty, for no crime by him or them committed, was to feel all the belligerent instincts of his nature roused

to combat. The fact was to him a wrong which no logic could justify. It mattered not how humble in the scale of rational existence the subject of this restraint might be, how dark his skin, or how dense his ignorance. Behind all that lay for him the great principle that liberty is the birthright of all humanity, and that every individual of every race who has a soul to save is entitled to the freedom which may enable him to work out his salvation. It matters not that the slave might be contented with his lot; that his actual condition might be immeasurably more desirable than that from which it had transplanted him; that it gave him physical comfort, mental and moral elevation and religious culture not possessed by his race in any other condition; that his bonds had not been placed upon his hands by the living generation; that the mixed social system of which he formed an element had been regarded by the fathers of the Republic, and by the ablest statesmen who had risen up after them, as too complicated to be broken up without danger to society, itself, or even to civilization; or finally, that the actual state of things had been recognized and explicitly sanctioned by the very organic law of the Republic. Weighty as these considerations might be, formidable as were the difficulties in the way of the practical enforcement of his great principle, he held none the less that it must sooner or later be enforced, though institutions and constitutions should have to give way alike before it. But here let me do this great man the justice which amid the excitements of the struggle between the sections now past, I may have been disposed to deny him. In this fiery zeal and this earnest warfare against the wrong,

as he viewed it, there entered no enduring personal animosity toward the men whose lot it was to be born to the system which he denounced.

It has been the kindness of the sympathy which in these later years he has displayed toward the impoverished and suffering people of the Southern States that has unveiled to me the generous and tender heart which beat beneath the bosom of the zealot, and has forced me to yield him the tribute of my respect, I might even say of my admiration. Nor in the manifestation of this has there been anything which a proud and sensitive people, smarting under a sense of recent discomfiture and present suffering, might not frankly accept, or which would give them just cause to suspect its sincerity. For though he raised his voice as soon as he believed the momentous issues of this great military conflict were decided in behalf of amnesty to the vanquished, and though he stood forward ready to welcome back as brothers and to reestablish in their rights as citizens those whose valor had so nearly riven asunder the Union which he loved, yet he always insisted that the most ample protection and the largest safeguards should be thrown around the liberties of the newly enfranchised African race. Though he knew very well that of his conquered fellow-citizens of the South by far the larger portion, even those who most heartily acquiesced in and desired the abolition of slavery, seriously questioned the expediency of investing in a single day and without any preliminary tutelage so vast a body of inexperienced and uninstructed men with the full rights of freemen and voters, he would tolerate no half-way measures upon a point to him so vital.

Indeed, immediately after the war, while other minds were occupying themselves with different theories of reconstruction, he did not hesitate to impress most emphatically upon the administration, not only in public, but in the confidence of private intercourse, his uncompromising resolution to oppose to the last any and every scheme which should fail to provide the surest guarantees for the personal freedom and political rights of the race which he had undertaken to protect. Whether his measures to secure this result showed him to be a practical statesman or a theoretical enthusiast is a question on which any decision we may pronounce to-day must await the inevitable revision of posterity. The spirit of magnanimity, therefore, which breathes in his utterances and manifests itself in all his acts affecting the South during the last two years of his life, was as evidently honest as it was grateful to the feelings of those to whom it was displayed.

It was certainly a gracious act toward the South — though unhappily it jarred upon the sensibilities of the people at the other extreme of the Union and estranged from him the great body of his political friends — to propose to erase from the banners of the national army the mementoes of the bloody internecine struggle, which might be regarded as assailing the pride or wounding the sensibilities of the Southern people. That proposal will never be forgotten by that people so long as the name of CHARLES SUMNER lives in the memory of man. But while it touched the heart of the South and elicited her profound gratitude, her people would not have asked of the North such an act of self-renunciation.

Conscious that they themselves were animated by devotion to constitutional liberty, and that the brightest pages of history are replete with evidences of the depth and sincerity of that devotion, they can but cherish the recollections of sacrifices endured, the battles fought and the victories won in defense of their hapless cause. And respecting, as all true and brave men must respect, the martial spirit with which the men of the North vindicated the integrity of the Union and their devotion to the principles of human freedom, they do not ask, they do not wish, the North to strike the mementoes of her heroism and victory from either records or monuments or battle-flags. They would rather that both sections should gather up the glories won by each section, not envious, but proud of each other, and regard them a common heritage of American valor.

Let us hope that future generations, when they remember the deeds of heroism and devotion done on both sides, will speak not of Northern prowess or Southern courage, but of the heroism, fortitude, and courage of Americans in a war of ideas — a war in which each section signalized its consecration to the principles, as each understood them, of American liberty and of the Constitution received from their fathers.

It was my misfortune, perhaps my fault, personally never to have known this eminent philanthropist and statesman. The impulse was often strong upon me to go to him and offer him my hand and my heart with it, and to express to him my thanks for his kind and considerate course toward the people with whom I am identified. If I did not yield to that impulse, it was because the thought

occurred that other days were coming in which such a demonstration might be more opportune and less liable to misconstruction. Suddenly and without premonition, a day has come at last to which, for such a purpose, there is no to-morrow.

My regret is therefore intensified by the thought that I failed to speak to him out of the fullness of my heart while there was yet time.

How often is it that death thus brings unavailingly back to our remembrance opportunities unimproved; in which generous overtures, prompted by the heart, remain unoffered; frank avowals which rose to the lips remain unspoken; and the injustice and wrong of bitter resentments remain unrepaired! CHARLES SUMNER in life believed that all occasion for strife and distrust between the North and South had passed away, and there no longer remained any cause for continued estrangement between these two sections of our common country. Are there not many of us who believe the same thing? Is not that the common sentiment, or if it is not ought it not to be, of the great mass of our people North and South? Bound to each other by a common Constitution, destined to live together under a common government, forming unitedly but a single member of the great family of nations, shall we not now at last endeavor to grow toward each other once more in heart as we are already indissolubly linked to each other in fortunes? Shall we not, over the honored remains of this great champion of human liberty, this feeling sympathizer with human sorrow, this earnest pleader for the exercise of human tenderness and charity, lay aside the concealments which

serve only to perpetuate misunderstandings and distrust, and frankly confess that on both sides we most earnestly desire to be one; one not merely in political organization; one not merely in identity of institutions; one not merely in community of language and literature and traditions; and country; but, more and better than all that, one also in feeling and in heart? Am I mistaken in this?

Do the concealments of which I speak still cover animosities which neither time nor reflection nor the march of events have yet sufficed to subdue? I cannot believe it. Since I have been here I have watched with anxious scrutiny your sentiments as expressed not merely in public debate, but in the *abandon* of personal confidence. I know well the sentiments of these my Southern brothers, whose hearts are so infolded that the feeling of each is the feeling of all; and I see on both sides only the seeming of a constraint which each apparently hesitates to dismiss. The South — prostrate, exhausted, drained of her lifeblood as well as of her material resources, yet still honorable and true — accepts the bitter award of the bloody arbitrament without reservation, resolutely determined to abide the result with chivalrous fidelity; yet, as if struck dumb by the magnitude of her reverses, she suffers on in silence.

The North, exultant in her triumph, and elated by success, still cherishes, as we are assured, a heart full of magnanimous emotions toward her disarmed and discomfited antagonist; and yet, as if mastered by some mysterious spell, silencing her better impulses, her words and acts are the words and acts of suspicion and distrust.

Would that the spirit of the illustrious dead whom we

lament to-day could speak from the grave to both parties to this deplorable discord in tones which should reach each and every heart throughout this broad territory, "My countrymen, *know* one another, and you will *love* one another."

BENJAMIN HARVEY HILL

THE SOLID SOUTH

Is it possible a bill which simply says that the army and navy shall not be placed at the polls is a stronger assertion of secession or the doctrine of State rights than was ever made by Calhoun^o or Breckinridge^o? What is the purpose of such language as that but to alarm and awe? A bill which proposes to put the people of this country just where they were for seventy-five years, a bill which proposes to put the people of this country just where they were under Washington, just where they were under Jefferson, just where they were under Adams, just where they were from 1790 to 1865, is a bill to endanger this Union more than the war of secession, according to the interpretation of the senator from Maine! That is not all. The senator from Maine^o became perfectly dynamitic:—

Pass this bill. Pass it as the triumph of the reactionary party against the spirit of the Union. Pass it in defiance of all the lessons and all the teachings that have come from a bloody and abortive rebellion. Pass it, and mark it as the high tide of that reaction which, were it to rise higher, could lead only to another and more formidable rebellion against the legitimate authority of the Union. (*Applause on the floor and in the galleries.*)

Who is talking about war now? Who was talking about war when Virginia was talking about peace? Sir, I will

not do injustice to the American character by collating, as I could do, the number of sentiments that have been uttered upon this floor and in the other House during the last six weeks intimating that the people of the North would have another war, another war that is to cut deeper than the first and cut beyond the wound. Whom will you have the war with? A war because we want intelligence, virtue, and property represented in the jury-box! A war because we want to keep the army from the polls!
10 A war because we want to say to the States, "You are able and willing to control your elections as you have done for seventy-five years of the government, and we will trust you to do it again!" A war for that! A war because we stand here as a bulwark of defense for the Con-
15 stitution of the country against disunionists who would destroy the Union by destroying the States! A war because we will not consent to manacle the States of this Union, because we will not centralize power in this government!

20 Sir, I hope the people of America will not commit another mistake. I always said it was a fearful mistake that the people of the North who did not agree with the Republican party and the people of the South who did not agree to secession could not have managed to preserve
25 this Union and let the others alone go to battle. If war must come, with whom shall it come? As I said to my own people on one occasion, and I repeat it here, if war shall come — God forbid that it should ever come — I give them notice now that the men they call rebels,
30 that the men they say are not trustworthy, we of the South to a man will go to battle under the Stars and

Stripes, under the flag of our country. Do not imagine that the destroyers of the States and the advocates of monarchy shall ever again bear the flag of our country. If you must have a war, we shall maintain our rights in the Union; but I pray God the people will take charge of this question and see where the danger lies.

You say the Northern people are alarmed. I assure you they have no right to be alarmed with us of the South. I assure you they have no right to be alarmed at Southern representatives on this floor and in the other House;¹⁰ but I tell you the Northern people have a right to be alarmed by such threats as have been made here. They have a right to be alarmed by men who say or intimate that if they cannot control the government, if they cannot surround the polls of freemen with armed men, if¹⁵ they cannot take control of the elections in the States by Federal supervisors, they will come to another war and cut deeper than the core. They are the men for the North to be alarmed at, not we.

But, as I said in this letter to Mr. Greeley,^o the Constitution could not be destroyed without war any more than the Union could be dissolved without war, and the States can no more be destroyed without war than they can be divided without war. I said that the danger to the country was imminent, and I so confessed it to him;²⁵ that I feared that the course of the extreme men who had remained untouched by the war, secession being utterly crushed, consolidation being not only alive but insolent by reason of its apparent success — I believed another war would come; but I believe Providence has³⁰ averted that; I believe the very condition of things

which seems to alarm the country is going to save this country and preserve its peace. I believe that the Democratic majority in the House and the Democratic majority in the Senate are going to be able to take care
5 of this country, preserve its peace, promote its glories, and increase its prosperity.

We appeal to the people. We are going to the people in favor of the constitution of Madison, the constitution of Webster. We are going to the people in favor of their
10 own freedom at the polls, in favor of their own intelligence in the jury box, in favor of the independence of the States in the management of their elections, as had always been the case heretofore. The people will answer, in my judgment, North as well as South.

15 The course the gentlemen are pursuing, so far from bringing the day which they expect — of the reversal of a majority of this body — will, as I believe, increase it. Men who have lost by revolution, men who have lost all by revolution, are the ones who are not going to
20 force another revolution. Men who owe all they have to revolution, who owe wealth and position and power to revolution, who owe the highest honors of the Republic to revolution, are the men who may be fairly expected to want revolution again. They are the ones for the
25 people to fear.

But the senator from New York^o and the senator from Maine,^o as various other gentlemen have done before, take occasion to remind us that they were exceedingly
gracious to us after the war. The senator from New
30 York tells us that after reconstruction was completed none of our property was confiscated and none of us were dis-

franchised and none of us were imprisoned. That is a fact, after reconstruction was completed. He takes credit for turning us loose after he had completed reconstruction and reorganized the States upon his idea. I do not put the comparison as applicable to the senator from New York, but it is just as true of the robber who claims credit for kindness to the traveler because he had done him no harm after he had robbed him and let him go, because since the time he had let him go he had done him no harm at all. 10

Sir, the senators are mistaken if they do not think we understand to what we owe our redemption. It is not to the Republican party. The Republican party set aside our State governments. The senator from Maine the other day said there had been only fourteen thousand citizens 15 disfranchised in the South. The senator confounded disabilities under the fourteenth amendment with disfranchisement. There were at least two hundred and fifty thousand citizens disfranchised^d in the South.

MR. BLAINE. I said by the action of the Federal 20 government.

MR. HILL, of Georgia. Certainly, by the action of the Federal government; by the reconstruction acts of Congress. By the reconstruction acts you came down there and took possession of our States, set aside our State 25 governments, declared we had no legal State governments, and you created a constituency and created new governments and disfranchised two hundred and fifty thousand of the very best men, the most intelligent, the property-holding men in the whole South, at a time when our 30 governments were destroyed, when our industrial system

was destroyed, and you put us in the hands of our slaves, under the lead of strangers, men who came for no purpose but to get power over us and build governments for us, and we had to stand by and witness the process, 5 threatened with confiscation and exile if we dared resist. And there were two hundred and fifty thousand in that condition.

Do gentlemen say that we owe anything to them? Did not my friend from Kentucky quote from the senator 10 from Maine in 1868 a statement that there was nothing more to be feared from the South? You thought you had destroyed us. You created new constituencies and created governments to suit them; you had the power. You thought we were powerless forever, and then, like the 15 wicked Delilah, you said:—

“Samson, the Philistines be upon you.”

And they were. And after that you left, and left us, as you thought, bound with your cords and whips. It was then that the Samson of State sovereignty stretched 20 himself and burst them all.

MR. HOAR. And pulled down the temple?

MR. HILL, of Georgia. Well, I should think, if the senator would go through the South, he would find his carpetbag temples in that country just now in the return- 25 ing boards.° There is nothing so sacred to him as a returning board. That is all that was left.

It was through this very agency of the autonomy and sovereignty of the States that we were able to recover ourselves, not by violence, not by intimidation, as you 30 falsely charge, but by the very autonomy of the States

which you thought you had manacled, which you thought you had destroyed. It is to this very autonomy of the States that we owe our presence here to-day. Oh, but you say the South is solid. That is true. And you intimate to the North that we are solid against the Union.⁵ That is not true. There is not a word of truth in it. We are solid. Solid how? Solid against whom? Solid against the Republican party. Why should we not be? Do you wonder? The past is enough to make us solid. But let that go. I would remember nothing in the spirit¹⁰ of revenge. Do you think, Senators, that such speeches as you have been making here during the last four weeks have no tendency to make the South solid against your party? Do you think that such speeches as you have been making in the House have no such tendency? Do¹⁵ you think that it is perfectly legitimate and proper for you to calumniate and slander and misrepresent and abuse us in every form in which language will authorize you to do it, and that we are going to love you for it? You may not know it, but we are men. You pick up²⁰ every vagabond in the South who can be induced by any motive to testify against us, and you believe him, you praise him. In your papers you scatter it through all your country. You make it appear that we are rebellious. I do not care how vile a character he is, I do not care²⁵ how covered with crime he is, if he testifies to barbarities and cruelties against the best class of Southern people you believe him, you profess to believe him; you parade that testimony on this floor; you parade it on the floor of the other House; you parade it before the Northern³⁰ people; and I do not care how manly, how intelligent,

how earnest a man may be that testifies justly for the Southern people and gives them credit for honor and honesty, you discredit him as unworthy of belief.

That alone would be sufficient to make the South solid, 5 but the South is solid against the Republican party for another reason. We regard the Republican party as only a sectional party. It was sectional in its origin. I will not say anything about the questions which then divided us, but it was a sectional party; it had no organization 10 save in some of the States. It has been sectional in its history; it has been sectional in its doctrines; it has been sectional in its purposes; it has been sectional in its triumphs; it is sectional now. You never have had any organization in the South except that which you forced 15 and bought — and that could not last — and you never will.

Now, we have tried sectionalism and we have abandoned it, and therefore we cannot consistently affiliate with the Republican party. We are for national parties now. We come back to the grand old party of the North that never 20 went off after secession, that never went after the Baals of consolidation. If there are any men on this earth for whom I have a higher regard than others, they are the Democrats of the North. I know those of us at the South who were for the Union went through a trying 25 ordeal, and none can ever know how trying it was except those who passed through it; but it seems to me the Northern Democrats who were so maligned and abused by the Republicans went through a greater, for when the crisis came they that had no sympathy with the objects 30 or purposes of the Republican party shouldered their arms and marched side by side with the Republicans of

the North to put down their real friends in the South, and they did it. And yet, notwithstanding their fidelity to the Union, notwithstanding so many hundreds of thousands of Democrats periled their all in the war, you abuse, you malign them, you give them no credit for it. 5 And why do we affiliate with them? Because when we grounded our arms they met us as brethren and not as enemies.

Then, again, we never can affiliate with the Republican party for a higher reason, a greater reason than the one 10 I have given. The Republican party to-day is the representative and the only representative on this continent of the consolidation theory of our government, the theory, not of a mixed union, Federal and national, the theory of an absolute nationalism, a theory which in its doctrines 15 is seeking at this very hour to destroy the States of this Union. While we have abandoned secession, while we have agreed never to divide the States, we have never agreed to destroy the States; we will not agree to do it.

And then, gentlemen, because of your conduct, your 20 calumnies, your slanders, what we know to be slanders, the South is solid against you. Every day things are repeated upon this floor against ten millions of people which no gentleman would dare repeat against one man. You charge a whole people with being false, untrust- 25 worthy, untrue, without evidence, against the fact, and yet you alarm the North by crying of a solid South. You seek to destroy the States when so far from yielding our devotion to the States we owe all that is left of us to the States and to that very principle of the government which 30 recognizes the States as a part of our system.

Sir, if the South were solid from any motives of hostility to the Union, from any motives of hostility to the Constitution, from any motives of hostility to the Northern people, the South would be exceedingly reprehensible. We were made solid in defense of our own preservation; we are now solid in defense of our own honor and self-respect. We will be kept solid in defense of the Constitution of our fathers as interpreted by Madison and expounded by Webster. We would be glad, if it could be, to see two national parties in this country, national in organization, national in principles, national in hopes, and consistent with the true interpretation of the Constitution; but the Northern man who after having made the South solid by calumny, by wrongs piled mountain high extending through years, that Northern man who takes advantage of the wrongs he has inflicted upon the South, and thereby made them solid, who now undertakes for that very reason to make the North solid, too, having a solid North against a solid South, is a disunionist in fact, for whenever we shall have a solid North and a solid South in this country, the Union cannot last.

No, my good Northern Democratic brethren, you saved the country at last; you saved the Union in the hour of its peril; not the Republican party. You who had showed devotion to your flag saved the Union, and now it is for you to go before your people and tell them that the solid North must never become a fact against the solid South. If so, disunion will be accomplished. It is you that we look to. You saved the Union, and you will save the States. We could not help you save the Union, but we are here with all the power that God has given us to help

you preserve and save the States of this country against the only remaining enemy of either the States or the Union.

Mr. President, I know I have detained the Senate long. I was born a slaveholder. That was a decree of my country's laws, not my own. I never bought a slave save at his own request; and of that I am not ashamed. I was never unkind to a slave, and all I ever owned will bear cheerful testimony to that fact. I would never deprive a human being, of any race, or color, or condition, of his right to the equal protection of the laws; and no colored man who knows me believes I would. Of all forms of cowardice, that is the meanest which would oppress the helpless or wrong the defenseless; but I had the courage to face secession in its maddest hour and say I would not give the American Union for African slavery, and that if slavery dared strike the Union, slavery would perish. Slavery did perish, and now in this high council of the greatest of nations, I face the leaders of State destruction and declare that this ark of our political covenant, this constitutional casket of our Confederate nation, incasing as it does more of human liberty and human security and human hope than any government ever formed by man, I would not break for the whole African race. And cursed, thrice cursed forever be the man who would! Sir, in disunion through the disintegration of the States I have never been able to see anything but anarchy with its endless horrors. In disunion through the destruction of the States I have never been able to see anything but rigid, hopeless despotism, with all its endless oppression. In disunion by any means, in any form, for any cause,

I have never been able to see anything but blood, and waste, and ruin to all races and colors and conditions of men. But in the preservation of our Union of States, this Confederate nation, I have never been able to see anything but a grandeur and a glory such as no people ever enjoyed. I pray God that every arm that shall be raised to destroy that Union may be withered before it can strike the blow.

Z. B. VANCE

THE SCATTERED NATION

SAYS Professor Maury°: "There is a river in the ocean. In the severest droughts it never fails, and in the mightiest floods it never overflows. The Gulf of Mexico is its fountain, and its mouth is in the Arctic seas. It is the Gulf Stream. Its current is more rapid than the Mississippi 5 or the Amazon, and its volume more than a thousand times greater. Its waters, as far out from the Gulf as the Carolina coasts, are of an indigo blue; they are so distinctly marked that their line of junction with the common sea water may be traced by the eye. Often 10 one half of a vessel may be perceived floating in Gulf Stream water, while the other half is in common water of the sea, so sharp is the line and such the want of affinity between those waters, and such, too, the reluctance, so to speak, on the part of those of the Gulf Stream to mingle 15 with the common water of the sea."

This curious phenomenon in the physical world has its counterpart in the moral. There is a lonely river in the midst of the ocean of mankind. The mightiest floods of human temptation have never caused it to overflow and 20 the fiercest fires of human cruelty, though seven times heated in the furnace° of religious bigotry, have never caused it to dry up, although its waves for two thousand

years have rolled crimson with the blood of its martyrs. Its fountain is in the gray dawn of the world's history, and its mouth is somewhere in the shadows of eternity. It, too, refuses to mingle with the surrounding waves, and
5 the line which divides its restless billows from the common waters of humanity is also plainly visible to the eye. It is the Jewish race.

The Jew is beyond doubt the most remarkable man in this world — past or present. Of all the stories of the
10 sons of men, there is none so wild, so wonderful, so full of extreme mutation, so replete with suffering and horror, so abounding in extraordinary providences, so overflowing with scenic romance. There is no man who approaches him in the extent and character of the influence which
15 he has exercised over the human family. His history is the history of our civilization and progress in this world, and our faith and hope in that which is to come. From him have we derived the form and pattern of all that is excellent on earth or in heaven. If, as De Quincey^o says,
20 the Roman Emperors, as the great accountants for the happiness of more men and men more cultivated than ever before, were intrusted to the motions of a single will, had a special, singular, and mysterious relation to the secret councils of heaven — thrice truly may it be
25 said of the Jew. Palestine, his home, was the central chamber of God's administration. He was at once the grand usher to these glorious courts, the repository of the councils of the Almighty and the envoy of the divine mandates to the consciences of men. He was the priest
30 and faith-giver to mankind, and as such, in spite of the jibe and jeer, he must ever be considered as occupying a

peculiar and sacred relation to all other people in this world. Even now, though the Jews have long since ceased to exist as a consolidated nation, inhabiting a common country, and for eighteen hundred years have been scattered far and near over the wide earth, their strange customs, their distinct features, personal peculiarities, and their *scattered unity*, make them still a wonder and an astonishment.

Though dead as a nation — as we speak of nations — they yet live. Their ideas fill the world and move the wheels of its progress, even as the sun, when he sinks behind the western hills, yet fills the heavens with the remnants of his glory. As the destruction of matter in one form is made necessary to its resurrection in another, so it would seem that the perishing of the Jewish nationality was in order to the universal acceptance and the everlasting establishment of Jewish ideas. Never before was there an instance of such general rejection of the person and character, and acceptance of the doctrines and dogmas of a people.

We admire with unlimited admiration the Greek and Roman, but reject with contempt his crude and beastly divinities. We affect to despise the Jew, but accept and adore the pure conception of a God which he taught us, and whose real existence the history of the Jew more than all else establishes. When the Court Chaplain of Frederick the Great^o was asked by that bluff monarch for a brief and concise summary of the argument in support of the truths of the Scripture, he instantly replied, with a force to which nothing could be added, "The Jews, Your Majesty, the Jews."

* * * * *

Whilst no people can claim such an unmixed purity of blood, certainly none can establish such antiquity of origin, such unbroken generation of descent. That splendid passage of Macaulay^o so often quoted, in reference to the Roman Pontiffs, loses its force in sight of Hebrew history. "No other institution," says he, "is left standing which carries the mind back to the times when the smoke of sacrifice rose from the pantheon,^o and when camels, leopards, and tigers bounded in the Iberian amphitheater.^o The proudest royal houses are but of yesterday as compared with the line of the Supreme Pontiffs; that line we trace back in unbroken lines, from the Pope who crowned Napoleon in the nineteenth century, to the Pope who crowned Pipin in the eighth, and far beyond Pipin,^o the august dynasty extends until it is lost in the twilight of fable. The Republic of Venice came next in antiquity, but the Republic of Venice is modern compared with the Papacy, and the Republic of Venice is gone and the Papacy remains. The Catholic Church was great and respected before the Saxon had set foot on Britain, before the Frank had passed the Rhine, when Grecian eloquence still flourished at Antioch,^o when idols were still worshiped in the Temple at Mecca^o; and she may still exist, in undiminished vigor when some traveler from New Zealand in the midst of a vast solitude shall take his stand on a broken arch of London Bridge to sketch the ruins of St. Paul.^o" This is justly esteemed one of the most eloquent passages in our literature, but I submit it is not history.

The Jewish people, church, and institutions are still left

standing, though the stones of the temple remain no longer one upon the other, though its sacrificial fires are forever extinguished; and though the tribes, whose glory it was, wander with weary feet throughout the earth. And what is the line of Roman Pontiffs compared to that splendid dynasty of the successors of Aaron and Levi? "The twilight of fable," in which the line of Pontiffs began, was but the noonday brightness of the Jewish priesthood. Their institution carries the mind back to the age when the prophet, in rapt mood, stood over Babylon¹⁰ and uttered God's wrath against that grand and wondrous mistress of the Euphratean plain — when the Memphian^o chivalry still gave precedence to the chariots and horsemen who each morning poured forth from the brazen gates of the abode of Ammon^o; when Tyre and Sidon^o were yet building their palaces by the sea, and Carthage,^o their greatest daughter, was yet unborn. That dynasty of prophetic priests existed even before Clio's^o pen had learned to record the deeds of men; and when that splendid, entombed civilization once lighted²⁰ the shores of the Erythræan^o Sea, the banks of the Euphrates, and the plains of Shinar,^o with a glory inconceivable, of which there is nought now to tell, except the dumb eloquence of ruined temples and buried cities.

Then, too, it must be remembered that these Pontiffs²⁵ were but Gentiles in the garb of Jews, imitating their whole routine. All Christian churches are but offshoots from or grafts upon the old Jewish stock. Strike out all of Judaism from the Christian church, and there remains nothing but an unmeaning superstition. 30

The Christian is simply the successor of the Jew — the

glory of the one is likewise the glory of the other. The Saviour of the world was, after the flesh, a Jew—born of a Jewish maiden; so, likewise, were all of the apostles and first propagators of Christianity. The Christian religion is equally Jewish with that of Moses and the prophets.

* * * * *

Time would not permit me, if I had the power, to describe the chief city of the Jews, their religious and political capital—"Jerusalem the Holy"—"the dwelling of peace." In the days of Jewish prosperity it was in all things a fair type of this strange country and people. Enthroned upon the hills of Judah, overflowing with riches, the freewill offerings of a devoted people—decked with the barbaric splendor of Eastern taste, it was the rival in power and wondrous beauty of the most magnificent cities of antiquity. Nearly every one of her great competitors have moldered into dust. The bat and the owl inhabit their towers, and the fox litters her young in the corridors of their palaces, but Jerusalem still sits in solitary grandeur upon the lonely hills, and though faded, feeble, and ruinous, still towers in moral splendor above all the spires and domes and pinnacles ever erected by human hands. Nor can I dwell, tempting as is the theme, upon the scenery, the glowing landscapes, the cultivated fields, gardens and vineyards and gurgling fountains of that pleasant land. Many high summits and even one of the towers in the walls of the city of Jerusalem were said to have afforded a perfect view of the whole land from border to border. I must be content with asking you to imagine what a divine prospect would burst upon the vision from the summit of that stately tower; and picture

the burning sands of the desert far beyond the mysterious waters of the Dead Sea on the one hand, the shining waves of the great sea on the other, flecked with the white sails of the Tyrian ships, whilst hoary Lebanon,^o crowned with its diadem of perpetual snow, glittered in the morning light like a dome of fire tempered with the emerald of its cedars — a fillet of glory around its brow. The beauty of that band of God's people, the charm of their songs, the comeliness of their maidens, the celestial peace of their homes, the romance of their national history, and the sublimity of their faith, so entice me, that I would not know when to cease, should I once enter upon their story. I must leave behind, too, the blood-stained record of their last great siege, illustrated by their splendid but unavailing courage; their fatal dissensions and final destruction, with all its incredible horrors; of their exile and slavery, of their dispersion in all lands and kingdoms, of their persecutions, sufferings, wanderings, and despair, for eighteen hundred years. Indeed, it is a story that puts to shame not only our Christianity, but our common humanity. It staggers belief to be told, not only that such things could be done at all, by blinded heathen or ferocious Pagan, but done by Christian people and in the name of Him, the meek and lowly, who was called the Prince of Peace, and the harbinger of good will to men. Still it is an instructive story; it seems to mark in colors never to be forgotten, both the wickedness and the folly of intolerance. Truly, it serves to show that the wrath of a religious bigot is more fearful and ingenious than the cruellest of tortures hatched in the councils of hell. It is not my purpose to comment upon the religion of the Jews,

nor shall I undertake to say that they gave no cause in the earlier ages of Christianity for the hatred of their opponents. Undoubtedly they gave much cause, and exhibited themselves much bitterness and ferocity towards the followers of the Nazarene; which, however it may be an excuse, is far from being a justification of the centuries of horror which followed. But if constancy, faithfulness, and devotion to principle under the most trying circumstances to which the children of men were ever subjected, be considered virtues, then indeed are the Jews to be admired. They may safely defy the rest of mankind to show such undying adherence to accepted faith, such wholesale sacrifice for conscience' sake. For it they have in all ages given up home and country, wives and children, gold and goods, ease and shelter and life; for it they endured all the evils of an infernal wrath for eighteen centuries; for it they have endured, and — say what you will — endured with an inexpressible manhood that which no other portion of the human family ever have, or, in my opinion, ever would have endured. For sixty generations the heritage which the Father left the son was misery, suffering, shame, and despair; and that son preserved and handed down to his son that black heritage as a golden heirloom, for the sake of God.

* * * * *

I agree with Lord Macaulay that the Jew is what we have made him. If he is a bad job, in all honesty we should contemplate him as the handiwork of our own civilization. If there be indeed guile upon his lips or servility in his manner, we should remember that such are the legitimate fruits of oppression and wrong, and

that they have been, since the pride of Judah was broken and his strength scattered, his only means of turning aside the uplifted sword and the poised javelin of him who sought to plunder and slay. Indeed, so long has he schemed and shifted to avoid injustice and cruelty, that we can perceive in him all the restless watchfulness which characterizes the hunted animal.

To this day the cast of the Jew's features in repose is habitually grave and sad as though the very plow-share of sorrow had marked its furrows across their faces forever.

“And where shall Israel lave her bleeding feet!
And when shall Zion's song again seem sweet,
And Judah's melody once more rejoice
The hearts that leaped before its heavenly voice? 15
Tribes of the wandering foot and weary heart
How shall ye flee away and be at rest?
The wild dove hath her nest — the fox his cave —
Mankind their country — Israel but the grave.”

The hardness of Christian prejudice having dissolved, so will that of the Jew. The hammer of persecution having ceased to beat upon the iron mass of their stubbornness, it will cease to consolidate and harden, and the main strength of their exclusion and preservation will have been lost. They will perhaps learn that one sentence of our Lord's prayer, which it is said is not to be found in the Talmud,^o and which is the keynote of the difference between Jew and Gentile, “Forgive us our trespasses as we forgive them who trespass against us.”

If so, they will become as other men, and taking their 30

harps down from the willows,^o no longer refuse to sing the songs of Zion because they are captives in a strange land.

I believe that there is a morning to open yet for the
5 Jews in Heaven's good time, and if that opening shall be in any way commensurate with the darkness of the night through which they have passed, it will be the brightest that ever dawned upon a faithful people.

I have stood on the summit of the very monarch of our
10 great Southern Alleghanies^o and seen the night flee away before the chariot wheels of the god of day. The stars receded before the pillars of lambent fire that pierced the zenith, a thousand ragged mountain peaks began to peer up from the abysmal darkness, each looking through the
15 vapory seas that filled the gorges like an island whose "jutting and confounded base was swilled by the wild and wasteful ocean." As the curtain was lifted more and more and the eastern brightness grew in radiance and glory, animate nature prepared to receive her lord; the
20 tiny snowbird from its nest in the turf began chirping to its young; the silver pheasant sounded its morning drumbeat for its mate in the boughs of the fragrant fir; the dun deer rising slowly from his mossy couch and stretching himself in graceful curves, began to crop the tender
25 herbage; whilst the lordly eagle rising straight upward from his home on the crag, with pinions wide spread, bared his golden breast to the yellow beams and screamed his welcome to the sun in his coming! Soon the vapors of the night are lifted up on shafts of fire, rolling and
30 seething in billows of refulgent flame, until, when far overhead, they are caught upon the wings of the morning

breeze and swept away, perfect day was established and there was peace. So may it be with this long-suffering and immortal people. So may the real spirit of Christ yet be so triumphantly infused amongst those who profess to obey his teachings, that with one voice and one hand they will stay the persecutions and hush the sorrows of these their wondrous kinsmen, put them forward into the places of honor and the homes of love where all the lands in which they dwell shall be to them as was Jerusalem to their fathers. So may the morning come, not to them alone, but to all the children of men who, through much tribulation and with heroic manhood, have waited for its dawning, with a faith whose constant cry through all the dreary watches of the night has been, "Though he slay me, yet will I trust in him!"

15

"Roll, golden sun, roll swiftly toward the west,
Dawn, happy day, when many woes shall cease;
Come quickly, Lord, thy people wait the rest
Of thine abiding peace!

"No more, no more to hunger here for love;
No more to thirst for blessings long denied.
Judah! Thy face is foul with weeping, but above
Thou shalt be satisfied!"

20

HENRY WOODFIN GRADY

THE NEW SOUTH

Mr. President and Gentlemen, — "There was a South of slavery and secession — that South is dead. There is a South of union and freedom — that South, thank God, is living, breathing, growing every hour." These 5 words, delivered from the immortal lips of Benjamin H. Hill,° at Tammany Hall° in 1866, true then, truer now, I shall make my text to-night.

Let me express to you my appreciation of the kindness by which I am permitted to address you. I make this 10 abrupt acknowledgment advisedly, for I feel that if, when I raise my provincial voice in this ancient and august presence, I could find courage for no more than the opening sentence, it would be well if, in that sentence, I had met in a rough sense my obligation as a guest, and had perished, 15 so to speak, with courtesy on my lips and grace in my heart. Permitted through your kindness to catch my second wind, let me say that I appreciate the significance of being the first Southerner to speak at this board, which bears the substance, if it surpasses the semblance, of origi- 20 nal New England hospitality, and honors a sentiment that in turn honors you, but in which my personality is lost, and the compliment to my people made plain.

I bespeak the utmost stretch of your courtesy to-night.

I am not troubled about those from whom I come. You remember the man whose wife sent him to a neighbor with a pitcher of milk, and who, tripping on the top step, fell, with such casual interruptions as the landing afforded, into the basement; and while picking himself up had the pleasure of hearing his wife call out, "John, did you break the pitcher?" "No, I didn't," said John, "but I be dinged if I don't!"

So, while those who call to me from behind may inspire me with energy if not with courage, I ask an indulgent hearing from you. I beg that you shall bring your full faith in American fairness and frankness to judgment upon what I shall say. There was an old preacher once who told some boys of the Bible lesson he was going to read in the morning. The boys, finding the place, glued together the connecting pages. The next morning he read on the bottom of one page: "When Noah was one hundred and twenty years old he took unto himself a wife, who was" — then turning the page — "one hundred and forty cubits long, forty cubits wide, built of gopher-wood, and covered with pitch inside and out." He was naturally puzzled at this. He read it again, verified it, and then said: "My friends, this is the first time I ever met this in the Bible, but I accept it as an evidence of the assertion that we are fearfully and wonderfully made." If I could get you to hold such faith to-night I could proceed cheerfully to the task I otherwise approach with a sense of consecration.

Pardon me one word, Mr. President, spoken for the sole purpose of getting into the volumes that go out annually freighted with the rich eloquence of your speakers — the fact

that the Cavalier as well as the Puritan^o was on the continent in its early days, and that he was "up and able to be about." I have read your books carefully and I find no mention of that fact, which seems to me an important one
5 for preserving a sort of historical equilibrium if for nothing else. Let me remind you that the Virginia Cavalier first challenged France on this continent — that Cavalier John Smith^o gave New England its very name, and was so pleased with the job that he has been handing his own
10 name around ever since — and that while Miles Standish was cutting off men's ears for courting a girl without her parents' consent, and forbade men to kiss their wives on Sunday, the Cavalier was courting everything in sight, and that the Almighty had vouchsafed great increase to the
15 Cavalier colonies, the huts in the wilderness being full as the nests in the woods.

But having incorporated the Cavalier as a fact in your charming little books, I shall let him work out his own salvation, as he has always done with engaging gallantry,
20 and we will hold no controversy as to his merits. Why should we? Neither Puritan nor Cavalier long survived as such. The virtues and traditions of both happily still live for the inspiration of their sons and the saving of the old fashion. But both Puritan and Cavalier were lost in
25 the storm of the first Revolution; and the American citizen, supplanting both and stronger than either, took possession of the Republic bought by their common blood and fashioned to wisdom, and charged himself with teaching men government and establishing the voice of the
30 people as the voice of God.

My friend Dr. Talmage^o has told you that the typical

American has yet to come. Let me tell you that he has already come. Great types like valuable plants are slow to flower and fruit. But from the union of these colonist Puritans and Cavaliers, from the straightening of their purposes and the crossing of their blood, slow perfecting through a century, came he who stands as the first typical American, the first who comprehended within himself all the strength and gentleness, all the majesty and grace of this Republic — Abraham Lincoln. He was the sum of Puritan and Cavalier, for in his ardent nature were fused the virtues of both, and in the depths of his great soul the faults of both were lost. He was greater than Puritan, greater than Cavalier, in that he was American, and that in his homely form were first gathered the vast and thrilling forces of his ideal government — charging it with such tremendous meaning and so elevating it above human suffering that martyrdom, though infamously aimed, came as a fitting crown to a life consecrated to human liberty. Let us, each cherishing the traditions and honoring his fathers, build with reverent hands to the type of this simple but sublime life, in which all types are honored; and in our common glory as Americans there will be plenty and to spare for your forefathers and for mine.

In speaking to the toast with which you have honored me, I accept the term, "The New South," as in no sense disparaging to the Old. Dear to me, sir, is the home of my childhood and the traditions of my people. I would not, if I could, dim the glory they won in peace and war, or by word or deed take aught from the splendor and grace of their civilization — never equaled and, perhaps, never to be equaled in its chivalric strength and grace. There is

a New South, not through protest against the Old, but because of new conditions, new adjustments and, if you please, new ideas and aspirations. It is to this that I address myself, and to the consideration of which I hasten lest it become the Old South before I get to it. Age does not endow all things with strength and virtue, nor are all new things to be despised. The shoemaker who put over his door "John Smith's shop. Founded in 1760," was more than matched by his young rival across the street who hung out this sign: "Bill Jones. Established 1886. No old stock kept in this shop."

Begin Mr. Talmage has drawn for you, with a master's hand, the picture of your returning armies. He has told you how, in the pomp and circumstance of war, they came back to you, marching with proud and victorious tread, reading their glory in a nation's eyes! Will you bear with me while I tell you of another army that sought its home at the close of the late war — an army that marched home in defeat and not in victory — in pathos and not in splendor, but in glory that equaled yours, and to hearts as loving as ever welcomed heroes home. Let me picture to you the footsore Confederate soldier as, buttoning up in his faded gray jacket the parole which was to bear testimony to his children of his fidelity and faith, he turned his face southward from Appomattox in April, 1865. Think of him as ragged, half-starved, heavy-hearted, enfeebled by want and wounds; having fought to exhaustion, he surrenders his gun, wrings the hands of his comrades in silence, and lifting his tear-stained and pallid face for the last time to the graves that dot the old Virginia hills, pulls his gray cap over his brow and begins the slow and painful journey.

What does he find — let me ask you, who went to your homes eager to find in the welcome you had justly earned, full payment for four years' sacrifice — what does he find when; having followed the battle-stained cross against overwhelming odds, dreading death not half so much as surrender, he reaches the home he left so prosperous and beautiful? He finds his house in ruins, his farm devastated, his slaves free, his stock killed, his barns empty, his trade destroyed, his money worthless; his social system, feudal in its magnificence, swept away; his people without law or legal status, his comrades slain, and the burdens of others heavy on his shoulders. Crushed by defeat, his very traditions are gone; without money, credit, employment, material, or training and, besides all this, confronted with the gravest problem that ever met human intelligence — the establishing of a status for the vast body of his liberated slaves.

What does he do — this hero in gray with a heart of gold? Does he sit down in sullenness and despair? Not for a day. Surely God, who had stripped him of his prosperity, inspired him in his adversity. As ruin was never before so overwhelming, never was restoration swifter. The soldier stepped from the trenches into the furrow; horses that had charged Federal guns marched before the plow, and fields that ran red with human blood in April were green with the harvest in June; women reared in luxury cut up their dresses and made breeches for their husbands, and, with a patience and a heroism that fit women always as a garment, gave their hands to work. There was little bitterness in all this. Cheerfulness and frankness prevailed. "Bill Arp" struck the keynote

when he said: "Well, I killed as many of them as they did of me, and now I am going to work." Or the soldier returning home after defeat and roasting some corn on the roadside, who made the remark to his comrades: "You may leave the South if you want to, but I am going to Sandersville, kiss my wife, and raise a crop, and if the Yankees fool with me any more I will whip 'em again." I want to say to General Sherman — who is considered an able man in our parts, though some people think he is a kind of careless man about fire — that from the ashes he left us in 1864 we have raised a brave and beautiful city; that somehow we have caught the sunshine in the bricks and mortar of our homes, and have builded therein not one ignoble prejudice or memory.

15 But in all this what have we accomplished? What is the sum of our work? We have found out that in the general summary the free negro counts more than he did as a slave. We have planted the schoolhouse on the hill-top and made it free to white and black. We have sown 20 towns and cities in the place of theories, and put business above politics. We have challenged your spinners in Massachusetts and your ironmakers in Pennsylvania. We have learned that the \$400,000,000 annually received from our cotton crop will make us rich, when the supplies 25 that make it are home-raised. We have reduced the commercial rate of interest from twenty-four to six per cent, and are floating four per cent bonds. We have learned that one Northern immigrant is worth fifty foreigners, and have smoothed the path to southward, wiped out the place 30 where Mason and Dixon's° line used to be, and hung our latchstring out to you and yours. We have reached the

point that marks perfect harmony in every household, when the husband confesses that the pies which his wife cooks are as good as those his mother used to bake; and we admit that the sun shines as brightly and the moon as softly as it did "before the war." We have established thrift in city and country. We have fallen in love with work. We have restored comfort to homes from which culture and elegance never departed. We have let economy take root and spread among us as rank as the crab-grass which sprung from Sherman's cavalry camps, until we are ready to lay odds on the Georgia Yankee, as he manufactures relics of the battlefield in a one-story shanty and squeezes pure olive oil out of his cotton seed, against any downeaster that ever swapped wooden nutmegs for flannel sausages in the valleys of Vermont. Above all, we know that we have achieved in these "piping times of peace" a fuller independence for the South than that which our fathers sought to win in the forum by their eloquence or compel on the field by their swords.

It is a rare privilege, sir, to have had part, however humble, in this work. Never was nobler duty confided to human hands than the uplifting and upbuilding of the prostrate and bleeding South, misguided, perhaps, but beautiful in her suffering, and honest, brave, and generous always. In the record of her social, industrial, and political illustrations we await with confidence the verdict of the world.

But what of the negro? Have we solved the problem he presents or progressed in honor and equity towards the solution? Let the record speak to the point. No section shows a more prosperous laboring population than the negroes of the South; none in fuller sympathy with the

employing and landowning class. He shares our school fund, has the fullest protection of our laws and the friendship of our people. Self-interest, as well as honor, demand that he should have this. Our future, our very existence, 5 depend upon our working out this problem in full and exact justice. We understand that when Lincoln signed the Emancipation Proclamation, your victory was assured; for he then committed you to the cause of human liberty, against which the terms of man cannot prevail; while 10 those of our statesmen who trusted to make slavery the corner stone of the Confederacy doomed us to defeat as far as they could, committing us to a cause that reason could not defend or the sword maintain in the sight of advancing civilization. Had Mr. Toombs^o said, which he did 15 not say, that he would call the roll of his slaves at the foot of Bunker Hill, he would have been foolish, for he might have known that whenever slavery became entangled in war, it must perish, and that the chattel in human flesh ended forever in New England when your fathers — not 20 to be blamed for parting with what didn't pay — sold their slaves to our fathers — not to be praised for knowing a paying thing when they saw it.

The relations of the Southern people with the negro are close and cordial. We remember with what fidelity for 25 four years he guarded our defenseless women and children, whose husbands and fathers were fighting against his freedom. To his eternal credit be it said that whenever he struck a blow for his own liberty he fought in open battle, and when at last he raised his black and humble hands 30 that the shackles might be struck off, those hands were innocent of wrong against his helpless charges, and worthy

to be taken in loving grasp by every man who honors loyalty and devotion. Ruffians have maltreated him, rascals have misled him, philanthropists established a bank for him, but the South, with the North, protests against injustice to this simple and sincere people. To liberty and enfranchisement is as far as law can carry the negro. The rest must be left to conscience and common sense. It should be left to those among whom his lot is cast, with whom he is indissolubly connected and whose prosperity depends upon their possessing his intelligent sympathy and confidence. Faith has been kept with him in spite of calumnious assertions to the contrary by those who assume to speak for us or by frank opponents. Faith will be kept with him in the future, if the South holds her reason and integrity.

But have we kept faith with you? In the fullest sense, yes. When Lee surrendered — I don't say when Johnston surrendered, because I understand he still alludes to the time when he met General Sherman last as the time when he "determined to abandon any further prosecution of the struggle" — when Lee surrendered, I say, and Johnston quit, the South became, and has since been, loyal to this Union. We fought hard enough to know that we were whipped, and in perfect frankness accepted as final the arbitrament of the sword to which we had appealed. The South found her jewel in the toad's head of defeat. The shackles that had held her in narrow limitations fell forever when the shackles of the negro slave were broken. Under the old RÉGIME the negroes were slaves to the South, the South was a slave to the system. The old plantation, with its simple police regulation and its feudal habit, was the only type possible under slavery. Thus we gathered

in the hands of a splendid and chivalric oligarchy the substance that should have been diffused among the people, as the rich blood, under certain artificial conditions, is gathered at the heart, filling that with affluent rapture, but leaving the body chill and colorless.

The Old South rested everything on slavery and agriculture, unconscious that these could neither give nor maintain healthy growth. The New South presents a perfect Democracy, the oligarchs leading in the popular movement — a social system compact and closely knitted, less splendid on the surface but stronger at the core — a hundred farms for every plantation, fifty homes for every palace, and a diversified industry that meets the complex needs of this complex age.

The New South is enamored of her new work. Her soul is stirred with the breath of a new life. The light of a grander day is falling fair on her face. She is thrilling with the consciousness of growing power and prosperity. As she stands upright, full-statured and equal among the people of the earth, breathing the keen air and looking out upon the expanding horizon, she understands that her emancipation came because in the inscrutable wisdom of God her honest purpose was crossed and her brave armies were beaten.

This is said in no spirit of time serving or apology. The South has nothing for which to apologize. She believes that the late struggle between the States was war and not rebellion, revolution and not conspiracy, and that her convictions were as honest as yours. I should be unjust to the dauntless spirit of the South and to my own convictions if I did not make this plain in this presence. The South has nothing to take back. In my native town of Athens is a

monument that crowns its central hills — a plain white shaft. Deep cut into its shining sides is a name dear to me above the names of men, that of a brave and simple man who died in brave and simple faith. Not for all the glories of New England — from Plymouth Rock all the way — would I exchange the heritage he left me in his soldier's death. To the foot of that shaft I shall send my children's children to reverence him who ennobled their name with his heroic blood. But, sir, speaking from the shadow of that memory, which I honor as I do nothing else on earth, I say that the cause in which he suffered and for which he gave his life was adjudged by higher and fuller wisdom than his or mine, and I am glad that the omniscient God held the balance of battle in His Almighty hand, and that human slavery was swept forever from American soil — the American Union saved from the wreck of war.

This message, Mr. President, comes to you from consecrated ground. Every foot of the soil about the city in which I live is sacred as a battleground of the Republic. Every hill that invests it is hallowed to you by the blood of your brothers, who died for your victory, and doubly hallowed to us by the blood of those who died hopeless, but undaunted, in defeat — sacred soil to all of us, rich with memories that make us purer and stronger and better, silent but stanch witnesses in its red desolation of the matchless valor of American hearts and the deathless glory of American arms — speaking an eloquent witness in its white peace and prosperity to the indissoluble union of American States and the imperishable brotherhood of the American people.

Now, what answer has New England to this message? Will she permit the prejudices of war to remain in the hearts

of the conquerors, when it has died in the hearts of the conquered? Will she transmit this prejudice to the next generation, that in their hearts, which never felt the generous ardor of conflict, it may perpetuate itself? Will she withhold, save in strained courtesy, the hand which straight from his soldier's heart Grant offered Lee at Appomattox? Will she make the vision of a restored and happy people, which gathered about the couch of your dying captain, filling his heart with grace, touching his lips with praise and glorifying his path to the grave; will she make this vision on which the last sigh of his expiring soul breathed a benediction, a cheat and a delusion? If she does, the South, never abject in asking for comradeship, must accept with dignity its refusal; but if she does not; if she accepts in frankness and sincerity this message of good will and friendship, then will the prophecy of Webster, delivered in this very Society forty years ago, amid tremendous applause, be verified in its fullest and widest sense, when he said: "Standing hand to hand and clasping hands, we should remain united as we have been for sixty years, citizens of the same country, members of the same government, united, all united now and united forever. There have been difficulties, contentions, and controversies, but I tell you that in my judgment

"Those opposed eyes,"

Which, like the meteors of a troubled heaven,
All of one nature, of one substance bred,
Did lately meet in th' intestine shock,
Shall now, in mutual well-beseeming ranks,
March all one way."

30

NOTES

"GIVE ME LIBERTY OR GIVE ME DEATH!"

Delivered in Richmond, March 23, 1775, before the Second Revolutionary Convention of Virginia. Mr. Henry had just offered a resolution recommending the establishment of a well-regulated militia for purposes of defense, and to take the place of mercenary troops of the mother country. Milder-spirited and more pacific leaders opposed his resolutions, whereupon Mr. Henry arose and delivered this eloquent appeal — a veritable call to arms. His resolutions were adopted and a committee including, among others, Richard Henry Lee, George Washington, and Thomas Jefferson, was appointed to draw up the plan necessary to carry out the recommendations. Mr. Lee, who probably holds second place to Henry among Southern orators of the Revolutionary period, spoke eloquently in favor of the resolutions, but unfortunately no written copy of this, or any of his speeches, was preserved.

This selection is copied from William Wirt's "Life of Patrick Henry," pp. 138-142. It is probable that Mr. Wirt, who was himself an orator and rhetorician of merit, has added somewhat to the literary finish of Henry's production.

SPEECH DELIVERED TO THE SOUTH CAROLINA COLONIAL ASSEMBLY

This speech was delivered by John Rutledge, President and Commander-in-chief of South Carolina, before a joint

session of the two Houses of the Colonial Assembly, on the day of its adjournment, April 11, 1776. The assembly ordered that the speech be "printed as well in the newspapers as otherwise," but notwithstanding this precaution the report is probably incomplete. Rutledge seems to have been the orator of South Carolina till the days of Calhoun and Hayne, and this specimen of his oratory is considered the best we have remaining. It is copied from the "Journal of the General Assembly of South Carolina," March 26, 1776-April 11, 1776, which has been edited by A. S. Salley, Jr., Secretary of the Historical Commission of South Carolina. I have taken the liberty of punctuating the speech and of changing the use of capitals in a number of instances.

ON THE ADOPTION OF THE CONSTITUTION

Delivered June 6, 1788, before the Constitutional Convention of Virginia, convened in Richmond, June 2, 1788. Found in the "Debates and Other Proceedings of the Convention of Virginia," published by Ritchie and Worsley and Augustine Davis (1805), pp. 57-59. It is evident, I think, that some inaccuracies occurred in reporting the speech.

12:16. Josiah Phillips. A notorious marauder and murderer of southeastern Virginia who was declared an outlaw by a bill of attainder passed by the Virginia House of Delegates, June 1, 1778. He was captured, and Mr. Randolph, who was at the time Attorney-general, but who seems to have forgotten during this speech the circumstances of the trial, set aside the bill of attainder, indicted the prisoner regularly for murder and robbery, and secured his conviction. (See Howison's "History of Virginia," Vol. II, pp. 225-228.)

13:22. The honorable gentleman. Patrick Henry, who

opposed with all his eloquence Virginia's ratification of the Constitution, and to whom Mr. Randolph is replying in this speech.

ON CONGRESSIONAL CONTROL OF THE MILITIA

Delivered Saturday, June 14, 1788, before the Constitutional Convention of Virginia, convened in Richmond for the purpose of deliberating on the Constitution recommended by the grand Federal Convention. Found in "Debates and Other Proceedings of the Convention" printed for Ritchie and Worsley and Augustine Davis (1805), pp. 269-271. Abridged.

Mr. Mason was a leading member of the Convention that framed the Federal Constitution, but objecting to some of its compromises, refused to sign it, and, returning to Virginia, threw "his great influence on the Anti-Federalist side." The speech from which this selection is taken is marked by forceful statement and argument.

19:29. An artful man . . . governor of Pennsylvania. Sir William Keith, Lieutenant Governor of Pennsylvania and Delaware, 1717-1726.

20:23. English Parliament . . . mutiny bill. The Mutiny Bill, now Army Act, is passed annually by the British Parliament, empowering the crown to govern the army and navy.

THE TRIAL OF AARON BURR

Delivered Tuesday, Aug. 25, 1807, in the Circuit Court of the United States, held at the city of Richmond, Va., during the trial of Aaron Burr "for Treason and for a Misdemeanor, in preparing the means of a military expedition against Mexico, a territory of the King of Spain, with whom

the United States are at peace." The selection is taken from the reports of the trial, published by Hopkins and Earle, Philadelphia, 1808, pp. 95-98.

22 : 1. *Blennerhassett*. An English adventurer of education, culture, and wealth who came to America in 1798 and bought Backus Island in the Ohio River. Here he established himself in splendor and spent his time in study and scientific experiments. Burr persuaded him to join in the wild scheme which probably had for its object the conquest of Mexico and the southwestern part of the United States; but their plans having been disclosed, the two were arrested and brought to trial. Nothing being proved against Burr, his associates in the conspiracy were discharged. After various wanderings Blennerhassett returned to England and died on the island of Guernsey in 1831.

24 : 2. *Shenstone*. An English poet (1714-1763) who amused himself by landscape gardening and whose grounds became famous in England for their beauty.

24 : 4. *Calypso*. "In Grecian legend, a nymph, dwelling alone on a remote island, who rescued the shipwrecked Odysseus, and kept him with her seven years, promising him immortality, but unable to make him cease his longing to return to Ithaca" (*International Encyclopedia*).

SPEECH ON THE MISSOURI QUESTION

When the Territory of Missouri applied for admission to the Union as a State, the question as to whether it should be admitted as a free or a slave State came up for discussion. After occupying the attention of Congress for a large part of two sessions, the question was settled by the famous Missouri Compromise of 1820. The main features of the Compromise were that Missouri was to be admitted as a

slave State, and that slavery was to be prohibited in the remainder of the Louisiana Territory north of the parallel 36° 30'. Mr. Pinkney's argument in favor of the admission of Missouri without restrictions was one of the ablest delivered during the lengthy debate. Only selected extracts are given. It was delivered Feb. 15, 1820, and is found in *Annals of Congress*, 16th Congress, 1st Session, Vol. I.

27: 9. *Cujus est dare ejus est disponere*. He who has the right to grant (a power), has the right to decide (its limitations).

28: 16. Bridge your way over the Hellespont. A reference to the bridging and crossing of the Hellespont (Bosporus Str.) by Xerxes, the Persian king who invaded Greece, according to some ancient writers, with an army of a million men.

28: 21. Milton. John Milton (1608-1674), the great English poet, author of "Paradise Lost" and "Paradise Regained."

35: 7. *Inter pares* = among equals; *disparates* = unequals.

39: 9. *Pro hac vice* = for this turn, or occasion.

RETORT TO McLANE.

Delivered in the House of Representatives, Apr. 12, 1824, during the discussion of the tariff bill of that year. Found in the *Register of Debates of Congress*, 18th Congress, 1st Session, pp. 2314, 2315. Also found in Garland's "Life of Randolph," Vol. II, pp. 215-217. Garland says of the reply: "This is the finest retort of the kind to be found in the English language. Its admirable style and temper cannot be too strongly recommended to those who in the heat of debate may be tempted to say severe and irritating things." ("Life of John Randolph," Vol. II, p. 217.)

Randolph's style of oratory is puzzling. He is brilliant at times, then disconnected and rambling. A short selection like the one given shows him at his best.

42 : 31. Lord Shaftesbury. A celebrated English philosopher and moralist. Born 1671, died 1713.

AN ADDRESS

Though published at the time as an address of "Sundry Citizens," it is known that Mr. Rhett is the sole author of this clear, forceful appeal "to the People of the State of South Carolina." It was issued June 12, 1828, and is to be found in the Charleston (S.C.) *Courier* of June 19, 1828, from which this copy is taken.

44 : 2. The Tariff Bill. This is the Tariff Act of 1828, known as the "tariff of abominations," which, with the act of 1832, led to the Nullification Ordinance of South Carolina.

45 : 11. Collected together in our district capacities, etc. Resolutions of protest against the proposed tariff legislation were passed by meetings of prominent citizens in South Carolina in the summer of 1827, and sent to the legislatures of several Southern States. In 1828 the legislature of the State formally passed the South Carolina exposition, and submitted it to the next session of Congress as a memorial of protest against protective tariff legislation.

45 : 20. Unconstitutional legislation. Mr. Rhett, as he explains farther along in this address, believed protective tariff laws unconstitutional.

48 : 10. The second clause of the tenth section of the first article of the Constitution reads as follows: "No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net

produce of all duties and imports, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress."

50 : 29. The last war. The War of 1812. The cause of this war was the impressment of our seamen and the disregard of our commercial rights as a neutral.

ON THE GEORGIA PROTEST

Delivered in the U. S. Senate, Jan. 12, 1829. Found in the Register of Debates of Congress, 20th Congress, 2d Session, Vol. V, pp. 22 and 23. The occasion of the speech was the presentation to the Senate of a letter from the governor of Georgia conveying a protest of the Georgia State legislature against the Tariff Act of 1828. After the speech, on motion of Mr. Berrien, the letter and protest were ordered to be printed for the use of the Senate.

53 : 23. *In perpetuam rei memoriam*. "For a perpetual memorial of the affair" (Webster's Dictionary).

55 : 23. *Casus omissus*. A case (provision in this instance) omitted.

THE APPORTIONMENT OF REPRESENTATION

Delivered at Richmond, Va., Nov. 3-4, 1829, before the convention which had met to revise the constitution of Virginia. Found in the reports of the Convention. Abridged.

Dr. John W. Wayland (University of Virginia), who kindly made the selection, has this to say in explanation of the speech from which the extracts are printed:—

"The original constitution of the State of Virginia was revised and amended by a convention that was in session at Richmond from Oct. 5, 1829, to Jan. 15, 1830. Mr.

Leigh, with John W. Jones and Samuel Taylor, both also from Chesterfield, and William B. Giles of Amelia, represented in the convention the district composed of the counties of Amelia, Chesterfield, Cumberland, Nottoway, Powhatan, and the town of Petersburg. The total number of delegates was ninety-six; and to prove that they were an eminent number of men it need only be mentioned that among them were James Madison, James Munroe, John Tyler, John Marshall, and John Randolph of Charlotte, with many others scarcely less distinguished; yet in the midst of such an assemblage Benjamin Watkins Leigh was a leading figure. During the three-months session he made at least four long speeches; he took frequent and prominent part in debate and in the making of motions; and his work was not merely of the sort that deals with generalities, but also of the sort that grapples with particular cases and proposes specific plans.

"One of the great questions — perhaps the greatest question — with which the convention had to deal, was the apportionment of delegates to the State legislature. The forces that rent the State asunder in 1861 were already in threatening evidence. The people of the eastern districts wanted representatives to the State legislature apportioned according to white population combined with the value of taxable property, or according to white population combined with a certain percentage of the negro population; while the people of the West wanted the representatives to be apportioned upon the basis of the white population exclusively. Mr. Leigh, of course, opposed this plan of the West. On Tuesday, Nov. 3, 1829, he began, and on the following day concluded, what was doubtless the greatest speech of his term in the convention, if not of his life. The following paragraphs have been selected not only to illustrate the case already cited, but also, and more espe-

cially, to give a fair notion of the orator's command of facts and language, and to show that much of what he said under the spur of occasion has a power and value for all time. It is always thus that real oratory is produced. Demosthenes without Philip, Cicero without Catiline, and Burke without the perils of his day, might not be heard at so great a distance: each one strove for his own people and for his own time; but they all thereby spoke for humanity and for all time."

57: 11. *Quis exul patria se quoque fugit.* A fugitive from his country is also a fugitive from himself (his conscience).

58: 1. *Cassandra.* According to Grecian mythology, a maiden endowed with the gift of prophecy, but doomed to have her warnings go unheeded.

59: 19. *Swift.* Jonathan (Dean) Swift (1667-1745). The greatest of English satirists.

59: 28. *Solon.* A great Athenian lawgiver, noted for his wisdom.

INAUGURAL ADDRESS

Delivered Dec. 13, 1832, upon the occasion of his inauguration as Governor of South Carolina. Found in *Niles's Register*, Dec. 22, 1832, pp. 278-279.

65: 17. *Great struggle in which we are engaged.* The struggle between South Carolina and the U. S. government because of the State's nullification of the Tariff Acts of 1828 and 1832.

65: 20. *Sovereign authority of the State.* As was shown by his famous joint debate with Webster, January, 1830, Hayne was an advocate of the States-rights theory of our government, which is that the national government is the creature, the agent of the States, with whom rests sovereign authority.

68:23. A constitutional controversy. The nullifiers, Calhoun particularly, claimed that nullification was a constitutional right. They based their argument on the Tenth Amendment of the Constitution, which reads: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Mr. George McDuffie in his "Eulogy on Hayne" quotes as follows from a distinguished speaker who heard Mr. Hayne deliver this address: "It was one of the most successful displays of eloquence I ever heard. It inspired the hearers with irresistible enthusiasm which burst forth in involuntary plaudits. I was agitated and subdued under its influence; many wept from excitement, and all, of all parties, were carried away, entranced by the magic powers of the speaker."

THE FORCE BILL AND NULLIFICATION

Delivered in the U. S. Senate, Feb. 15, 1833. Found in Register of Debates, Vol. IX, Part I (1832-1833), pp. 519-553.

72:16. This bill reported. The Revenue Collection (Force) Bill, empowering the President to enforce congressional tariff acts in South Carolina, who had nullified the Tariff Acts of 1828 and 1832.

76:18. Peace Russia gives Poland. Russia, who had acquired most of Poland, put down a revolt there in 1830-1831, with great severity.

78:22. Newton or Laplace. Sir Isaac Newton (1642-1727), a famous English mathematician and natural philosopher, noted especially for his discovery of the law of gravitation. Laplace (1749-1827), a great French astronomer and mathematician, called sometimes "The Newton of France."

79:4. Galileo and Bacon. Galileo (1564-1642), an Italian physicist and astronomer, best known for his invention of the telescope. Sir Francis Bacon (1561-1626), a noted English philosopher, is best known for his advocacy of experimental methods in scientific investigation.

80:8. Nero and Caligula. Two Roman emperors noted for their cruelty.

83:27. Principles of '98. The Virginia Resolutions of 1798.

ON THE POWER OF THE EXECUTIVE

Delivered in the House of Representatives, April 4, 1834. Found in Register of Debates, Vol. X, Part III, pp. 3443-3471. Abridged.

85:6. Present Executive. Andrew Jackson, who was President of the United States from 1829 to 1837.

87:13. Objections to the bank. In his first message to Congress, President Jackson declared that the Second Bank of the United States, chartered in 1816 to run for twenty years, was unconstitutional and had failed in the purpose for which it was created. In subsequent messages he continued his attack. In 1832, Congress, led by Henry Clay, passed an act rechartering the Bank, but Jackson returned the bill with his veto, and the necessary two thirds to pass the bill over his veto could not be secured. The rechartering of the Bank was the chief issue in the presidential campaign of that year, and Jackson was overwhelmingly elected. He considered the result a national approval of his opposition to the Bank, and in September, 1833, caused his Secretary of the Treasury to divert the government funds, which according to its charter were to be deposited in the Bank of the United States, to State banks (called "pet banks"). It was for this act, which the friends of the Bank termed a usurpation of executive authority, that Mr. McDuffie was

inveighing against President Jackson in the speech from which we have selected extracts.

88 : 1. Thanks, gentle citizens. Cf. *Richard III*, Act III, Scene 7.

89 : 7. Liegemen of the Dane. Cf. *Hamlet*, Act I, Scene 1. — Parliaments [parlements] of France. Law courts, not to be confounded with the lawmaking body of England.

89 : 27. Car of Juggernaut. A famous Hindoo idol. On certain festival occasions, he is drawn out of his temple on a car of sixteen wheels, and as the excited people crowd around, some fatalities usually occur, which has given rise to the popular idea that devotees sacrifice themselves to the idol.

90 : 3. Pandemonium. Mr. Hugh McQueen ("Orator's Touchstone," p. 95) has the following to say of Mr. McDuffie's use of this word: "A very intelligent gentleman who heard his (McD.'s) celebrated speech on the removal of the deposits by General Jackson, observed at a period long after the speech in question had been delivered, that many of the identical words uttered by Mr. McDuffie in delivering that speech, continued then to linger upon his ear, and that the term 'Pandemonium,' which was used in some way as being applicable to General Jackson and his cabinet, whilst it appeared to fall like a peal of thunder in the hall of Representatives when it was uttered, still seemed to ring in his ear at the time he alluded to the subject."

90 : 26. Lord Protector Cromwell. The most famous leader of the Parliamentarians in the struggle between the English King and Parliament, 1640-1649. Cromwell was Lord Protector of the realm from 1653 to 1658.

93 : 1. Prospero. A leading character in Shakespeare's comedy *The Tempest* who was skillful in the magic arts.

93 : 19. Bonaparte . . . dispersed the Chamber of Deputies. Upon returning from his Egyptian campaign in 1799,

Napoleon overthrew the Directory, the executive of the French government, dispersed the Council of Five Hundred, and had himself declared First Consul.

95 : 7. "Carthage must be destroyed." The words of the Roman senator, Cato the Elder, who, convinced that the city of Carthage was the most formidable rival of Rome, always ended his speeches — whatever the subject — with the words: *Ceterum censeo, Carthaginem esse delendam* (moreover, I vote that Carthage must be destroyed).

95 : 23. Roman emperor . . . fiddling. Nero, Emperor from 54 to 68. Tradition has it that during the fire of 64 A.D. which destroyed about two thirds of the city of Rome, Nero viewed the spectacle from a distance and amused himself the while by fiddling and reciting verses about the burning of Troy.

96 : 28. Temple . . . Ephesian torch. Reference is here evidently made to the burning of the famous temple of Diana at Ephesus by the Goths, 263 A.D.

97 : 14. "Compunctious visitings." Cf. Shakespeare's *Macbeth*, Act I, Scene 5.

LAFAYETTE

Delivered at Jackson, Miss., August, 1834. Copied from "Memoir of Prentiss," Vol. I, pp. 147-156. Mr. Prentiss's brother writes as follows in the "Memoir" (Vol. I, p. 147) concerning this speech: "It is evidently a hasty effusion, and is said to have been written, at a single sitting, a night or two before its delivery. Although it may now sound extravagant, even for an eulogy, it only echoed the sentiment which pervaded the entire nation, when the news came that their beloved friend and benefactor was no more." The speaker was only twenty years old when the eulogy was delivered. Though others of his speeches are more

famous, notably his three days' argument before the House of Representatives in defense of his claim to a seat in Congress, 1838, no accurate report was kept of any of them. The selection given seems to be the only speech which he committed to writing before delivery and gave out for publication afterwards.

98 : 13. **Kosciusko.** A Polish patriot (1746-1817). He fought on the American side during the Revolutionary War. Afterwards he returned to Poland and led his countrymen in their struggle for freedom against the Russians and Prussians (1792-1795). Wounded, captured, and imprisoned, he was liberated in 1796, when he left his dismembered country. He died in Switzerland from the effects of a fall from his horse.

102 : 22. **Nestor.** Famous in Grecian legend as the oldest and wisest councillor of the Greeks before Troy.

103 : 11. **Jacobins.** A political club formed in France near the beginning of the French Revolution. Lafayette at first belonged to the club, but its views soon became too radical for him.

103 : 21. **Olmütz.** A town in Moravia, Austria, where Lafayette was imprisoned from 1792-1797.

103 : 31. **Two chivalric young men.** Dr. J. Erick Bollman, a young German physician, and Mr. Francis Kinlock Huger of South Carolina, who together made a daring but unsuccessful attempt to rescue Lafayette from his confinement at Olmütz. (See Headley's "Life of Lafayette," pp. 320-329.)

104 : 8. **Minstrel friend . . . Richard.** While returning from the Third Crusade, 1192, Richard, the Lion-hearted, was seized by Leopold, Duke of Austria, who handed him over to Emperor Henry VI, by whom he was cast into prison. According to a mediæval legend a faithful minstrel wandered over Germany and played at every castle the airs that were

familiar to his lord, hoping thereby to let Richard know that his friends were thinking of him and planning his deliverance.

104 : 17. *Child of Destiny*. Napoleon Bonaparte, made First Consul of France in 1799.

105 : 14. *Mecca*. The birthplace of Mohammed, to which all his devout followers desire to make a pilgrimage.

105 : 22. *Marengo and Austerlitz*. Two of Napoleon's most famous victories—the first over the Austrians in Italy (1800), and the second over the allied Austrians and Russians in Austria (1805).

THE ADMINISTRATION OF ANDREW JACKSON

Delivered in the U. S. Senate, Jan. 12, 1837. Found in *Register of Debates*, Vol. XIII, Part I, pp. 382-391.

In 1832 President Jackson vetoed a bill for the rechartering of the U. S. Bank, and the following year had the Secretary of the Treasury discontinue the deposit of government funds in the Bank. Henry Clay and other political opponents of Jackson persuaded the Senate to adopt the following resolution: "Resolved, that the President, in the late executive proceedings in relation to the revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both." Senator Benton at once set himself the task of having this resolution expunged from the journal of the Senate. For three years the Senate refused to listen to his appeals, till finally in 1837, four days after the delivery of the speech from which this selection is taken, the Senate passed the following resolution: "That the said resolve be expunged from the journal; and, for that purpose, that the Secretary of the Senate, at such time as the Senate may appoint, shall bring the manuscript journal of the session 1833-1834 into the Senate, and, in the presence of the Senate, draw black lines round the

said resolve, and write across the face thereof, in strong letters, the following words: 'Expunged by order of the Senate, this 16th day of January, in the year of our Lord 1837.'"

INAUGURAL ADDRESS

Delivered Oct. 14, 1839, on the day he was inaugurated as governor of Tennessee. It is a clear statement of the theory of the States Rights party as to the nature of the Federal Constitution. This selection is taken from the address as found in Jenkins's "Life of James K. Polk."

123 : 24. Bank of the United States . . . finally overthrown. During President Jackson's fight with the U. S. Bank, Mr. Polk was his chief lieutenant in the House of Representatives.

126 : 12. The agitation of the Abolitionists. Mr. Polk was Speaker of the House from 1835 to 1839, and during that time the struggle in Congress over Abolitionists' petitions was most bitter.

INAUGURAL ADDRESS

Delivered in September, 1846, on the occasion of his inauguration as president of South Carolina College. The address was printed in pamphlet form at the request of the students, and this copy was obtained from a volume of bound pamphlets in the library of the late B. I. Witherspoon, Esq., which is now in possession of Rev. J. K. Hall, McConnellsville, S.C. The discourse is in Mr. Preston's best style, though somewhat more formal than was usual with him.

131 : 20. *Ac fuit quidem cum mihi*, etc. "And, indeed, there was a time when I myself thought, that if my vast

labors at the bar, and the toils of ambition had ceased with the attainment of public honors, and the advance of age, scarce any one could have thought it unreasonable, that I should have then begun to taste some relief, and to devote myself to those noble studies of which we are both of us so fond." (Cicero's *De Oratore*, Book I, Chapter I. Translation from "The Classical Library.")

A PLEA FOR THE UNION

This selection is the conclusion of Mr. Clay's famous speech on his compromise resolutions, delivered in the U. S. Senate, Feb. 5 and 6, 1850. It is said that "thousands of people, many from a distance, came to hear this last great speech of this most magnetic of American orators." A few weeks later Mr. Calhoun (March 3) and Mr. Webster (March 7) delivered their last great speeches in the Senate and joined their voices with Clay's in pleading for the settlement of disputed questions and the restoration of quiet and good feeling. The speech in full is found in Appendix to the Congressional Globe, Vol. 22, pp. 115-127. Mr. Clay's style is so clear and simple that there are no portions of the speech that require an explanation.

THE SOUTH'S RIGHTS IN THE UNION AND IN THE PUBLIC DOMAIN

Delivered Aug. 9, 1850, during the discussion of the famous Compromise Bill of 1850. The occasion of the speech was a message of President Fillmore to Congress urging that the boundary of Texas be fixed, and stating that the commonwealth is planning to extend its civil jurisdiction over a stretch of territory which he thinks belongs

to the general government, and that as President he will have to resist this encroachment by force of arms. This selection is taken from the speech as found in the "Appendix to the Congressional Globe," Vol. 22, Part 2, pp. 1080-1084.

158:23. The patriarch . . . and his friend and kinsman. Reference to the friendly separation of Abraham and Lot and the division of pasture lands between them.

160:5. Prometheus spark. According to Grecian mythology, Prometheus gave life to men by means of fire stolen from heaven.

EULOGY ON HENRY CLAY

Delivered in the House of Representatives, June 30, 1852, the day after the death of Mr. Clay. Found in Congressional Globe, Vol. 24, Part 2, 1st Session, 32d Congress, pp. 1637, 1638.

164:25. Memorable session of 1849-1850. During this session the famous Compromise of 1850 was passed, of which Mr. Clay was the moving and leading spirit.

171:31. Struggles of modern Greece for freedom . . . liberty born in the South American bosom. A generous patriotic heart like Clay's naturally sympathized with Greece and the South American states in their struggle for freedom during the first quarter of the nineteenth century. When memorials of sympathy for Greece were introduced in Congress, Mr. Clay supported them, and during his secretaryship of state he strongly advocated the sending of delegates to the Panama Congress of Spanish-American States.

ON THE KANSAS-NEBRASKA BILL

Delivered in the U. S. Senate, March 3, 1854. Found in Appendix to Congressional Globe, New Series, Vol. 31, pp. 407-415. Abridged.

175:28. Upon two memorable occasions. The Missouri Compromise (1820) and the Compromise of 1850.

179:15. Hydra. According to Grecian mythology a serpent with nine heads, each of which, when cut off, was succeeded by two new ones. Here the figure evidently refers to the slavery abolition sentiment of the North.

179:26. Soft Sheli . . . Democrats. The name given (between 1852 and 1860) to antislavery Democrats in the North.

181:1. A great . . . patriotic party. The Democratic party, led at the North at this time by Stephen A. Douglas, the author of the Kansas-Nebraska Bill.

ON THE KANSAS-NEBRASKA BILL

Delivered in the U. S. Senate, March 3, 1854. Found in Appendix to Congressional Globe, New Series (1854), Vol. 31, pp. 338-342. Abridged.

183:2. This measure. The Kansas-Nebraska Bill, providing not only for the territorial organization of Kansas and Nebraska and giving the people of the Territories the right to decide for themselves the slavery question, but also repealing the Missouri Compromise of 1820. Mr. Houston's alarm over the passage of this bill was well founded and shows his wisdom as a statesman; for unquestionably the repeal of the Act of 1820 and the struggle in Kansas over slavery hastened the coming of the conflict of the Sixties.

DANIEL WEBSTER—HIS GENTUS AND CHARACTER

Delivered before the Literary Club and Citizens of Montgomery, Ala., December, 1854. Found in a published collection of Mr. Hilliard's speeches. Abridged.

192:5. Clarendon . . . Duke of Buckingham. Edward

Hyde, Earl of Clarendon (1608-1674) and Prime Minister of Charles II, was the author of a "History of the Rebellion" (1640-1649). The Duke of Buckingham (George Villiers) (1592-1628) was the court favorite and adviser of James I and Charles I.

192 : 15. Mont Blanc. The highest peak of the Alps.

193 : 14. Dome Michael Angelo hung. St. Peter's Church (Rome), the largest Christian place of worship in the world. Michael Angelo (1475-1564), the great Italian sculptor, painter, and architect, was one of the chief architects who planned St. Peter's, and is especially responsible for the dome.

193 : 23. Demosthenes (383-322 B.C.). The great Grecian orator. The quotation is from Milton's "Paradise Regained," Book IV.

194 : 17. Mammon . . . least erected spirit . . . were always downward bent, etc. Milton's "Paradise Lost," Book I, l. 679, etc.

196 : 13. John Randolph and Pinkney. For sketches of these men, see elsewhere in this volume.

196 : 25. Speech . . . 7th of March, 1850. This speech was delivered in advocacy of Mr. Clay's Compromise (Omnibus) Bill of 1850, and is one of the greatest of Mr. Webster's life.

196 : 31. Achilles. The greatest of the Greek heroes before Troy. The quotation is from the "Iliad" (Pope's), Book 18, closing lines.

197 : 7. General Taylor. Zachary Taylor (1784-1850), President of the United States, 1849-1850. The quotation is from the "Iliad" (Pope's), Book 24, closing lines.

197 : 28. Cicero . . . Burke. Cicero (106-43 B.C.), the greatest orator of Rome. Edmund Burke, (1729-1797), one of the greatest of English orators and statesmen.

199 : 11. The greatest speech, etc. This was the speech

which culminated the debate between Webster and Hayne on the nature of our government. It was delivered Jan. 26, 1860.

200 : 18. Thackeray. William Makepeace Thackeray (1811-1863), a famous English humorist and novelist.

THE AMERICAN PARTY AND THE ROMAN CATHOLICS

Delivered during Mr. Wise's campaign for the governorship of Virginia, in 1855. Found in Wise's "Life of Henry A. Wise," pp. 192-195.

203 : 5. Louis XVI. King of France from 1774 till 1793, when he was beheaded by the French Revolutionists. It is a stretch of imagination to say that he *sent* Lafayette, the "boy of Washington's camp," to America.

203 : 10. De Kalb. "A native of Prussia who had long been in the service of France." He did valiant service in the American Revolution till he fell at Camden, 1781.

204 : 14. Stephen Langton. Archbishop of Canterbury and a leader of the barons when Magna Carta was forced from King John of England, June 15, 1215.

204 : 24. Know-nothings. Because of the reticence of its adherents to express the principles they stood for, the American party, anti-foreign in its views, was dubbed the "Know-nothing Party" by political opponents.

205 : 5. The Jesuits. A society of the Roman Catholic Church, founded by Ignatius Loyola in 1540, for the purpose of winning back the revolting Protestants to the Romish Church.

205 : 7. Machiavellian. A reference to the teachings of Niccolo Machiavelli, a famous Italian historian and diplomatist of the sixteenth century. In his book "The Prince" he advocated lying when necessary to carry the measure;

force and fraud when success could not be otherwise obtained; tyranny, if needful to keep a tyrant on his throne; murder and bloodshed as means if essential to obtain an end. It is only fair to say, however, that Machiavelli counseled the employment of honorable methods as the most sagacious course, when feasible, though his morality was of his century.

ON THE ADMISSION OF KANSAS UNDER THE LECOMPTON CONSTITUTION

Delivered Thursday, Feb. 25, 1858, in the House of Representatives. Found in Congressional Globe, Vol. 36 (1st Session, 35th Congress), Part I, pp. 817-820. Abridged.

207 : 1. *The Kansas Bill.* The Kansas-Nebraska Bill of 1854, the terms of which are immediately explained. A large part of Mr. Curry's speech is taken up in showing that the adoption of the Lecompton Constitution was in accordance with this bill, and that those opposing the admission of Kansas are really renouncing the Kansas-Nebraska Bill.

207 : 5. *The unconstitutional Missouri restrictions.* The Missouri Compromise of 1820 which was repealed by the passage of the Kansas-Nebraska Bill of 1854.

208 : 19. *Bitter waters of Marah.* Cf. *Exodus* 15 : 23.

209 : 21. *Ab ovo usque ad malum* = "from the egg to the apples" (said of a dinner); "from beginning to end."—Governor Walker. Robert James Walker (1801-1869). He was governor of the Territory of Kansas, 1857-1858.

THE PLATFORM OF THE DEMOCRATIC PARTY

Speech delivered before the National Democratic Convention, Charleston, S.C., April 27, 1860. Copied from the *Mobile Register*, May 12, 1860, which professes to take it from the *Charleston Mercury*. The copy of the *Register* from which the selection is taken is the property of Dr.

George Petrie, Alabama Polytechnic Institute, who has kindly furnished me with the portions of the speech here printed. A few verbal changes and omissions have been made.

215 : 3. Resolutions . . . majority. The committee on platform brought in a majority and a minority report. In order to bring out the point of Mr. Yancey's speech, we give the sections of the two reports bearing on the slavery question.

MAJORITY REPORT

Resolved, That the Platform adopted at Cincinnati be affirmed, with the following resolutions:—

1. *Resolved*, That the National Democracy of the United States hold these cardinal principles on the subject of Slavery in the Territories: First, That Congress has no power to abolish slavery in the Territories. Second, That the Territorial Legislature has no power to abolish slavery in any Territory, nor to prohibit the introduction of slaves therein, nor any power to exclude slavery therefrom, nor any power to destroy or impair the right of property in slaves by any legislation whatever.

2. *Resolved*, That the enactments of State Legislatures to defeat the faithful execution of the Fugitive Slave Law are hostile in character, subversive of the Constitution, and revolutionary in their effect.

3. *Resolved*, That it is the duty of the Federal Government to protect, when necessary, the rights of persons and property on the high seas, in the Territories, or wherever else its Constitutional authority extends.

MINORITY REPORT

1. *Resolved*, That we, the Democracy of the Union, in Convention assembled, hereby declare our affirmance of the Resolutions unanimously adopted and declared as a

Platform of principles by the Democratic Convention at Cincinnati, in the year 1856, believing that Democratic principles are unchangeable in their nature, when applied to the same subject-matters; and we recommend as the only further resolutions the following:

2. *Resolved*, That all questions in regard to the rights of property in States or Territories, arising under the Constitution of the United States, are judicial in their character; and the Democratic party is pledged to abide by and faithfully carry out such determination of these questions as has been or may be made by the Supreme Court of the United States.

3. *Resolved*, That it is the duty of the United States to afford ample and complete protection to all of its citizens, whether at home or abroad, and whether native or foreign born.

It was shortly after these resolutions were submitted to the Convention, and on the same day, that Mr. Yancey spoke. His speech probably caused the split in the Convention; for, later, he withdrew, followed by a large number of the Southern delegates.

217 : 27. *We of the South*. Possibly put in italics by the Mobile paper which alludes editorially to this passage.

220 : 8. *Hercules in his cradle*. Reference to the Grecian myth that two serpents attempting to strangle the infant Hercules were overcome by his superhuman strength.

222 : 20. *Squatterism . . . popular sovereignty*. In an effort to solve the perplexed question of slavery in the territories, Messrs. Cass (Mich.) and Douglas (Ill.) hit upon the plan of allowing the settlers, at the time of organizing the territorial government, to decide the question for themselves. This policy was known as popular or squatter sovereignty and was incorporated in Mr. Douglas's Kansas-Nebraska Bill, 1854.

222 : 21. Lecompton Constitution. The constitution drawn up and submitted to Congress by the proslavery party in Kansas, when they applied for the admission of the State into the Union.

223 : 24. The honorable Chief Justice. Roger B. Taney, Chief Justice of the U. S. Supreme Court from 1835 to 1864. He handed down the decision of the Court in the Dred Scott case.

225 : 21. Obiter dicta. Things said in passing, not directly connected with the case under consideration.

SOUTH CAROLINA AND SECESSION

Delivered in the U. S. Senate, Dec. 13, 1860, during the discussion of a resolution providing for the appointment of a committee of thirteen to inquire into the agitated condition of the country.

232 : 2. Their palmetto has withered. The defense of Fort Moultrie in Charleston harbor, during the Revolutionary War, was made effective by a fort of palmetto logs. In commemoration of this event, the palmetto tree, a species of palm, was made the emblem of South Carolina and placed on the seal of the State.

234 : 3. One of the States will . . . cease to be one of the United States. South Carolina passed an ordinance of secession Dec. 20, 1860. In November, a few days after the State legislature had called the secession convention, Senators Chestnut and Hammond resigned their seats in the U. S. Senate. In the absence of her representatives, Mr. Wigfall, though senator from Texas, chose to defend his native State in her proposed act of secession.

239 : 23. Thermopylæ. A pass on the coast of Greece famous for the defense made there by Leonidas, king of the Spartans, and three hundred followers, against the invading Persian host under Xerxes.

240 : 3. **The Alamo.** A fort in Texas captured, during the war for Texan independence, by Santa Anna, a Mexican general. Only five men survived the fall of the stronghold, and they were ordered shot by Santa Anna.

ON PROPOSITIONS TO THE COMMITTEE OF THIRTEEN

Delivered in the U. S. Senate, Jan. 7, 1861. Found in Congressional Globe, Part I, 2d Session, 36th Congress, pp. 267-271. Abridged.

242 : 4. **Committee of thirteen.** Early in the session of 1860-1861 committees from both Houses of Congress were appointed for the purpose of arranging a compromise on the slavery question. Propositions were presented to the Senate committee of thirteen members by Messrs. Toombs, Seward, and Crittenden. Mr. Seward represented the anti-slavery views, Mr. Toombs the proslavery side, and Crittenden the more nearly compromise position, though his and Toombs's recommendations differed essentially in only one point.

243 : 2. **"Touch not Saguntum."** In defiance to the orders of Rome, Hannibal besieged and captured Saguntum, a city of Iberia (Spain) and an ally of Rome. This bold step brought on the Second Punic War.

248 : 28. **An Old Bailey lawyer.** "In towns" (during mediæval times and later) "the Bailey meant the entire space inclosed within the walls, or *vallum*, and was used in connection with civil and criminal jurisdiction; hence the Old Bailey in London and the Bailey in Oxford." (International Encyclopædia.)

FAREWELL TO THE SENATE

Delivered in the U. S. Senate, Jan. 21, 1861, on the occasion of his withdrawal from that body. Found in Congress-

sional Globe, Part I, 2d Session, 36th Congress (1860-1861), p. 487. For a clear, compact statement of the Southern cause in the War of Secession, this speech is unsurpassed. It is a model of English style in chaste, lucid, forceful expression.

256 : 23. A great man who now reposes with his fathers. John C. Calhoun, as indicated a few lines below.

257 : 20. The name of a great man . . . invoked to justify coercion. A reference to Andrew Jackson, who was President when the South Carolina Nullification Ordinance was passed, and who declared by proclamation that he would execute the nullified laws within the State.

FAREWELL TO THE SENATE

Delivered in the U. S. Senate, Feb. 5, 1861. Found in Congressional Globe, Part I, 2d Session, 36th Congress (1860-1861), pp. 721, 722.

262 : 4. My colleague. John Slidell, senator from Louisiana from 1853 to 1861. Also Confederate Commissioner to England during the Civil War.

262 : 19. Louisiana . . . acquired by purchase. Louisiana Territory, embracing, in the main, the western half of the Mississippi Valley, was purchased from France by the United States in 1803.

264 : 25. James Monroe and Thomas Jefferson. Mr. Jefferson was President at the time of the Louisiana Purchase, and Mr. Monroe was sent to France as special commissioner to negotiate the treaty.

265 : 13. Mr. Justice Catron. John Catron (1778-1865) was Chief Justice of the Supreme Court of Tennessee from 1830 to 1836 and Justice of the U. S. Supreme Court from 1837 to 1865.

268 : 20. Hampden. John Hampden (1594-1643). An English statesman, famous for the leading part he took in

the struggle between Parliament and King Charles I of England.

268 : 21. Henry. See sketch of Patrick Henry found elsewhere in this volume.

268 : 31. Chatham. William Pitt, the Elder (1708-1778). A famous English statesman and orator who defended with great eloquence the cause of the American colonies at the outbreak of the Revolution. In 1776 he was created by George III of England Viscount Pitt and Earl of Chatham.

269 : 1. Lord North. Frederick North, Earl of Guilford (1732-1792). He was Prime Minister of George III during the American Revolution.

269 : 28. Senile Executive. President James Buchanan (1791-1868), who was at this time seventy years old and was charged with weakness in handling the secession question in the South.

EULOGY ON CHARLES SUMNER

Delivered in the House of Representatives, April 27, 1874. Found in Congressional Record, Vol. 2, Part 4, pp. 3410, 3411, 43d Congress, 1st Session.

273 : 9. Charles Sumner. Charles Sumner (1811-1874), the subject of this eulogy, was a U.S. senator from Massachusetts from 1851 till his death. He was bitterly opposed to slavery.

273 : 17. Johnson. Dr. Samuel Johnson, a great English prose writer. The quotation is from his epitaph, written in Latin, on Goldsmith, "Nullum quod tetigit non ornavit."

THE SOLID SOUTH

This selection contains the concluding paragraphs of Senator Hill's speech on "The Solid South." It was delivered in the U. S. Senate, May 10, 1879, during the consideration of the bill making appropriations for the legislative,

executive, and judicial expenses of the government for the succeeding year. The entire speech is a very able reply to charges made against the South by Senators Blaine (Me.), Conkling (N.Y.), Edmunds (Vt.), and Chandler (Mich.) in the debates on this appropriation bill and the bill to prohibit military interference at elections which had passed the Senate the day before, May 9. In the opinion of Senator Hill's son, B. H. Hill, Jr., this is the ablest speech of his father's long career as an orator. It is found in the Congressional Record, Vol. 9, Part 1, 46th Congress, 1st Session, pp. 1207-1219.

283:4. Calhoun. John C. Calhoun (1782-1850), of South Carolina. He was the leader of the State Rights party in the South between 1825 and 1850. — Breckinridge. John C. (1821-1875), of Kentucky. Vice President of the United States from 1856-1860 and nominated for the presidency by the southern wing of the Democratic party in 1860.

285:20. Greeley. Horace (1811-1872). Noted as the founder and editor of the *New York Tribune*. He was the presidential candidate of the Liberal Republicans and Democrats in 1872, but was defeated by Grant.

286:26. Senator from New York. Roscoe Conkling (1829-1888). A leader of the Republican party in the U. S. Senate between 1867 and 1881.

286:27. Senator from Maine. James G. Blaine (1830-1893), of Maine. He was the unsuccessful candidate of the Republican party for the presidency in 1884. Later he was Secretary of State under President Harrison.

287:19. Two hundred and fifty thousand citizens disfranchised, etc. This was effected by the Reconstruction Acts, which required in the oath of registration for voting a declaration that you had not participated in rebellion against the United States. Comparatively few white citizens could take the oath.

288 : 25. *Returning boards*. "In some of the United States a board consisting of certain State officers, who are by law empowered to canvass and declare returns of elections held within the State." (Century Dictionary.)

THE SCATTERED NATION

This selection consists of extracts from Vance's lecture on the Jews, his most finished and most widely known public lecture. It is to be found in pamphlet form and is also included in the sketch of his life by Dowd, pp. 369-399.

295 : 1. *Professor Maury*. Matthew Fontaine Maury, born in Virginia in 1806 and died there, 1873. Best known by his writings on the sea, atmosphere, and physical geography.

295 : 22. *Seven times heated in the furnace*. See *Daniel* 3 : 19-25.

296 : 19. *De Quincey*. Thomas De Quincey (1785-1859). A great English prose writer.

297 : 27. *Frederick the Great*. Frederick II (1712-1786). King of Prussia from 1740 to 1786 and known as "The Great." Under his rule and leadership Prussia became one of the leading kingdoms of Europe and was raised to a position that enabled it to organize the present German Empire.

298 : 4. *Macaulay*. Thomas Babington (Lord) Macaulay (1800-1859). An eminent English essayist, historian, and statesman.

298 : 8. *Pantheon*. A temple to all the gods. It was first erected in Rome, 27 B.C.

298 : 10. *Amphitheater* (double theater). "An architectural structure invented by the Romans for exhibiting gladiatorial combats, fights of wild beasts, and other spectacles." "Iberian" should be "Flavian," as the amphi-

theater referred to was built at Verona in honor of the Flavian line of Roman emperors. The quotation from Macaulay, taken from his essay on "Von Ranke," contains some slight inaccuracies and omissions.

298:15. *Pipin*. Pipin the Short (714-768). Crowned king of the Franks in 741, he became the founder of the Carolingian line of kings which took its title from his father, Charles Martel. Pipin was the father of Charlemagne, the most striking figure of the Middle Ages.

298:22. *Antioch*. The ancient capital of the kingdom of Syria. In the early years of the Roman Empire it was a center of Greek learning and culture and was famed for its luxury.

298:23. *Mecca*. The birthplace of Mohammed and consequently the sacred city of his followers.

298:26. *St. Paul*. A famous cathedral in London. "The largest and most magnificent of all Protestant churches, and the most notable among English buildings of modern times."—Aaron, the first Jewish high priest, and Levi, head of the tribe of Levi.

299:12. *Memphian*. From Memphis, a city of ancient Egypt.

299:15. *Ammon*. An ancient Egyptian deity.

299:16. *Tyre and Sidon*. Two ancient Phœnician cities situated on the eastern shore of the Mediterranean Sea.

299:17. *Carthage*. A city on the northern coast of Africa, and seat of the Carthaginian Empire, a bitter rival of republican Rome.

299:19. *Clio*. In Grecian mythology, the muse of history.

299:21. *Erythræan Sea*. A name applied by ancient writers to that part of the Indian Ocean including the Persian Gulf and Arabian Sea.

299:22. *Shinar*. The plain between the Euphrates and

Tigris rivers (Mesopotamia), known later as Chaldea, or Babylonia.

301 : 4. Lebanon. A range of mountains in Syria, north of Palestine, famous for its cedars.

303 : 27. Talmud. "The body of the Jewish and civil canonical law not comprised in the Pentateuch."

304 : 1. Harps down from the willows. See *Psalms* 137 : 1-4.

304 : 10. Monarch . . . Southern Alleghanies. Mt. Mitchell, or Black Dome, the highest peak in the United States east of the Mississippi River.

THE NEW SOUTH

Delivered in the city of New York, Dec. 21, 1886, at the eighty-first anniversary celebration of the New England Society. No speech of recent years has attracted more attention throughout the country than this one by Mr. Grady.

306 : 6. Benjamin H. Hill. See sketch of his life elsewhere in this volume. — *Tammany Hall*. A hall in New York City owned by the Tammany Society, but used as the headquarters of political organization led by members of the Society, and popularly known as "Tammany Hall." (Cf. *Century Dictionary*.)

308 : 1. Cavalier as well as the Puritan. In the revolution in England between 1640 and 1649, the supporters of the King were called *Cavaliers*, and those of Parliament, *Puritans*. Members of both factions emigrated to this country, the former settling mainly in the South and the latter in the North.

308 : 8. John Smith. Hero of the early Virginia settlements and Miles Standish of the early New England colonies.

308 : 31. Dr. Talmage. Thomas De Witt Talmage

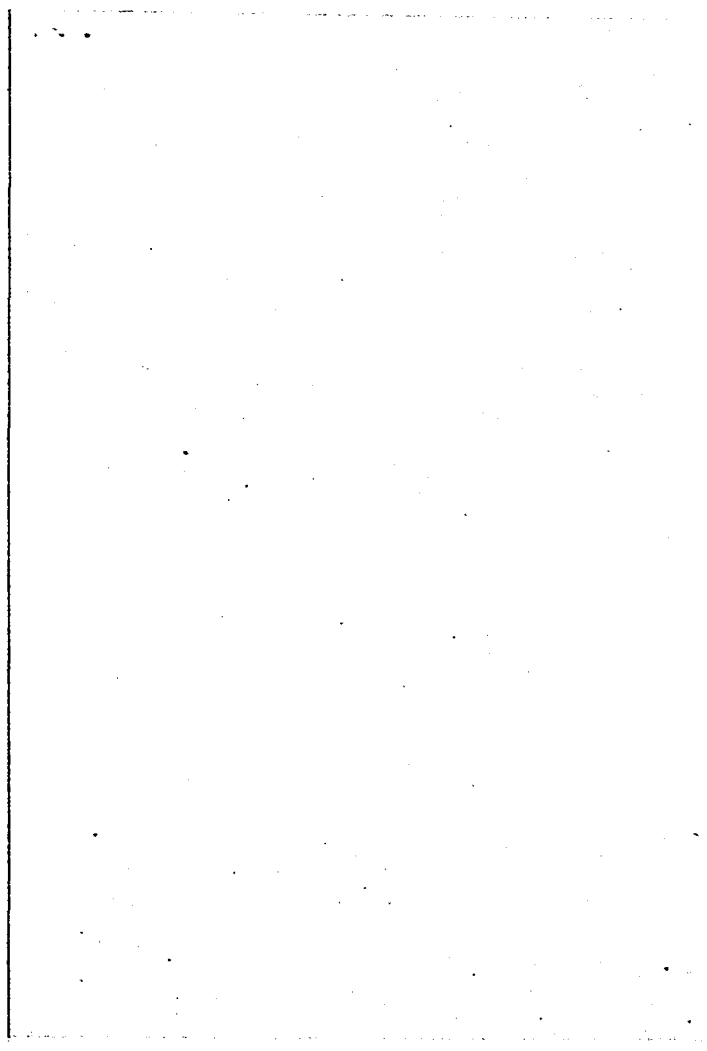
(1832-1902), a noted minister of the Reformed Dutch Church, who wrote many sermons and other works for publication.

311 : 31. "Bill Arp." Charles Henry Smith, of Georgia, noted for his humorous writings, especially his weekly letters to the *Atlanta Constitution*, and *Home and Farm* of Louisville.

312 : 30. *Mason and Dixon's line*. The boundary line between Pennsylvania and Maryland, named for the two Englishmen, Charles Mason and Jeremiah Dixon, who surveyed it in 1766 for William Penn and Lord Baltimore. The line afterwards became famous as the dividing line between the slaveholding and free States.

314 : 14. Toombs. See sketch of his life given elsewhere in this volume.

318 : 26. Those opposed eyes, etc. Cf. Shakespeare's *I Henry IV*, Act I, Scene 1.



SOUTHERN WRITERS

Selections in Prose and Verse. Edited by WILLIAM P. TRENT,
Professor of English Literature at Columbia University,
Author of "A History of American Literature,"
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