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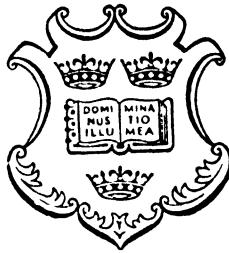
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THE
OXFORD COMPANION
TO
ENGLISH
LITERATURE

THE OXFORD
COMPANION
TO ENGLISH
LITERATURE

Compiled and edited
by
SIR PAUL HARVEY



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PREFACE

THIS volume will serve its purpose if it proves a useful companion to ordinary everyday readers of English literature. It is necessarily a work of compilation and selection, because the range of the possible subject-matter is so great. English literature has a continuous history of over a thousand years, it has been produced in many lands, and there is no subject on which it does not touch. Completeness in a moderate compass, and the equipment of a specialist at all points, are therefore impossible.

According to the general scheme of the work, as designed by the publishers, two main elements are included, in alphabetical arrangement. The one is a list of English authors, literary works, and literary societies which have historical or present importance. Under an author's name is given a selection of facts—especially dates—bearing on his life and literary activity. Under the title of a work there is some indication of its nature, and for the greater works of fiction of the past—whether poetry, prose, or drama—there is usually a brief sketch of the plot. American literature is an essential part of the literature of our language, and a certain number of American authors and of their works, those best known in this country, have been treated on the above lines. Original literary appreciation is not attempted, and comments verging on aesthetic criticism are intended to give rather a conventional view of the importance and distinctive qualities of the author or work under discussion. In this part of the volume, where a compiler must often plead for the indulgence of experts, living authors present the hardest problem. Contemporary judgement is notoriously fickle and tends to be impassioned. I could have wished to exclude all living authors; yet some have established reputations that can hardly be ephemeral, and some may claim at least a place beside the popular favourites of other days. I have therefore, on advice, given very brief entries to a limited number of living authors and recent works; but without finding a criterion of choice that satisfies me. I must apologize to those whose merits I have unintentionally neglected, and ask readers to pass lightly over errors of selection on this difficult borderland. After all, it comprises only one of some fifty generations of English authors.

The other element is the explanation of allusions commonly met with, or likely to be met with, in English literature, in so far as they are not covered by the articles on English authors and works. The selection is limited to allusions which contain a proper name, with a few special exceptions: some literary terms, some names of wines, and names of old coins like 'gold moidores' and 'pieces of eight', which are more than mere common nouns to readers of English. Even among proper names the number of possible entries is huge. Apart from the characters of English fiction, one must reckon with names from several mythologies, with saints, heroes, statesmen, philosophers, men of science, artists, musicians, actors, with literary forgers and impostors—in short, with every kind of celebrity. In order to restrict the field of choice

PREFACE

I have had to bear in mind that this is not a dictionary of mythology, or history, or science, or music, but a companion to English literature, and therefore to look at all such special subjects through the mirror of English literature. It is sometimes a distorting mirror. Thus foreign authors are included as matter of allusion in English, not on any scale of merit which would satisfy students of those literatures. Eustache Deschamps, for instance, appears because of his relations with Chaucer, though many greater figures in French literature are passed over. In the selection of place-names, the grounds of choice are similar. A volume of this size would not hold all the places referred to in English writers of some standing. But Grub Street and Fleet Street have associations which greater thoroughfares do not share; Harvard and Yale have claims to inclusion over and above their merits as universities; Mount Helicon must be preferred to Everest.

If these general principles of selection win approval, it still remains true that no two persons would agree on their application in detail. But I hope I have included a large proportion of entries which would be admitted by common consent, and have contrived to provide many signposts that will direct the inquirer to fuller knowledge. Some of the entries may appear unnecessary from the very familiarity of the subject; but it must be remembered that what is familiar to residents in this country may not always be so to readers in other lands which have a common heritage in our literature.

In a compilation such as this, the debt to previous writers is necessarily very great, coextensive in fact with the book itself. I must, to begin with, acknowledge my special indebtedness to certain sources of general literary information. These are: the *Cambridge Histories of English Literature* and of *American Literature*; the various works of Prof. Saintsbury (including the *Periods of European Literature* issued under his general editorship); the *Surveys* of Prof. Elton; and A. C. Ward's *Twentieth-Century Literature*. The biographies of British authors in the following pages are mainly, but not exclusively, based on the *Dictionary of National Biography*. Many definitions are adapted and much miscellaneous literary information derived from the *Oxford English Dictionary*. I have, in addition, profited by the labours of the innumerable editors, biographers, and commentators of authors whose works are dealt with herein. It would be impossible to name them all, but I should perhaps mention my special debt to such outstanding biographers as J. G. Lockhart and Sir E. K. Chambers.

The articles on classical mythology are based, in the main, on Homer, Hesiod's *Theogony*, the Greek tragedians, Virgil, and Ovid, with much guidance and assistance from the *Classical Dictionaries* of Sir William Smith and Lemprière. Those on Scandinavian mythology are founded on the *Poetic Edda* and the *Heimskringla*; those on Celtic mythology, on the *Hibbert Lectures* of Prof. John Rhys and the *Mythology of the British Islands* of C. Squire; and the few notes on Indian and Moslem theology and mythology on W. J. Wilkins's *Hindu Mythology*, Sale's *Koran*, and Duncan Forbes's *Mohammedan Mythology*. In matters of archaeology and ancient religion and

	PAGE
NOTED SAYINGS AND CELEBRATED PASSAGES	293
ACKNOWLEDGMENTS	321
CHRONOLOGICAL INDEX OF ORATORS AND SUBJECTS	323
GENERAL INDEX	341

NOTED SAYINGS AND CELEBRATED PASSAGES

	PAGE		PAGE
ALLEN, WILLIAM (1806-1879)		BURCHARD, REVEREND SAMUEL DICK-	
Fifty-Four Forty or Fight . . .	299	INSON (1812-1891)	
AMES, FISHER (1758-1808)		Rum, Romanism, and Rebellion .	311
Sober Second Thought	312	BURKE, EDMUND (1729-1797)	
ANDOCIDES (467-391 B. C.)		Arbitrary Power Anarchical . .	294
Against Epichares, One of the		Arbitrary Power and Conquest .	294
Thirty Tyrants	293	Fire Bells as Disturbers of the	
ANTIPHON (c. 480-411 B. C.)		Peace	299
Unjust Prosecutions	294	Hampden's Twenty Shillings . .	302
BANCROFT, GEORGE (1800-1891)		Judges and the Law	304
Individual Sovereignty and Vest-		Marie Antoinette as the Morning	
ed Right in Slaves	294	Star	306
BARRE, COLONEL ISAAC (1726-1802)		BURKE, FATHER "TOM" (1830-1883)	
Tea Taxes and the American		All Men Fit for Freedom	293
Character	313	America and Ireland	295
BATES, EDWARD (1793-1869)		Freedom of Conscience	300
Old-Line Whigs	308	BYRON, LORD (1788-1824)	
BECK, JAMES M. (1861-)		Capital Punishment for Crimes	
Expansion and the Spanish War	294	Fostered by Misgovernment .	296
"World Politics"	319	CALHOUN, JOHN C. (1782-1850)	
BEECHER, HENRY WARD (1813-1887)		Coercion and Union	297
Bible and Sharp's Rifle	295	Cohesive Power of Capital	297
BEVERIDGE, A. J. (1862-)		Governmental Power and Popu-	
Just Government and the Con-		lar Incapacity	301
sent of the Governed	295	Liberty and Society	305
BINNEY, HORACE (1780-1875)		Society and Government	312
The Supreme Court	313	Taxation when Unnecessary a	
War	315	Robbery	313
BLAINE, JAMES G. (1830-1893)		Union, not Nation	314
Conkling's "Turkey-Gobbler		CANNING, GEORGE (1770-1827)	
Strut"	297	Napoleon after the Battle of	
BOARDMAN, HENRY A. (1808-1880)		Leipsic	308
Constitutional Liberty and the		Spanish American Independence	312
American Union	298	CANULEIUS (5th Century, B. C.)	
BONAPARTE, NAPOLEON (1769-1821)		Against the Patricians	296
Address to the Army of Italy . .	293	CATO THE ELDER (234-149 B. C.)	
BRAGG, EDWARD S. (1827-)		Woman's Rights	318
Loving Him for His Enemies . .	305	CHASE, SALMON P. (1808-1873)	
BROUGHAM, LORD (1778-1868)		Indestructible Union of Inde-	
Higher Law in England	303	structible States	303
Law Reform	304	CHATHAM, LORD (1708-1778)	
Public Benefactors and Their Re-		Bayonets as Agencies of Recon-	
wards	310	ciliation	294
Slanderers as Insects	312	If I Were an American	303
BROWN, JOHN, "OF OSSAWATOMIE"		On Lord North	297
(1800-1859)		Whig Spirit of the Eighteenth	
"Higher Law" Defined in Court .	302	Century	317
BRYANT, EDGAR E.		CHOATE, RUFUS (1799-1859)	
War and the Constitution	315	Glittering Generalities	300
		Step to the Music of the Union .	312
		CHRISTY, DAVID (19th Century)	
		Cotton is King	298

	PAGE		PAGE
CLAY, HENRY (1777-1852)		GOUGH, JOHN B. (1817-1836)	
"Free Trade and Seamen's Rights"	300	Water	315
Government a Trust	300	GRANT, ULYSSES S. (1822-1885)	
No South, No North, No East, No West	308	Freedom and Education	301
Patriotism	309	GRAVES, JOHN TEMPLE (1856-)	
Rather Be Right than President	310	On Henry W. Grady	301
CLEMENS, JEREMIAH (1814-1865)		GREELEY, HORACE (1811-1872)	
Foreign War and Domestic Despotism	300	After-Dinner Speech on Franklin	301
CLEVELAND, GROVER (1837-1908)		The Bloody Chasm	313
A Condition, not a Theory	297	HALE, NATHAN (1755-1776)	
Communism of Capital	297	But One Life to Lose	296
Innocuous Desuetude	303	HALL, ROBERT (1764-1831)	
COBDEN, RICHARD (1804-1865)		Duty and Moral Health	302
Armament not Necessary	294	HAMILTON, ALEXANDER (1757-1804)	
COLERIDGE, SAMUEL TAYLOR (1772-1834)		Despotism and Extensive Territory	299
Hissing Prejudices	303	National Debt a National Blessing	308
CRAPO, WILLIAM WALLACE (1830-)		HAMMOND, JAMES H. (1807-1864)	
Public Office a Public Trust	310	Cotton is King	298
CURRAN, JOHN PHILPOT (1750-1817)		Mudsills	308
Liberty of the Press	305	HARRISON, BENJAMIN (1833-1901)	
DAVIS, JEFFERSON (1808-1889)		The Only People Who Can Harm Us	314
Let Us Alone	305	HAYES, RUTHERFORD B. (1822-1893)	
DECATUR, STEPHEN (1751-1808)		Service to Party and Country	312
Right or Wrong, Our Country	311	HENDERSON, JOHN B. (1826-)	
DEWEY, ORVILLE (1794-1882)		The Right to Make Foolish Speeches	302
Exclusiveness	299	War and Military Chieftains	315
DINARCHUS (361-291 B. C.)		Why Not Let Well Enough Alone?	317
Demosthenes Denounced	298	HENRY, PATRICK (1736-1799)	
DISRAELI. See <i>Lord Beaconsfield</i> (1804-1881)		Experience	299
Liberalism	299	Hope and Truth	303
DIX, JOHN A. (1798-1879)		Liberty or Death	305
Shoot Him on the Spot	312	Weakness not Natural	316
ESTABROOKE, HENRY D. (1854-)		HIGGINSON, JOHN (1616-1708)	
Altruism	293	Cent Per Cent in New England	297
FIELD, STEPHEN J. (1816-1899)		HILLIARD, H. W. (1808-1892)	
Intimidation of Judges	304	Constitutional Government	298
FLANAGAN, WEBSTER M. (1832-)		Manhood	306
What Are We Here for?	317	HOLMES, OLIVER WENDELL (1809-1894)	
FLOOD, HENRY (1732-1791)		Boston the Hub	295
On Grattan	300	HOYT, REVEREND DOCTOR WAYLAND (1838-)	
FRANKLIN, BENJAMIN (1706-1790)		Benevolent Assimilation and Manifest Providence	295
Prayer and Providence	310	HUGO, VICTOR (1802-1885)	
We Must Hang Together	317	Voices from the Grave	314
GARRISON, WILLIAM LLOYD (1804-1879)		HUMPHREY, E. P. (1809-1887)	
Covenant with Death and Agreement with Hell	298	Limitation	305
Harsh as Truth	302	HUSKISSON, WILLIAM (1770-1830)	
GLADSTONE, WILLIAM E. (1809-1898)		Innovation	303
The American Constitution	300		

	PAGE		PAGE
HYPERIDES (322 B. C.)		PLINY THE YOUNGER (62-113 A. D.)	
Leosthenes and the Patriot Dead	304	Eloquence and Loquacity	299
ISÆUS (Fourth Century B. C.)		Liberty and Order	309
The Athenian Method of Examining Witnesses	304	PORTER, HORACE (1837-)	
JEFFERSON, THOMAS (1743-1826)		Mugwumps	308
Entangling Alliances with None	299	POTTER, HENRY CODMAN (1835-1908)	
Few Die, None Resign	299	Nobility of Ascent	308
Freedom to Err	300	PRESTON, WILLIAM (1816-1887)	
Good Government, The Sum of	300	Liberty and Eloquence	305
Self-Government	312	QUINCY, JOSIAH, JUNIOR (1772-1864)	
Strong Government	313	Peaceably, if Possible; Violently, if Necessary	309
JOHNSON, ANDREW (1808-1875)		QUINTILIAN (35-95 A. D.)	
Swinging Around the Circle	313	Oratory and Virtue	310
KOSSUTH, LOUIS (1802-1894)		Pectus et Vis Mentis	309
Power Without Justice	309	RANDALL, S. J. (1828-1890)	
LEGARÉ, HUGH S. (1789-1843)		Protection and Free Trade under the Constitution	310
Constitutional Liberty a Tradition	298	RANDOLPH, JOHN (1773-1833)	
LIVY (59 B. C.-17 A. D.)		Bliffl and Black George	295
Hannibal to His Army	302	RAYNOE, KENNETH (19th Century)	
LYCURGUS (396-323 B. C.)		Revolutionists of Seventy-Six	311
Peroration of the Speech Against Leocrates	305	ROLLINS, JAMES SIDNEY (1812-1888)	
MACAULAY, T. B. (1800-1859)		Free Speech in Parliament and Congress	300
Fitness for Self-Government	299	Southern Patriotism	311
MACDUFFIE, GEORGE (1788-1851)		The Constitution as It is, and the Union as It Was	313
Representative Government	310	RUSH, BENJAMIN (1745-1813)	
MCKINLEY, WILLIAM (1843-1901)		Extent of Territory	311
Benevolent Assimilation	295	SAVONAROLA, GIROLAMO (1452-1498)	
MANSFIELD, CHIEF-JUSTICE (1705-1793)		Compassion in Heaven	311
Politics on the Bench	309	SCIPIO (234-183 B. C.)	
MARCY, WILLIAM L. (1786-1857)		Carrying War Into Africa	296
Spoils	312	SERGEANT, JOHN (1779-1852)	
MARSHALL, THOMAS F. (1800-1864)		Militarism and Progress	307
Clay's Moral Force	297	SEWARD, W. H. (1801-1872)	
Louder, Sir, Louder	305	Higher Law	302
MARVIN, BISHOP E. M. (1823-1877)		SHERIDAN, R. B. (1751-1816)	
Christ and the Church	306	Commercialism Militant	297
MEREDITH, SIR W. (1725-1790)		SOULÉ, PIERRE (1802-1870)	
Government by the Gallows	300	American Progress	312
MONROE, JAMES (1758-1831)		STORRS, R. S. (1821-1900)	
Monroe Doctrine	307	Short Sermons	313
PALMER, BENJAMIN W. (1819-1902)		STORY, JOSEPH (1779-1845)	
Lee and Washington	308	Passing of the Indians	309
PARKER, THEODORE (1810-1860)		SUMNER, CHARLES (1811-1874)	
Government of, by, and for the People	301	Freedom Above Union	300
PHILLIPS, WENDELL (1811-1884)		SWING, DAVID (1830-1894)	
Higher Law	302	Apothegms	313
PIERREPONT, EDWARDS (1817-1892)		TAYLOR, ROBERT L. (1850-)	
Equality in America	309	Irish Heroism	304
PIKE, ALBERT (1809-1891)		TYLER, JOHN (1790-1862)	
Moral Influences	308	The Flag of Yorktown	314

	PAGE		PAGE
UHLMAN, D.		WEED, THURLOW (1797-1882)	
Sovereignty of Individual Man-		Good Enough Morgan	300
hood	312	WILLIAMS, GEORGE H. (1823-1910)	
VAN BUREN, MARTIN (1782-1862)		Pioneers of the Pacific Coast . .	309
Expansion before the Mexican		WILMOT, DAVID (1814-1868)	
and Civil Wars	314	"Fanaticism" and "Property	
VEST, GEORGE GRAHAM (1830-1902)		Rights"	317
Imperialism Old and New	303	WINTHROP, R. C. (1809-1894)	
The Ligament of Union	314	Washington	315
VILLEMAINE (1790-1870)		The Union of 1776	317
Christian Oratory	297	WISE, HENRY A. (1819-1869)	
VINET, ALEXANDER (1797-1847)		"Dark Lanterns" in Politics . . .	298
The Meaning of Religion	314	WOODBURY, LEVI (1789-1851)	
WATTERSON, HENRY (1840-)		The Tariff of 1842	318
Opening the World's Fair	316	WOOLWORTH, JAMES M. (1829-)	
WEAVER, JAMES B. (1833-)		Individual Liberty	318
Brethren in Unity	316	ZOLLICOFFER, JOACHIM (1730-1788)	
WEBSTER, DANIEL (1782-1852)		Continuous Life and Everlasting	
England's Drumbeat	299	Increase in Power	319
Liberty and Union	305	ZWINGLI, ULRICH (1484-1531)	
Popular Government	309	Extracts from His Sermons Dur-	
Public Opinion	310	ing the Reformation	319
Secession in Peace Impossible . .	311		
Sink or Swim, Live or Die . . .	312		


FULL-PAGE ILLUSTRATIONS

VOLUME X

	PAGE
Madame Roland on the Scaffold (Photogravure)	Frontispiece
The Gallery of Battles at Versailles (Photogravure)	43
Daniel Webster (Portrait, Photogravure)	110
John Wesley (Portrait, Photogravure)	227
William Wilberforce (Portrait, Photogravure)	245

WILLIAM TYNDALE

(c. 1484-1536)

 WILLIAM TYNDALE, translator of the English Bible, was born in Gloucestershire, England, at a time when the revival of classical learning in northern Europe had already progressed so far as to make revolution inevitable. He was educated at Oxford for the Priesthood and began his ministry as Chaplain in the family of Sir John Walsh in Gloucestershire. As early as the summer of 1523 he was examined on suspicion of heresy, but having purged himself he was allowed to continue his work, preaching and translating the Bible. In 1524 he visited Luther at Wittenberg and until his death in 1536 he lived on the continent, working from 1524 to 1530 to complete and bring out his translations. In 1535, while living at Brussels, he was arrested for heresy and imprisoned in the Castle of Vilvorde. On October 6th, 1536, he was first strangled and then burned at the stake. His sermon, 'The Use and Abuse of Images and Relics,' is a good illustration both of his eloquence and of his theological opinions.

THE USE AND ABUSE OF IMAGES AND RELICS

NOW LET us come to the worshipping or honoring of sacraments, ceremonies, images, and relics. First, images be not God, and therefore no confidence is to be put in them. They be not made after the image of God, nor are the price of Christ's blood; but the workmanship of the craftsman, and the price of money, and therefore inferiors to man.

Wherefore of all right man is lord over them, and the honor of them is to do man service; and man's dishonor is to do them honorable service, as unto his better. Images then, and relics, yea, and as Christ saith, the holy day, too, are servants unto man. And therefore it followeth that we cannot, but unto our damnation, put on a coat worth an hundred coats upon a post's back, and let the image of God and the price of Christ's blood go up and down thereby naked. For if we care more to clothe the

dead image made by man, and the price of silver, than the lively image of God and the price of Christ's blood; then we dishonor the image of God, and him that made him, and the price of Christ's blood and him that bought him.

Wherefore the right use, office, and honor of all creatures, inferiors unto man, is to do man service; whether they be images, relics, ornaments, signs, or sacraments, holy days, ceremonies, or sacrifices. And that may be on this manner, and no doubt it so once was. If (for example) I take a piece of the cross of Christ and make a little cross thereof and bear it about me, to look thereon with a repènting heart at times when I am moved thereto, to put me in remembrance that the body of Christ was broken and his blood shed thereon for my sins; and believe steadfastly that the merciful truth of God shall forgive the sins of all that repent, for his death's sake, and never think on them more; then it serveth me and not I it; and doth me the same service as if I read the testament in a book, or as if the preacher preached it unto me. And in like manner, if I make a cross on my forehead in a remembrance that God hath promised assistance unto all that believe in him, for his sake that died on the cross, then doth the cross serve me, and not I it. And in like manner, if I bear on me or look upon a cross, of whatsoever matter it be, or make a cross upon me, in remembrance that whosoever will be Christ's disciple must suffer a cross of adversity, tribulations, and persecution, so doth the cross serve me and not I it. And this was the use of the cross once, and for this cause it was at the beginning set up in the churches.

And so, if I make an image of Christ, or of anything that Christ hath done for me in a memory, it is good and not evil until it be abused. And even so if I take the true life of a saint and cause it to be painted or carved, to put me in remembrance of the saint's life, to follow the saint as the saint did Christ; and to put me in remembrance of the great faith of the saint to God, and how true God was to help him out of all tribulation, and to see the saint's love towards his neighbor, in that he so patiently suffered so painful a death and so cruel a martyrdom to testify the truth, for to save others, and all to strengthen my soul withal and my faith to God and love to my neighbor, then doth the image serve me and not I it. And this was the use of images at the beginning, and of relics also. And to kneel before the cross unto the Word of God which the cross preacheth is not

evil. Neither to kneel down before an image, in a man's meditation, to call the living of the saint to mind, for to desire of God like grace to follow the ensample is not evil. But the abuse of the thing is evil, and to have a false faith, as to bear a piece of the cross about a man, thinking that so long as that is about him spirits shall not come at him, his enemies shall do him no bodily harm, all causes shall go on his side even for bearing it about him; and to think if it were not about him it would not be so, and to think if any misfortune chance that it came for leaving it off, or because this or that ceremony was left undone, and not rather because we have broken God's commandments, or that God tempteth us, to prove our patience, this is plain idolatry; and here a man is captive, bond and servant, unto a false faith and a false imagination, that is neither God nor his Word. Now am I God's only, and ought to serve nothing but God and his Word. My body must serve the rulers of this world and my neighbor, as God hath appointed it, and so must all my goods; but my soul must serve God only, to love his law and to trust in his promises of mercy in all my deeds. And in like manner it is that thousands, while the priest pattereth St. John's Gospel in Latin over their heads, cross themselves with, I trow, a legion of crosses behind and before; and (as Jack-of-Napes, when he claweth himself) pluck up their legs and cross so much as their heels and the very soles of their feet, and believe that if it be done in the time that he readeth the Gospel (and else not) that there shall no mischance happen them that day, because only of those crosses. And where he should cross himself to be armed and make himself strong to bear the cross with Christ he crosseth himself to drive the cross from him; and blesseth himself with a cross from the cross. And if he leave it undone, he thinketh it no small sin, and that God is highly displeased with him, and if any misfortune chance thinketh it is therefore, which is also idolatry and not God's Word. And such is the confidence in the place or image, or whatsoever bodily observance it be; such is St. Agatha's letter written in the Gospel time. And such are the crosses on Palm Sunday, made in the passion time. And such is the bearing of holy wax about a man. And such is that some hang a piece of St. John's Gospel about their necks. And such is to bear the names of God with crosses between each name about them. Such is the saying of Gospels unto women in child-bed. Such is the limiter's saying of *in principio erat verbum*,

from house to house. Such is the saying of Gospels to the corn in the field, in the procession week, that it should the better grow. And such is holy bread, holy water, and serving of all ceremonies and sacraments in general, without signification. And I pray you, how is it possible that the people can worship images, relics, ceremonies, and sacraments, save superstitiously, so long as they know not the true meaning, neither will the prelates suffer any man to tell them? yea, and the very meaning of some, and right use no man can tell.

JOHN TYNDALL

(1820-1893)

HIS addresses on scientific topics delivered by Professor Tyndall in England and America represent deep thoughts expressed in language always fit, often beautiful, and not infrequently sublime. Born in Ireland, August 21st, 1820, he began life in the office of a firm of engineers, and was afterward a teacher at Queenwood College, Hants—a position from which he went to the University of Marburg to continue his own studies (1848-51). In 1852 he was elected a Fellow of the Royal Society; and having won thus early in his career a recognition which no one deserved better, he used his advantages for the ends of science and used them so well that the world will always remain his debtor. He studied the laws of heat, light, and electricity with such penetration that the greatest scientific teachers and inventors of the world became his pupils. He called himself a "materialist," but to him matter was "the living garment of God," manifesting the Divine Power through law as the Divine Will. Whatever may be thought of his theological and political opinions, there can be no question of the eloquence with which he presented them. He died December 4th, 1893.

THE ORIGIN OF LIFE

(From an Address Delivered before the British Association at Liverpool, September 16th, 1870)

DOES life belong to what we call matter, or is it an independent principle inserted into matter at some suitable epoch—say when the physical conditions become such as to permit of the development of life? Let us put the question with all the reverence due to a faith and culture in which we all were cradled—a faith and culture, moreover, which are the undeniable historic antecedents of our present enlightenment. I say, let us put the question reverently, but let us also put it clearly and definitely. There are the strongest grounds for believing that

during a certain period of its history the earth was not, nor was it fit to be, the theatre of life. Whether this was ever a nebulous period, or merely a molten period, does not much matter; and if we revert to the nebulous condition, it is because the probabilities are really on its side. Our question is this: Did creative energy pause until the nebulous matter had condensed, until the earth had been detached, until the solar fire had so far withdrawn from the earth's vicinity as to permit a crust to gather round the planet? Did it wait until the air was isolated, until the seas were formed, until evaporation, condensation, and the descent of rain had begun, until the eroding forces of the atmosphere had weathered and decomposed the molten rocks so as to form soils, until the sun's rays had become so tempered by distance and waste as to be chemically fit for the decompositions necessary to vegetable life? Having waited through those *Æons* until the proper conditions had set in, did it send the fiat forth: "Let life be!" These questions define a hypothesis not without its difficulties, but the dignity of which was demonstrated by the nobleness of the men whom it sustained.

Modern scientific thought is called upon to decide between this hypothesis and another; and public thought generally will afterward be called upon to do the same. You may, however, rest secure in the belief that the hypothesis just sketched can never be stormed, and that it is sure, if it yield at all, to yield to a prolonged siege. To gain new territory modern argument requires more time than modern arms, though both of them move with greater rapidity than of yore. But however the convictions of individuals here and there may be influenced, the process must be slow and secular which commends the rival hypothesis of Natural Evolution to the public mind. Strip it naked and you stand face to face with the notion that not alone the nobler forms of the horse and lion, not alone the exquisite and wonderful mechanism of the human body, but that the human mind itself—emotion, intellect, will, and all their phenomena—were once latent in a fiery cloud. Surely the mere statement of such a notion is more than a refutation. But the hypothesis would probably go further than this. Many who hold it would probably assent to the position that at the present moment all our philosophy, all our poetry, all our science, and all our art—Plato, Shakespeare, Newton, and Raphael—are potential in the fires of the sun. We long to learn something of our

origin. If the Evolution hypothesis be correct, even this unsatisfied yearning must have come to us across the ages which separate the unconscious primeval mist from the consciousness of to-day. I do not think that any holder of the Evolution hypothesis would say that I overstate it or overstrain it in any way. I merely strip it of all vagueness, and bring before you unclothed and unvarnished the notions by which it must stand or fall.

Surely these notions represent an absurdity too monstrous to be entertained by any sane mind. Let us, however, give them fair play. Let us steady ourselves in front of the hypothesis, and, dismissing all terror and excitement from our minds, let us look firmly into it with the hard, sharp eye of intellect alone. Why are these notions absurd, and why should sanity reject them? The law of relativity, of which we have previously spoken, may find its application here. These Evolution notions are absurd, monstrous, and only fit for the intellectual gibbet, in relation to the ideas concerning matter which were drilled into us when young. Spirit and matter have ever been presented to us in the rudest contrast, the one as all-noble, the other as all-vile. But is this correct? Does it represent what our mightiest spiritual teacher would call the eternal fact of the universe? Upon the answer to this question all depends. Supposing, instead of having the foregoing antithesis of spirit and matter presented to our youthful minds, we had been taught to regard them as equally worthy and equally wonderful; to consider them in fact as two opposite faces of the self-same mystery. Supposing that in youth we had been impregnated with the notion of the poet Goethe, instead of the notion of the poet Young, looking at matter, not as brute matter, but as "the living garment of God"; do you not think that under these altered circumstances the law of relativity might have been an outcome different from its present one? Is it not probable that our repugnance to the idea of primeval union between spirit and matter might be considerably abated? Without this total revolution of the notions now prevalent, the Evolution hypothesis must stand condemned; but in many profoundly thoughtful minds such a revolution has already taken place. They degrade neither member of the mysterious duality referred to; but they exalt one of them from its abasement, and repeal the divorce hitherto existing between both. In substance, if not in words, their position as regards the relation of spirit and matter is: "What God hath joined together let ~~no~~

man put asunder." And with regard to the ages of forgetfulness which lie between the unconscious life of the nebula and the conscious life of the earth, it is, they would urge, but an extension of that forgetfulness which preceded the birth of us all.

I have thus led you to the outer rim of speculative science, for beyond the nebulae scientific thought has never ventured hitherto, and have tried to state that which I considered ought, in fairness, to be outspoken. I do not think this Evolution hypothesis is to be flouted away contemptuously; I do not think it is to be denounced as wicked. It is to be brought before the bar of disciplined reason, and there justified or condemned. Let us hearken to those who wisely oppose it; and to those who wisely support it; and let us tolerate those, and they are many, who foolishly try to do either of these things. The only thing out of place in the discussion is dogmatism on either side. Fear not the Evolution hypothesis, steady yourselves in its presence upon that faith in the ultimate triumph of truth which was expressed by old Gamaliel when he said: "If it be of God, ye cannot overthrow it; if it be of man, it will come to naught." Under the fierce light of scientific inquiry, this hypothesis is sure to be dissipated if it possess not a core of truth. Trust me, its existence as a hypothesis in the mind is quite compatible with the simultaneous existence of all those virtues to which the term Christian has been applied. It does not solve—it does not profess to solve—the ultimate mystery of this universe. It leaves in fact that mystery untouched. For granting the nebula and its potential life, the question, Whence came they? would still remain to baffle and bewilder us. At bottom, the hypothesis does nothing more than "transport the conception of life's origin to an indefinitely distant past."

Those who hold the doctrine of Evolution are by no means ignorant of the uncertainty of their data, and they yield no more to it than a provisional assent. They regard the nebular hypothesis as probable, and in the utter absence of any evidence to prove the act illegal, they extend the method of nature from the present into the past. Here the observed uniformity of nature is their only guide. Within the long range of physical inquiry, they have never discerned in nature the insertion of caprice. Throughout this range the laws of physical and intellectual continuity have run side by side. Having thus determined the elements of their curve in a world of observation and

experiment, they prolong that curve into an antecedent world, and accept as probable the unbroken sequence of development from the nebula to the present time. You never hear the really philosophical defenders of the doctrine of uniformity speaking of impossibilities in nature. They never say, what they are constantly charged with saying, that it is impossible for the builder of the universe to alter his work. Their business is not with the possible, but the actual—not with a world which might be, but with a world that is. This they explore with a courage not un-mixed with reverence, and according to methods which, like the quality of a tree, are tested by their fruits. They have but one desire—to know the truth. They have but one fear—to believe a lie. And if they know the strength of science, and rely upon it with unswerving trust, they also know the limits beyond which science ceases to be strong. They best know that questions offer themselves to thought which science as now prosecuted has not even the tendency to solve. They keep such questions open, and will not tolerate any unnecessary limitation of the horizon of their souls. They have as little fellowship with the atheist who says there is no God as with the theist who professes to know the mind of God. "Two things," said Immanuel Kant, "fill me with awe; the starry heavens and the sense of moral responsibility in man." And in his hours of health and strength and sanity, when the stroke of action has ceased and the pause of reflection has set in, the scientific investigator finds himself overshadowed by the same awe. Breaking contact with the hampering details of earth, it associates him with a power which gives fullness and tone to his existence, but which he can neither analyze nor comprehend.

DEMOCRACY AND HIGHER INTELLECT

(Peroration of a Lecture on Light, Delivered in New York in 1873)

WHEN the Pilgrim Fathers landed at Plymouth Rock, and when Penn made his treaty with the Indians, the newcomers had to build their houses, to chasten the earth into cultivation, and to take care of their souls. In such a community, science, in its more abstract forms, was not to be thought of. And, at the present hour, when your hardy Western pioneers stand face to face with stubborn Nature, piercing the mountains

and subduing the forest and the prairie, the pursuit of science, for its own sake, is not to be expected. The first need of man is food and shelter; but a vast portion of this continent is already raised far beyond this need. The gentlemen of New York, Brooklyn, Boston, Philadelphia, Baltimore, and Washington, have already built their houses, and very beautiful they are; they have also secured their dinners, to the excellence of which I can also bear testimony. They have, in fact, reached that precise condition of well-being and independence when a culture, as high as humanity has yet reached, may be justly demanded at their hands. They have reached that maturity, as possessors of wealth and leisure, when the investigator of natural truth, for the truth's own sake, ought to find among them promoters and protectors.

Among the many grave problems before them they have this to solve, whether a Republic is able to foster the highest forms of genius. You are familiar with the writings of De Tocqueville, and must be aware of the intense sympathy which he felt for your institutions; and this sympathy is all the more valuable, from the philosophic candor with which he points out, not only your merits, but your defects and dangers. Now, if I come here to speak of science in America in a critical and captious spirit, an invisible radiation from my words and manner will enable you to find me out, and will guide your treatment of me to-night. But, if I, in no unfriendly spirit—in a spirit, indeed, the reverse of unfriendly—venture to repeat before you what this great historian and analyst of democratic institutions said of America, I am persuaded that you will hear me out. He wrote some three and twenty years ago, and perhaps would not write the same to-day; but it will do nobody any harm to have his words repeated, and, if necessary, laid to heart. In a work published in 1850, he says: "It must be confessed that, among the civilized peoples of our age, there are few in which the highest sciences have made so little progress as in the United States." He declares his conviction that, had you been alone in the universe, you would speedily have discovered that you cannot long make progress in practical science, without cultivating theoretic science at the same time. But, according to De Tocqueville, you are not thus alone. He refuses to separate America from its ancestral home; and it is here, he contends, that you collect the treasures of the intellect without taking the trouble to create them.

De Tocqueville evidently doubts the capacity of a democracy to foster genius as it was fostered in the ancient aristocracies. "The future," he says, "will prove whether the passion for profound knowledge, so rare and so fruitful, can be born and developed so readily in democratic societies as in aristocracies. As for me," he continues, "I can hardly believe it." He speaks of the unquiet feverishness of democratic communities, not in times of great excitement, for such times may give an extraordinary impetus to ideas, but in times of peace. "There is then," he says, "a small and uncomfortable agitation, a sort of incessant attrition of man against man, which troubles and distracts the mind without imparting to it either animation or elevation." It rests with you to prove whether these things are necessarily so—whether the highest scientific genius cannot find in the midst of you a tranquil home. I should be loath to gainsay so keen an observer and so profound a political writer, but, since my arrival in this country, I have been unable to see anything in the constitution of society to prevent a student with the root of the matter in him from bestowing the most steadfast devotion on pure science. If great scientific results are not achieved in America, it is not to the small agitations of society that I should be disposed to ascribe the defect, but to the fact that the men among you who possess the endowments necessary for scientific inquiry are laden with duties of administration or tuition so heavy as to be utterly incompatible with the continuous and tranquil meditation which original investigation demands. It may well be asked whether Henry would have been transformed into an administrator, or whether Draper would have forsaken science to write history; if the original investigator had been honored as he ought to be in this land. I hardly think they would. Still I do not think this state of things likely to last. In America there is a willingness on the part of individuals to devote their fortunes, in the matter of education, to the service of the Commonwealth, which is without a parallel elsewhere; and this willingness requires but wise direction to enable you effectually to wipe away the reproach of De Tocqueville.

Your most difficult problem will be not to build institutions, but to make men; not to form the body, but to find the spiritual embers which shall kindle within that body a living soul. You have scientific genius among you; not sown broadcast, believe me, but still scattered here and there. Take all unnecessary im-

pediments out of its way. Drawn by your kindness I have come here to give these lectures, and, now that my visit to America has become almost a thing of the past, I look back upon it as a memory without a stain. No lecturer was ever rewarded as I have been. From this vantage ground, however, let me remind you that the work of the lecturer is not the highest work; that in science the lecturer is usually the distributor of intellectual wealth amassed by better men. It is not solely, or even chiefly, as lecturers, but as investigators, that your men of genius ought to be employed. Keep your sympathetic eye upon the originator of knowledge. Give him the freedom necessary for his researches, not overloading him either with the duties of tuition or of administration, not demanding from him so-called practical results—above all things, avoiding that question which ignorance so often addresses to genius: "What is the use of your work?" Let him make truth his object, however unpractical for the time being that truth may appear. If you cast your bread thus upon the waters, then be assured it will return to you, though it may be after many days.

CLEMENT L. VALLANDIGHAM

(1820-1871)

THE compilers of a recent 'Dictionary of Names' call Clement L. Vallandigham "an American Democratic politician, leader of the Copperheads during the Civil War." This is intended to be invidious, but it may be accepted as without prejudice to a man who stood for one extreme of principle as emphatically as Wendell Phillips and William Lloyd Garrison did for another. The great Whig leaders of Europe in the eighteenth century, the great Republican and Democratic leaders of America in the first quarter of the nineteenth, taught that the world cannot be forced to become civilized—that coercion in the hope of advancing civilization involves and necessitates reaction, and that every war forced as a mode of propagating ideas supplants progress with reaction as far as its influence goes. They held a theory which afterwards came to be known as "Evolution,"—the idea that progress is a mere mode of mind and morals, and that it must come from slow growth,—the patient, charitable, long-suffering propagation of moral ideas with full confidence in their ultimate triumph. As a corollary of this, they taught the nonintervention of one people in the affairs of another and, that each people might be evolved most effectively by pressure from its own "environment," they advocated "local self-government," the disbandment of standing armies, the disuse of naval armament, and the utmost possible reliance on moral rather than on physical force. Cobden and Bright advocated this theory in England in connection with the agitation for universal free trade. In America the "Copperheads" of the North represented it with an obstinacy often as devoted and daring as that John Brown showed when he invaded Virginia as an exponent of the conflicting idea that it is the highest duty of every brave and manly man to compel his neighbors, at the peril of his life and theirs, to be just, and just at once. The Copperhead of the North, the Abolitionist of the South often represented the highest type of individual courage, standing, the one and the other, isolated in the community, and vindicating each his ideas of right at the risk of liberty and fortune, if not of life itself. Such an individualist was Vallandigham when he made his speech of February 20th, 1861, against Centralization, and, accepting him as "the leader of the Copperheads," it is as such that posterity will judge him.

He was born at New Lisbon, Ohio, July 29th, 1820. In the congressional campaign of 1858, his eloquence made him one of the most prominent Democratic leaders of Ohio, and his lack of caution or his contempt for it, added to his celebrity by making his utterances frequently available as "campaign material" for his opponents. He was elected to Congress in 1857 and served until 1863, when he was banished to the South as "a war measure." From the South he went to Canada, and in 1863 the "Copperheads" of Ohio nominated him for Governor. He was defeated and was not afterwards prominent in politics. He died at Lebanon, Ohio, June 17th, 1871, from the accidental discharge of a pistol. It was asserted by many at the time that he had committed suicide, but as the prejudices of the Civil War period abate, it becomes evident that there was no just ground for the assertion. As a leader, Vallandigham lacked balance and the faculty of calculation. He was swayed too much by his emotions, and his intellectual powers, which might otherwise have exerted a controlling influence, were too often held in abeyance by the force of his feelings.

W. V. B.

CENTRALIZATION AND THE REVOLUTIONARY POWER OF FEDERAL PATRONAGE

(From a Speech on the State of the Union, Delivered in the House of
Representatives, February 20th, 1861)

DEVOTED as I am to the Union, I have yet no eulogies to pronounce upon it to-day. It needs none. Its highest eulogy is the history of this country for the last seventy years. The triumphs of war and the arts of peace,—science; civilization; wealth; population; commerce; trade; manufacture; literature; education; justice; tranquillity; security to life, to person, to property; material happiness; common defense; national renown; all that is implied in the "blessings of liberty"; these, and more, have been its fruits from the beginning to this hour. These have enshrined it in the hearts of the people; and, before God, I believe they will restore and preserve it. And to-day they demand of us, their ambassadors and representatives, to tell them how this great work is to be accomplished.

Sir, it has well been said that it is not to be done by eulogies. Eulogy is for times of peace. Neither is it to be done by lamentations over its decline and fall. These are for the poet and the

historian, or for the exiled statesman who may chance to sit amid the ruins of desolated cities. Ours is a practical work; and it is the business of the wise and practical statesman to inquire first what the causes are of the evils for which he is required to devise a remedy.

Sir, the subjects of mere partisan controversy which have been chiefly discussed here and in the country, so far, are not the causes, but only the symptoms or developments of the malady which is to be healed. These causes are to be found in the nature of man and in the peculiar nature of our system of governments. Thirst for power and place, or pre-eminence,—in a word, ambition,—is one of the strongest and earliest developed passions of man. It is as discernible in the schoolboy as in the statesman. It belongs alike to the individual and to masses of men, and is exhibited in every gradation of society, from the family up to the highest development of the State. In all voluntary associations of any kind, and in every ecclesiastical organization, also, it is equally manifested. It is the sin by which the angels fell. No form of government is exempt from it; for even the absolute monarch is obliged to execute his authority through the instrumentality of agents; and ambition here courts one master instead of many masters. As between foreign States, it manifests itself in schemes of conquest and territorial aggrandizement. In despotisms, it is shown in intrigues, assassinations, and revolts. In constitutional monarchies and in aristocracies, it exhibits itself in contests among the different orders of society and the several interests of agriculture, trade, commerce, and the professions. In democracies, it is seen everywhere, and in its highest development; for here all the avenues to political place and preferment, and emolument, too, are open to every citizen; and all movements and all interests of society, and every great question,—moral, social, religious, scientific,—no matter what, assumes, at some time or other, a political complexion, and forms a part of the election issues and legislation of the day. Here, when combined with interest, and where the action of the Government may be made a source of wealth, then honor, virtue, patriotism, religion, all perish before it. No restraints and no compacts can bind it.

In a Federal Republic all these evils are found in their amplest proportions, and take the form also of rivalries between the States; or more commonly and finally at least,—especially where

geographical and climatic divisions exist, or where several contiguous States are in the same interest, and sometimes where they are similar in institutions or modes of thought, or in habits and customs,—of sectional jealousies and controversies which end always, sooner or later, in either a dissolution of the Union between them, or the destruction of the federal character of the Government. But however exhibited, whether in federative or in consolidated Governments, or whatever the development may be, the great primary cause is always the same—the feeling that might makes right; that the strong ought to govern the weak; that the will of the mere and absolute majority of numbers ought always to control; that fifty men may do what they please with forty-nine; and that minorities have no rights, or at least that they shall have no means of enforcing their rights, and no remedy for the violation of them. And thus it is that the strong man oppresses the weak, and strong communities, States and sections, aggress upon the rights of weaker States, communities, and sections. This is the principle; but I propose to speak of it to-day only in its development in the political, and not the personal or domestic relations.

Sir, it is to repress this principle that Governments, with their complex machinery, are instituted among men; though in their abuse, indeed, Governments may themselves become the worst engines of oppression. For this purpose treaties are entered into, and the law of nations acknowledged between foreign States. Constitutions and municipal laws and compacts are ordained, or enacted, or concluded, to secure the same great end. No men understood this, the philosophy and aim of all just government, better than the framers of our Federal Constitution. No men tried more faithfully to secure the Government which they were instituting, from this mischief; and had the country over which it was established been circumscribed by nature to the limits which it then had, their work would have, perhaps, been perfect, enduring for ages. But the wisest among them did not foresee—who, indeed, that was less than omniscient could have foreseen?—the amazing rapidity with which new settlements and new States have sprung up, as if by enchantment, in the wilderness; or that political necessity or lust for territorial aggrandizement would in sixty years have given us new Territories and States equal in extent to the entire area of the country for which they were then framing a Government? They were not priests or

proprietors to that God of manifest destiny whom we now worship, and will continue to worship, whether united into one Confederacy still, or divided into many. And yet it is this very acquisition of territory which has given strength, though not birth, to that sectionalism which already has broken in pieces this, the noblest Government ever devised by the wit of man. Not foreseeing the evil or the necessity, they did not guard against its results. Believing that the great danger to the system which they were about to inaugurate lay rather in the jealousy of the State governments towards the power and authority delegated to the Federal Government, they defended it diligently against that danger. Apprehending that the larger States might aggress upon the rights of the smaller States, they provided that no State should, without its consent, be deprived of its equal suffrage in the Senate. Lest the Legislative Department might encroach upon the Executive, they gave to the President the self-protecting power of a qualified veto, and in turn made the President impeachable by the two houses of Congress. Satisfied that the several State governments were strong enough to protect themselves from Federal aggressions, if, indeed, not too strong for the efficiency of the General Government, they thus devised a system of internal checks and balances looking chiefly to the security of the several departments from aggression upon each other, and to prevent the system from being used to the oppression of individuals. I think, sir, that the debates in the Federal Convention and in the conventions of the several States called to ratify the Constitution, as well as the cotemporaneous letters and publications of the time, will support me in the statement that the friends of the Constitution wholly underestimated the power and influence of the Government which they were establishing. Certainly, sir, many of the ablest statesmen of that day earnestly desired a stronger Government; and it was the policy of Mr. Hamilton, and of the Federal party which he created, to strengthen the General Government; and hence the funding and protective systems—the national bank, and other similar schemes of finance, along with the “general-welfare doctrine,” and a liberal construction of the Constitution.

Sir, the framers of the Constitution—and I speak it reverently, but with the freedom of history—failed to foresee the strength and centralizing tendencies of the Federal Government. They mistook wholly the real danger to the system. They looked

for it in the aggressions of the large States upon the small States without regard to geographical position, and accordingly guarded jealously in this direction, giving for this purpose, as I have said, the power of a self-protecting veto in the Senate to the small States, by means of their equal suffrage in that Chamber, and forbidding even amendment of the Constitution in this particular, without the consent of every State. But they seem wholly to have overlooked the danger of sectional combinations as against other sections, and to the injury and oppression of other sections, to secure possession of the several departments of the Federal Government, and of the vast powers and influence which belong to them. In like manner, too, they seem to have utterly underestimated slavery as a disturbing element in the system, possibly because it existed still in almost every State; but chiefly because the growth and manufacture of cotton had scarcely yet been commenced in the United States: because cotton was not yet crowned king. The vast extent of the patronage of the Executive, and the immense power and influence which it exerts, seem also to have been altogether underestimated. And independent of all these, or rather perhaps in connection with them, there were inherent defects incident to the nature of all Governments; some of them peculiar to our system, and to the circumstances of the country, and the character of the people over which it was instituted, which no human sagacity could have foreseen, but which have led to evils, mischiefs, and abuses, which time and experience alone have disclosed. The men who made our Government were human; they were men, and they made it for men of like passions and infirmities with themselves.

Such, sir, I repeat, then, is the central Government of the United States, and such its great and tremendous powers and honors and emoluments. With such powers, such honors, such patronage, and such revenues, is it any wonder, I ask, that everything, yes, even virtue, truth, justice, patriotism, and the Constitution itself, should be sacrificed to obtain possession of it? There is no such glittering prize to be contended for every four or two years, anywhere throughout the whole earth; and accordingly, from the beginning, and every year more and more, it has been the object of the highest and lowest, the purest and the most corrupt ambition known among men. Parties and combinations have existed from the first, and have been changed and

reorganized and built up and cast down from the earliest period of our history to this day, all for the purpose of controlling the powers, and honors, and the moneys of the central Government. For a good many years parties were organized upon questions of finance or of political economy. Upon the subjects of a permanent public debt, a national bank, the public deposits, a protective tariff, internal improvements, the disposition of the public lands, and other questions of a similar character, all of them looking to the special interests of the moneyed classes, parties were for a long while divided. The different kinds of capitalists sometimes also disagreed among themselves—the manufacturers with the commercial men of the country; and in this manner party issues were occasionally made up. But the great dividing line at last was always between capital and labor—between the few who had money and who wanted to use the Government to increase and “protect” it, as the phrase goes, and the many who had little but wanted to keep it, and who only asked Government to let them alone.

Money, money, sir, was at the bottom of the political contests of the times; and nothing so curiously demonstrates the immense power of money as the fact that in a country where there is no entailment of estates, no law of primogeniture, no means of keeping up vast accumulations of wealth in particular families, no exclusive privileges, and where universal suffrage prevails, these contests should have continued, with various fortune, for full half a century. But at the last the opponents of Democracy, known at different periods of the struggle by many different names, but around whom the moneyed interests always rallied, were overborne and utterly dispersed. The Whig party, their last refuge, the last and ablest of the economic parties, died out; and the politicians who were not of the Democratic party, with a good many more, also, who had been of it, but who had deserted it, or whom it had deserted, were obliged to resort to some other and new element for an organization which might be made strong enough to conquer and to destroy the Democracy, and thus obtain control of the Federal Government. And most unfortunately for the peace of the country, and for the perpetuity, I fear, of the Union itself, they found the nucleus of such an organization ready formed to their hands—an organization, odious, indeed, in name, but founded upon two of the most powerful passions of the

human heart: sectionalism, which is only a narrow and localized patriotism, and antislavery, or love of freedom, which commonly is powerful just in proportion as it is very near coming home to one's own self, or very far off, so that either self-interest or the imagination can have full power to act. And here let me remark that it had so happened that almost, if not quite, from the beginning of the Government, the South, or slaveholding section of the Union—partly because the people of the South are chiefly an agricultural and producing, a noncommercial and nonmanufacturing people, and partly because there is no conflict, or little conflict, among them between labor and capital, inasmuch as to a considerable extent capital owns a large class of their laborers not of the white race; and it may be also because, as Mr. Burke said many years ago, the holders of slaves are "by far the most proud and jealous of their freedom," and because the aristocracy of birth, and family, and of talent, is more highly esteemed among them than the aristocracy of wealth—but no matter from what cause, the fact was that the South for fifty years was nearly always on the side of the Democratic party. It was the natural ally of the Democracy of the North, and especially of the West. Geographical position and identity of interests bound us together; and till this sectional question of slavery arose, the South and the new States of the West were always together; and the latter, in the beginning at least, always Democratic. Sir, there was not a triumph of the Democratic party in half a century which was not won by the aid of the statesmen and the people of the South. I would not be understood, however, as intimating that the South was ever slow to appropriate her full share of the spoils—the *opima spolia* of victory; or especially that the politicians of that great and noble old Commonwealth of Virginia—God bless her—were ever remarkable for the grace of self-denial in this regard—not at all. But it was natural, sir, that they who had been so many times, and for so many years, baffled and defeated by the aid of the South, should entertain no very kindly feelings towards her. And here I must not omit to say that all this time there was a powerful minority in the whole South, sometimes a majority in the whole South, and always in some of the States of the South, who belonged to the several parties which, at different times, contended with the Democracy for the possession and control of the Federal Government. Parties in those days were not

sectional, but extended into every State and every part of the Union. And, indeed, in the convention of 1787, the possibility, or at least the probability, of sectional combinations seems, as I have already said, to have been almost wholly overlooked. Washington, it is true, in his Farewell Address warned us against them, but it was rather as a distant vision than as a near reality; and a few years later, Mr. Jefferson speaks of a possibility of the people of the Mississippi Valley seceding from the East; for even then a division of the Union, North and South, or by slave lines, in the Union or out of it, seems scarcely to have been contemplated. The letter of Mr. Jefferson upon this subject, dated in 1803, is a curious one; and I commend it to the attention of gentlemen upon both sides of the House.

So long, sir, as the South maintained its equality in the Senate, and something like equality in population, strength, and material resources in the country, there was little to invite aggression, while there were the means, also, to repel it. But, in the course of time, the South lost its equality in the other wing of the Capitol, and every year the disparity between the two sections became greater and greater. Meantime, too, the antislavery sentiment, which had lain dormant at the North for many years after the inauguration of the Federal Government, began, just about the time of the emancipation in the British West Indies, to develop itself in great strength, and with wonderful rapidity. It had appeared, indeed, with much violence at the period of the admission of Missouri, and even then shook the Union to its foundation. And yet how little a sectional controversy, based upon such a question, had been foreseen by the founders of the Government may be learned from Mr. Jefferson's letter to Mr. Holmes, in 1820, where he speaks of it falling upon his ear like "a fire bell in the night." Said he:—

"I considered it, at once, as the death knell of the Union. It is hushed, indeed, for the moment; but this is a reprieve only, not a final sentence. A geographical line, coinciding with a marked principle, moral and political"—

Sir, it is this very coincidence of geographical line with the marked principle, moral and political, of slavery, which I propose to reach and to obliterate in the only way possible; by running other lines, coinciding with other and less dangerous principles,

none of them moral, and, above all, with other and conflicting interests—

“A geographical line coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated, and every new irritation will mark it deeper and deeper.” . . . “I regret that I am now to die in the belief that the useless sacrifice of themselves by the generation of 1776, to acquire self-government and happiness to their country, is to be thrown away by the unwise and unworthy passions of their sons; and that my only consolation is to be that I shall not live to weep over it.”

Fortunate man! He did not live to weep over it. To-day he sleeps quietly beneath the soil of his own Monticello, unconscious that the mighty fabric of Government which he helped to rear—a Government whose foundations were laid by the hands of so many patriots and sages, and cemented by the blood of so many martyrs and heroes—hastens now, day by day, to its fall. What recks he, or that other great man, his compeer, fortunate in life and opportune alike in death, whose dust they keep at Quincy, of those dreadful notes of preparation in every State for civil strife and fraternal carnage; or of that martial array which already has changed this once peaceful capital into a beleaguered city? Fortunate men! They died while the Constitution yet survived, while the Union survived, while the spirit of fraternal affection still lived, and the love of true American liberty lingered yet in the hearts of their descendants.

SIR HENRY VANE

(1612-1662)



HIR HENRY VANE, in many ways the noblest product of English Puritanism, was deeply influenced both by the Bible and the Classical Renaissance. The revival of classical learning among the English aristocracy had produced such many-sided characters, as Sir Walter Raleigh, while the general circulation of the Bible among the masses had resulted in the contemporaneous development of a class of intellects as much in the lineal succession from Jerusalem in the time of David as Raleigh's was from Rome in the time of Augustus. Cromwell represented the Renaissance of the Hebraic intellect of the time of the Judges. Vane stood for Christianity modified by the classical revival. He came as close to Paul at Athens as Cromwell did to Joshua at Jericho. It was inevitable that such a man should oppose Cromwell's military absolutism, and he did it as resolutely as he had opposed the divine right of the Stuarts. He was born in Kent in 1612. His father, Sir Henry Vane, was comptroller of the household of Charles I., and there was nothing in the antecedents of his family to make any member of it an opponent of royal power. In his early youth, however, the younger Vane adopted religious views which controlled his life in spite of hereditary influences and social connections. When he associated himself with Pym and the popular party, his ability was so marked that strong efforts were made to win him to the royal party. He had emigrated to Massachusetts, and, after serving a term as Governor of the Province, had returned and taken the leadership of the Independents in the Short Parliament. The King knighted him, and made him Joint Treasurer of the Navy, but throughout his life he remained faithful to the cause of popular government, not only against Charles but against Cromwell. After the Protectorate had become a military dictatorship, Cromwell was obliged to send Vane to prison. Elected to Parliament after Cromwell's death, he attacked and was chiefly instrumental in overthrowing the protectorate of Richard Cromwell. After the Restoration, Charles II. wrote Clarendon that Vane was "too dangerous a man to let live if we can honestly put him out of the way." He was accordingly arrested on a charge of high treason, and, after the formality of trial, was executed on June 14th, 1662.

AGAINST RICHARD CROMWELL

(Delivered in Parliament in 1659—The Text Complete as Given in the
'Biographia Britannica')

Mr. Speaker :—

AMONG all the people of the universe, I know none who have shown so much zeal for the liberty of their country as the English at this time have done;—they have, by the help of Divine Providence, overcome all obstacles, and have made themselves free. We have driven away the hereditary tyranny of the house of Stuart, at the expense of much blood and treasure, in hopes of enjoying hereditary liberty, after having shaken off the yoke of kingship; and there is not a man among us who could have imagined that any person would be so bold as to dare to attempt the ravishing from us that freedom which cost us so much blood and so much labor. But so it happens, I know not by what misfortune, we are fallen into the error of those who poisoned the Emperor Titus to make room for Domitian; who made away Augustus that they might have Tiberius; and changed Claudius for Nero. I am sensible these examples are foreign from my subject, since the Romans in those days were buried in lewdness and luxury, whereas the people of England are now renowned all over the world for their great virtue and discipline; and yet,—suffer an idiot, without courage, without sense,—nay, without ambition,—to have dominion in a country of liberty! One could bear a little with Oliver Cromwell, though, contrary to his oath of fidelity to the Parliament, contrary to his duty to the public, contrary to the respect he owed that venerable body from whom he received his authority, he usurped the Government. His merit was so extraordinary, that our judgments, our passions, might be blinded by it. He made his way to empire by the most illustrious actions; he had under his command an army that had made him a conqueror, and a people that had made him their general. But, as for Richard Cromwell, his son, who is he? what are his titles? We have seen that he had a sword by his side; but did he ever draw it? And what is of more importance in this case, is he fit to get obedience from a mighty Nation, who could never make a footman obey him? Yet, we must recognize this man as our King, under the

style of Protector!—a man without birth, without courage, without conduct! For my part, I declare, sir, it shall never be said that I made such a man my master!

A SPEECH FOR DUTY IN CONTEMPT OF DEATH

(From His Address to the Court, Asking an Arrest of Judgment at His Trial for High Treason, 1662)

THE duty which we owe to God, the universal king, nature and Christianity do so clearly teach and assert, that it needs no more than to be named. For this subjection and allegiance to God and his laws, by a right so indisputable, all are accountable before the judgment seat of Christ.

It is true, indeed, men may *de facto* become open rebels to God and to his laws, and prove such as forfeit his protection, and engage him to proceed against them as his professed enemies. But, with your lordship's favor, give me leave to say that that which you have made a rule for your proceedings in my case will indeed hold, and that very strongly, in this; that is to say, in the sense wherein Christ the Son of God is king *de jure*, not only in general, over the whole world, but in particular, in relation to these three kingdoms. He ought not to be kept out of his throne, nor his visible government, that consists in the authority of his word and laws, suppressed and trampled under foot, under any pretense whatsoever.

And in asserting and adhering unto the right of this highest sovereign as stated in the covenant before mentioned, the lords and commons jointly, before the year 1648, and the commons alone afterwards, to the very times charged in the indictment, did manage the war and late differences within these kingdoms. And whatever defections did happen by apostates, hypocrites, and time-serving worldlings, there was a party amongst them that did continue firm, sincere, and chaste unto the last, and loved it better than their very lives; of which number I am not ashamed to profess myself to be: not so much admiring the form and words of the covenant, as the righteous and holy ends therein expressed, and the true sense and meaning thereof, which I have reason to know.

Nor will I deny, but that, as to the manner of the prosecution of the covenant to other ends than itself warrants, and with

a rigid oppressive spirit, to bring all dissenting minds and tender consciences under one uniformity of church discipline and government, it was utterly against my judgment. For I always esteemed it more agreeable to the word of God, that the ends and work declared in the covenant should be promoted in a spirit of love and forbearance to differing judgments and consciences, that thereby we might be approving ourselves, "in doing that to others which we desire they would to us"; and so, though upon different principles, be found joint and faithful advancers of the reformation contained in the covenant, both public and personal.

This happy union and conjunction of all interests in the respective duties of all relations, agreed and consented to by the common suffrage of the three nations, as well in their public parliamentary capacity, as private stations, appeared to me a rule and measure approved of, and commanded by Parliament, for my action and deportment, though it met with great opposition, in a tedious, sad, and long war; and this under the name and pretext of royal authority. Yet, as this case appeared to me in my conscience, under all its circumstances of times, of persons, and of revolutions inevitably happening by the hand of God and the course of his wise providences, I held it safest and best to keep my station in Parliament to the last, under the guidance and protection of their authority, and in pursuance of the ends before declared in my just defense.

This general and public case of the kingdoms is so well known by the declarations and actions that have passed on both sides, that I need but name it; since this matter was not done in a corner, but frequently contended for in the high places of the field, and written even with characters of blood. And out of the bowels of these public differences and disputes doth my particular case arise, for which I am called into question. But admitting it come to my lot to stand single, in the witness I am to give to this glorious cause, and to be left alone (as in a sort I am), yet being upheld with the authority before asserted, and keeping myself in union and conjunction therewith, I am not afraid to bear my witness to it in this great presence, nor to seal it with my blood, if called thereunto. And I am so far satisfied in my conscience and understanding that it neither is nor can be treason, either against the law of nature, or the law of the land, either *malum per se*, or *malum prohibitum*; that on the contrary. it is the duty I owed to God the universal king, and

to his Majesty that now is, and to the Church and people of God in these nations, and to the innocent blood of all that have been slain in this quarrel. Nothing, it seems, will now serve, unless by the condemnation passed upon my person, they be rendered to posterity murderers and rebels, and that upon record in a court of justice in Westminster Hall. And this would inevitably have followed if I had voluntarily given up this cause, without asserting their and my innocency; by which I should have pulled that blood upon my own head, which now I am sure lies at the door of others, and in particular of those that knowingly and precipitately shall imbrue their hands in my innocent blood, under whatsoever form or pretext of justice.

My case is evidently new and unusual, that which never happened before; wherein there is not only much of God and of his glory, but all that is dear and of true value to all the good people in these three nations. And, as I have said, it cannot be treason against the law of nature since the duties of the subjects in relation to their sovereigns and superiors, from the highest to the lowest, are owned and conscientiously practiced and yielded by those that are the assertors of this cause.

Nor can it be treason within the statute of Edward III., since, besides, what hath been said of no king in possession, and of being under powers regnant, and kings *de facto*, as also of the fact in its own nature, and the evidence as to overt acts pretended, it is very plain it cannot possibly fall within the purview of that statute. For this case, thus circumstantiated, as before declared, is no act of any private person, of his own head, as that statute intends; nor in relation to the king there meant, that is presumed to be in the exercise of his royal authority, in conjunction with the law and the two houses of Parliament, if they be sitting, as the fundamental constitutions of the Government do require.

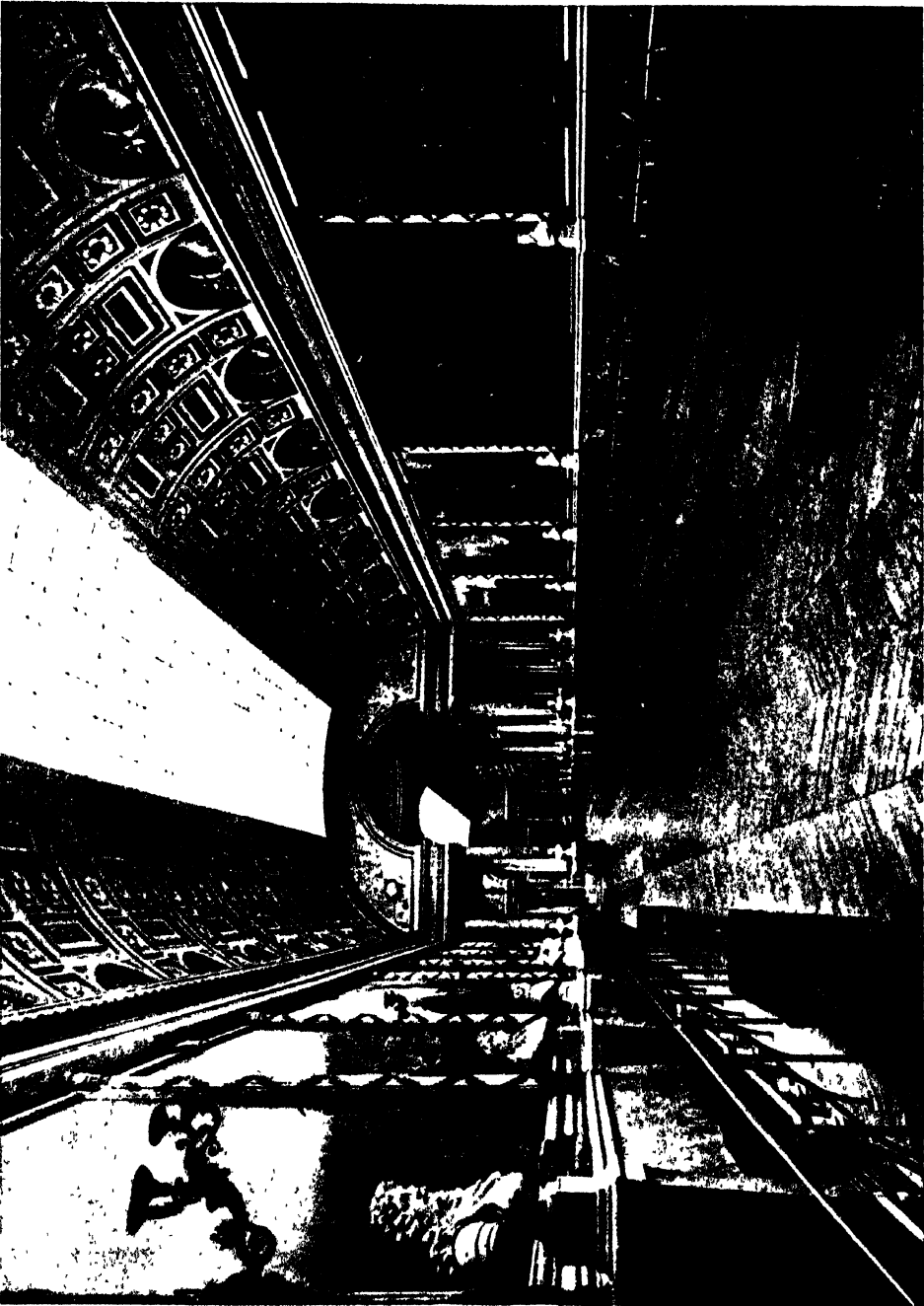
My lords, if I have been free and plain with you in this matter, I beg your pardon; for it concerns me to be so, and something more than ordinarily urgent, where both my estate and life are in such eminent peril; nay, more than my life, the concerns of thousands of lives are in it, not only of those that are in their graves already, but of all posterity in time to come. Had nothing been in it but the care to preserve my own life, I needed not have stayed in England, but might have taken my opportunity to withdraw myself into foreign parts, to provide for my

own safety. Nor needed I to have been put upon pleading, as now I am, for an arrest of judgment; but might have watched upon advantages that were visible enough to me, in the managing of my trial, if I had consulted only the preservation of my life or estate.

No, my lords, I have otherwise learned Christ, than to fear them that can but kill the body, and have no more that they can do. I have also taken notice, in the little reading that I have had of history, how glorious the very heathen have rendered their names to posterity in the contempt they have showed of death,—when the laying down of their lives has appeared to be their duty,—from the love which they have owed to their country.

Two remarkable examples of this give me leave to mention to you upon this occasion. The one is of Socrates, the divine philosopher, who was brought into question before a judgment seat, as now I am, for maintaining that there was but one only true God, against the multiplicity of the superstitious heathen gods; and he was so little in love with his own life upon this account, wherein he knew the right was on his side, that he could not be persuaded by his friends to make any defense, but would choose rather to put it upon the conscience and determination of his judges, to decide that wherein he knew not how to make any choice of his own as to what would be best for him, whether to live or to die; he ingenuously professing that for aught he knew it might be much to his prejudice and loss to endeavor longer continuance in this bodily life.

The other example is that of a chief governor, Codrus, that, to my best remembrance, had the command of a city in Greece, which was besieged by a potent enemy, and brought into unimaginable straits. Hereupon the said governor made his address to the Oracle to know the event of that danger. The answer was: "That the city should be safely preserved if the chief governor were slain by the enemy." He understanding this, immediately disguised himself and went into the enemy's camp, amongst whom he did so comport himself that they unwittingly put him to death; by which means, immediately, safety and deliverance arose to the city as the Oracle had declared. So little was his life in esteem with him when the good and safety of his country required the laying down of it.



THE GALLERY OF BATTLES AT VERSAILLES.

Photogravure after a Photograph—By Permission of the Werner Company.



SINCE 1789, when the excited Parisians insisted on removing the royal family to Paris, the palace of Versailles has been repeatedly used as a royal or imperial residence, but the people have reasserted their right to it, and now use it chiefly for a Museum of French History, devoted largely to paintings. Some of the most celebrated of these are exhibited in the Gallery of Battles.

PIERRE VICTURNIEN VERGNIAUD

(1753-1793)



VIRGILIAN, poet, philosopher, and philanthropist, capable of all the virtues, Vergniaud, the greatest of the French Girondists, was forced by circumstances to become a revolutionary leader at a time when, on one side and the other, he was opposed by a ruthlessness of which he was incapable, manifesting itself through crimes which to him were unimaginable in advance of their commission. When the absolutism of royalty and that of the mob exerted each against the other all the enormous forces of the malevolence of centuries of injustice, he attempted to establish liberty and, through its uplifting power, to put France and the world on a higher plane of civilization. The attempt ended for him with the scaffold. But it did not end so for France, and he may rightly be classed as chief among the founders of the existing Girondist Republic.

Born at Limoges, May 31th, 1753, from a family in good circumstances, Vergniaud while still a youth wrote a poem which attracted the attention of Turgot who became his patron and promoted his education. After beginning the practice of law he was drawn into politics at the opening of the Revolution. Entering the Legislative Assembly in October 1791, he showed such power as an orator that leadership was thrust on him in spite of himself. He was at first in favor of constitutional monarchy, but the plots of the court with foreign enemies of the new order in France made him a republican. The Girondists followed him with courage and confidence, while the Jacobins eagerly took advantage of his attacks on their enemies to excuse meditated crimes which, when they became overt, he viewed with the deepest abhorrence. He was not willing, however, to trust wholly to moral and intellectual forces, and, although he voted for the death of the King with reluctance, he had done much to make it inevitable. From that vote, his own downfall dates, for the King's execution forced conditions under which the utmost Radicalism of the Girondists was attacked as "milk-and-water moderation." Opposing the atrocities of the Terrorists with a self-devoting courage which expected the inevitable end, Vergniaud and his friends were prepared for it when it came in the autumn of 1793. On the

wall of the Carmelite convent where they were imprisoned, he wrote in blood *Potius mori quam fœdari*, and on October 31st, 1793, he went to the guillotine with his friends, all singing the Marseillaise and keeping up the chant until the last man was strapped under the ax.

“TO THE CAMP!”

(Delivered before the Committee of Public Safety, September 2d, 1792)

THE details given to you by M. Constant are no doubt quite reassuring; it is impossible, however, to help some uneasiness, after coming from the camp below Paris. The works advance very slowly. There are many workmen, but few of them work: a great number are resting themselves. What is especially painful is to see that the shovels are only handled by salaried hands, and not by hands which the public interest directs. Whence comes the sort of torpor in which the citizens who have remained in Paris appear to be buried? Let us no longer conceal it: the time to tell the truth has come at last! The proscriptions of the past, the rumor of future proscriptions, and our internal discords have spread consternation and dismay. Upright men hide themselves when the conditions have been reached under which crime may be committed with impunity. There are men, on the contrary, who only show themselves during public calamities, like some noxious insects which the earth produces only during storms. These men constantly spread suspicions, distrust, jealousies, hates, revenges. They thirst for blood. In their seditious insinuations they accuse of “aristocracy” virtue itself, in order to acquire the right to trample it under foot. They make crime a part of their democracy that they may democratize crime, gorge themselves with its fruits without having to fear the sword of justice. Their whole effort now is to so dishonor the most sacred cause, that they may rouse to action against it the friends of the nation and of all humanity.

Oh! citizens of Paris I ask it of you with the most profound emotion, will you never unmask these perverse men, who to obtain your confidence have nothing to offer but the baseness of their means and the audacity of their pretensions? Citizens, when the enemy is advancing, and when a man, instead of asking you

to take up the sword to repulse him, wishes you to murder in cold blood women or unarmed citizens, that man is an enemy of your glory and of your welfare! He deceives you that he may ruin you. When on the contrary a man speaks to you of the Prussians only to indicate you must strike a mortal blow; when he proposes victory to you only by means worthy of your courage, he then is the friend of your glory, the friend of your happiness. He would save you! Citizens, forswear, therefore, your intestine dissension; let your profound indignation against crime encourage upright men to come to the front. Have the proscriptions stopped, and you shall see at once a mass of defenders of liberty rally themselves about you. Go, all of you together to the camp! It is there that you will find your salvation!

I hear it said every day: "We may suffer a defeat. What then will the Prussians do? Will they come to Paris?" No, not if Paris is in a state of respectable defense; if you prepare outposts from whence you could oppose a strong resistance; for then the enemy would fear to be pursued and surrounded by the remnants of the armies that he may have overcome, and be crushed by them as Samson was under the ruins of the temple he tore down. But, if panic or false security benumb our courage and our strong arms, if we surrender without defending them the outposts from which the city may be bombarded, it were senseless not to advance towards a city which by inaction had appeared herself to invite their coming,—which did not know how to take possession of positions from which he could have been beaten. To the camp, therefore, citizens, to the camp! What? while your brothers, your fellow-citizens, by a heroic devotion, abandon what nature must make them cherish the most, their wives, their children,—will you remain plunged in lukewarm idleness? Have you no other way of proving your zeal than by asking incessantly, as did the Athenians: "What is there new to-day?" Ah! let us detest this degrading nobility! To the camp, citizens, to the camp! Whilst our brothers, for our defense, may be shedding their blood on the plains of Champagne, let us not be afraid to let our sweat-drops fall upon the plains of Saint Denis, for the protection of their retreat. To the camp, citizens, to the camp! Let us forget everything but our country! To the camp, to the camp!

REPLY TO ROBESPIERRE

(Peroration of the Speech Delivered in the Convention, April 10th, 1793)

ROBESPIERRE accuses us of having suddenly become "Moderates,"—monks of the order of Saint Bernard. (*Feuillants.*) Moderates,—we? I was not such, on the tenth of August, Robespierre, when thou didst hide in thy cellar. Moderates! No, I am not such a Moderate that I would extinguish the national energy. I know that liberty is ever as active as a blazing flame,—that it is irreconcilable with the inertia that is fit only for slaves! Had we tried but to feed that sacred fire which burns in my heart as ardently as in that of the men who talk incessantly about "the impetuosity" of their character, such great dissensions would never have arisen in this Assembly. I know that in revolutionary times it was as great a folly to pretend the ability to calm on the spur of the moment the effervescence of the people as it would be to command the waves of the ocean when they are beaten by the wind. Thus it behooves the law-maker to prevent as much as he can the storm's disaster by wise counsel. But if under the pretext of revolution it become necessary, in order to be a patriot, to become the declared protector of murder and of robbery,—then I am a "Moderate!"

Since the abolition of the monarchy, I have heard much talk of revolution. I said to myself: There are but two more revolutions possible: that of property or the Agrarian Law, and that which would carry us back to despotism. I have made a firm resolution to resist both the one and the other and all the indirect means that might lead us to them. If that can be construed as being a "Moderate," then we are all such; for we all have voted for the death penalty against any citizen who would propose either one of them.

I have also heard much said about insurrection,—of attempts to cause risings of the people,—and I admit I have groaned under it. Either the insurrection has a determined object, or it has not; in the latter case, it is a convulsion for the body politic which, since it cannot do it good, must necessarily do it a great deal of harm. The wish to force insurrection can find lodgment nowhere but in the heart of a bad citizen. If the insurrection has a determined object, what can it be? To transfer the exer-

cise of sovereignty to the Republic. The exercise of sovereignty is confided to the national representatives. Therefore, those who talk of insurrection are trying to destroy national representation; therefore they are trying to deliver the exercise of sovereignty to a small number of men, or to transfer it upon the head of a single citizen; therefore they are endeavoring to found an aristocratic government, or to re-establish royalty. In either case, they are conspiring against the Republic and liberty, and if it become necessary either to approve them in order to be a patriot, or be a "Moderate" in battling against them, then I am a Moderate!

When the statue of liberty is on the throne, insurrection can be called into being only by the friends of royalty. By continually shouting to the people that they must rise; by continuing to speak to them, not the language of the laws, but that of the passions, arms have been furnished to the aristocracy. Taking the living and the language of sansculottism, it has cried out to the Finistère department: "You are unhappy; the assignats are at a discount; you ought to rise *en masse*." In this way the exaggerations have injured the Republic. We are "Moderates!" But for whose profit have we shown this great moderation? For the profit of the *émigrés*? We have adopted against them all the measures of rigor that were imposed by justice and national interest. For the profit of inside conspirators? We have never ceased to call upon their heads the sword of the law. But I have demurred against the law that threatened to proscribe the innocent as well as the guilty. There was endless talk of terrible measures, of revolutionary measures. I also was in favor of them,—these terrible measures, but only against the enemies of the country. I did not want them to compromise the safety of good citizens, for the reason that some unprincipled wretches were interested in their undoing. I wanted punishments but not proscriptions. Some men have appeared as if their patriotism consisted in tormenting others,—in causing tears to flow! I would have wished that there should be none but happy people! The convention is the centre around which all citizens should rally! It may be that their gaze fixed upon it is not always free from fear and anxiety. I would have wished that it should be the centre of all their affections and of all their hopes. Efforts were made to accomplish the revolution by terror. I should have preferred to bring it about by love. In short, I have not thought, that like the priests and the fierce ministers of

the Inquisition, who spoke of their God of Mercy only when they were surrounded by autos-de-fe and stakes, that we should speak of liberty surrounded by daggers and executioners!

You say we are "Moderates!" Ah! let thanks be offered us for this moderation of which we are accused as if it were a crime! If, when in this tribune they came to wave the brands of discord and to outrage with the most insolent audacity the majority of the representatives of the people; if, when they shouted with as much fury as folly: "No more truce! No more peace between us!" we had given way to the promptings of a just indignation; if we had accepted the counter-revolutionary challenge which was tendered to us—I declare to my accusers—(and no matter what suspicions they create against us; no matter what the calumnies with which they try to tarnish us, our names still remain more esteemed than theirs), that we would have seen coming in haste from all the provinces to combat the men of the second of September, men equally formidable to anarchy and to tyrants! And our accusers and we ourselves would be already consumed by the fire of civil war. Our moderation has saved the country from this terrible scourge, and by our silence we have deserved well of the Republic!

I have not passed by, without reply, any of Robespierre's calumnies, or of his ramblings. I come now to the petition denounced by Pétion; but, as this petition is connected with a general scheme of mischief, allow me to treat of the facts from a higher point of view.

On the tenth of March, a conspiracy broke out against the National Convention. I denounced it to you then. I named some of the leaders. I read to you the decrees taken in the name of the two sections, by some intriguers who had slipped into their midst. A pretense was made of throwing doubts on the facts; the existence of the decrees was considered as uncertain. Nevertheless the facts were attested even by the municipality of Paris. The existence of the decrees was confirmed by the sections who came to disavow them and to inform against the authors.

You ordered, by a decree, that the guilty parties should be prosecuted before the Revolutionary Tribunal. The crime is acknowledged. What heads have fallen? None. What accomplice has even been arrested? None. You yourselves have contributed to render your decree illusory. You have ordered Fournier

to appear at the bar of your court. Fournier admitted that he was present at the first gathering that took place at the Jacobins; that from there he had gone to the Cordeliers, the place of the general meeting; that, at that meeting, there was a question of proceeding to ring the alarm-bell, to close the barriers, and to slaughter a number of the members of the convention. But because he stated that, in the scenes in which he had participated, he had not been animated by evil intentions; and,—as if to butcher a part of the convention had not been reputed as an evil,—you set him at liberty by ordering that he should be heard later on as a witness, if it was thought best, before the Revolutionary Tribunal. It is as if in Rome the Senate had decreed that Lentulus might become a witness in the conspiracy of Catiline!


This inconceivable weakness rendered powerless the sword of the law and taught your enemies that you were not to be dreaded by them. At once a new plot was formed which manifested itself by the constitution of this central committee which was to correspond with all the provinces. This plot was counteracted by the patriotism of the section *du Mail*, who denounced it to you; you ordered before your bar the members of this central committee; did they obey your decree? No. Who then are you? Have you ceased to be the representatives of the people? Where are the new men whom they have endowed with their almighty power? So they insult your decree; so you are shamefully bandied about from one plot to another. Pétion has let you into the secret of still another one. In the petition of the *Halle-au-Blé*, the dissolution of the National Convention is being arranged for, by accusing the majority of corruption; opprobrium is being poured upon them from full cups; the formal design is announced of changing the form of the government, inasmuch as they have made manifest that of concentrating the exercise of sovereign authority in the small number of men therein represented as the only ones worthy of public confidence.

It is not a petition that is being submitted to your wisdom. These are supreme orders that they dare dictate to you. You are notified that it is for the last time that the truth is being told you; you are notified that you have but to choose between your expulsion, or bow to the law that is imposed on you. And on these insolent threats, on these burning insults, the order of the day or a simple disapproval is quietly proposed to you! And

now then! how do you expect good citizens to stand by you, if you do not know how to sustain yourselves? Citizens! were you but simple individuals, I could say to you: "Are you cowards? Well, then; abandon yourselves to the chances of events; wait in your stupidity until your throats are cut or you are driven out." But there is here no question of your personal safety; you are the representatives of the people; the safety of the Republic is at stake; you are the depositaries of her liberty and of her glory. If you are dissolved, anarchy succeeds you, and despotism succeeds to anarchy. Any man conspiring against you is an ally of Austria. You are convinced of it, as you have decreed that he shall be punished by death. Do you wish to be consistent? Cause your decrees to be carried out, or revoke them, or order the barriers of France to be opened to the Austrians and decree that you will be the slaves of the first robber who may wish to put his chains upon you.

DANIEL W. VOORHEES

(1827-1897)

ANIEL WOLSEY VOORHEES, one of the most noted men of the Central West during the Civil War and Reconstruction period in the United States, was an orator of great if irregular power. With such a training as that of Chatham and Brougham, he might have attained the highest rank. Having an education in history and general literature which the circumstances of his early years rendered defective, he had nevertheless a native power of intellect which for twenty years made him one of the great forces of American politics. Born in Butler County, Ohio, September 26th, 1827, he began life as a lawyer at Covington, Indiana, in 1851. Elected to the House of Representatives of the United States in 1861, as a Democrat, he began at once those vehement but skillful attacks on Republican policies which won him his great reputation as a "Copperhead" and gave him enduring popularity with his Democratic constituents in Indiana. Elected to the United States Senate in 1877, he served continuously until his death, April 10th, 1897, doing a notable work in diverting the country from the sectional issues growing out of the Civil War. As a politician Voorhees ranks with Lincoln himself. The skill with which the Democratic minority at the North held its ground and, in spite of continual blunders in detail, finally made the advances of 1876, 1884, and 1892, has seldom been surpassed in the history of politics.

SPEECH IN THE TILDEN CONVENTION

(Delivered in the Democratic National Convention in St. Louis,
June 27th, 1876)

My Fellow-Citizens of This Convention:—

I AM overwhelmed with gratitude to so many of my fellow-citizens of distinguished character from every part of the United States, who have done me the singular honor of calling for my presence on this occasion and under these circumstances. I cannot attribute it to anything in my humble career; I know not what to attribute it to, and I may say that at least for once in my life I am at a loss as to the manner in which I

shall respond to such an overwhelming compliment as has been paid to me. I feel abashed in the presence of this mighty congregation of people who expect to hear my humble words. I am here with you, fellow-Democrats of the United States, for the exalted and patriotic purpose of endeavoring to redeem and wrench our country from the hands of despoilers and public plunderers. I am here with you for the purpose of trying to better unite the scattered, shattered, broken bands of our Union by gathering together in one mighty brotherhood, looking in each other's faces, renewing ancient friendship, steadying the column, turning its head towards victory and glory in the future as we have done in the past.

We are entering upon a new century. Portions of the last century were full of glory. The closing years of our last century, however, have had tears and blood commingled, sorrow and gloom. The cypress of mourning has been in thousands of households, but with the coming of this new century there comes a new dispensation, the dawn of a revelation of glory such as shall eclipse the past years of the century that has gone by. Standing, as I do, one of the humble representatives of the great valley of the Mississippi, we stand in a central point to invoke union, to invoke harmony, to invoke a compromise of conflicting opinions in the Democratic ranks. There is nothing, my friends, in the differences and divergences of opinion in the Democratic party that cannot be honorably, easily, smoothly, and harmoniously adjusted, so that when the lines of battle are formed, there shall be no heartburnings, no divisions, no collisions of thought. There is no reason why we should not thus adjust our differences, if differences we have; and standing, as I do, one of the representatives of the great Mississippi Valley, we appeal to the people of the far East. We say to them: "What is for your prosperity is likewise for ours." You all rest upon the prosperity of the agricultural interests of the mighty Mississippi Valley. The foundation of commercial glory and greatness is the farmer's plow and the sickle and the rich harvest. We freight your ships, we make your cities prosper. You, in turn, benefit us in a thousand ways. We interlace and interchange and bind our interests together, when we properly consider it. We appeal to you now. Give us a living chance in this convention and in this contest, and we will make a glorious return in October for your final charge upon the enemy.

I stand in your presence neither arrogant nor suppliant. I stand for absolute justice, willing to concede everything that is just to everybody else, only asking the same mete to ourselves. Let us not be extreme to each other; let us not seek to be distasteful. Man's talent to be disagreeable to his fellow-man is quite sufficient without cultivating it at all. We should cultivate amiability and friendship rather. I make these remarks to our brethren of the East. We have fought a thousand battles with you for the Democracy, and never one against you. Our scores of political conflict are upon our breasts and none upon our backs.

To our old-time brethren of the South a word or two also! I am one of the men surely that need no apology to look my Southern brother in the eye and expect him to believe that I speak to him with no forked tongue. No political battle was ever so hot, the clouds of obloquy and storm and danger never ran so low or black over the heads of the democracy with whom I have worked and toiled for years, as to deter us from standing by all the constitutional rights and guarantees of our oppressed Southern brothers. I say to my Southern brethren who know me, and whom I know, do not in this hour of national counsel, this hour of national preparation for the great conflict against the Radical foe arrayed against you and led, as was well said by the distinguished gentleman from New York, by the pirate's flag of the bloody shirt,—do not in this hour leave us in the Northwest, wounded, helpless, to be scalped and murdered upon the field of battle. We have no personal animosities to gratify, we have no personal aims to subserve. If there is one man who can get more votes than another, were my own brother a candidate, I would be for that other man. The times are too serious, the issues too mighty, for a personal thought to intervene.

Three times in the last twelve years we in the Northwest have charged the enemy's lines under the head of the gallant democracy of New York. If it has to be so again we will dress in parade, and even if it be a forlorn hope, we will fight it like men. I say there are no heartburnings, there are no animosities to gratify. Men of this convention, it was no purpose of mine to speak here. I feel like apologizing for it, but your voice sent me here. I did not desire to speak, but I belong to that class of men who cannot speak and say nothing. I must say something. And what I say is the utterance of a sincere heart. In the

counsel of old, tried, cherished, and beloved friends, let us purify our hearts for this great work that is before us. Let us look narrowly to our motives. Let us look narrowly to our duties, and when the sun goes down upon the finished work of this convention, I pray Almighty God that it may be as ordered, that in November your country will stand redeemed, disenthralled, and re-enfranchised in all the rights of a free people, from the tyrannical bond that has crushed and oppressed us so long. That is my prayer.

AN OPPOSITION ARGUMENT IN 1862

(From a Speech in the House of Representatives, May 21st, 1862)

SIR, during the past year we have been engaged in a most stupendous war. It assumed, from the first, proportions of the most horrible magnitude. Any eye could see at the opening stages of this conflict that the struggle of this Government to maintain its just authority within its lawful jurisdiction was to be one of the most terrible and, perhaps, protracted that ever shook the world. Courage, chivalry, patriotism, devotion to the Union and the laws, all came forward and still stand ready in an inexhaustible quantity. The country has glowed from end to end and throughout all its vast extent with a fervid love for the Government as our fathers made it. But, sordid and practical as it may seem to some, one of the main sinews of war is money, plain money. Without it armies do not move and navies do not float, and the purse of the nation is to be found in the pockets of the people. Sir, in view of these facts, what has been the course of those in authority since this war commenced in regard to the great question of national economy? Have our resources been carefully husbanded? Have our public moneys been strictly guarded from the hand of the plunderer? Have our public officers been held to a rigid accountability in their use of the hard-earned revenues of the country? Has financial integrity marked the conduct of those in whom the people placed their trust when the present administration came into power? Has common honesty been observed by those who won their way to popular confidence by their fierce denunciations of the alleged corruptions of former administrations? I speak not as a partisan, nor in the spirit of party. I trust I can rise above all such

considerations; but these are questions in which the people of all parties have a deep and overwhelming interest, and they are questions, too, which all men in every part of the country who desire an honest administration of our public affairs are now asking with serious and startling emphasis. The answer which must come, and of which impartial history will make an everlasting record, is one which bows the head and burns the cheek of every lover of his country's good name with humiliation and with shame.

Sir, as early as last July, when this Congress first met in extraordinary session, the taint of corruption was perceived in the atmosphere of the capital, and a committee, since so celebrated, was raised to investigate and to expose. The result of a portion of the labors of that committee is before the country in the shape of a volume of over eleven hundred pages. The majority of that committee are friends to the party now in power, and the evidence which they have furnished is entitled to full credit. Would that a volume of it could be placed in the hands of every taxpaying voter of the country! Its dark labyrinths of proven guilt ought to be explored by every intelligent mind. By the solemn testimony of this committee, no branch of business connected with the military and naval affairs of this Government seems to have escaped the hungry grasp of unlawful avarice and speculation. From the smallest article of food which enters into the soldier's ration to the purchase of cattle for an entire army; from the blanket on which the tired soldier sleeps at night to the vast fortifications for the defense of a city; from the pistol at the soldier's belt to the cannon at whose breech he stands in the day of battle; from the meanest transport sloop to the mightiest man-of-war afloat, everywhere and on everything we find the impress of favoritism and of fraud. The report of this committee is before me, and I submit a few extracts in proof of my statement. Speaking of contracts for cattle made by the War Department during its management by Mr. Cameron, the committee say:—

“We have here not only evidence of gross mismanagement, a total disregard of the interests of the Government, and a total recklessness in the expenditure of the funds of the Government, but there is every reason to believe that there was collusion upon the part of the employees of the Government to assist in robbing the Treasury, for, when a conscientious officer refused to pass cattle not in accordance

with the contract, he was in effect superseded by one who had no conscientious scruples in the matter, and cattle that were rejected by his predecessor were at once accepted.

“With such a state of things existing, if officers of the Government who should be imbued with patriotism and integrity enough to have a care of the means of the Treasury are ready to assist speculating contractors to extort upon and defraud the Government, where is this system of speculation to end, and how soon may not the finances of the Government be reduced to a woeful bankruptcy?” . . .

On the subject of buying arms, as conducted by the late Secretary of War, the committee state a loss of over ninety thousand dollars to the Government in one transaction, and say:—

“No Government that ever has existed can sustain itself with such improvidence in the management of its affairs.”

In regard to the purchase of horses and wagons for the public service, the committee sum up as follows:—

“It appears from all the evidence which is detailed in the record of evidence accompanying this report, that the parties to these discreditable transactions had a perfect understanding with each other, and engaged in a system of corrupt pecuniary gains by means of requisitions and receipts signed in blank, and false invoices, at a time when the over-taxed finances of the Government and the confidence of a generous and patriotic people demanded the most rigid integrity.”

Sir, in view of this dark record of atrocious guilt, it is no wonder that the chairman of that committee [Mr. Van Wyck], in his speech of February 7th, on this floor, should exclaim:—

“The mania for stealing seems to have run through all the relations of Government,—almost from the general to the drummer boy, from those nearest the throne of power to the merest tidewaiter. Nearly every man who deals with the Government seems to feel or desire that it would not long survive, and each had a common right to plunder while it lived.”

Again, the chairman says:—

“While it is no justification, the example has been set in the very departments of the Government. As a general thing none but favorites gain access there, and none other can obtain contracts which bear enormous profits. . . . The department which has allowed

conspiracies after bidding had been closed to defraud the Government of the lowest bid, and by allowing the guilty to reap the fruits of their crime, has itself become *particeps criminis*."

And well might the able and fearless member of the committee from Massachusetts [Mr. Dawes], in view of these revelations, also assert, as he did before the House and the country, that "startling facts have come to the notice of the committee, and to the notice of the whole country, touching the mode and manner of the expenditure of the public money"; that, "in the first year of a Republican administration, which came into power upon professions of reform and retrenchment, there is indubitable evidence abroad in the land that somebody has plundered the public Treasury well nigh in that single year as much as the entire current yearly expenses of the Government during the administration which the people hurled from power because of its corruption." And further, that those heavy measures of taxation which have been brought forward by the Committee of Ways and Means would "fall like a dead pall upon the public, unless before them goes this assurance, that these vast and extreme measures instituted to resuscitate and revive and replenish the Treasury are not merely for means to fill other and longer, as well as the already-gorged pockets of public plunderers. . . .

The exhausted soldier is put to death for yielding to irresistible slumber at his post, the victim of pinching poverty is sent to the penitentiary for stealing provision for his wife and children; but this exalted criminal finds approval for his conduct, is surrounded by flatterers, is restored to the field, and sits in the saddle of command and of power. Sir, Cicero brought the haughty Verres to trial and to condemnation for his fraudulent practices in the Sicilian province; and Burke enriched the English language by his denunciations of the extortionate measures imposed by Warren Hastings on the people of the East Indies; but in the midst of fraud and robbery in the very highest departments of this Government, we have as yet seen no official delinquent brought to answer the law for the plunder of the public Treasury, but rather we have seen the perpetrators of these wrongs receiving still greater marks of confidence and of favor, and mounting to still loftier heights of honor. . . . We seek to take refuge, sir, from the enormous figures of our national indebtedness whenever they are brought to our attention,

in the fact that we can defer its payment and bequeath it as an inheritance to coming generations. Admitting that this unworthy thing may to some extent be done, yet let us see, for a few moments, what amount of money this Government will be compelled annually to raise in order to prevent open and confessed bankruptcy before the world. I will content myself with a specific statement of the various items of current yearly expense which must be regularly met. Against the substantial correctness of this statement, I challenge successful contradiction.

The interest on the public debt, at a very low estimate, is one hundred million dollars.

The ordinary expenses of the Government, including appropriations for the increased magnitude of the army and navy after the war is over, will reach one hundred and fifty million dollars at another low estimate. I am especially warranted in fixing this amount in view of the declaration on this floor, by the chairman of the Committee on Military Affairs [Mr. Blair, of Missouri], that hereafter our peace establishment will consist of a standing army of a hundred thousand men.

The pension list comes next. This Government must not fail to meet the requirements of civilization and of humanity. It must and will provide for the support of its maimed and wounded, and for the maintenance of the widows and orphans of those who have fallen on the field of battle, or been stricken down by disease while in the public service. It is, of course, difficult to calculate the amount which will be required to meet this item of expense; but no well-informed person will pretend that it will be less than the sum of one hundred million dollars.

To the above must be added at least fifty million dollars more as a margin for claims against the Government, contingent expenses, and unforeseen events during this convulsive and unsettled period of the world's history.

We have thus an inevitable annual expenditure, without making any provision whatever for the payment of the public debt itself, of the sum of four hundred million dollars. This amount will make its demands on the resources of the people in each succeeding year, as regularly as the seasons come and go, and in a voice as imperative and inexorable as the cry of fate. You need not avert your frightened gaze from the sore contemplation of this terrible fact. It is the lion in the pathway of the future, but it must be met. Death itself is not more certain to

all than is this monstrous annual burden on the shoulders of the American people. And now, sir, bearing this fearful fact in mind, from which there is now no escape, the question necessarily arises with immense, overwhelming force, as to what system of finance shall be adopted to raise annually this monstrous sum of money. It is the vital question of the day, and paramount to all others save civil liberty and republican government.

I live, Mr. Speaker, in a land of corn, in a land where the fruits of the earth constitute the reward of labor. I live in a great valley, beside whose agricultural wealth the famed valleys of the Euphrates and the Nile and the richest fields of Europe sink into utter insignificance, and whose more than Egyptian granaries invite the markets of the civilized world. The plow, the harrow, the reaper, and the threshing machine are our implements of industry, and compose the coat of arms of our nobility. The soil is our fruitful mother, and we are her children. We fill our cribs with grain, and stock our pastures with cattle, and with these we seek to purchase those other necessary articles of life which are not made in our midst. These are our possessions which we offer in barter and exchange with the trading merchants of the world who give us the best returns. This we conceive to be our right and that the Government in which we live should protect us in its enjoyment.

But turn to the contemplation of another region of this country. You there behold the land of manufacturing machinery, and hear the sound of the loom and the spindle. The people of the North and East make fabrics of cloth, and manufacture all those articles which man needs and which do not grow. These constitute their wealth and their stock of merchandise for trade. The markets of the world are open to them, and of right ought to be. The West is an immense consumer of those articles which they have to sell. We are willing to buy of them of our own choice if we can buy there as cheap as we can elsewhere. But I here aver that the unequal and unjust system of finance now adopted by the party in power gives to the vast manufacturing interest of this country the arbitrary power to fix its own exorbitant prices, and the laboring agriculturist is compelled to pay them. To this no people can submit. Against this outrage the people of the West will cry out. You have fastened upon this country the most odious system of tariff on imported goods that ever paralyzed the energies of a nation or oppressed its

agricultural citizens. You say by that tariff that the manufacturing institutions of this country shall not be brought in competition with those of other parts of the world.

Sir, no sectional boundaries to my love of country prompts these remarks. I call God to witness with what devotion I love every sod and rock and river, mountain, prairie, and forest of my native land. For its happiness and glory it would be sweet and honorable to die. I reckon no section of it above another. It is all alike to me, all dear and hallowed by the principles of constitutional liberty. But I speak in the name of justice, which is everywhere present, in the name of fraternal and American equality; and I ask you, I implore you, to look at the condition of the Western people. Their interests have been abandoned on this floor by more than half their Representatives, and they stand to-day bearing the hard brunt of the pitiless storm which has burst from the angry sky. They are shut out from all fair markets for their produce. Their natural channels of trade to the South are closed by the impious hand of war, and their avenues to the markets of the North are obstructed by the avarice of railroads. It costs sixty cents to freight a bushel of corn from the Wabash River to New York, and leaves from seven to fourteen cents to the farmer who has caused it to grow and gathered it in, as the reward of his toil. For everything else he receives the same beggarly return. And yet who has lifted up his voice here in behalf of that great, that honest, and oppressed people? Where is their representative in the Committee of Ways and Means, that great despotic committee which matures measures of tariff, of taxation, and of finance, and whose decrees on this floor are as unalterable as the laws of the Medes and Persians? On that committee, which speaks the voice of fate for the weal or woe of the taxpayers of all the land, the great imperial domain of the West, from the feet of the Alleghany Mountains to the Pacific Ocean, has had no member during this important session.

Blow after blow has fallen on her naked head and now she stands exposed to the payment of four-fifths of all the burdens which this Government has to bear. I speak advisedly. She has been trampled under foot. Her rights have been disregarded. She has been plundered for the benefit of others. And from here I call upon her to vindicate herself, to assert her equality, to resist oppression, to scorn the tribute which she is called upon

to pay to a branch of industry which God and nature never intended she should support, to demand from her Government the same protection which others obtain, and to reckon with her oppressors at the ballot box. As for me, I shall join in no such system of injustice, inequality, and wanton extortion against the people whose interests are confided to my care in this House. I shall resist it in all constitutional methods, and denounce it everywhere; and in doing so I shall perform what I conceive to be one of the highest duties of honest, fearless patriotism. . . .

I now take leave of this subject. I have dwelt upon it today, not to discourage or depress the energies of the people, but to awaken my countrymen to a sense of their perilous situation, in order that they may gird up their loins and meet it in a manner becoming the intelligent, free citizens of America. The present, it is true, is dark, and filled with the elements of the tempest; but in the sky of the future the star of hope is still burning with all its ancient lustre. I believe in its promises of returning prosperity, honor, and unity to this Government. Aye, sir, hope, hope, the sweet comforter of the weary hours of anguish, the merciful and benignant angel, walking forever by the side of mourning sorrow, the soothing, ministering spirit of every human woe, the stay and support of great nations in their trials, as well as of feeble men; hope, that never dies nor sleeps, but shares its immortality with the soul itself, will bear us through the Red Sea and the wilderness that are before us. I indulge, Mr. Speaker, in this hope, and cherish it as my friend—a friend that always smiles and points upward and onward to bright visions beyond the baleful clouds which now envelop us as a shroud. But the basis of this hope with me is the future action of the people themselves. In the wise, patriotic, and Christian conduct of the American people, I behold this nation lifted up again from its prostration, purified of its bloody pollution, robed in the shining garments of peace; the furious demon of civil war, which has rended us and caused us to sit howling amidst the tombs of the dead, cast out by the spirit of the omnipotent and merciful Master, who walked upon the waters, and bade the winds be still. I expect to see the people raise up the Constitution of our dear and blessed fathers from the deep degradation of its enemies as Moses reared aloft the brazen serpent amidst the stricken children of Israel for the healing of a nation. I expect to see them, wielding the sword in one hand

and appealing to the ballot box with the other, crush and hurl from power corrupt and seditious agitators against the peace and stability of this Union, armed and unarmed, in the North as well as in the South. I expect to see a Congress succeed this, coming fresh from the loyal and honest masses, reflecting their pure and unsullied love for the institutions handed down to us from the days of Revolutionary glory. To this end let all good men everywhere bend their energies. Then will come again the glory and the happiness of our past—those days of purity, of peace, and of brotherly love, over which all America now mourns as the Jewish captive who wept by the waters of Babylon and refused to sing because Judea was desolate. This Union will be restored, armed rebellion and treason will give way to peaceful allegiance, but not until the ancient moderation and wisdom of the founders of the Republic control once more in this Capitol. Unnatural, inhuman hate, the accursed spirit of unholy vengeance, the wild and cruel purposes of unreasoning fanaticism, the debasing lust of avarice and plunder, the unfair and dishonest schemes of sectional aggrandizement, must all give way to the higher and better attributes and instincts of the human heart. In their place must reign the charitable precepts of the Bible and the conservative doctrines of the Constitution; and on these combined it is my solemn conviction that the Union of these States will once more be founded as upon a rock which man cannot overthrow, and which God in his mercy will not.

EDMUND WALLER

(1605-1687)

THE poet Waller played a celebrated if ignominious part in the revolution against the Stuarts. He entered Parliament at the age of sixteen, and before the close of the Short Parliament of 1640 he had already acquired such prominence as an advocate of parliamentary supremacy that the Long Parliament chose him to impeach Justice Crawley, one of the judges whose subserviency to the King had made possible the Ship-Money decision under which the King sought to collect taxes that had not been levied by law. Waller's speech against Crawley shows great ability, and the reader ought not to allow the force of its argument to be impaired by the tradition that when Waller and others formed a combination to check the Radical leaders in Parliament, he behaved with "abject meanness," when arrested saving his own life by informing against his associates. He was banished by Parliament, but Cromwell allowed him to return, and he was in considerable favor at court after the restoration of the Stuarts. He showed his moral and intellectual versatility by a poem lamenting the death of Cromwell, followed not very long afterwards by an ode rejoicing at the "happy return" of Charles II. Charles, who, because Vane had a conscience, sent him to the scaffold, laughed at Waller for his lack of it, took him into favor and allowed him to be returned to Parliament, where it is said his wit made him "the delight of the House." He died in 1687, in his eighty-second year.

«THE TYRANT'S PLEA, NECESSITY»

(Impeaching Justice Crawley in the Case of Ship Money Between the King and John Hampden, Delivered July 6th, 1641)

My Lords :—

I AM commanded by the House of Commons to present you with these articles against Mr. Justice Crawley, which when your lordships shall have been pleased to hear read, I shall take leave according to custom, to say something of what I have collected from the sense of that House, concerning the crimes therein contained.

[Then the charge was read, containing his extrajudicial opinions subscribed, and judgment given for Ship Money; and after a declaration in his charge at an assize, that Ship Money was so inherent a right in the Crown, that it would not be in the power of a Parliament to take it away.]

My lords, not only my wants, but my affections, render me less fit for this employment; for though it has not been my happiness to have the law a part of my breeding, there is no man honors that profession more, or has a greater reverence towards the grave judges, the oracles thereof. Out of Parliament, all our courts of justice are governed or directed by them; and when a Parliament is called, if your lordships were not assisted by them, and the House of Commons by other gentlemen of that robe, experience tells us it might run a hazard of being styled *Parliamentum indoctorum*. But as all professions are obnoxious to the malice of the professors, and by them most easily betrayed, so, my lords, these articles have told you how these brothers of the coif are become *fratres in malo*; how these sons of the law have torn out the bowels of their mother; but the judge, whose charge you last heard, in one expression of his excels no less his fellows than they have done the worst of their predecessors in this conspiracy against the Commonwealth. Of the judgment for Ship Money, and those extrajudicial opinions preceding the same (wherein they are jointly concerned) you have already heard; how unjust and pernicious a proceeding that was, in so public a cause, has been sufficiently expressed to your lordships; but this man, adding despair to our misery, tells us from the bench that Ship Money was a right so inherent in the Crown, that it would not be in the power of any act of Parliament to take it away. Herein, my lords, he did not only give as deep a wound to the Commonwealth as any of the rest, but dipped his dart in such a poison, that, as far as in him lay, it might never receive a cure. As by those abortive opinions, subscribing to the subversion of our property, before he heard what could be said for it, he prevented his own; so by this declaration of his he endeavors to prevent the judgment of your lordships too, and to confine the power of a Parliament, the only place where this mischief might be redressed. Sure, he is more wise and learned than to believe himself in this opinion, or not to know how ridiculous it would appear to a Parliament and how dangerous to himself; and therefore, no doubt, but by saying no Parliament could abolish this judgment, this meaning was, that this judgment had abolished Parliaments.

This imposition of Ship Money springing from a pretended necessity was it not enough that it was now grown annual, but he must entail it upon the state forever,—making necessity inherent to the Crown, and slavery to the subject? Necessity, which, dissolving all law, is so much more prejudicial to his Majesty than to any of us, by how much the law has invested the royal state with a greater power and ample fortune: for so undoubted a truth it has ever been, that kings as well as subjects are involved in the confusion which necessity produces, that the heathen thought their gods also obliged by the same: *Pareamus necessitati, quam nec homines nec dii superant.* This judge then having in his charge at the assize declared the dissolution of the law, by this supposed necessity, with what conscience could he, at the same assize, proceed to condemn and punish men, unless, perhaps, he meant the law was still in force for our destruction, and not for our preservation; that it should have power to kill, and none to protect us? A thing no less horrid than if the sun should burn without lighting us, or the earth serve only to bury, and not to feed and nourish us. But, my lords, to demonstrate that it was a supposititious, imposed necessity, and such as they could remove when they pleased, at the last convention in Parliament, a price was set upon it; for twelve subsidies you may reverse this sentence. It may be said that so much money would have removed the present necessity; for twelve subsidies you shall never suffer necessity again, you shall forever abolish that judgment. Here this mystery is revealed, this visor is pulled off; and now it appears that this Parliament of judges hath very frankly and bountifully presented his majesty with twelve subsidies, to be levied on your lordships and the commons. Certainly there is no privilege which more properly belongs to us than to open the purse of a subject; and yet these judges, who are neither capable of sitting amongst us in the House of Commons, nor with your lordships otherwise than your assistants, have not only assumed to themselves the privilege of Parliament, but presumed at once to make a present to the Crown of all that either your lordships or the commons of England do or shall hereafter possess.

And because this man has had the boldness to put the power of Parliament in balance with the opinion of the judges, I shall entreat your lordships to observe, by way of comparison, the solemn and safe proceeding of the one, with the precipitate dispatch of the other. In Parliament (as your lordships know well)

no new law can pass, or old be abrogated, till it has been thrice read with your lordships, thrice in the Commons House, then it receives the royal assent; so that it is like gold seven times purified: whereas these judges, by this one resolution of theirs, would persuade his Majesty that by naming necessity, he might at once dissolve (at least suspend) the Great Charter, thirty-two times confirmed by his royal progenitors, the Petition of Right, and all other laws provided for the maintainance of the right and property of the subject. A strange force, my lords, in the sound of this word necessity, that like a charm it should silence the laws, while we are despoiled of all we have; for that but a part of our goods were taken was owing to the grace and goodness of the King; for so much as concerns these judges, we have no more left than they, perhaps, may deserve to have, when your lordships shall have passed judgment upon them for this neglect of their oaths, and betraying that public trust, which, for the conservation of our laws, was reposed in them.

Now for the cruelty and unmercifulness of this judgment you may please to remember that in the old law they are forbid to seethe a kid in his mother's milk; of which the received interpretation is, that we should not use that to the destruction of any creature, which was intended for its preservation. Now, my lords, God and nature have given us the sea as our best guard against our enemies; and our ships as our greatest glory above other nations; and how barbarously would these men have let in the sea upon us at once to wash away our liberties, and to overwhelm, if not our land, all the property we have therein, making the supply of our navy a pretense for the ruin of our nation! For observe, I beseech you, the fruit and consequence of this judgment, how this money has prospered, how contrary an effect it has had to the end for which they pretended to take it. On every county a ship is annually imposed; and who would not expect but our seas by this time should be covered by the number of our ships? Alas, my lords, the daily complaints of the decay of our navy tell us how ill Ship Money has maintained the sovereignty of the sea; and by the many petitions which we receive from the wives of those miserable captives at Algiers (being between four and five thousand of our countrymen) it does too evidently appear that to make us slaves at home is not the way to keep us from being made slaves abroad. So far has this judgment been from relieving the present, or preventing the future

necessity, that as it changed our real property into a shadow of a property, so of a feigned it is made a real necessity.

A little before the approach of the Gauls to Rome, while the Romans had yet no apprehension of that danger, there was heard a voice in the air, louder than ordinary: "The Gauls are come"; which cry, after they had sacked the city and besieged the capitol, was held so ominous that Livy relates it as a prodigy. This anticipation of necessity seems to have been no less ominous to us. These judges, like ill-boding birds, have called necessity upon the State in a time, which I dare say they thought themselves in greatest security. But if it seem superstitious to take this as an omen, sure I am we may look on it as a cause of the unfeigned necessity we now suffer: For what regret and discontent had this judgment bred among us? And as when the noise and tumult in a private house grows so loud as to be heard in the streets and calls in the next dwellers, either kindly to appease, or to make their own use of domestic strife, so in all likelihood our known discontentments at home have been a concurrent cause to invite our neighbors to visit us, so much to the expense and trouble of both these kingdoms.

And here, my lords, I cannot but take notice of the most sad effect of this oppression, the ill influence it has had upon the ancient reputation and valor of the English nation; and no wonder, for if it be true that oppression makes a wise man mad, it may well suspend the courage of the valiant. The same happened to the Romans, when, for renown in arms, they most excelled the rest of the world; the story is but short. It was in the time of the Decemviri (and I think the chief troublers of our state may make up that number). The Decemviri, my lords, had subverted the laws, suspended the courts of justice, and (which was the greatest grievance both to the nobility and people) had, for some time, omitted to assemble the senate, which was their Parliament. This, says the historian, did not only deject the Romans, and make them despair of their liberty, but caused them to be less valued by their neighbors. The Sabines take the advantage, and invade them; and now the Decemviri are forced to call a long-desired senate, whereof the people were so glad, "*hostibus belloque gratiam habuerunt.*" This assembly breaks up in discontent; nevertheless, the war proceeds; forces are raised, led by some of the Decemviri, and with the Sabines they meet in the field. I know your lordships expect the event; my

author's words of his countrymen are these: "*Nequid ductu aut auspicio decemvirorum prospere gereretur, vinci se patiebantur?*" — They chose rather to suffer a present diminution of their honor than by victory to confirm the tyranny of their new masters. At their return from their unfortunate expedition, after some distempers and expostulations of the people, another senate, that is, a second Parliament, is called; and there the Decemviri are questioned, deprived of their authority, imprisoned, banished, and some lose their lives: and soon after this vindication of their liberties, the Romans, by their better success, made it appear to the world that liberty and courage dwell always in the same breast and are never to be divorced. No doubt, my lords, but your justice shall have the like effect upon this dispirited people. It is not the restitution of our ancient laws alone, but the restoration of our ancient courage, which is expected from your lordships. I need not say anything to move your just indignation, that this man should so cheaply give away that which your noble ancestors, with so much courage and industry, had so long maintained. You have often been told how careful they were, though with the hazard of their lives and fortunes, to transmit those rights and liberties as entire to posterity as they received them from their fathers: what they did with labor, you may do with ease; what they did with danger, you may do securely. The foundation of our laws is not shaken with the engine of war; they are only blasted with the breath of these men, and by your breath they may be restored.

What judgment your predecessors have given, and what punishment their predecessors have suffered for offenses of this nature, your lordships have already been so well informed, I shall not trouble you with a repetition of those precedents. Only, my lords, something I shall take leave to observe of the person with whose charge I have presented you, that you may the less doubt of the willfulness of his offense. His education in the Inns of Court, his constant practice as a counselor, and experience as a judge, considered with the mischief he has done, makes it appear that this progress of his through the law has been like that of a diligent spy, through a country into which he meant to conduct an enemy.

To let you see he did not offend for company, there is one crime so peculiar to himself, and of such malignity, that it makes him at once incapable of your lordships' favor, and his own sub-

sistence incompatible with the right and property of the subject. For if you leave him in a capacity of interpreting the laws, has he not declared his opinion that your votes and resolutions against Ship Money are void, and that it is not in the power of Parliament to abolish that judgment? To him, my lords, that has thus played with the power of Parliament, we may well apply what was once said to a goat browsing on a vine:—

*“Rode, caper, vitem, tamen hinc cum stabis ad aras,
In tua quod fundi cornua possit, erit.”*

He has cropt and infringed the privileges of a banished Parliament; but now it is returned, he may find it has power enough to make a sacrifice of him to the better establishment of our laws; and in truth, what other satisfaction can he make his injured country than to confirm by his example those rights and liberties which he had ruined by his opinion? For the proofs, my lords, they are so manifest, that they will give you little trouble in the disquisition; his crimes are already upon record; the delinquent and the witness is the same; having from several seats of judicature proclaimed himself an enemy to our laws and nation *ex ore suo judicabitur*. To which purpose I am commanded by the knights, citizens, and burgesses of the House of Commons to desire your lordships that a speedy proceeding may be had against Mr. Justice Crawley, as the course of Parliament will permit.

SIR ROBERT AND HORACE WALPOLE

(1676-1745; 1717-1797)



SIR ROBERT WALPOLE, Prime Minister of England from 1721 to 1742, stands in the history of his time for the idea which inspired the Sacheverell impeachment—that of “the lawfulness of resistance to unlawful authority.” This central idea of the English Whigs of the seventeenth and eighteenth centuries was not a democratic idea, but rather the modern manifestation of the same impulse under which the English barons forced King John to sign the Magna Charta. The English Whigs of the school to which Walpole belonged believed in the use of force to expel any King who violated the Constitution, but they were as much opposed to Cromwell, backed by his Ironsides, as they were to Charles in the assertion of his prerogative.

Sir Robert Walpole was born at Houghton in Norfolk, and educated at Cambridge. He entered Parliament in 1701. In 1705 he was appointed to the Council of Queen Anne's husband, Prince George of Denmark. In 1708 he became Secretary of War (“Secretary-at-War”) and in 1710 Treasurer of the Navy. It is said that he did not approve the impeachment of Sacheverell, but he acted as one of the managers for the House of Commons in conducting it. On the defeat of the Whigs which followed it, he became one of the leaders of the opposition in the House of Commons, and made himself so formidable to the Tories that they expelled him from the House and sent him to the Tower on charges of personal corruption now admitted to have been false. After the return of the Whigs to power under George I., Walpole was advanced until he became First Lord of the Treasury and Chancellor of the Exchequer (1715-17 and 1721-42). On the ninth of February, 1742, he was raised to the peerage as Earl of Orford. Two days later he retired from office and lived in privacy at his country seat in Norfolk until his death, March 18th, 1745.

Horace Walpole, his third son, was born at London, October 5th, 1717. Entering Parliament in 1741, he attracted attention, not only because of his father's position, but of his own marked talent. His career as a public man did not satisfy him, however, and he retired in 1768, devoting the rest of his life to literature. He became fourth Earl of Orford in 1791, and died at London, March 2d, 1797. Of his numerous works his letters have been most admired by the critical,

but his romance, 'The Castle of Otranto,' is perhaps the best known to the general public. As orators, the Walpoles do not compare with the elder and younger Pitt, but Sir Robert Walpole occupied a position in English history by reason of which he must always command attention among parliamentary speakers, while Horace is entitled to a similar if less marked consideration, if for no other reason than that he provoked Pitt to one of his first great outbursts of eloquence.

THE DEBATE WITH PITT IN 1741

(House of Commons, March 10th, 1741)

[In the celebrated debate with the elder Pitt, the speech which provoked Pitt's reply has been attributed to Sir Robert Walpole, but in Doctor Samuel Johnson's 'Parliamentary Debates' for 1741, from the text of which (in the original edition) the debate is here republished, the speech to which Pitt replied is attributed to Horatio. The debate was on a proposition to limit the wages of sailors to thirty-five shillings a month.]

SIR ROBERT WALPOLE:—Sir, the present business of this assembly is to examine the clause before us; but to deviate from so necessary an inquiry into loud exclamations against the whole bill is to obstruct the course of the debate, to perplex our attention, and interrupt the House in its deliberation upon questions in the determination of which the security of the public is nearly concerned. The war, sir, in which we are now engaged, and, I may add, engaged by the general request of the whole nation, can be prosecuted only by the assistance of the seamen, from whom it is not to be expected that they will sacrifice their immediate advantage to the security of their country. Public spirit, where it is to be found, is the result of reflection, refined by study, and exalted by education, and is not to be hoped for among those whom low fortune has condemned to perpetual drudgery. It must be therefore necessary to supply the defects of education and to produce by salutary coercions those effects which it is vain to expect from other causes. That the service of the sailors will be set up to sale by auction, and that the merchants will bid against the government, is incontestable; nor is there any doubt that they will be able to offer the highest price, because they will take care to repay themselves by raising the value of their goods. Thus, without some restraint upon the merchants, our enemies, who are not debarred by their form of government from

any method which policy can invent, or absolute power put in execution, will preclude all our designs, and set at defiance a nation superior to themselves.

WILLIAM PITT, ESQUIRE, spoke to the following purport:—Sir, it is common for those to have the greatest regard to their own interest who discover the least for that of others. I do not, therefore, despair of recalling the advocates of this bill from the prosecution of their favorite measures by arguments of greater efficacy than those which are founded on reason and justice. Nothing, sir, is more evident than that some degree of reputation is absolutely necessary to men who have any concern in the administration of a government like ours; they must either secure the fidelity of their adherents by the assistance of wisdom, or of virtue; their enemies must either be awed by their honesty, or terrified by their cunning. Mere artless bribery will never gain a sufficient majority to set them entirely free from apprehensions of censure. To different tempers different motives must be applied: some, who place their felicity in being accounted wise are in very little care to preserve the character of honesty; others may be persuaded to join in measures which they easily discover to be weak and ill-concerted, because they are convinced that the authors of them are not corrupt, but mistaken, and are unwilling that any man should be punished for natural defects or casual ignorance. I cannot say, sir, which of these motives influence the advocates for the bill before us; a bill in which such cruelties are proposed as are yet unknown among the most savage nations, such as slavery has not yet borne, or tyranny invented, such as cannot be heard without resentment, nor thought of without horror. It is, sir, perhaps, not unfortunate, that one more expedient has been added rather ridiculous than shocking, and that these tyrants of the administration, who amuse themselves with oppressing their fellow-subjects, who add without reluctance one hardship to another, invade the liberty of those whom they have already overborne with taxes, first plunder and then imprison, who take all opportunities of heightening the public distresses and make the miseries of war the instruments of new oppressions, are too ignorant to be formidable, and owe their success, not to their abilities, but to casual prosperity or to the influence of money.

The other clauses of this bill, complicated at once with cruelty and folly, have been treated with becoming indignation; but this

may be considered with less ardor of resentment, and fewer emotions of zeal, because, though perhaps equally iniquitous, it will do no harm; for a law that can never be executed can never be felt. That it will consume the manufacture of paper and swell the books of statutes is all the good or hurt that can be hoped or feared from a law like this; a law which fixes what is in its own nature mutable, which prescribes rules to the seasons and limits to the wind. I am too well acquainted, sir, with the disposition of its two chief supporters, to mention the contempt with which this law will be treated by posterity, for they have already shown abundantly their disregard of succeeding generations; but I will remind them that they are now venturing their whole interest at once, and hope they will recollect before it is too late that those who believe them to intend the happiness of their country will never be confirmed in their opinion by open cruelty and notorious oppression; and that those who have only their own interest in view will be afraid of adhering to those leaders, however old and practiced in expedients, however strengthened by corruption, or elated with power, who have no reason to hope for success from either their virtue or abilities.

SIR ROBERT WALPOLE rose, and spoke as follows:—Sir, every law which extends its influence to great numbers in various relations and circumstances must produce some consequences that were never foreseen or intended, and is to be censured or applauded as the general advantages or inconveniences are found to preponderate. Of this kind is the law before us, a law enforced by the necessity of our affairs, and drawn up with no other intention than to secure the public happiness, and produce that success which every man's interest must prompt him to desire. If in the execution of this law, sir, some inconveniences should arise, they are to be remedied as fast as they are discovered; or, if not capable of a remedy, to be patiently borne in consideration of the general advantage. That some temporary disturbances may be produced is not improbable; the discontent of the sailors may for a short time rise high, and our trade be suspended by their obstinacy; but obstinacy, however determined, must yield to hunger, and when no higher wages can be obtained, they will cheerfully accept of those which are here allowed them. Short voyages, indeed, are not comprehended in the clause, and therefore the sailors will engage in them upon their own terms; but this objection can be of no weight with

those that oppose the clause, because, if it is unjust to limit the wages of the sailors, it is just to leave those voyages without restriction; and those that think the expedient here proposed equitable and rational may perhaps be willing to make some concessions to those who are of a different opinion. That the bill will not remove every obstacle to success, nor add weight to one part of the balance without making the other lighter; that it will not supply the navy without incommoing the merchants in some degree; that it may be sometimes evaded by cunning, and sometimes abused by malice, and that at last it will be less efficacious than is desired may, perhaps, be proved; but it has not yet been proved that any other measures are more eligible, or that we are not to promote the public service as far as we are able, though our endeavors may not produce effects equal to our wishes.

MR. ATTORNEY-GENERAL spoke next to this purport:—Sir, the clause before us cannot, in my opinion, produce any such dreadful consequences as the learned gentleman appears to imagine. However, to remove all difficulties, I have drawn up an amendment which I shall beg leave to propose: “That the contracts which may be affected as the clause now stands shall be void only as to so much of the wages as shall exceed the sum to which the House shall agree to reduce the seamen’s pay”; and as to the forfeitures, they are not to be levied upon the sailors, but upon the merchants or trading companies who employ them and who are able to pay greater sums without being involved in poverty and distress. With regard, sir, to the reasons for introducing this clause, they are, in my judgment, valid and equitable. We have found it necessary to fix the rate of money at interest, and the rate of labor in several cases; and if we do not in this case, what will be the consequence? A second embargo on commerce, and perhaps a total stop to all military preparations. Is it reasonable that any man should rate his labor according to the immediate necessities of those that employ him? Or that he should raise his own fortune by the public calamities? If this has hitherto been a practice, it is a practice contrary to the general happiness of society, and ought to prevail no longer. If the sailor, sir, is exposed to greater dangers in time of war, is not the merchant’s trade carried on likewise at greater hazard? Is not the freight, equally with the sailors, threatened at once by the ocean and the enemy? And is not the owner’s fortune equally impaired, whether the ship be dashed

upon a rock or seized by a privateer? The merchant, therefore, has as much reason for paying less wages in time of war as the sailor for demanding more, and nothing remains but that the legislative power determine a medium between their different interests, with justice, if possible, at least with impartiality.

HORATIO WALPOLE, ESQUIRE, who had stood up several times, but was prevented by other members, spoke next, to this purport: Sir, I was unwilling to interrupt the course of this debate while it was carried on with calmness and decency, by men who do not suffer the ardor of opposition to cloud their reason, or transport them to such expressions as the dignity of this assembly does not admit. I have hitherto deferred to answer the gentleman who declaimed against the bill with such fluency of rhetoric, and such vehemence of gesture, who charged the advocates for the expedients now proposed with having no regard to any interest but their own, and with making laws only to consume paper, and threatened them with the defection of their adherents, and the loss of their influence upon this new discovery of their folly and their ignorance. Nor, sir, do I now answer him for any other purpose than to remind him how little the clamors of rage and petulancy of invectives contribute to the purposes for which this assembly is called together; how little the discovery of truth is promoted, and the security of the nation established by pompous diction and theatrical emotions. Formidable sounds, and furious declamations, confident assertions, and lofty periods, may affect the young and inexperienced, and, perhaps, the gentleman may have contracted his habits of oratory by conversing more with those of his own age than with such as have had more opportunities of acquiring knowledge and more successful methods of communicating their sentiments. If the heat of his temper, sir, would suffer him to attend to those whose age and long acquaintance with business give them an indisputable right to deference and superiority, he would learn, in time, to reason rather than declaim, and to prefer justness of argument, and an accurate knowledge of facts, to sounding epithets and splendid superlatives, which may disturb the imagination for a moment, but leave no lasting impression on the mind. He will learn, sir, that to accuse and prove are very different, and that reproaches unsupported by evidence affect only the character of him that utters them. Excursions of fancy and flights of oratory are, indeed, pardonable in young men, but in no other; and it would

surely contribute more, even to the purpose for which some gentlemen appear to speak, that of depreciating the conduct of the administration, to prove the inconveniences and injustice of this bill, than barely to assert them, with whatever magnificence of language, or appearance of zeal, honesty, or compassion.

WILLIAM PITT, ESQUIRE, replied:—Sir, the atrocious crime of being a young man, which the honorable gentleman has with such spirit and decency charged upon me, I shall neither attempt to palliate, nor deny, but content myself with wishing that I may be one of those whose follies may cease with their youth, and not of that number who are ignorant in spite of experience. Whether youth can be imputed to any man as a reproach, I will not, sir, assume the province of determining; but surely age may become justly contemptible, if the opportunities which it brings have passed away without improvement, and vice appears to prevail when the passions have subsided. The wretch that, after having seen the consequences of a thousand errors, continues still to blunder, and whose age has only added obstinacy to stupidity, is surely the object of either abhorrence or contempt, and deserves not that his gray head should secure him from insults. Much more, sir, is he to be abhorred, who, as he has advanced in age, has receded from virtue, and becomes more wicked with less temptation; who prostitutes himself for money which he cannot enjoy, and spends the remains of his life in the ruin of his country. But youth, sir, is not my only crime; I have been accused of acting a theatrical part. A theatrical part may either imply some peculiarities of gesture, or a dissimulation of my real sentiments and an adoption of the opinions and language of another man.

In the first sense, sir, the charge is too trifling to be confuted, and deserves only to be mentioned that it may be despised. I am at liberty, like every other man, to use my own language; and though I may, perhaps, have some ambition to please this gentleman, I shall not lay myself under any restraint, nor very solicitously copy his diction, or his mein, however matured by age, or modeled by experience. If any man shall by charging me with theatrical behavior imply that I utter any sentiments but my own, I shall treat him as a calumniator and a villain; nor shall any protection shelter him from the treatment which he deserves. I shall, on such an occasion, without scruple, trample upon all those forms with which wealth and dignity intrench

themselves, nor shall anything but age restrain my resentment age, which always brings one privilege, that of being insolent and supercilious without punishment. But with regard, sir, to those whom I have offended, I am of opinion that if I had acted a borrowed part, I should have avoided their censure; the heat that offended them is the ardor of conviction, and that zeal for the service of my country which neither hope nor fear shall influence me to suppress. I will not sit unconcerned while my liberty is invaded, nor look in silence upon public robbery. I will exert my endeavors at whatever hazard to repel the aggressor and drag the thief to justice, whoever may protect them in their villainy, and whoever may partake of their plunder. And if the honorable gentleman—

Here THOMAS WINNINGTON, ESQUIRE, called to order, and [William Pitt, Esquire, sitting down] spoke thus:—It is necessary, sir, that the order of this assembly be observed, and the debate resumed without personal altercations. Such expressions as have been vented on this occasion become not an assembly intrusted with the liberty and welfare of their country. To interrupt the debate on a subject so important as that before us is, in some measure, to obstruct the public happiness and violate our trust. But much more heinous is the crime of exposing our determinations to contempt, and inciting the people to suspicion and mutiny by indecent reflections or unjust insinuations. I do not, sir, undertake to decide the controversy between the two gentlemen, but must be allowed to observe that no diversity of opinion can justify the violation of decency and the use of rude and virulent expressions; expressions dictated only by resentment, and uttered without regard to—

Here WILLIAM PITT, ESQUIRE, called to order, and said:—Sir, if this be to preserve order, there is no danger of indecency from the most licentious tongue; for what calumny can be more atrocious, or what reproach more severe than that of speaking with regard to anything but truth. Order may sometimes be broken by passion, or inadvertency, but will hardly be re-established by monitors like this who cannot govern his own passion, whilst he is restraining the impetuosity of others. Happy, sir, would it be for mankind if every one knew his own province; we should not then see the same man at once a criminal and a judge, nor would this gentleman assume the right of dictating to others what he has not learned himself. That I may return in some

degree the favor which he intends me I will advise him never hereafter to exert himself on the subject of order; but whenever he finds himself inclined to speak on such occasions to remember how he has now succeeded, and condemn in silence what his censures will never reform.

SIR ROBERT WALPOLE ON PATRIOTS

(Delivered in Parliament in 1740 on a Motion to Dismiss Him
from the Council)


IT HAS been observed, Mr. Speaker, by several gentlemen, in vindication of this motion, that if it should be carried, neither my life, liberty, nor estate, will be affected. But do the honorable gentlemen consider my character and reputation as of no moment? Is it no imputation to be arraigned before this House in which I have sat forty years, and to have my name transmitted to posterity with disgrace and infamy? I will not conceal my sentiments, that to be named in Parliament as a subject of inquiry is to me a matter of great concern; but I have the satisfaction, at the same time, to reflect that the impression to be made depends upon the consistency of the charge and the motives of the prosecutors. Had the charge been reduced to specific allegations, I should have felt myself called upon for a specific defense. Had I served a weak or wicked master, and implicitly obeyed his dictates, obedience to his commands must have been my only justification. But, as it has been my good fortune to serve a master who wants no bad ministers, and would have hearkened to none, my defense must rest on my own conduct. The consciousness of innocence is sufficient support against my present prosecutors.

Survey and examine the individuals who usually support the measures of Government, and those who are in opposition. Let us see to whose side the balance preponderates. Look round both houses, and see to which side the balance of virtue and talents preponderates. Are all these on one side, and not on the other? Or are all these to be counterbalanced by an affected claim to the exclusive title of patriotism? Gentlemen have talked a great deal about patriotism. A venerable word, when duly practiced! But I am sorry to say that of late it has been so much hackneyed about that it is in danger of falling into dis-

grace. The very idea of true patriotism is lost; and the term has been prostituted to the very worst of purposes. A patriot, sir! Why, patriots spring up like mushrooms! I could raise fifty of them within the four-and-twenty hours. I have raised many of them in one night. It is but refusing to gratify an unreasonable or an insolent demand, and up starts a patriot. I have never been afraid of making patriots; but I disdain and despise all their efforts. This pretended virtue proceeds from personal malice and from disappointed ambition. There is not a man amongst them whose particular aim I am not able to ascertain, and from what motive he has entered into the lists of opposition'

JOSEPH WARREN

(1741-1775)

 WARREN'S enduring reputation among the Revolutionary orators of New England is due to the eloquence with which he denounced the occupation of Boston, Massachusetts, by a British military garrison. In 1772 and again in 1775 he was chosen to deliver the oration of the day on the anniversary of the Boston Massacre. The oration of 1775 was delivered in times of great excitement, when the orator's life was threatened and the outbreak of hostilities was imminent. In force of idea, as well as in form, it is greatly inferior to the address of March 5th, 1772, in which Warren states eloquently and without exaggeration the grievance which was the immediate cause of revolution. That grievance was the use of military garrisons by England to do police duty in the Colonies. Warren's objection to it could be replied to only in one way,—as it was at Bunker Hill, when he fell under the fire with which Lord North's administration imagined it was possible to "pacify the Colonies."

Warren was born at Roxbury, Massachusetts, June 11th, 1741. Graduating at Harvard in 1759, he began the practice of medicine in Boston, where, when the agitation against England's colonial policy began, he became one of the leaders of the American Revolutionary party. In 1774 he was Chairman of the Committee of Public Safety, and President of the Provincial Congress of Massachusetts. He fought at the battle of Lexington and was made Major General of the Massachusetts militia. At Bunker Hill he served as a volunteer aid, and was killed there June 17th, 1775.

CONSTITUTIONAL LIBERTY AND ARBITRARY POWER

(An Oration Delivered at Boston, March 5th, 1772)

*Quis talia fando,
Myrmidonum, Dolopumve, aut duri miles Ulyssæi,
Temperet a lacrymis.*—VIRGIL.

WHEN we turn over the historic page and trace the rise and fall of states and empires, the mighty revolutions which have so often varied the face of the world strike our minds with solemn surprise, and we are naturally led to endeavor to search out the causes of such astonishing changes.

That man is formed for social life is an observation which, upon our first inquiry, presents itself immediately to our view, and our reason approves that wise and generous principle which actuated the first founders of civil government— an institution which hath its origin in the weakness of individuals, and hath for its end the strength and security of all; and so long as the means of effecting this important end are thoroughly known and religiously attended to, government is one of the richest blessings to mankind, and ought to be held in the highest veneration.

In young and new-formed communities the grand design of this institution is most generally understood and the most strictly regarded; the motives which urged to the social compact cannot be at once forgotten, and that equality which is remembered to have subsisted so lately among them prevents those who are clothed with authority from attempting to invade the freedom of their brethren; or if such an attempt be made, it prevents the community from suffering the offender to go unpunished: every member feels it to be his interest and knows it to be his duty to preserve inviolate the constitution on which the public safety depends, and he is equally ready to assist the magistrate in the execution of the laws and the subject in defense of his right; and so long as this noble attachment to a Constitution, founded on free and benevolent principles, exists in full vigor, in any State, that State must be flourishing and happy.

It was this noble attachment to a free Constitution which raised ancient Rome from the smallest beginnings to that bright summit of happiness and glory to which she arrived; and it was the loss of this which plunged her from that summit into the black gulf of infamy and slavery. It was this attachment which

inspired her Senators with wisdom; it was this which glowed in the breast of her heroes; it was this which guarded her liberties and extended her dominions, gave peace at home, and commanded respect abroad; and when this decayed her magistrates lost their reverence for justice and the laws, and degenerated into tyrants and oppressors,—her senators, forgetful of their dignity, and seduced by base corruption, betrayed their country,—her soldiers, regardless of their relation to the community, and urged only by the hopes of plunder and rapine, unfeelingly committed the most flagrant enormities; and, hired to the trade of death, with relentless fury they perpetrated the most cruel murders, whereby the streets of imperial Rome were drenched with her noblest blood. Thus this empress of the world lost her dominions abroad, and her inhabitants, dissolute in their manners, at length became contented slaves; and she stands to this day the scorn and derision of nations, and a monument of this eternal truth that public happiness depends on a virtuous and unshaken attachment to a free Constitution.

It was this attachment to a Constitution, founded on free and benevolent principles, which inspired the first settlers of this country,—they saw with grief the daring outrages committed on the free Constitution of their native land,—they knew nothing but a civil war could at that time restore its pristine purity. So hard was it to resolve to imbrue their hands in the blood of their brethren that they chose rather to quit their fair possessions and seek another habitation in a distant clime. When they came to this new world, which they fairly purchased of the Indian natives, the only rightful proprietors, they cultivated the then barren soil by their incessant labor, and defended their dear-bought possessions with the fortitude of the Christian and the bravery of the hero.

After various struggles, which, during the tyrannic reigns of the house of Stuart, were constantly kept up between right and wrong, between liberty and slavery, the connection between Great Britain and this colony was settled in the reign of King William and Queen Mary by a compact, the conditions of which were expressed in a charter, by which all the liberties and immunities of British subjects were confided to this province, as fully and as absolutely as they possibly could be by any human instrument which can be devised. And it is undeniably true that the greatest and most important right of a British subject is that he

shall be governed by no laws but those to which he, either in person or by his representatives, hath given his consent: and this I will venture to assert is the great basis of British freedom; it is interwoven with the Constitution; and whenever this is lost, the Constitution must be destroyed.

The British Constitution, of which ours is a copy, is a happy compound of the three forms, under some of which all governments may be ranged,—namely, monarchy, aristocracy, and democracy; of these three the British legislature is composed, and without the consent of each branch, nothing can carry with it the force of a law; but when a law is to be passed for raising a tax, that law can originate only in the democratic branch, which is the House of Commons in Britain, and the House of Representatives here. The reason is obvious: they and their constituents are to pay much the largest part of it; but as the aristocratic branch, which in Britain is the House of Lords, and in this province the Council, are also to pay some part, their consent is necessary; and as the monarchic branch, which in Britain is the King, and with us either the King in person, or the Governor whom he shall be pleased to appoint to act in his stead, is supposed to have a just sense of his own interest, which is that of all the subjects in general, his consent is also necessary, and when the consent of these three branches is obtained, the taxation is most certainly legal.

Let us now allow ourselves a few moments to examine the late acts of the British Parliament for taxing America. Let us with candor judge whether they are constitutionally binding upon us; if they are, in the name of justice let us submit to them, without one murmuring word.

First, I would ask whether the members of the British House of Commons are the democracy of this province? if they are, they are either the people of this province, or are elected by the people of this province to represent them, and have therefore a constitutional right to originate a bill for taxing them; it is most certain they are neither; and therefore nothing done by them can be said to be done by the democratic branch of our Constitution. I would next ask whether the lords who compose the aristocratic branch of the Legislature are peers of America. I never heard it was (even in these extraordinary times) so much as pretended, and if they are not, certainly no act of theirs can be said to be the act of the aristocratic branch of our Constitution. The power of

the monarchic branch we, with pleasure, acknowledge resides in the King, who may act either in person or by his representative; and I freely confess that I can see no reason why a proclamation for raising revenues in America issued by the King's sole authority would not be equally consistent with our own Constitution, and therefore equally binding upon us with the late acts of the British Parliament for taxing us; for it is plain that if there is any validity in those acts, it must arise altogether from the monarchical branch of the Legislature; and I further think that it would be at least as equitable; for I do not conceive it to be of the least importance to us by whom our property is taken away, so long as it is taken without our consent; and I am very much at a loss to know by what figure of rhetoric, the inhabitants of this province can be called free subjects, when they are obliged to obey implicitly such laws as are made for them by men three thousand miles off, whom they know not, and whom they never empowered to act for them, or how they can be said to have property, when a body of men over whom they have not the least control, and who are not in any way accountable to them, shall oblige them to deliver up part, or the whole of their substance without even asking their consent: and yet whoever pretends that the late acts of the British Parliament for taxing America ought to be deemed binding upon us must admit at once that we are absolute slaves, and have no property of our own; or else that we may be freemen, and at the same time under a necessity of obeying the arbitrary commands of those over whom we have no control or influence, and that we may have property of our own, which is entirely at the disposal of another. Such gross absurdities, I believe, will not be relished in this enlightened age: and it can be no matter of wonder that the people quickly perceived, and seriously complained of the inroads which these acts must unavoidably make upon their liberty, and of the hazard to which their whole property is by them exposed; for if they may be taxed without their consent, even in the smallest trifle, they may also, without their consent, be deprived of everything they possess, although never so valuable, never so dear. Certainly it never entered the hearts of our ancestors that after so many dangers in this then desolate wilderness, their hard-earned property should be at the disposal of the British Parliament; and as it was soon found that this taxation could not be supported by reason and argument, it seemed necessary that one act of oppression should be enforced

by another, and therefore, contrary to our just rights as possessing, or at least having a just title to possess, all the liberties and immunities of British subjects, a standing army was established among us in time of peace; and evidently for the purpose of effecting that, which it was one principal design of the founders of the Constitution to prevent when they declared a standing army in a time of peace to be against law,—namely, for the enforcement of obedience to acts which, upon fair examination, appeared to be unjust and unconstitutional.

The ruinous consequences of standing armies to free communities may be seen in the histories of Syracuse, Rome, and many other once flourishing states, some of which have now scarce a name! their baneful influence is most suddenly felt, when they are placed in populous cities; for, by a corruption of morals, the public happiness is immediately affected! and that this is one of the effects of quartering troops in a populous city is a truth to which many a mourning parent, many a lost despairing child in this metropolis, must bear a very melancholy testimony. Soldiers are also taught to consider arms as the only arbiters by which every dispute is to be decided between contending states;—they are instructed implicitly to obey their commanders, without inquiring into the justice of the cause they are engaged to support; hence it is, that they are ever to be dreaded as the ready engines of tyranny and oppression. And it is too observable that they are prone to introduce the same mode of decision in the disputes of individuals, and from thence have often arisen great animosities between them and the inhabitants, who, whilst in a naked, defenseless state, are frequently insulted and abused by an armed soldiery. And this will be more especially the case when the troops are informed that the intention of their being stationed in any city is to overawe the inhabitants. That this was the avowed design of stationing an armed force in this town is sufficiently known; and we, my fellow-citizens, have seen, we have felt the tragical effects! The fatal fifth of March, 1770, can never be forgotten. The horrors of that dreadful night are but too deeply impressed on our hearts. Language is too feeble to paint the emotion of our souls, when our streets were stained with the blood of our brethren—when our ears were wounded by the groans of the dying, and our eyes were tormented with the sight of the mangled bodies of the dead. When our alarmed imagination presented to our view our

houses wrapt in flames, our children subjected to the barbarous caprice of the raging soldiery,—our beauteous virgins exposed to all the insolence of unbridled passion,—our virtuous wives, endeared to us by every tender tie, falling a sacrifice to worse than brutal violence, and perhaps like the famed Lucretia, distracted with anguish and despair, ending their wretched lives by their own fair hands. When we beheld the authors of our distress parading in our streets, or drawn up in a regular *battalia*, as though in a hostile city, our hearts beat to arms; we snatched our weapons, almost resolved by one decisive stroke to avenge the death of our slaughtered brethren and to secure from future danger all that we held most dear; but propitious heaven forbade the bloody carnage and saved the threatened victims of our too keen resentment, not by their discipline, not by their regular array,—no, it was royal George's livery that proved their shield,—it was that which turned the pointed engines of destruction from their breasts. The thoughts of vengeance were soon buried in our inbred affection to Great Britain, and calm reason dictated a method of removing the troops more mild than an immediate resource to the sword. With united efforts you urged the immediate departure of the troops from the town; you urged it, with a resolution which insured success; you obtained your wishes, and the removal of the troops was effected without one drop of their blood being shed by the inhabitants.

The immediate actors in the tragedy of that night were surrendered to justice. It is not mine to say how far they were guilty. They have been tried by the country and acquitted of murder! and they are not to be again arraigned at an earthly bar; but surely the men who have promiscuously scattered death amidst the innocent inhabitants of a populous city ought to see well to it that they be prepared to stand at the bar of an Omniscient Judge! and all who contrived or encouraged the stationing of troops in this place have reasons of eternal importance to reflect with deep contrition on their base designs, and humbly to repent of their impious machinations.

The infatuation which hath seemed, for a number of years, to prevail in the British councils, with regard to us, is truly astonishing! what can be proposed by the repeated attacks made upon our freedom, I really cannot surmise,—even leaving justice and humanity out of question. I do not know one single advantage which can arise to the British nation from our being enslaved:

—I know not of any gains, which can be wrung from us by oppression, which they may not obtain from us by our own consent, in the smooth channel of commerce: we wish the wealth and prosperity of Britain; we contribute largely to both. Doth what we contribute lose all its value, because it is done voluntarily? the amazing increase of riches to Britain, the great rise of the value of her lands, the flourishing state of her navy, are striking proofs of the advantages derived to her from her commerce with the Colonies; and it is our earnest desire that she may still continue to enjoy the same emoluments, until her streets are paved with American gold; only let us have the pleasure of calling it our own, while it is in our own hands; but this it seems is too great a favor—we are to be governed by the absolute command of others; our property is to be taken away without our consent—if we complain, our complaints are treated with contempt; if we assert our rights, that assertion is deemed insolence; if we humbly offer to submit the matter to the impartial decision of reason, the sword is judged the most proper argument to silence our murmurs! but this cannot long be the case—surely the British nation will not suffer the reputation of their justice and their honor to be thus sported away by a capricious ministry; no, they will in a short time open their eyes to their true interest; they nourish in their own breasts a noble love of liberty; they hold her dear, and they know that all who have once possessed her charms had rather die than suffer her to be torn from their embraces—they are also sensible that Britain is so deeply interested in the prosperity of the Colonies that she must eventually feel every wound given to their freedom; they cannot be ignorant that more dependence may be placed on the affections of a brother than on the forced service of a slave; they must approve your efforts for the preservation of your rights; from a sympathy of soul they must pray for your success; and I doubt not but they will ere long exert themselves effectually to redress your grievances. Even the dissolute reign of King Charles II., when the House of Commons impeached the Earl of Clarendon of high treason, the first article on which they founded their accusation was that “he had designed a standing army to be raised, and to govern the kingdom thereby.” And the eighth article was that “he had introduced an arbitrary government into his Majesty’s plantation,”—a terrifying example to those who are now forging chains for this country!

You have, my friends and countrymen, frustrated the designs of your enemies by your unanimity and fortitude; it was your union and determined spirit which expelled those troops who polluted your streets with innocent blood. You have appointed this anniversary as a standard memorial of the bloody consequences of placing an armed force in a populous force, and of your deliverance from the dangers which then seemed to hang over your heads; and I am confident that you never will betray the least want of spirit when called upon to guard your freedom. None but they who set a just value upon the blessings of liberty are worthy to enjoy her—your illustrious fathers were her zealous votaries—when the blasting frowns of tyranny drove her from public view, they clasped her in their arms, they cherished her in their generous bosoms, they brought her safe over the rough ocean, and fixed her seat in this then dreary wilderness; they nursed her infant age with the most tender care; for her sake they patiently bore the severest hardships; for her support, they underwent the most rugged toils; in her defense they boldly encountered the most alarming dangers: neither the ravenous beasts that ranged the woods for prey, nor the more furious savages of the wilderness, could damp their ardor! Whilst with one hand they broke the stubborn glebe, with the other they grasped their weapons, ever ready to protect her from danger. No sacrifice, not even their own blood, was esteemed too rich a libation for her altar! God prospered their valor; they preserved her brilliancy unsullied; they enjoyed her whilst they lived, and, dying, bequeathed the dear inheritance to your care. And as they left you this glorious legacy, they have undoubtedly transmitted to you some portion of their noble spirit, to inspire you with virtue to merit her and courage to preserve her; you surely cannot, with such examples before your eyes, as every page of the history of this country affords, suffer your liberties to be ravished from you by lawless force, or cajoled away by flattery and fraud.

The voice of your fathers' blood cries to you from the ground: My sons scorn to be slaves! In vain we met the frowns of tyrants—in vain we crossed the boisterous ocean, found a new world, and prepared it for the happy residence of liberty—in vain we toiled—in vain we fought—we bled in vain, if you, our offspring, want valor to repel the assaults of her invaders! Stain not the glory of your worthy ancestors, but like them resolve never to part with your birthright; be wise in your delib-

erations, and determined in your exertions for the preservation of your liberties. Follow not the dictates of passion, but enlist yourselves under the sacred banner of reason; use every method in your power to secure your rights; at least prevent the curses of posterity from being heaped upon your memories.

If you, with united zeal and fortitude, oppose the torrent of oppression; if you feel the true fire of patriotism burning in your breasts; if you, from your souls, despise the most gaudy dress that slavery can wear; if you really prefer the lonely cottage (whilst blest with liberty) to gilded palaces, surrounded with the ensigns of slavery, you may have the fullest assurance that tyranny, with her whole accursed train, will hide their hideous heads in confusion, shame, and despair—if you perform your part, you must have the strongest confidence that the same Almighty Being who protected your pious and venerable forefathers, who enabled them to turn a barren wilderness into a fruitful field, who so often made bare his arm for their salvation, will still be mindful of you, their offspring.

May this Almighty Being graciously preside in all our councils! May he direct us to such measures as he himself shall approve and be pleased to bless! May we ever be a people favored of God! May our land be a land of liberty, the seat of virtue, the asylum of the oppressed, a name and a praise in the whole earth, until the last shock of time shall bury the empires of the world in one common undistinguished ruin!

GEORGE WASHINGTON

(1732-1799)

IT HAS become fashionable to question Washington's literary ability and to attribute the authorship of the Farewell Address and of his Inaugurals largely to others. Fortunately, however, the original draft of the Farewell Address as Washington made it has been preserved in his own handwriting, with the alterations and additions made to it after his consultation with his advisers. The manuscript shows that, though he accepted suggestions and amendments with the modesty and good judgment which were always a mode of expression for his great ability, the governing ideas of the address are completely his own, while its literary style also is his, except that, as amended, it formalizes his occasional colloquialisms. Of Washington's life and character it is unnecessary to speak, but it will not be inappropriate to emphasize the facts of his education against the tendency to assume that great virtue and great intellect are separable. His education did not extend to the classics as did that of most Virginia country gentlemen in his time, and because of this it is frequently asserted that "he could not spell"—with the inference that he was ignorant even of the rudiments of an English education. It will be remembered, however, by every one who has studied the growth of the English language that in the first half of the eighteenth century its spelling had not become completely formalized, even in London itself. While the dictionaries of Bailey and others preceded that of Samuel Johnson, that great work did not appear until 1755, and although there was a general tendency to accept it as a conclusive authority, it was not possible that its orthography could at once supplant the habit of phonetic spelling, which had prevailed to a greater or less extent from the time of Alfred the Great until the beginning of the eighteenth century. If Washington was at times individualistic in his spelling and in his syntax, he was no more so than Alfred the Great, whose compositions, in spite of such idiosyncracies, are accepted by all competent authorities as admirable examples of the English of his time.

Washington was a man of great intellect, not a great orator, because he had never attempted to cultivate fluency of speech,—preferring, indeed, to reject it and to avoid it, that he might win the

deliberation of idea which made him what he was; but if as a public speaker he never achieved such a masterpiece as the Gettysburg Address, it was not because he lacked the ability or had failed to achieve the education necessary to give expression to great ideas. His Inaugural Address of 1789 and his Farewell Address are in every sense his own, and of their kind they are incomparable.

W. V. B.

FIRST INAUGURAL ADDRESS

(Delivered in New York, April 30th, 1789)

Fellow-Citizens of the Senate and of the House of Representatives:—

AMONG the vicissitudes incident to life, no event could have filled me with greater anxieties than that of which the notification was transmitted by your order, and received on the fourth day of the present month. On the one hand, I was summoned by my country, whose voice I can never hear but with veneration and love, from a retreat which I had chosen with the fondest predilection, and, in my flattering hopes, with an immutable decision as the asylum of my declining years; a retreat which was rendered every day more necessary as well as more dear to me, by the addition of habit to inclination, and of frequent interruptions in my health to the gradual waste committed on it by time; on the other hand, the magnitude and difficulty of the trust to which the voice of my country called me, being sufficient to awaken, in the wisest and most experienced of her citizens, a distrustful scrutiny into his qualifications, could not but overwhelm with despondence one who, inheriting inferior endowments from nature, and unpracticed in the duties of civil administration, ought to be peculiarly conscious of his own deficiencies. In this conflict of emotions, all I dare aver is that it has been my faithful study to collect my duty from a just appreciation of every circumstance by which it might be affected. All I dare hope is, that if, in executing this task, I have been too much swayed by a grateful remembrance of former instances, or by an affectionate sensibility to this transcendent proof of the confidence of my fellow-citizens and have thence too little consulted my incapacity as well as disinclination for the weighty and untried cares before me, my error will be palliated by the motives which misled me and its consequences be judged by

my country, with some share of the partiality in which they originated.

Such being the impression under which I have, in obedience to the public summons, repaired to the present station, it would be peculiarly improper to omit, in this first official act, my fervent supplications to that Almighty Being, who rules over the universe, who presides in the councils of nations, and whose providential aids can supply every human defect, that his benediction may consecrate to the liberties and happiness of the people of the United States a government instituted by themselves for these essential purposes, and may enable every instrument employed in its administration to execute, with success, the functions allotted to his charge. In tendering this homage to the Great Author of every public and private good, I assure myself that it expresses your sentiments not less than my own; nor those of my fellow-citizens at large less than either. No people can be bound to acknowledge and adore the Invisible Hand which conducts the affairs of men, more than the people of the United States. Every step by which they have advanced to the character of an independent nation seems to have been distinguished by some token of providential agency. And, in the important revolution just accomplished, in the system of their united government, the tranquil deliberations and voluntary consent of so many distinct communities, from which the event has resulted, cannot be compared with the means by which most governments have been established, without some return of pious gratitude, along with a humble anticipation of the future blessings, which the past seems to presage. These reflections, arising out of the present crisis, have forced themselves too strongly on my mind to be suppressed. You will join with me, I trust, in thinking that there are none under the influence of which the proceedings of a new and free government can more auspiciously commence.

By the article establishing the Executive Department, it is made the duty of the President "to recommend to your consideration such measures as he shall judge necessary and expedient." The circumstances under which I now meet you will acquit me from entering into that subject further than to refer you to the great constitutional charter under which we are assembled; and which, in defining your powers, designates the objects to which your attention is to be given. It will be more consistent with those circumstances and far more congenial with the feelings

which actuate me, to substitute, in place of a recommendation of particular measures, the tribute that is due to the talents, the rectitude, and the patriotism which adorn the characters selected to devise and adopt them. In these honorable qualifications, I behold the surest pledges, that as, on one side, no local prejudices or attachments, no separate views nor party animosities, will misdirect the comprehensive and equal eye which ought to watch over this great assemblage of communities and interests—so, on another, that the foundations of our national policy will be laid in the pure and immutable principles of private morality; and the pre-eminence of a free government be exemplified by all the attributes which can win the affections of its citizens and command the respect of the world.

I dwell on this prospect with every satisfaction which an ardent love for my country can inspire: since there is no truth more thoroughly established than that there exists, in the economy and course of nature, an indissoluble union between virtue and happiness—between duty and advantage—between the genuine maxims of an honest and magnanimous policy and the solid rewards of public prosperity and felicity—since we ought to be no less persuaded that the propitious smiles of heaven can never be expected on a nation that disregards the eternal rules of order and right which heaven itself has ordained—and since the preservation of the sacred fire of liberty, and the destiny of the republican model of government, are justly considered as deeply, perhaps as finally staked, on the experiment intrusted to the hands of the American people.

Besides the ordinary objects submitted to your care, it will remain with your judgment to decide how far an exercise of the occasional power delegated by the fifth article of the Constitution is rendered expedient, at the present juncture, by the nature of objections which have been urged against the system, or by the degree of inquietude which has given birth to them. Instead of undertaking particular recommendations on this subject, in which I could be guided by no lights derived from official opportunities, I shall again give way to my entire confidence in your discernment and pursuit of the public good. For I assure myself that, whilst you carefully avoid every alteration which might endanger the benefits of a united and effective government, or which ought to await the future lessons of experience, a reverence for the characteristic rights of freemen and a regard for the public

harmony will sufficiently influence your deliberations on the question how far the former can be more impregnably fortified, or the latter be safely and more advantageously promoted.

To the preceding observations I have one to add, which will be most properly addressed to the House of Representatives. It concerns myself, and will therefore be as brief as possible.

When I was first honored with a call into the service of my country, then on the eve of an arduous struggle for its liberties, the light in which I contemplated my duty required that I should renounce every pecuniary compensation. From this resolution I have in no instance departed. And being still under the impressions which produced it, I must decline, as inapplicable to myself, any share in the personal emoluments which may be indispensably included in a permanent provision for the Executive Department; and must accordingly pray that the pecuniary estimates for the station in which I am placed may, during my continuation in it, be limited to such actual expenditures as the public good may be thought to require.

Having thus imparted to you my sentiments, as they have been awakened by the occasion which brings us together, I shall take my present leave, but not without resorting once more to the benign Parent of the human race, in humble supplication, that, since he has been pleased to favor the American people with opportunities for deliberating in perfect tranquillity, and dispositions for deciding with unparalleled unanimity, on a form of government for the security of their union and the advancement of their happiness, so his divine blessing may be equally conspicuous in the enlarged views, the temperate consultations, and the wise measures on which the success of this government must depend.

- FAREWELL ADDRESS

(Issued September 17th, 1796)

Friends and Fellow-Citizens:—

THE period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as

it may conduce to a more distinct expression of the public voice, that I should now apprize you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that in withdrawing the tender of service, which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety, and am persuaded, whatever partiality may be retained for my services, that, in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and every day the increasing weight of years

admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts, and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free Constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and

which appear to me all-important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so, for it is a main pillar in the edifice of your real independence, the support of your tranquillity at home, your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens, by birth or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together; the independence and liberty you possess are the work

of joint counsels, and joint efforts of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South, in the same intercourse, benefiting by the agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and, while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The West derives from the East supplies requisite to its growth and comfort, and, what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same governments, which their own rival-

ships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations, Northern and Southern, Atlantic and Western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart-burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our Western country have lately had a useful lesson on this head; they have seen, in the negotiation by the Executive, and in the unanimous ratification by the Senate, of the treaty with Spain, and in the universal satisfaction at that event, throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the General Government and in the

Atlantic States unfriendly to their interests in regard to the Mississippi; they have been witnesses to the formation of two treaties, that with Great Britain, and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliance, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government better calculated than your former for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the Constitution which at any time exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force; to put, in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of dif-

ferent parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common counsels and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government, and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember, especially, that for the efficient management of your common interests, in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the State, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but, in those of the popular form, it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight), the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms, kindles the animosity of one part against another, foment occasionally riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it

demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositaries, and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit, which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked: Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us

to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it, avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertion in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment, inseparable from the selection of the proper objects (which is always a choice of difficulties), ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct; and can it be, that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that, in the course of time and things, the fruits of such a plan would richly repay any tem-

porary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations, and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another a habitual hatred or a habitual fondness is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable, when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill-will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times it makes the animosity of the nation subservient to projects of hostility instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others which is apt doubly to injure the nation making the concessions; by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill-will, and a disposition to retaliate, in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation), facility to betray or sacrifice the interests of their own country, without odium; sometimes even with popularity; gilding, with the

appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils? Such an attachment of a small or weak towards a great and powerful nation dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike of another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots who may resist the intrigues of the favorite are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us in regard to foreign nations is in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people under an efficient government. the period is not far off when we may defy

material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But, in my opinion, it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing (with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them) conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that, by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more.

There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion, which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations. But, if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare, by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the twenty-second of April, 1793, is the index of my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it, with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to

maintain inviolate the relations of peace and amity towards other nations.


The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though, in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow-citizens, the benign influence of good laws under a free government, the ever-favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors, and dangers.


DANIEL WEBSTER

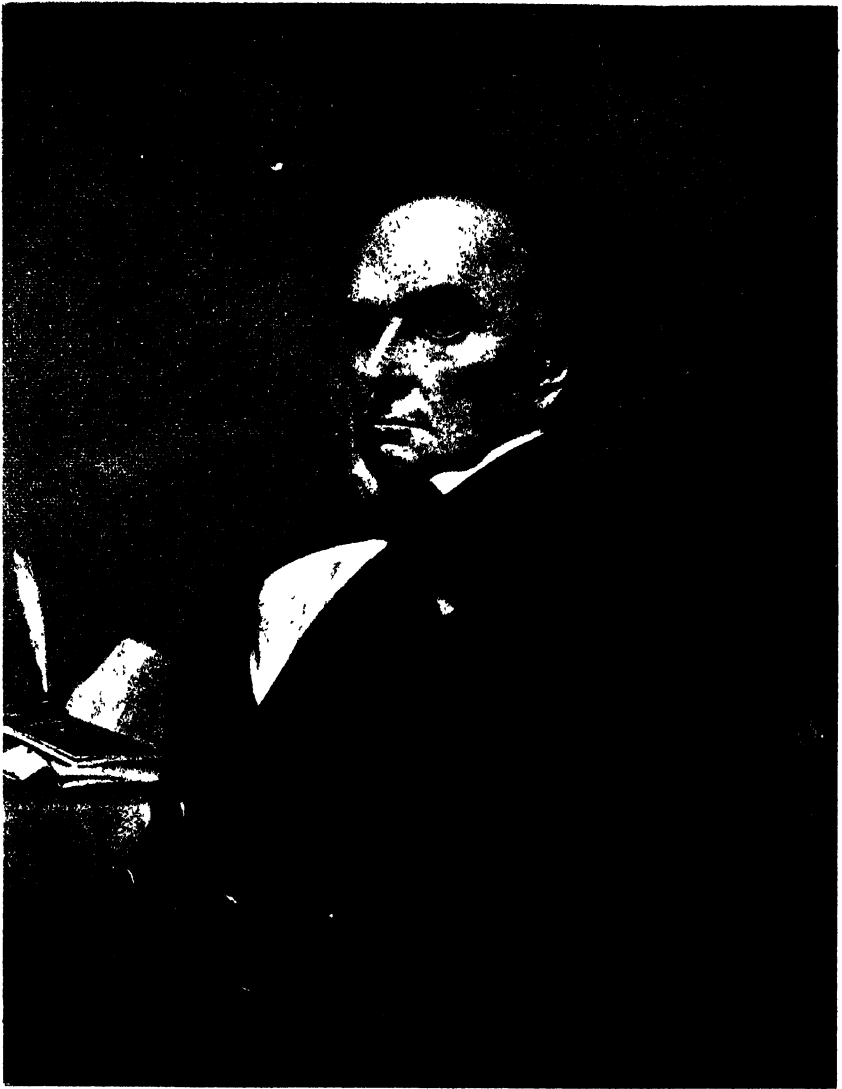
(1782-1852)

ARL SCHURZ calls Webster's 'Reply to Hayne' "a glorious speech which holds the first place among the monuments of American oratory." However much or little the sectional feeling which resulted in the American Civil War had to do with giving the great arguments of Webster on the one side and of Calhoun on the other their first reputation and vogue, the more considerate judgment of the twentieth century is not likely to deny Webster the first place among American orators of the nineteenth. If he was less logical than Calhoun and less "magnetic" than Clay, his intellect had a broader range than belongs to either. In the United States Senate, at the bar of the Supreme Court, before great audiences of the people assembled on historical occasions; on the platform in the lecture hall, or before a jury in a murder case, he showed such power as no other orator of the nineteenth century in America or in Europe demonstrated over such a range of subjects. That he died embittered, believing his political life a failure; that he was never able to organize his admirers so as to make his influence effective; that his leadership failed at a great crisis and left the conservative spirit of the country without means of expressing itself effectively,—these considerations do not impair at all his claim to the first rank among the orators of his time. There may have been many greater statesmen than he, but that, since Burke, there has been a greater orator, no admirer of Webster admits. Burke alone surpasses him in genius as he surpasses Burke in the power to make genius immediately effective. Burke's power depended on a deep, sympathetic earnestness, as that of Chatham did on devotion to right in the abstract. With his own great strength increased by the strength of their qualities, Webster might have become the greatest statesman, as well as the greatest orator of the nineteenth century. As it was, he went from compromise to compromise, where from the first successful compromise was impossible. That this was due to patriotism, to a knowledge of the realities of the Constitution of the United States, and to a mastering sense of the sacredness of a contract, every just judge of his career must acknowledge. He did not believe the Constitution "a rope of sand," as did some, or "a league with death and a covenant with hell," as did others. To him it was an obligation so sacred that he regarded with abhorrence those who declared that "a

DANIEL WEBSTER.

After a Daguerreotype by Whipple. Engraved by Ritchie.

 Webster was called "Black Dan" because of the swarthinness of complexion, which is suggested by the Whipple portrait. It is said that when he replied to Hayne, the entire North joined in rejoicing at the discovery of a champion in "Black Dan Webster."



higher law" made it a duty to violate it. He thought that the spirit of concession and compromise which made possible the formation of the "more perfect union" of 1789 ought to prevail in all the relations of the States and the peoples of the States to each other. He hated slavery not less than did Washington and Jefferson, but he would have trusted wholly to evolution, to education, and to moral force to eradicate it. If "union with slaveholders" had in it such an element of shame as it seemed to Garrison, Phillips, and Parker to have, to him, nevertheless, that union seemed to command the awful respect due to a parent, and its shame itself to compel—not exposure, but the awe which inspired the Sons of Noah to walk backward with averted face to cast their mantle over their parent's nakedness. It was not because of his weakness, but of his most admirable trait that Webster died heartbroken and deserted by his generation. To the last he had the same abundant charity for the utmost weaknesses of the people of South Carolina and Louisiana that Washington had for those of Massachusetts and New Hampshire. Like Clay, who had much of this great strength of affection for all his countrymen, he had weaknesses which made him ineffective at the great crisis of his career, but these weaknesses are in no sense responsible for his view of the Constitution as a series of compromises on which "the more perfect union" depended. Against nullifiers, abolitionists, and secessionists, he opposed a sense of rectitude which had its origin in a deep-seated consciousness of human fallibility. He felt his own weakness too much, he was too well aware of the weaknesses of others to be willing to drive any one to the wall, no matter how great his advantage of superior knowledge or superior virtue. To him "liberty and union, now and forever, one and inseparable," meant a permanent policy of continual patience under the wrongs which men inflict on each other through "unenlightened selfishness." That it was possible through the use of force to compel his opponents to become "everlastingly right" would have seemed to him absurd, and had he lived with the power to do so, he would have gone on fighting first and compromising afterwards—compromising more readily when he had the advantage than when he had lost it—and this to the end of the chapter. He was a "compromiser" because he was one of the greatest constitutional lawyers, one of the most benevolent men, one of the most patriotic Americans of his generation.

Though he had none of the organizing power of a great political leader, the testimony of his contemporaries shows that his power over those who heard him and sympathized with his thought sufficiently to cease conscious resistance to it, was too great to be adequately described. "Three or four times," writes Professor Ticknor, after listening to one of his speeches, "I thought my temples would

burst with a gush of blood; for after all you must know that I am aware that it is no compacted or connected whole, but a collection of wonderful fragments of burning eloquence to which his manner gave tenfold force. When I came out I was almost afraid to come near him. It seemed to me that he was like the mount that might not be touched and that burned with fire."

Born at Salisbury, New Hampshire, January 18th, 1782, Webster was educated at Dartmouth College, from which he graduated in 1801. He was admitted to the bar in Boston in 1805, but he returned to New Hampshire and served two terms as a Federalist Member of Congress (1813-17) before finally settling in Massachusetts. Beginning to practice law in Boston in 1816, he engaged two years later in the celebrated Dartmouth College case which made him his first great reputation as a lawyer. From 1823 to 1827 he represented a Massachusetts district in the Lower House of Congress, and from 1827 to 1841 he was United States Senator from Massachusetts. His speeches of 1830 in reply to Hayne and his later speeches in reply to Calhoun made him the acknowledged leader of the Northern Whigs. After serving as Secretary of State in Tyler's Cabinet (1841-43), he returned to the Senate in 1845 and served until 1850, when he again entered the Cabinet as Secretary of State under Fillmore. He died October 24th, 1852, at Marshfield, Massachusetts. From 1836 until 1852 he had been a candidate for the Presidency. His speech in favor of the Compromise of 1850 alienated his Northern admirers, and the sectional issue was already forced too far to allow the Southern Whigs to unite upon him. He was bitterly attacked by former friends in New England, and it was believed with good reason that his suffering under such attacks hastened, if it did not cause, his death.

W. V. B.

THE REPLY TO HAYNE

(Delivered in the United States Senate, in Reply to Hayne on the Foot Resolution, January 26th, 1830)

Mr. President:—

WHEN the mariner has been tossed for many days, in thick weather, and on an unknown sea, he naturally avails himself of the first pause in the storm, the earliest glance of the sun, to take his latitude, and ascertain how far the elements have driven him from his true course. Let us imitate this prudence, and, before we float further on the waves of this debate, refer to the point from which we departed, that we may at least

be able to conjecture where we now are. I ask for the reading of the resolution.

The Secretary read the resolution, as follows:—

“*Resolved*, That the Committee on Public Lands be instructed to inquire and report the quantity of public lands remaining unsold within each State and Territory, and whether it be expedient to limit, for a certain period, the sales of the public lands to such lands only as have heretofore been offered for sale, and are now subject to entry at the minimum price. And, also, whether the office of Surveyor General, and some of the land offices, may not be abolished without detriment to the public interest; or whether it be expedient to adopt measures to hasten the sales and extend more rapidly the surveys of the public lands.”

We have thus heard, sir, what the resolution is, which is actually before us for consideration; and it will readily occur to every one that it is almost the only subject about which something has not been said in the speech, running through two days by which the Senate has been now entertained by the gentleman from South Carolina. Every topic in the wide range of our public affairs, whether past or present—everything, general or local, whether belonging to national politics, or party politics, seems to have attracted more or less of the honorable Member's attention, save only the resolution before the Senate. He has spoken of everything but the public lands. They have escaped his notice. To that subject, in all his excursions, he has not paid even the cold respect of a passing glance.

When this debate, sir, was to be resumed on Thursday morning, it so happened that it would have been convenient for me to be elsewhere. The honorable Member, however, did not incline to put off the discussion to another day. He had a shot, he said, to return, and he wished to discharge it. That shot, sir, which it was kind thus to inform us was coming, that we might stand out of the way, or prepare ourselves to fall before it, and die with decency, has now been received. Under all advantages, and with expectation awakened by the tone which preceded it, it has been discharged, and has spent its force. It may become me to say no more of its effect than that if nobody is found, after all, either killed or wounded by it, it is not the first time, in the history of human affairs, that the vigor and success of the war have not quite come up to the lofty and sounding phrase of the manifesto.

The gentleman, sir, in declining to postpone the debate, told the Senate, with the emphasis of his hand upon his heart, that there was something rankling here, which he wished to relieve.

[Mr. Hayne rose, and disclaimed having used the word "rankling."]

It would not, Mr. President, be safe for the honorable Member to appeal to those around him upon the question whether he did, in fact, make use of that word. But he may have been unconscious of it. At any rate, it is enough that he disclaims it. But still, with or without the use of that particular word, he had yet something here, he said, of which he wished to rid himself by an immediate reply. In this respect, sir, I have a great advantage over the honorable gentleman. There is nothing here, sir, which gives me the slightest uneasiness; neither fear, nor anger, nor that which is sometimes more troublesome than either,—the consciousness of having been in the wrong. There is nothing, either originating here, or now received here by the gentleman's shot. Nothing original, for I had not the slightest feeling of disrespect or unkindness towards the honorable Member. Some passages, it is true, had occurred since our acquaintance in this body, which I could have wished might have been otherwise; but I had used philosophy and forgotten them. When the honorable Member rose, in his first speech, I paid him the respect of attentive listening; and when he sat down, though surprised, and, I must say, even astonished, at some of his opinions, nothing was further from my intention than to commence any personal warfare: and through the whole of the few remarks I made in answer, I avoided, studiously and carefully, everything which I thought possible to be construed into disrespect. And, sir, while there is thus nothing originating here, which I wished at any time, or now wish to discharge, I must repeat, also, that nothing has been received here which rankles, or in any way gives me annoyance. I will not accuse the honorable Member of violating the rules of civilized war,—I will not say that he poisoned his arrows. But whether his shafts were, or were not, dipped in that which would have caused rankling, if they had reached, there was not, as it happened, quite strength enough in the bow to bring them to their mark. If he wishes now to gather up those shafts, he must look for them elsewhere; they will not be found fixed and quivering in the object at which they were aimed.

The honorable Member complained that I had slept on his speech. I must have slept on it, or not slept at all. The moment the honorable Member sat down, his friend from Missouri rose, and, with much honeyed commendation of the speech, suggested that the impressions which it had produced were too charming and delightful to be disturbed by other sentiments or other sounds, and proposed that the Senate should adjourn. Would it have been quite amiable in me, sir, to interrupt this excellent good feeling? Must I not have been absolutely malicious, if I could have thrust myself forward to destroy sensations thus pleasing? Was it not much better and kinder, both to sleep upon them myself and to allow others also the pleasure of sleeping upon them? But if it be meant, by sleeping upon his speech, that I took time to prepare a reply to it, it is quite a mistake; owing to other engagements I could not employ even the interval between the adjournment of the Senate and its meeting the next morning, in attention to the subject of this debate. Nevertheless, sir, the mere matter of fact is undoubtedly true,—I did sleep on the gentleman's speech; and slept soundly. And I slept equally well on his speech of yesterday, to which I am now replying. It is quite possible that in this respect, also, I possess some advantage over the honorable Member, attributable, doubtless, to a cooler temperament on my part; for, in truth, I slept upon his speeches remarkably well. But the gentleman inquires why he was made the object of such a reply? Why was he singled out? If an attack has been made on the East, he, he assures us, did not begin it,—it was the gentleman from Missouri. Sir, I answered the gentleman's speech because I happened to hear it: and because, also, I chose to give an answer to that speech which, if unanswered, I thought most likely to produce injurious impressions. I did not stop to inquire who was the original drawer of the bill. I found a responsible indorser before me, and it was my purpose to hold him liable, and to bring him to his just responsibility without delay. But, sir, this interrogatory of the honorable Member was only introductory to another. He proceeded to ask me whether I had turned upon him, in this debate, from the consciousness that I should find an overmatch if I ventured on a contest with his friend from Missouri. If, sir, the honorable Member, *ex gratia modestiæ*, had chosen thus to defer to his friend and to pay him a compliment, without intentional disparagement to others, it would have been

quite according to the friendly courtesies of debate, and not at all ungrateful to my own feelings. I am not one of those, sir, who esteem any tribute of regard, whether light and occasional, or more serious and deliberate, which may be bestowed on others, as so much unjustly withholden from themselves. But the tone and manner of the gentleman's question forbid me that I thus interpret it. I am not at liberty to consider it as nothing more than a civility to his friend. It had an air of taunt and disparagement, something of the loftiness of asserted superiority, which does not allow me to pass over it without notice. It was put as a question for me to answer, and so put as if it were difficult for me to answer: Whether I deemed the Member from Missouri an overmatch for myself in debate here. It seems to me, sir, that this is extraordinary language, and an extraordinary tone, for the discussions of this body.

Matches and overmatches! Those terms are more applicable elsewhere than here, and fitter for other assemblies than this. Sir, the gentleman seems to forget where and what we are. This is a Senate; a Senate of equals: of men of individual honor and personal character, and of absolute independence. We know no masters; we acknowledge no dictators. This is a hall for mutual consultation and discussion; not an arena for the exhibition of champions. I offer myself, sir, as a match for no man; I throw the challenge of debate at no man's feet. But then, sir, since the honorable Member has put the question in a manner that calls for an answer, I will give him an answer; and I tell him that, holding myself to be the humblest of the Members here, I yet know nothing in the arm of his friend from Missouri, either alone, or when aided by the arm of his friend from South Carolina, that need deter even me from espousing whatever opinions I may choose to espouse, from debating whatever I may choose to debate, or from speaking whatever I may see fit to say on the floor of the Senate. Sir, when uttered as matter of commendation or compliment, I should dissent from nothing which the honorable Member might say of his friend. Still less do I put forth any pretensions of my own. But, when put to me as a matter of taunt, I throw it back, and say to the gentleman that he could possibly say nothing less likely than such a comparison to wound my pride of personal character. The anger of its tone rescued the remark from intentional irony, which otherwise probably would have been its general acceptance. But, sir,

DANIEL WEBSTER

if it be imagined that by this mutual quotation and commendation; if it be supposed that, by casting the characters of the drama, assigning to each his part; to one the attack, to another the cry of onset; or if it be thought that by a loud and empty vaunt of anticipated victory any laurels are to be won here; if it be imagined, especially, that any or all these things will shake any purpose of mine, I can tell the honorable Member, once for all, that he is greatly mistaken, and that he is dealing with one of whose temper and character he has yet much to learn. Sir, I shall not allow myself on this occasion, I hope on no occasion, to be betrayed into any loss of temper; but if provoked, as I trust I never shall be, into crimination and recrimination, the honorable Member may perhaps find that, in that contest, there will be blows to take as well as blows to give; that others can state comparisons as significant, at least, as his own; and that his impunity may possibly demand of him whatever powers of taunt and sarcasm he may possess. I commend him to a prudent husbandry of his resources.

But, sir, the coalition! The coalition! Aye, "the murdered coalition"! The gentleman asks if I were led or frightened into this debate by the spectre of the coalition,— "Was it the ghost of the murdered coalition," he exclaims, "which haunted the Member from Massachusetts, and which, like the ghost of Banquo, would never down"? "The murdered coalition!" Sir, this charge of a coalition, in reference to the late administration, is not original with the honorable Member. It did not spring up in the Senate. Whether as a fact, as an argument, or as an embellishment, it is all borrowed. He adopts it, indeed, from a very low origin and a still lower present condition. It is one of the thousand calumnies with which the press teemed during an excited political canvass. It was a charge of which there was not only no proof or probability, but which was, in itself, wholly impossible to be true. No man of common information ever believed a syllable of it. Yet it was of that class of falsehoods, which, by continued repetition, through all the organs of detraction and abuse, are capable of misleading those who are already far misled, and of further fanning passion, already kindling into flame. Doubtless it served in its day, and in greater or less degree the end designed by it. Having done that, it has sunk into the general mass of stale and loathed calumnies. It is the very cast-off slough of a polluted and shameless press. Incapable of

further mischief, it lies in the sewer, lifeless and despised. It is not now, sir, in the power of the honorable Member to give it dignity or decency by attempting to elevate it, and to introduce it into the Senate. He cannot change it from what it is, an object of general disgust and scorn. On the contrary, the contact, if he choose to touch it, is more likely to drag him down, down, to the place where it lies itself.

But, sir, the honorable Member was not, for other reasons, entirely happy in his allusion to the story of Banquo's murder and Banquo's ghost. It was not, I think, the friends, but the enemies of the murdered Banquo, at whose bidding his spirit would not down. The honorable gentleman is fresh in his reading of the English classics, and can put me right if I am wrong; but, according to my poor recollection, it was at those who had begun with caresses, and ended with foul and treacherous murder, that the gory locks were shaken! The ghost of Banquo, like that of Hamlet, was an honest ghost. It disturbed no innocent man. It knew where its appearance would strike terror, and who would cry out, A ghost! It made itself visible in the right quarter, and compelled the guilty and the conscience-smitten, and none others, to start with—

“Pr'ythee, see there! behold!—look! lo!*
If I stand here, I saw him!”

Their eyeballs were seared (was it not so, sir?) who had thought to shield themselves by concealing their own hand and laying the imputation of the crime on a low and hireling agency in wickedness; who had vainly attempted to stifle the workings of their own coward consciences by ejaculating, through white lips and chattering teeth: “Thou canst not say I did it!” I have misread the great poet if those who had in no way partaken in the deed of the death either found that they were, or feared that they should be, pushed from their stools by the ghost of the slain, or exclaimed to a spectre created by their own fears and their own remorse: “Avaunt! and quit our sight!”

There is another particular, sir, in which the honorable Member's quick perception of resemblances might, I should think, have seen something in the story of Banquo, making it not altogether a subject of the most pleasant contemplation. Those who

* Mr. Webster quoted from memory. See Macbeth, Scene 4, Act 4.

murdered Banquo, what did they win by it? Substantial good? Permanent power? Or disappointment, rather, and sore mortification;—dust and ashes,—the common fate of vaulting ambition, overleaping itself? Did not even-handed justice ere long commend the poisoned chalice to their own lips? Did they not soon find that for another they had “filed their mind”? that their ambition, though apparently for the moment successful, had but put a barren sceptre in their grasp? Aye, sir,—

“A barren sceptre in their gripe,
Thence to be wrenched by an unlineal hand,
No son of theirs succeeding.”

Sir, I need pursue the allusion no further. I leave the honorable gentleman to run it out at his leisure, and to derive from it all the gratification it is calculated to administer. If he find himself pleased with the associations and prepared to be quite satisfied, though the parallel should be entirely completed, I had almost said, I am satisfied also,—but that I shall think of. Yes, sir, I will think of that.

In the course of my observations the other day, Mr. President, I paid a passing tribute of respect to a very worthy man, Mr. Dane, of Massachusetts. It so happened that he drew the Ordinance of 1787 for the government of the Northwestern Territory. A man of so much ability and so little pretense; of so great a capacity to do good and so unmixed a disposition to do it for its own sake; a gentleman who had acted an important part forty years ago, in a measure the influence of which is still deeply felt in the very matter which was the subject of debate, might, I thought, receive from me a commendatory recognition.

But the honorable Member was inclined to be facetious on the subject. He was rather disposed to make it matter of ridicule that I had introduced into the debate the name of one Nathan Dane, of whom he assures us he had never before heard. Sir, if the honorable Member had never before heard of Mr. Dane, I am sorry for it. It shows him less acquainted with the public men of the country than I had supposed. Let me tell him, however, that a sneer from him at the mention of the name of Mr. Dane is in bad taste. It may well be a high mark of ambition, sir, either with the honorable gentleman or myself, to accomplish as much to make our names known to advantage, and remembered with gratitude, as Mr. Dane has accomplished. But

the truth is, sir, I suspect that Mr. Dane lives a little too far north. He is of Massachusetts, and too near the north star to be reached by the honorable gentleman's telescope. If his sphere had happened to range south of Mason and Dixon's Line, he might, probably, have come within the scope of his vision!

I spoke, sir, of the Ordinance of 1787, which prohibited slavery in all future times, northwest of the Ohio, as a measure of great wisdom and foresight; and one which had been attended with highly beneficial and permanent consequences. I supposed that on this point no two gentlemen in the Senate could entertain different opinions. But the simple expression of this sentiment has led the gentleman, not only into a labored defense of slavery, in the abstract, and on principle, but, also, into a warm accusation against me, as having attacked the system of domestic slavery now existing in the Southern States. For all this there was not the slightest foundation in anything said or intimated by me. I did not utter a single word which any ingenuity could torture into an attack on the slavery of the South. I said only that it was highly wise and useful in legislating for the northwestern country, while it was yet a wilderness, to prohibit the introduction of slaves; and added that I presumed, in the neighboring State of Kentucky, there was no reflecting and intelligent gentleman who would doubt that if the same prohibition had been extended at the same early period over that Commonwealth, her strength and population would, at this day, have been far greater than they are. If these opinions be thought doubtful, they are, nevertheless, I trust, neither extraordinary nor disrespectful. They attack nobody and menace nobody. And yet, sir, the gentleman's optics have discovered, even in the mere expression of this sentiment, what he calls the very spirit of the Missouri question! He represents me as making an onset on the whole South, and manifesting a spirit which would interfere with and disturb their domestic condition! Sir, this injustice no otherwise surprises me than as it is committed here, and committed without the slightest pretense of ground for it. I say it only surprises me as being done here; for I know full well that it is, and has been, the settled policy of some persons in the South, for years, to represent the people of the North as disposed to interfere with them in their own exclusive and peculiar concerns. This is a delicate and sensitive point in Southern feeling: and of late years it has always been touched, and generally with effect, wher-

ever the object has been to unite the whole South against Northern men or Northern measures. This feeling, always carefully kept alive, and maintained at too intense a heat to admit discrimination or reflection, is a lever of great power in our political machine. It moves vast bodies, and gives to them one and the same direction. But it is without all adequate cause; and the suspicion which exists wholly groundless. There is not, and never has been, a disposition in the North to interfere with these interests of the South. Such interference has never been supposed to be within the power of government; nor has it been in any way attempted. The slavery of the South has always been regarded as a matter of domestic policy, left with the States themselves, and with which the Federal Government had nothing to do. Certainly, sir, I am, and ever have been of that opinion. The gentleman, indeed, argues that slavery in the abstract is no evil. Most assuredly I need not say I differ with him, altogether and most widely, on that point. I regard domestic slavery as one of the greatest of evils, both moral and political. But though it be a malady, and whether it be curable, and if so, by what means; or, on the other hand, whether it be the *vulnus immedicabile* of the social system, I leave it to those whose right and duty it is to inquire and to decide. And this I believe, sir, is, and uniformly has been, the sentiment of the North. Let us look a little at the history of this matter.

When the present Constitution was submitted for the ratification of the people, there were those who imagined that the powers of the Government which it proposed to establish, might, perhaps, in some possible mode, be exerted in measures tending to the abolition of slavery. This suggestion would, of course, attract much attention in the Southern conventions. In that of Virginia, Governor Randolph said:—

“I hope there is none here, who, considering the subject in the calm light of philosophy, will make an objection dishonorable to Virginia—that at the moment they are securing the rights of their citizens, an objection is started that there is a spark of hope that those unfortunate men now held in bondage, may, by the operation of the General Government, be made free.”

At the very first Congress, petitions on the subject were presented, if I mistake not, from different States. The Pennsylvania society for promoting the abolition of slavery took the lead, and

laid before Congress a memorial, praying Congress to promote the abolition by such powers as it possessed. This memorial was referred, in the House of Representatives, to a select committee, consisting of Mr. Foster of New Hampshire, Mr. Gerry of Massachusetts, Mr. Huntington of Connecticut, Mr. Lawrence of New York, Mr. Sinnickson of New Jersey, Mr. Hartley of Pennsylvania, and Mr. Parker of Virginia,—all of them, sir, as you will observe, Northern men, but the last. This committee made a report, which was committed to a committee of the whole house, and there considered and discussed on several days; and being amended, although without material alteration, it was made to express three distinct propositions, on the subject of slavery and the slave trade. First, in the words of the Constitution, that Congress could not, prior to the year 1808, prohibit the migration or importation of such persons as any of the States then existing should think proper to admit. Second, that Congress had authority to restrain the citizens of the United States from carrying on the African slave trade, for the purpose of supplying foreign countries. On this proposition, our early laws against those who engage in that traffic are founded. The third proposition, and that which bears on the present question, was expressed in the following terms:—

“Resolved, That Congress have no authority to interfere in the emancipation of slaves, or in the treatment of them in any of the States; it remaining with the several States alone to provide rules and regulations therein, which humanity and true policy may require.”

This resolution received the sanction of the House of Representatives so early as March 1790. And now, sir, the honorable Member will allow me to remind him that not only were the select committee who reported the resolution, with a single exception, all Northern men, but also that of the Members then composing the House of Representatives, a large majority, I believe nearly two-thirds, were Northern men also.

The House agreed to insert these resolutions in its journal; and from that day to this, it has never been maintained or contended that Congress had any authority to regulate or interfere with the condition of slaves in the several States. No Northern gentleman, to my knowledge, has moved any such question in either house of Congress.

The fears of the South, whatever fears they might have entertained, were allayed and quieted by this early decision; and so remained, till they were excited afresh, without cause, but for collateral and indirect purposes. When it became necessary, or was thought so, by some political persons, to find an unvarying ground for the exclusion of Northern men from confidence and from the lead in the affairs of the Republic, then, and not till then, the cry was raised, and the feeling industriously excited, that the influence of Northern men in the public councils would endanger the relation of master and slave. For myself, I claim no other merit than that this gross and enormous injustice towards the whole North has not wrought upon me to change my opinions or my political conduct. I hope I am above violating my principles, even under the smart of injury and false imputations. Unjust suspicions and undeserved reproach, whatever pain I may experience from them, will not induce me, I trust, nevertheless, to overstep the limits of constitutional duty, or to encroach on the rights of others. The domestic slavery of the South I leave where I find it—in the hands of their own governments. It is their affair, not mine. Nor do I complain of the peculiar effect which the magnitude of that population has had in the distribution of power under this Federal Government. We know, sir, that the representation of the States in the other house is not equal. We know that great advantage in that respect is enjoyed by the slaveholding States; and we know, too, that the intended equivalent for that advantage, that is to say, the imposition of direct taxes in the same ratio, has become merely nominal; the habit of the Government being almost invariably to collect its revenue from other sources and in other modes. Nevertheless, I do not complain: nor would I countenance any movement to alter this arrangement of representation. It is the original bargain, the compact—let it stand; let the advantage of it be fully enjoyed. The Union itself is too full of benefit to be hazarded in propositions for changing its original basis. I go for the Constitution as it is, and for the Union as it is. But I am resolved not to submit in silence to accusations, either against myself, individually, or against the North, wholly unfounded and unjust; accusations which impute to us a disposition to evade the constitutional compact, and to extend the power of the Government over the internal laws and domestic condition of the States. All such accusations, wherever and whenever made, all insinuations of the

existence of any such purposes, I know and feel to be groundless and injurious. And we must confide in Southern gentlemen themselves; we must trust to those whose integrity of heart and magnanimity of feeling will lead them to a desire to maintain and disseminate truth, and who possess the means of its diffusion with the Southern public; we must leave it to them to disabuse that public of its prejudices. But, in the meantime, for my own part, I shall continue to act justly, whether those towards whom justice is exercised receive it with candor or with contumely.

Having had occasion to recur to the Ordinance of 1787, in order to defend myself against the inferences which the honorable Member has chosen to draw from my former observations on that subject, I am not willing now entirely to take leave of it without another remark. It need hardly be said that that paper expresses just sentiments on the great subject of civil and religious liberty. Such sentiments were common, and abound in all our State papers of that day. But this ordinance did that which was not so common, and which is not, even now, universal; that is, it set forth and declared, as a high and binding duty of government itself, to encourage schools, and advanced the means of education, on the plain reason that religion, morality, and knowledge, are necessary to good government and to the happiness of mankind. One observation further. The important provision incorporated into the Constitution of the United States and several of those of the States, and recently, as we have seen, adopted into the reformed constitution of Virginia, restraining legislative power in questions of private right, and from impairing the obligation of contracts, is first introduced and established, as far as I am informed, as matter of express written constitutional law, in this Ordinance of 1787. And I must add, also, in regard to the author of the ordinance, who has not had the happiness to attract the gentleman's notice, heretofore, nor to avoid his sarcasm now, that he was chairman of that select committee of the old Congress, whose report first expressed the strong sense of that body, that the old confederation was not adequate to the exigencies of the country, and recommending to the States to send delegates to the convention which formed the present Constitution.

An attempt has been made to transfer from the North to the South the honor of this exclusion of slavery from the Northwestern Territory. The journal, without argument or comment,

refutes such attempt. The cession by Virginia was made March 1784. On the nineteenth of April following, a committee, consisting of Messrs. Jefferson, Chase, and Howell, reported a plan for a temporary government of the Territory, in which was this article: "That, after the year 1800, there shall be neither slavery, nor involuntary servitude in any of the said States, otherwise than in punishment of crimes, whereof the party shall have been convicted." Mr. Spaight, of North Carolina, moved to strike out this paragraph. The question was put according to the form then practiced: "Shall these words stand as part of the plan," etc. New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania—seven States, voted in the affirmative. Maryland, Virginia, and South Carolina in the negative. North Carolina was divided. As the consent of nine States was necessary, the words could not stand, and were struck out accordingly. Mr. Jefferson voted for the clause, but was overruled by his colleagues.

In March of the next year (1785), Mr. King, of Massachusetts, seconded by Mr. Ellery, of Rhode Island, proposed the formerly rejected article, with this addition: "And that this regulation shall be an article of compact, and remain a fundamental principle of the constitutions between the thirteen original States, and each of the States described in the resolve," etc. On this clause, which provided the adequate and thorough security, the eight Northern States of that time voted affirmatively, and the four Southern States negatively. The votes of nine States were not yet obtained, and thus the provision was again rejected by the Southern States. The perseverance of the North held out, and two years afterwards the object was attained. It is no derogation from the credit, whatever that may be, of drawing the ordinance, that its principles had before been prepared and discussed in the form of resolutions. If one should reason in that way, what would become of the distinguished honor of the author of the Declaration of Independence? There is not a sentiment in that paper which had not been voted and resolved in the assemblies and other popular bodies in the country over and over again.

But the honorable Member has now found out that this gentleman [Mr. Dane] was a member of the Hartford Convention. However uninformed the honorable Member may be of characters and occurrences at the North, it would seem that he has

at his elbow on this occasion some high-minded and lofty spirit, some magnanimous and true-hearted monitor, possessing the means of local knowledge, and ready to supply the honorable Member with everything even to forgotten and moth-eaten two-penny pamphlets, which may be used to the disadvantage of his own country. But as to the Hartford Convention, sir, allow me to say that the proceedings of that body seem now to be less read and studied in New England than further South. They appear to be looked to, not in New England, but elsewhere, for the purpose of seeing how far they may serve as a precedent. But they will not answer the purpose—they are quite too tame. The latitude in which they originated was too cold. Other conventions of more recent existence have gone a whole bar's length beyond it. The learned doctors of Colleton and Abbeville have pushed their commentaries on the Hartford collect so far that the original text writers are thrown entirely into the shade. I have nothing to do, sir, with the Hartford Convention. Its journal, which the gentleman has quoted, I never read. So far as the honorable Member may discover in its proceedings a spirit in any degree resembling that which was avowed and justified in those other conventions to which I have alluded, or so far as those proceedings can be shown to be disloyal to the Constitution, or tending to disunion, so far I shall be as ready as any one to bestow on them reprehension and censure.

Having dwelt long on this convention, and other occurrences of that day, in the hope, probably (which will not be gratified), that I should leave the course of this debate to follow him, at length, in those excursions, the honorable Member returned and attempted another object. He referred to a speech of mine in the other house, the same which I had occasion to allude to myself the other day, and has quoted a passage or two from it with a bold, though uneasy and laboring air of confidence, as if he had detected in me an inconsistency. Judging from the gentleman's manner, a stranger to the course of the debate, and to the point in discussion, would have imagined from so triumphant a tone that the honorable Member was about to overwhelm me with a manifest contradiction. Any one who heard him, and who had not heard what I had, in fact, previously said, must have thought me routed and discomfited, as the gentleman had promised. Sir, a breath blows all this triumph away. There is not the slightest difference in the sentiments of my remarks on the

two occasions. What I said here on Wednesday is in exact accordance with the opinion expressed by me in the other house in 1825. Though the gentleman had the metaphysics of Hudibras, though he were able—

“To sever and divide

A hair 'twixt north and northwest side,”—

he yet could not insert his metaphysical scissors between the fair reading of my remarks in 1825 and what I said here last week. There is not only no contradiction, no difference, but, in truth, too exact a similarity, both in thought and language, to be entirely in just taste. I had myself quoted the same speech, had recurred to it, and spoke with it open before me, and much of what I said was little more than a repetition from it. In order to make finishing work with this alleged contradiction, permit me to recur to the origin of this debate and review its course. This seems expedient and may be done as well now as at any time.

Well, then, its history is this: The honorable Member from Connecticut moved a resolution, which constitutes the first branch of that which is now before us; that is to say, a resolution instructing the committee on public lands to inquire into the expediency of limiting, for a certain period, the sales of the public lands, to such as have heretofore been offered for sale; and whether sundry offices connected with the sales of the lands might not be abolished without detriment to the public service.

In the progress of the discussion which arose on this resolution, an honorable Member from New Hampshire moved to amend the resolution so as entirely to reverse its object; that is to strike it all out and insert a direction to the committee to inquire into the expediency of adopting measures to hasten the sales and extend more rapidly the surveys of the lands.

The honorable Member from Maine, Mr. Sprague, suggested that both those propositions might well enough go for consideration to the committee; and in this state of the question, the Member from South Carolina addressed the Senate in his first speech. He rose, he said, to give us his own free thoughts on the public lands. I saw him rise with pleasure and listened with expectation, though before he concluded I was filled with surprise. Certainly, I was never more surprised than to find him following up, to the extent he did, the sentiments and opinions

which the gentleman from Missouri had put forth, and which it is known he has long entertained.

I need not repeat at large the general topics of the honorable gentleman's speech. When he said yesterday that he did not attack the Eastern States, he certainly must have forgotten, not only particular remarks, but the whole drift and tenor of his speech; unless he means by not attacking, that he did not commence hostilities,—but that another had preceded him in the attack. He, in the first place, disapproved of the whole course of the Government, for forty years, in regard to its dispositions of the public land; and then turning northward and eastward, and fancying he had found a cause for alleged narrowness and niggardliness in the "accursed policy" of the tariff, to which he represented the people of New England as wedded, he went on for a full hour with remarks, the whole scope of which was to exhibit the results of this policy, in feelings and in measures unfavorable to the West. I thought his opinions unfounded and erroneous as to the general course of the Government, and ventured to reply to them.

The gentleman had remarked on the analogy of other cases, and quoted the conduct of European governments towards their own subjects, settling on this continent, as in point to show that we had been harsh and rigid in selling, when we should have given the public lands to settlers without price. I thought the honorable Member had suffered his judgment to be betrayed by a false analogy; that he was struck with an appearance of resemblance where there was no real similitude. I think so still. The first settlers of North America were enterprising spirits, engaged in private adventure or fleeing from tyranny at home. When arrived here they were forgotten by the mother country, or remembered only to be oppressed. Carried away again by the appearance of analogy, or struck with the eloquence of the passage, the honorable Member yesterday observed that the conduct of Government towards the Western emigrants, or my representation of it, brought to his mind a celebrated speech in the British Parliament. It was, sir, the speech of Colonel Barre. On the question of the Stamp Act, or tea tax, I forget which, Colonel Barre had heard a member on the treasury bench argue that the people of the United States, being British colonists, planted by the maternal care, nourished by the indulgence, and protected by the arms of England, would not grudge their mite to relieve the

mother country from the heavy burden under which she groaned. The language of Colonel Barre, in reply to this, was: They planted by your care? Your oppression planted them in America. They fled from your tyranny, and grew by your neglect of them. So soon as you began to care for them, you showed your care by sending persons to spy out their liberties, misrepresent their character, prey upon them and eat out their substance.

And how does the honorable gentleman mean to maintain that language like this is applicable to the conduct of the Government of the United States towards the Western emigrants, or to any representation given by me of that conduct? Were the settlers in the West driven thither by our oppression? Have they flourished only by our neglect of them? Has the Government done nothing but to prey upon them and eat out their substance? Sir, this fervid eloquence of the British speaker, just when and where it was uttered, and fit to remain an exercise for the schools, is not a little out of place when it is brought thence to be applied here to the conduct of our own country towards her own citizens. From America to England, it may be true; from Americans to their own Government it would be strange language. Let us leave it to be recited and declaimed by our boys against a foreign nation; not introduce it here, to recite and declaim ourselves against our own.

But I come to the point of the alleged contradiction. In my remarks on Wednesday I contended that we could not give away gratuitously all the public lands; that we held them in trust; that the Government had solemnly pledged itself to dispose of them as a common fund for the common benefit, and to sell and settle them as its discretion should dictate. Now, sir, what contradiction does the gentleman find to this sentiment, in the speech of 1825? He quotes me as having then said that we ought not to hug these lands as a very great treasure. Very well, sir, supposing me to be accurately reported in that expression, what is the contradiction? I have not now said that we should hug these lands as a favorite source of pecuniary income. No such thing. It is not my view. What I have said, and what I do say, is that they are a common fund—to be disposed of for the common benefit—to be sold at low prices for the accommodation of settlers, keeping the object of settling the lands as much in view as that of raising money from them. This I say now, and this I have always said. Is this hugging them as a favorite

treasure? Is there no difference between hugging and hoarding this fund, on the one hand, as a great treasure, and, on the other, of disposing of it at low prices, placing the proceeds in the general treasury of the Union? My opinion is that as much is to be made of the land as fairly and reasonably may be, selling it all the while at such rates as to give the fullest effect to settlement. This is not giving it all away to the States, as the gentleman would propose; nor is it hugging the fund closely and tenaciously, as a favorite treasure; but it is, in my judgment, a just and wise policy, perfectly according with all the various duties which rest on government. So much for my contradiction. And what is it? Where is the ground for the gentleman's triumph? What inconsistency in word or doctrine has he been able to detect? Sir, if this be a sample of that discomfiture, with which the honorable gentleman threatened me, commend me to the word discomfiture for the rest of my life.

But, after all, this is not the point of the debate, and I must now bring the gentleman back to what is the point.

The real question between me and him is: Has the doctrine been advanced at the South or the East, that the population of the West should be retarded, or at least need not be hastened, on account of its effect to drain off the people from the Atlantic States? Is this doctrine, as has been alleged, of Eastern origin? That is the question. Has the gentleman found anything by which he can make good his accusation? I submit to the Senate, that he has entirely failed; and as far as this debate has shown, the only person who has advanced such sentiments is a gentleman from South Carolina, and a friend to the honorable Member himself. The honorable gentleman has given no answer to this; there is none which can be given. The simple fact, while it requires no comment to enforce it, defies all argument to refute it. I could refer to the speeches of another Southern gentleman, in years before, of the same general character, and to the same effect, as that which has been quoted; but I will not consume the time of the Senate by the reading of them.

So then, sir, New England is guiltless of the policy of retarding Western population, and of all envy and jealousy of the growth of the new States. Whatever there be of that policy in the country, no part of it is hers. If it has a local habitation, the honorable Member has probably seen, by this time, where to look for it; and if it now has received a name, he has himself christened it.

We approach, at length, sir, to a more important part of the honorable gentleman's observations. Since it does not accord with my views of justice and policy to give away the public lands altogether, as mere matter of gratuity, I am asked by the honorable gentleman on what ground it is that I consent to vote them away in particular instances? How, he inquires, do I reconcile with these professed sentiments my support of measures appropriating portions of the lands to particular roads, particular canals, particular rivers, and particular institutions of education in the west? This leads, sir, to the real and wide difference, in political opinion, between the honorable gentleman and myself. On my part, I look upon all these objects as connected with the common good, fairly embraced in its object and its terms; he, on the contrary, deems them all, if good at all, only local good. This is our difference. The interrogatory which he proceeded to put, at once explains this difference. "What interest," asks he, "has South Carolina in a canal in Ohio?" Sir, this very question is full of significance. It develops the gentleman's whole political system; and its answer expounds mine. Here we differ. I look upon a road over the Alleghany, a canal round the falls of the Ohio, or a canal or railway from the Atlantic to the Western waters, as being an object large and extensive enough to be fairly said to be for the common benefit. The gentleman thinks otherwise, and this is the key to open his construction of the powers of the Government. He may well ask: What interest has South Carolina in a canal in Ohio? On his system, it is true, she has no interest. On that system, Ohio and Carolina are different governments and different countries: connected here, it is true, by some slight and ill-defined bond of union, but, in all main respects, separate and diverse: On that system, Carolina has no more interest in a canal in Ohio than in Mexico. The gentleman, therefore, only follows out his own principles; he does no more than arrive at the natural conclusions of his own doctrines; he only announces the true results of that creed, which he has adopted himself, and would persuade others to adopt, when he thus declares that South Carolina has no interest in a public work in Ohio. Sir, we narrow-minded people of New England do not reason thus. Our notion of things is entirely different. We look upon the States, not as separated, but as united. We love to dwell on that union, and on the mutual happiness which it has so much promoted, and the common renown

which it has so greatly contributed to acquire. In our contemplation, Carolina and Ohio are parts of the same country; States, united under the same General Government, having interests, common, associated, intermingled. In whatever is within the proper sphere of the constitutional power of this Government, we look upon the States as one. We do not impose geographical limits to our patriotic feeling or regard; we do not follow rivers and mountains, and lines of latitude, to find boundaries beyond which public improvements do not benefit us. We who come here as agents and representatives of these narrow-minded and selfish men of New England consider ourselves as bound to regard, with an equal eye, the good of the whole, in whatever is within our power of legislation. Sir, if a railroad or canal, beginning in South Carolina and ending in South Carolina, appeared to me to be of national importance and national magnitude, believing, as I do, that the power of Government extends to the encouragement of works of that description, if I were to stand up here, and ask: What interest has Massachusetts in a railroad in South Carolina? I should not be willing to face my constituents. These same narrow-minded men would tell me that they had sent me to act for the whole country, and that one who possessed too little comprehension, either of intellect or feeling; one who was not large enough, both in mind and in heart, to embrace the whole, was not fit to be intrusted with the interest of any part. Sir, I do not desire to enlarge the powers of the Government, by unjustifiable construction; nor to exercise any not within a fair interpretation. But when it is believed that a power does exist, then it is, in my judgment, to be exercised for the general benefit of the whole. So far as respects the exercise of such a power, the States are one. It was the very object of the Constitution to create unity of interests to the extent of the powers of the General Government. In war and peace we are one; in commerce, one; because the authority of the General Government reaches to war and peace, and to the regulation of commerce. I have never seen any more difficulty in erecting lighthouses on the lakes than on the ocean; in improving the harbors of inland seas than if they were within the ebb and flow of the tide; or of removing obstructions in the vast streams of the west more than in any work to facilitate commerce on the Atlantic coast. If there be any power for one, there is power also for the other; and they are all and equally for the common good of the country.

There are other objects apparently more local, or the benefit of which is less general, towards which, nevertheless, I have concurred with others, to give aid, by donations of land. It is proposed to construct a road, in or through one of the new States, in which this Government possesses large quantities of land. Have the United States no right, or, as a great and untaxed proprietor, are they under no obligation to contribute to an object thus calculated to promote the common good of all the proprietors, themselves included? And even with respect to education, which is the extreme case, let the question be considered. In the first place, as we have seen, it was made matter of compact with these States, that they should do their part to promote education. In the next place, our whole system of land laws proceeds on the idea that education is for the common good; because, in every division, a certain portion is uniformly reserved and appropriated for the use of schools. And, finally, have not these new States singularly strong claims, founded on the ground already stated, that the Government is a great untaxed proprietor, in the ownership of the soil? It is a consideration of great importance, that, probably, there is in no part of the country, or of the world, so great call for the means of education as in those new States,—owing to the vast numbers of persons within those ages in which education and instruction are usually received, if received at all. This is the natural consequence of recency of settlement and rapid increase. The census of these States shows how great a proportion of the whole population occupies the classes between infancy and manhood. These are the wide fields, and here is the deep and quick soil for the seeds of knowledge and virtue; and this is the favored season, the very springtime for sowing them. Let them be disseminated without stint. Let them be scattered with a bountiful broadcast. Whatever the Government can fairly do towards these objects, in my opinion, ought to be done.

These, sir, are the grounds succinctly stated on which my votes for grants of lands for particular objects rest; while I maintain, at the same time, that it is all a common fund for the common benefit. And reasons like these, I presume, have influenced the votes of other gentlemen from New England! Those who have a different view of the powers of the Government, of course, come to different conclusions on these as on other questions. I observed, when speaking on this subject before, that, if we looked

to any measure, whether for a road, a canal, or anything else, intended for the improvement of the West, it would be found that, if the New England ayes were struck out of the lists of votes, the Southern noes would always have rejected the measure. The truth of this has not been denied and cannot be denied. In stating this, I thought it just to ascribe it to the constitutional scruples of the South rather than to any other less favorable or less charitable cause. But no sooner had I done this, than the honorable gentleman asks if I reproach him and his friends with their constitutional scruples. Sir, I reproach nobody. I stated a fact and gave the most respectful reason for it that occurred to me. The gentleman cannot deny the fact; he may, if he choose, disclaim the reason. It is not long since I had occasion, in presenting a petition from his own State, to account for its being intrusted to my hands, by saying that the constitutional opinions of the gentleman and his worthy colleague prevented them from supporting it. Sir, did I state this as a matter of reproach? Far from it. Did I attempt to find any other cause than an honest one for these scruples? Sir, I did not. It did not become me to doubt or to insinuate that the gentleman had either changed his sentiments or that he had made up a set of constitutional opinions, accommodated to any particular combination of political occurrences. Had I done so, I should have felt that while I was entitled to little credit in thus questioning other people's motives, I justified the whole world in suspecting my own. But how has the gentleman returned this respect for others' opinions? His own candor and justice, how have they been exhibited towards the motives of others, while he has been at so much pains to maintain, what nobody has disputed, the purity of his own? Why, sir, he has asked when, and how, and why, New England votes were found going for measures favorable to the West? He has demanded to be informed whether all this did begin in 1825, and while the election of President was still pending? Sir, to these questions retort would be justified; and it is both cogent, and at hand. Nevertheless, I will answer the inquiry, not by retort, but by facts. I will tell the gentleman when, and how, and why, New England has supported measures favorable to the West. I have already referred to the early history of the Government—to the first acquisition of the lands—to the original laws for disposing of them, and for governing the Territories where they lie; and have shown the influence of New

England men and New England principles in all these leading measures. I should not be pardoned were I to go over that ground again. Coming to more recent times, and to measures of a less general character, I have endeavored to prove that everything of this kind, designed for Western improvement, has depended on the votes of New England; all this is true beyond the power of contradiction.

And now, sir, there are two measures to which I will refer, not so ancient as to belong to the early history of the public lands, and not so recent as to be on this side of the period when the gentleman charitably imagines a new direction may have been given to New England feeling and New England votes. These measures, and the New England votes in support of them, may be taken as samples and specimens of all the rest.

In 1820 (observe, Mr. President, in 1820), the people of the West besought Congress for a reduction in the price of lands. In favor of that reduction, New England, with a delegation of forty Members in the other house, gave thirty-three votes, and one only against it. The four Southern States, with fifty Members, gave thirty-two votes for it and seven against it. Again, in 1821 (observe again, sir, the time), the law passed for the relief of the purchasers of the public lands. This was a measure of vital importance to the West, and more especially to the Southwest. It authorized the relinquishment of contracts for lands, which had been entered into at high prices, and a reduction in other cases of not less than thirty-seven and one-half per cent. on the purchase money. Many millions of dollars—six or seven, I believe, at least, probably much more—were relinquished by this law. On this bill, New England, with her forty Members, gave more affirmative votes than the four Southern States, with their fifty-two or three Members.

These two are far the most important general measures respecting the public lands, which have been adopted within the last twenty years. They took place in 1820 and 1821. That is the time "when." As to the manner "how," the gentleman already sees that it was by voting, in solid column, for the required relief: and lastly, as to the cause "why," I tell the gentleman, it was because the Members from New England thought the measures just and salutary; because they entertained towards the West neither envy, hatred, nor malice; because they deemed it becoming them, as just and enlightened public men, to meet

the exigency which had arisen in the West, with the appropriate measure of relief; because they felt it due to their own characters, and the characters of their New England predecessors in this Government, to act towards the new States in the spirit of a liberal, patronizing, magnanimous policy. So much, sir, for the cause "why"; and I hope that by this time, sir, the honorable gentleman is satisfied; if not, I do not know "when," or "how," or "why," he ever will be.

Having recurred to these two important measures, in answer to the gentleman's inquiries, I must now beg permission to go back to a period yet something earlier, for the purpose of still further showing how much, or rather how little, reason there is for the gentleman's insinuation that political hopes or fears, or party associations, were the grounds of these New England votes. And after what has been said, I hope it may be forgiven me, if I allude to some political opinions and votes of my own, of very little public importance, certainly, but which, from the time at which they were given and expressed, may pass for good witnesses on this occasion.

This Government, Mr. President, from its origin to the peace of 1815, had been too much engrossed with various other important concerns to be able to turn its thoughts inward, and look to the development of its vast internal resources. In the early part of President Washington's administration, it was fully occupied with completing its own organization, providing for the public debt, defending the frontiers, and maintaining domestic peace. Before the termination of that administration, the fires of the French Revolution blazed forth, as from a new-opened volcano, and the whole breadth of the ocean did not secure us from its effects. The smoke and the cinders reached us, though not the burning lava. Difficult and agitating questions, embarrassing to Government, and dividing public opinion, sprung out of the new state of our foreign relations, and were succeeded by others, and yet again by others, equally embarrassing, and equally exciting division and discord, through the long series of twenty years, till they finally issued in the war with England. Down to the close of that war, no distinct, marked, and deliberate attention had been given, or could have been given, to the internal condition of the country, its capacities of improvement, or the constitutional power of the Government, in regard to objects connected with such improvement.

The peace, Mr. President, brought about an entirely new and a most interesting state of things; it opened to us other prospects, and suggested other duties. We ourselves were changed, and the whole world was changed. The pacification of Europe, after June 1815, assumed a firm and permanent aspect. The nations evidently manifested that they were disposed for peace. Some agitation of the waves might be expected, even after the storm had subsided, but the tendency was, strongly and rapidly, towards settled repose.

It so happened, sir, that I was, at that time, a Member of Congress, and, like others, naturally turned my attention to the contemplation of the newly-altered condition of the country and of the world. It appeared plainly enough to me, as well as to wiser and more experienced men, that the policy of the Government would naturally take a start in a new direction, because new directions would necessarily be given to the pursuits and occupations of the people. We had pushed our commerce far and fast, under the advantage of a neutral flag. But there were now no longer flags, either neutral or belligerent. The harvest of neutrality had been great, but we had gathered it all. With the peace of Europe, it was obvious there would spring up in her circle of nations, a revived and invigorated spirit of trade, and a new activity in all the business and objects of civilized life. Hereafter, our commercial gains were to be earned only by success, in a close and intense competition. Other nations would produce for themselves, and carry for themselves, and manufacture for themselves, to the full extent of their abilities. The crops of our plains would no longer sustain European armies, nor our ships longer supply those whom war had rendered unable to supply themselves. It was obvious that, under these circumstances, the country would begin to survey itself and to estimate its own capacity of improvement. And this improvement—how was it to be accomplished, and who was to accomplish it? We were ten or twelve millions of people, spread over almost half a world. We were more than twenty States, some stretching along the same seaboard, some along the same line of inland frontier, and others on opposite banks of the same vast rivers. Two considerations at once presented themselves, in looking at this state of things, with great force. One was that that great branch of improvement, which consisted in furnishing new facilities of intercourse, necessarily ran into different States, in

every leading instance, and would benefit the citizens of all such States. No one State, therefore, in such cases, would assume the whole expense, nor was the co-operation of several States to be expected. Take the instance of the Delaware breakwater. It will cost several millions of money. Would Pennsylvania alone ever have constructed it? Certainly never, while this Union lasts, because it is not for her sole benefit. Would Pennsylvania, New Jersey, and Delaware have united to accomplish it, at their joint expense? Certainly not, for the same reason. It could not be done, therefore, but by the General Government. The same may be said of the large inland undertakings, except that, in them, Government, instead of bearing the whole expense, co-operates with others who bear a part. The other consideration is, that the United States have the means. They enjoy the revenues derived from commerce, and the States have no abundant and easy sources of public income. The customhouses fill the general treasury, while the States have scanty resources, except by resort to heavy direct taxes.

Under this view of things I thought it necessary to settle, at least for myself, some definite notions with respect to the powers of the Government in regard to internal affairs. It may not savor too much of self-commendation to remark that with this object I considered the Constitution, its judicial construction, its cotemporaneous exposition, and the whole history of the legislation of Congress under it; and I arrived at the conclusion that Government had power to accomplish sundry objects, or aid in their accomplishment, which are now commonly spoken of as internal improvements. That conclusion, sir, may have been right, or it may have been wrong. I am not about to argue the grounds of it at large. I say only that it was adopted and acted on even so early as in 1816. Yes, Mr. President, I made up my opinion, and determined on my intended course of political conduct on these subjects in the fourteenth Congress in 1816. And now, Mr. President, I have further to say that I made up these opinions, and entered on this course of political conduct *Teucro duce*. Yes, sir, I pursued in all this a South Carolina track, on the doctrines of internal improvement. South Carolina, as she was then represented in the other house, set forth, in 1816, under a fresh and leading breeze, and I was among the followers. But if my leader sees new lights, and turns a sharp corner, unless I see new lights also, I keep straight on in the same path.

I repeat that leading gentlemen from South Carolina were first and foremost in behalf of the doctrines of internal improvements, when those doctrines came first to be considered and acted upon in Congress. The debate on the bank question, on the tariff of 1816, and on the direct tax, will show who was who, and what was what at that time. The tariff of 1816, one of the plain cases of oppression and usurpation, from which, if the Government does not recede, individual States may justly secede from the Government, is, sir, in truth, a South Carolina tariff, supported by South Carolina votes. But for those votes it could not have passed in the form in which it did pass; whereas, if it had depended on Massachusetts votes, it would have been lost. Does not the honorable gentleman well know all this? There are certainly those who do, full well, know it all. I do not say this to reproach South Carolina. I only state the fact; and I think it will appear to be true, that among the earliest and boldest advocates of the tariff, as a measure of protection, and on the express ground of protection, were leading gentlemen of South Carolina in Congress. I did not then, and cannot now, understand their language in any other sense. While this tariff of 1816 was under discussion in the House of Representatives, an honorable gentleman from Georgia, now of this House, Mr. Forsyth, moved to reduce the proposed duty on cotton. He failed by four votes, South Carolina giving three votes (enough to have turned the scale) against his motion. The act, sir, then passed, and received on its passage the support of a majority of the Representatives of South Carolina present and voting. This act is the first, in the order of those now denounced as plain usurpations. We see it daily, in the list by the side of those of 1824 and 1828, as a case of manifest oppression, justifying disunion. I put it home to the honorable Member from South Carolina that his own State was not only "art and part" in this measure, but the *causa causans*. Without her aid this seminal principle of mischief, this root of the Upas, could not have been planted. I have already said, and it is true, that this act proceeded on the ground of protection. It interfered directly with existing interests of great value and amount. It cut up the Calcutta cotton trade by the roots, but it passed, nevertheless, and it passed on the principle of protecting manufactures, on the principle against free trade, on the principle opposed to that which lets us alone.

Such, Mr. President, were the opinions of important and leading gentlemen from South Carolina, on the subject of internal improvements in 1816. I went out of Congress the next year; and returning again in 1823, thought I found South Carolina where I had left her. I really supposed that all things remained as they were, and that the South Carolina doctrine of internal improvements would be defended by the same eloquent voices and the same strong arms as formerly. In the lapse of these six years, it is true, political associations had assumed a new aspect and new divisions. A party has arisen in the South hostile to the doctrine of internal improvements, and had vigorously attacked that doctrine. Anti-consolidation was the flag under which this party fought; and its supporters inveighed against internal improvements much after the manner in which the honorable gentleman has now inveighed against them, as part and parcel of the system of consolidation. Whether this party arose in South Carolina herself, or in her neighborhood, is more than I know. I think the latter. However that may have been, there were those found in South Carolina ready to make war upon it, and who did make intrepid war upon it. Names being regarded as things, in such controversies, they bestowed on the anti-improvement gentlemen the appellation of Radicals. Yes, sir, the appellation of Radicals, as a term of distinction, applicable and applied to those who denied the liberal doctrines of internal improvements, originated, according to the best of my recollection, somewhere between North Carolina and Georgia. Well, sir, these mischievous Radicals were to be put down, and the strong arm of South Carolina was stretched out to put them down. About this time, sir, I returned to Congress. The battle with the Radicals had been fought, and our South Carolina champions of the doctrines of internal improvement had nobly maintained their ground and were understood to have achieved a victory. We looked upon them as conquerors. They had driven back the enemy with discomfiture,—a thing, by the way, sir, which is not always performed when it is promised. A gentleman, to whom I have already referred in this debate, had come into Congress during my absence from it, from South Carolina, and had brought with him a high reputation for ability. He came from a school with which we had been acquainted *et noscitur a sociis*. I hold in my hand, sir, a printed speech of this distinguished gentleman

[Mr. McDuffie], "on internal improvements," delivered about the period to which I now refer, and printed with a few introductory remarks upon consolidation; in which, sir, I think he quite consolidated the arguments of his opponents, the Radicals, if to crush be to consolidate. I give you a short, but substantive quotation from these remarks. He is speaking of a pamphlet, then recently published, entitled "Consolidation"; and having alluded to the question of renewing the charter of the former Bank of the United States, he says:—

"Moreover in the early history of parties, and when Mr. Crawford advocated a renewal of the old charter, it was considered a Federal measure; which internal improvements never was, as this author erroneously states. This latter measure originated in the administration of Mr. Jefferson, with the appropriation for the Cumberland road; and was first proposed, as a system, by Mr. Calhoun, and carried through the House of Representatives by a large majority of the Republicans, including almost every one of the leading men who carried us through the late war."

So, then, internal improvement is not one of the Federal heresies. One paragraph more, sir:—

"The author in question, not content with denouncing as Federalists, General Jackson, Mr. Adams, Mr. Calhoun, and the majority of the South Carolina delegation in Congress, modestly extends the denunciation to Mr. Monroe and the whole Republican party. Here are his words: 'During the administration of Mr. Monroe much has passed which the Republican party would be glad to approve if they could. But the principal feature, and that which has chiefly elicited these observations, is the renewal of the system of internal improvements.' Now this measure was adopted by a vote of one hundred and fifteen to eighty-six, of a Republican Congress, and sanctioned by a Republican President. Who, then, is this author—who assumes the high prerogative of denouncing, in the name of the Republican party, the Republican administration of the country? A denunciation including within its sweep, Calhoun, Lowndes, and Cheves,—men who will be regarded as the brightest ornaments of South Carolina, and the strongest pillars of the Republican party, as long as the late war shall be remembered, and talents and patriotism shall be regarded as the proper objects of the admiration and gratitude of a free people."

Such are the opinions, sir, which were maintained by South Carolina gentlemen, in the House of Representatives, on the subject of internal improvements, when I took my seat there as a

Member from Massachusetts in 1823. But this is not all. We had a bill before us, and passed it in that house, entitled: "An act to procure the necessary surveys, plans, and estimates upon the subject of roads and canals." It authorized the President to cause surveys and estimates to be made of the routes of such roads and canals as he might deem of national importance, in a commercial or military point of view, or for the transportation of the mail, and appropriated thirty thousand dollars out of the Treasury to defray the expense. This act, though preliminary in its nature, covered the whole ground. It took for granted the complete power of internal improvement as far as any of its advocates had ever contended for it. Having passed the other house, the bill came up to the Senate, and was here considered and debated in April 1824. The honorable Member from South Carolina was a member of the Senate at that time. While the bill was under consideration here, a motion was made to add the following proviso:—

"Provided, That nothing herein contained shall be construed to affirm or admit a power in Congress, on their own authority, to make roads or canals within any of the States of the Union."

The yeas and nays were taken on this proviso and the honorable Member voted in the negative! The proviso failed.

A motion was then made to add this proviso, namely:—

"Provided, That the faith of the United States is hereby pledged, that no money shall ever be expended for roads or canals, except it shall be among the several States and in the same proportion as direct taxes are laid and assessed by the provisions of the Constitution."

The honorable Member voted against this proviso, also, and it failed. The bill was then put on its passage and the honorable Member voted for it, and it passed and became a law.

Now, it strikes me, sir, that there is no maintaining these votes, but upon the power of internal improvement, in its broadest sense. In truth, these bills for surveys and estimates have always been considered as test questions—they show who is for and who against internal improvement. This law itself went the whole length and assumed the full and complete power. The gentleman's votes sustained that power in every form in which the various propositions to amend presented it. He went for the

entire and unrestrained authority without consulting the States, and without agreeing to any proportionate distribution. And now suffer me to remind you, Mr. President, that it is this very same power thus sanctioned in every form by the gentleman's own opinion that is so plain and manifest a usurpation that the State of South Carolina is supposed to be justified in refusing submission to any laws carrying the power into effect. Truly, sir, is not this a little too hard? May we not crave some mercy under favor and protection of the gentleman's own authority? Admitting that a road, or a canal, must be written down flat usurpation as was ever committed, may we find no mitigation in our respect for his place and his vote as one that knows the law?

The tariff, which South Carolina had an efficient hand in establishing, in 1816, and this asserted power of internal improvement, advanced by her in the same year, and, as we have seen, approved and sanctioned by her representatives in 1824, these two measures are the great grounds on which she is now thought to be justified in breaking up the Union, if she sees fit to break it up!

I may now safely say, I think, that we have had the authority of leading and distinguished gentlemen from South Carolina, in support of the doctrine of internal improvement. I repeat that, up to 1824, I for one, followed South Carolina; but, when that star, in its ascension, veered off, in an unexpected direction, I relied on its light no longer.

[Here the Vice-President, Mr. Calhoun, said: "Does the chair understand the gentleman from Massachusetts to say that the person now occupying the chair of the Senate has changed his opinions on the subject of internal improvements?"]

From nothing ever said to me, sir, have I had reason to know of any change in the opinions of the person filling the chair of the Senate. If such change has taken place, I regret it. I speak generally of the State of South Carolina. Individuals, we know there are, who hold opinions favorable to the power. An application for its exercise, in behalf of a public work in South Carolina itself, is now pending, I believe, in the other house, presented by Members from that State.

I have thus, sir, perhaps, not without some tediousness of detail, shown that if I am in error, on the subject of internal

improvement, how, and in what company, I fell into that error. If I am wrong, it is apparent who misled me.

I go to other remarks of the honorable Member; and I have to complain of an entire misapprehension of what I said on the subject of the national debt, though I can hardly perceive how any one could misunderstand me. What I said was, not that I wished to put off the payment of the debt, but, on the contrary, that I had always voted for every measure for its reduction, as uniformly as the gentleman himself. He seems to claim the exclusive merit of a disposition to reduce the public charge. I do not allow it to him. As a debt, I was, I am for paying it, because it is a charge on our finances and on the industry of the country. But I observed that I thought I perceived a morbid fervor on that subject—an excessive anxiety to pay off the debt, not so much because it is a debt simply, as because, while it lasts, it furnishes one objection to disunion. It is a tie of common interest, while it continues. I did not impute such motives to the honorable Member himself; but that there is such a feeling in existence, I have not a particle of doubt. The most I said was that if one effect of the debt was to strengthen our Union, that effect itself was not regretted by me, however much others might regret it. The gentleman has not seen how to reply to this otherwise than by supposing me to have advanced the doctrine that a national debt is a national blessing. Others, I must hope, will find much less difficulty in understanding me. I distinctly and pointedly cautioned the honorable Member not to understand me as expressing an opinion favorable to the continuance of the debt. I repeated this caution, and repeated it more than once; but it was thrown away.

On yet another point, I was still more unaccountably misunderstood. The gentleman had harangued against "consolidation." I told him, in reply, that there was one kind of consolidation to which I was attached, and that was the consolidation of our Union; and that this was precisely that consolidation to which I feared others were not attached. That such consolidation was the very end of the Constitution—the leading object, as they had informed us themselves, which its framers had kept in view. I turned to their communication, and read their very words—"the consolidation of the Union"—and expressed my devotion to this sort of consolidation. I said in terms, that I wished not, in the slightest degree, to augment the powers of this Government; that

my object was to preserve, not to enlarge; and that by consolidating the Union, I understood no more than the strengthening of the Union, and perpetuating it. Having been thus explicit; having thus read from the printed book the precise words which I adopted, as expressing my own sentiments, it passes comprehension how any man could understand me as contending for an extension of the powers of the Government, or for consolidation, in that odious sense in which it means an accumulation, in the Federal Government, of the powers properly belonging to the States.

I repeat, sir, that in adopting the sentiment of the framers of the Constitution, I read their language audibly, and word for word; and I pointed out the distinction just as fully as I have now done, between the consolidation of the Union and that other obnoxious consolidation which I disclaimed. And yet the honorable Member misunderstood me. The gentleman had said that he wished for no fixed revenue—not a shilling. If, by a word, he could convert the capitol into gold, he would not do it. Why all this fear of revenue? Why, sir, because, as the gentleman told us, it tends to consolidation. Now, this can mean neither more nor less than that a common revenue is a common interest, and that all common interests tend to hold the union of the States together. I confess I like that tendency; if the gentleman dislikes it, he is right in deprecating a shilling's fixed revenue. So much, sir, for consolidation.

As well as I recollect the course of his remarks, the honorable gentleman next recurred to the subject of the tariff. He did not doubt the word must be of unpleasant sound to me, and proceeded with an effort, neither new, nor attended with new success, to involve me and my votes in inconsistency and contradiction. I am happy the honorable gentleman has furnished me an opportunity for a timely remark or two on that subject. I was glad he approached it, for it is a question I enter upon without fear from anybody. The strenuous toil of the gentleman has been to raise an inconsistency between my dissent to the tariff in 1824 and my vote in 1828. It is labor lost. He pays undeserved compliment to my speech in 1824; but this is to raise me high, that my fall, as he would have it, in 1828, may be more signal. Sir, there was no fall at all. Between the ground I stood on in 1824, and that I took in 1828, there was not only no precipice, but no declivity. It was a change of position, to meet new circum-

stances, but on the same level. A plain tale explains the whole matter. In 1816, I had not acquiesced in the tariff, then supported by South Carolina. To some parts of it, especially, I felt and expressed great repugnance. I held the same opinions in 1821, at the meeting in Faneuil Hall, to which the gentleman has alluded. I said then, and say now, that, as an original question, the authority of Congress to exercise the revenue power, with direct reference to the protection of manufactures, is a questionable authority, far more questionable, in my judgment, than the power of internal improvements. I must confess, sir, that, in one respect, some impression has been made on my opinions lately. Mr. Madison's publication has put the power in a very strong light. He has placed it, I must acknowledge, upon grounds of construction and argument, which seem impregnable. But even if the power were doubtful, on the face of the Constitution itself, it had been assumed and asserted in the first revenue law ever passed under that same Constitution; and, on this ground, as a matter settled by cotemporaneous practice, I had refrained from expressing the opinion that the tariff laws transcended constitutional limits, as the gentleman supposes. What I did say at Faneuil Hall, as far as I now remember, was that this was originally matter of doubtful construction. The gentleman himself, I suppose, thinks there is no doubt about it and that the laws are plainly against the Constitution. Mr. Madison's letters, already referred to, contain, in my judgment, by far the most able exposition extant of this part of the Constitution. He has satisfied me, so far as the practice of the Government had left it an open question.

With a great majority of the Representatives of Massachusetts, I voted against the tariff of 1824. My reasons were then given, and I will not now repeat them. But, notwithstanding our dissent, the great States of New York, Pennsylvania, Ohio, and Kentucky, went for the bill, in almost unbroken column, and it passed. Congress and the President sanctioned it, and it became the law of the land. What, then, were we to do? Our only option was, either to fall in with this settled course of public policy, and accommodate ourselves to it as well as we could, or to embrace the South Carolina doctrine, and talk of nullifying the statute by State interference.

This last alternative did not suit our principles, and, of course, we adopted the former. In 1827 the subject came again before

Congress, on a proposition favorable to wool and woolens. We looked upon the system of protection as being fixed and settled. The law of 1824 remained. It had gone into full operation, and in regard to some objects intended by it, perhaps most of them, had produced all its expected effects. No man proposed to repeal it; no man attempted to renew the general contest on its principle. But, owing to subsequent and unforeseen occurrences, the benefit intended by it to wool and woolen fabrics had not been realized. Events, not known here when the law passed, had taken place, which defeated its object in that particular respect. A measure was accordingly brought forward to meet this precise deficiency; to remedy this particular defect. It was limited to wool and woolens. Was ever anything more reasonable? If the policy of the tariff laws had become established in principle, as the permanent policy of the Government, should they not be revised and amended, and made equal, like other laws, as exigencies should arise, or justice require? Because we had doubted about adopting the system, were we to refuse to cure its manifest defects, after it became adopted, and when no one attempted its repeal? And this, sir, is the inconsistency so much bruited. I had voted against the tariff of 1824—but it passed; and in 1827 and 1828 I voted to amend it, in a point essential to the interest of my constituents. Where is the inconsistency? Could I do otherwise? Sir, does political consistency consist in always giving negative votes? Does it require of a public man to refuse to concur in amending laws, because they passed against his consent? Having voted against the tariff originally, does consistency demand that I should do all in my power to maintain an unequal tariff, burdensome to my own constituents, and in many respects, favorable to none? To consistency of that sort I lay no claim. And there is another sort to which I lay as little—and that is a kind of consistency by which persons feel themselves as much bound to oppose a proposition, after it has become a law of the land, as before.

The bill of 1827, limited, as I have said, to the single object in which the tariff of 1824 had manifestly failed in its effect, passed the House of Representatives, but was lost here. We had then the Act of 1828. I need not recur to the history of a measure so recent. Its enemies spiced it with whatsoever they thought would render it distasteful; its friends took it, drugged as it was. Vast amounts of property, many millions, had been invested in

manufactures, under the inducements of the Act of 1824. Events called loudly, as I thought, for further regulation to secure the degree of protection intended by that act. I was disposed to vote for such regulation, and desired nothing more; but certainly was not to be bantered out of my purpose by a threatened augmentation of duty on molasses, put into the bill for the avowed purpose of making it obnoxious. The vote may have been right or wrong, wise or unwise; but it is little less than absurd to allege against it an inconsistency with opposition to the former law.

Sir, as to the general subject of the tariff, I have little now to say. Another opportunity may be presented. I remarked the other day that this policy did not begin with us in New England; and yet, sir, New England is charged with vehemence as being favorable, or charged with equal vehemence as being unfavorable to the tariff policy, just as best suits the time, place, and occasion for making some charge against her. The credulity of the public has been put to its extreme capacity of false impression, relative to her conduct, in this particular. Through all the South, during the late contest, it was New England policy and a New England administration that was afflicting the country with a tariff beyond all endurance; while on the other side of the Alleghany, even the Act of 1828 itself, the very sublimated essence of oppression, according to Southern opinions, was pronounced to be one of those blessings for which the West was indebted to the "generous South."

With large investments in manufacturing establishments, and many and various interests connected with and dependent upon them, it is not expected that New England, any more than other portions of the country, will now consent to any measure, destructive or highly dangerous. The duty of the Government, at the present moment, would seem to be to preserve, not to destroy; to maintain the position which it has assumed; and, for one, I shall feel it an indispensable obligation to hold it steady, as far as in my power, to that degree of protection which it has undertaken to bestow. No more of the tariff.

Professing to be provoked, by what he chose to consider a charge made by me against South Carolina, the honorable Member, Mr. President, has taken up a new crusade against New England. Leaving altogether the subject of the public lands, in which his success, perhaps, had been neither distinguished or

satisfactory, and letting go, also, of the topic of the tariff, he sallied forth in a general assault on the opinions, politics, and parties of New England, as they have been exhibited in the last thirty years. This is natural. The "narrow policy" of the public lands had proved a legal settlement in South Carolina, and was not to be removed. The "accursed policy" of the tariff, also, had established the fact of its birth and parentage in the same State. No wonder, therefore, the gentleman wished to carry the war, as he expressed it, into the enemy's country. Prudently willing to quit these subjects, he was doubtless desirous of fastening on others that which could not be transferred south of Mason and Dixon's Line. The politics of New England became his theme; and it was in this part of his speech, I think, that he menaced me with such sore discomfiture. Discomfiture! Why, sir, when he attacks anything which I maintain, and overthrows it; when he turns the right or left of any position which I take up; when he drives me from any ground I choose to occupy; he may then talk of discomfiture, but not till that distant day. What has he done? Has he maintained his own charges? Has he proved what he alleged? Has he sustained himself in his attack on the Government, and on the history of the North, in the matter of the public lands? Has he disproved a fact, refuted a proposition, weakened an argument maintained by me? Has he come within beat of drum of any position of mine? Oh, no; but he has "carried the war into the enemy's country." Carried the war into the enemy's country! Yes, sir, and what sort of a war has he made of it? Why, sir, he has stretched a dragnet over the whole surface of perished pamphlets, indiscreet sermons, frothy paragraphs, and fuming popular addresses, over whatever the pulpit, in its moments of alarm, the press in its heats, and parties in their extravagance have severally thrown off in times of general excitement and violence. He has thus swept together a mass of such things as, but that they are now old and cold, the public health would have required him rather to leave in their state of dispersion. For a good long hour or two we had the unbroken pleasure of listening to the honorable Member while he recited, with his usual grace and spirit, and with evident high gusto, speeches, pamphlets, addresses, and all the *et ceteras* of the political press, such as warm heads produce in warm times; and such as it would be "discomfiture" indeed, for any one whose taste did not delight in that sort of reading to

be obliged to peruse. This is his war. This is to carry the war into the enemy's country. It is in an invasion of this sort that he flatters himself with the expectation of gaining laurels fit to adorn a Senator's brow!

Mr. President, I shall not,—it will, I trust, not be expected that I should,—either now, or at any time, separate this farrago into parts, and answer and examine its components. I shall hardly bestow upon it all a general remark or two. In the run of forty years, sir, under this Constitution, we have experienced sundry successive violent party contests. Party arose, indeed, with the Constitution itself, and, in some form or other, has attended it through the greater part of its history. Whether any other Constitution than the old Articles of Confederation was desirable, was itself a question on which parties formed; if a new Constitution were framed, what powers should be given it, was another question; and when it had been formed what was, in fact, the just extent of the powers actually conferred, was a third. Parties, as we know, existed under the first administration, as distinctly marked as those which have manifested themselves at any subsequent period. The contest immediately preceding the political change in 1801, and that, again, which existed at the commencement of the late war, are other instances of party excitement of something more than usual strength and intensity. In all these conflicts there was, no doubt, much of violence on both and all sides. It would be impossible, if one had a fancy for such employment, to adjust the relative *quantum* of violence between these contending parties. There was enough in each, as must always be expected in popular governments: With a great deal of proper and decorous discussion there was mingled a great deal also, of declamation, virulence, crimination, and abuse. In regard to any party, probably, at one of the leading epochs in the history of parties, enough may be found to make out another equally inflamed exhibition as that with which the honorable Member has edified us. For myself, sir, I shall not rake among the rubbish of bygone times to see what I can find, or whether I cannot find something by which I can fix a blot on the escutcheon of any State, any party, or any part of the country. General Washington's administration was steadily and zealously maintained, as we all know, by New England. It was violently opposed elsewhere. We know in what quarter he had the most earnest, constant, and persevering support in all his great and

leading measures. We know where his private and personal characters were held in the highest degree of attachment and veneration; and we know, too, where his measures were opposed, his services slighted, and his character vilified. We know, or we might know, if we turned to the journals, who expressed respect, gratitude, and regret when he retired from the Chief Magistracy; and who refused to express their respect, gratitude, or regret. I shall not open those journals. Publications more abusive or scurrilous never saw the light than were sent forth against Washington and all his leading measures from presses south of New England. But I shall not look them up. I employ no scavengers; no one is in attendance on me, tendering such means of retaliation; and, if there were, with an ass's load of them, with a bulk as huge as that which the gentleman himself has produced, I would not touch one of them. I see enough of the violence of our own times to be in no way anxious to rescue from forgetfulness the extravagances of times past. Besides, what is all this to the present purpose? It has nothing to do with the public lands, in regard to which the attack was begun; and it has nothing to do with those sentiments and opinions, which, I have thought, tend to disunion, and all of which the honorable Member seems to have adopted himself and undertaken to defend. New England has, at times, so argues the gentleman, held opinions as dangerous as those which he now holds. Suppose this were so, why should he, therefore, abuse New England? If he finds himself countenanced by acts of hers, how is it that, while he relies on these acts, he covers, or seeks to cover, their authors with reproach? But, sir, if, in the course of forty years, there have been undue effervescences of party in New England, has the same thing happened nowhere else? Party animosity and party outrage, not in New England, but elsewhere, denounced President Washington, not only as a Federalist, but as a Tory, a British agent, a man who, in his high office, sanctioned corruption. But does the honorable Member suppose that, if I had a tender here who should put such an effusion of wickedness and folly in my hand, that I would stand up and read it against the South? Parties ran into great heats again in 1799 and 1800. What was said, sir, or rather what was not said, in those years against John Adams, one of the signers of the Declaration of Independence, and its admitted ablest defender on the floor of Congress? If the gentleman wishes to increase his stores of party

abuse and frothy violence; if he has a determined proclivity to such pursuits, there are treasures of that sort south of the Potomac, much to his taste, yet untouched,—I shall not touch them.

The parties which divided the country at the commencement of the late war were violent. But, then, there was violence on both sides and violence in every State. Minorities and majorities were equally violent. There was no more violence against the war in New England than in other States; nor any more appearance of violence, except that, owing to a dense population, greater facility of assembling, and more presses, there may have been more in quantity spoken and printed there than in some other places. In the article of sermons, too, New England is somewhat more abundant than South Carolina; and for that reason the chance of finding here and there an exceptional one may be greater. I hope, too, there are more good ones. Opposition may have been more formidable in New England, as it embraced a larger portion of the whole population; but it was no more unrestrained in its principle, or violent in manner. The minorities dealt quite as harshly with their own State governments as the majorities dealt with the administration here. There were presses on both sides, popular meetings on both sides, aye, and pulpits on both sides, also. The gentleman's purveyors have only catered for him among the productions of one side. I certainly shall not supply the deficiency by furnishing samples of the other. I leave to him and to them the whole concern.

It is enough for me to say that if, in any part of this their grateful occupation; if in all their researches they find anything in the history of Massachusetts, or New England, or in the proceedings of any legislative or other public body disloyal to the Union, speaking slightly of its value, proposing to break it up, or recommending nonintercourse with neighboring States, on account of difference of political opinion, then, sir, I give them all up to the honorable gentleman's unrestrained rebuke; expecting, however, that he will extend his buffetings in like manner to all similar proceedings, wherever else found.

The gentleman, sir, has spoken at large of former parties, now no longer in being, by their received appellations, and has undertaken to instruct us, not only in the knowledge of their principles, but of their respective pedigrees also. He has ascended to the origin and run out their genealogies. With most exemplary mod-

esty he speaks of the party to which he professes to have belonged himself, as the true pure, the only honest, patriotic party, derived by regular descent from father to son from the time of the virtuous Romans! Spreading before us the family tree of political parties, he takes especial care to show himself sagely perched on a popular bough! He is wakeful to the expediency of adopting such rules of descent as shall bring him in, in exclusion of others, as an heir to the inheritance of all public virtue and all true political principle. His party and his opinions are sure to be orthodox; heterodoxy is confined to his opponents. He spoke, sir, of the Federalists, and I thought I saw some eyes begin to open and stare a little when he ventured on that ground. I expected he would draw his sketches rather lightly when he looked on the circle around him, and especially if he should cast his thoughts to the high places out of the Senate. Nevertheless, he went back to Rome, *ad annum urbe condita*, and found the fathers of the Federalists in the primeval aristocrats of that renowned empire! He traced the flow of Federal blood down through successive ages and centuries till he brought it into the veins of the American Tories (of whom, by the way, there were twenty in the Carolinas for one in Massachusetts). From the Tories he followed it to the Federalists; and as the Federal party was broken up, and there was no possibility of transmitting it further on this side the Atlantic, he seems to have discovered that it had gone off, collaterally, though against all the canons of descent, into the Ultras of France, and finally become extinguished, like exploded gas, among the adherents of Don Miguel! This, sir, is an abstract of the gentleman's history of Federalism. I am not about to controvert it. It is not at present worth the pains of refutation; because, sir, if at this day any one feels the sin of Federalism lying heavily on his conscience, he can easily procure remission. He may even obtain an indulgence, if he be desirous of repeating the same transgression. It is an affair of no difficulty to get into the same right line of patriotic descent. A man nowadays is at liberty to choose his political parentage. He may elect his own father. Federalist or not, he may, if he choose, claim to belong to the favored stock, and his claim will be allowed. He may carry back his pretensions just as far as the honorable gentleman himself; nay, he may make himself out the honorable gentleman's cousin, and prove satisfactorily that he is descended from the same political great-grandfather. All this

is allowable. We all know a process, sir, by which the whole Essex Junto could, in one hour, be all washed white from their ancient Federalism, and come out, every one of them, an original democrat, dyed in the wool! Some of them have actually undergone the operation, and they say it is quite easy. The only inconvenience it occasions, as they tell us, is a slight tendency of the blood to the face, a soft suffusion, which, however, is very transient, since nothing is said by those whom they join calculated to deepen the red on the cheek, but a prudent silence observed in regard to all the past. Indeed, sir, some smiles of approbation have been bestowed, and some crumbs of comfort have fallen not a thousand miles from the door of the Hartford Convention itself. And if the author of the Ordinance of 1787 possessed the other requisite qualifications, there is no knowing, notwithstanding his Federalism, to what heights of favor he might not yet attain.

Mr. President, in carrying his warfare, such as it was, into New England, the honorable gentleman all along professes to be acting on the defensive. He elects to consider me as having assailed South Carolina, and insists that he comes forth only as her champion and in her defense. Sir, I do not admit that I made any attack whatever on South Carolina. Nothing like it. The honorable Member in his first speech expressed opinions in regard to revenue, and some other topics, which I heard both with pain and with surprise. I told the gentleman I was aware that such sentiments were entertained out of the Government, but had not expected to find them advanced in it; that I knew there were persons in the South who speak of our Union with indifference or doubt, taking pains to magnify its evils and to say nothing of its benefits; that the honorable Member himself I was sure could never be one of these, and I regretted the expression of such opinions as he had avowed because I thought their obvious tendency was to encourage feelings of disrespect to the Union, and to weaken its connection. This, sir, is the sum and substance of all I said on the subject. And this constitutes the attack which called on the chivalry of the gentleman, in his own opinion, to harry us with such a foray among the party pamphlets and party proceedings of Massachusetts! If he means that I spoke with dissatisfaction or disrespect of the ebullitions of individuals in South Carolina, it is true. But if he means that I had assailed the character of the State, her honor or patriotism; that I had

reflected on her history or her conduct, he had not the slightest ground for any such assumption. I did not even refer, I think, in my observations, to any collection of individuals. I said nothing of the recent conventions. I spoke in the most guarded and careful manner, and only expressed my regret for the publication of opinions which I presumed the honorable Member disapproved as much as myself. In this, it seems, I was mistaken. I do not remember that the gentleman has disclaimed any sentiment or any opinion of a supposed anti-Union tendency, which on all or any of the recent occasions has been expressed. The whole drift of his speech has been rather to prove that in divers times and manners sentiments equally liable to my objection have been promulgated in New England. And one would suppose that his object in this reference to Massachusetts was to find a precedent to justify proceedings in the South were it not for the reproach and contumely with which he labors all along to load these, his own chosen precedents. By way of defending South Carolina from what he chooses to think an attack on her, he first quotes the example of Massachusetts, and then denounces that example in good set terms. This twofold purpose, not very consistent with itself, one would think was exhibited more than once in the course of his speech. He referred, for instance, to the Hartford Convention. Did he do this for authority or for a topic of reproach? Apparently for both; for he told us that he should find no fault with the mere fact of holding such a convention and considering and discussing such questions as he supposes were then and there discussed; but what rendered it obnoxious was the time it was holden and the circumstances of the country then existing. We were in a war, he said, and the country needed all our aid—the hand of Government required to be strengthened, not weakened—and patriotism should have postponed such proceedings to another day. The thing itself, then, is a precedent, the time and manner of it only a subject of censure. Now, sir, I go much further on this point than the honorable Member. Supposing, as the gentleman seems to, that the Hartford Convention assembled for any such purpose as breaking up the Union because they thought unconstitutional laws had been passed, or to consult on that subject, or to calculate the value of the Union,—supposing this to be their purpose or any part of it, then, I say, the meeting itself was disloyal, and was obnoxious to censure, whether held in time of peace or time of war, or under whatever

circumstances. The material question is the object. Is dissolution the object? If it be, external circumstances may make it a more or less aggravated case, but cannot affect the principle. I do not hold, therefore, sir, that the Hartford Convention was pardonable, even to the extent of the gentleman's admission, if its objects were really such as have been imputed to it. Sir, there never was a time under any degree of excitement in which the Hartford Convention, or any other convention, could maintain itself one moment in New England if assembled for any such purpose as the gentleman says would have been an allowable purpose. To hold conventions to decide constitutional law!—to try the binding validity of statutes by votes in a convention! Sir, the Hartford Convention, I presume, would not desire that the honorable gentleman should be their defender or advocate if he puts their case upon such untenable and extravagant grounds.

Then, sir, the gentleman has no fault to find with these recently promulgated South Carolina opinions. And, certainly, he need have none; for his own sentiments as now advanced, and advanced on reflection as far as I have been able to comprehend them, go the full length of all these opinions. I propose, sir, to say something on these, and to consider how far they are just and constitutional. Before doing that, however, let me observe that the eulogium pronounced on the character of the State of South Carolina by the honorable gentleman for her revolutionary and other merits meets my hearty concurrence. I shall not acknowledge that the honorable Member goes before me in regard for whatever of distinguished talent or distinguished character South Carolina has produced. I claim part of the honor,—I partake in the pride of her great names. I claim them for countrymen, one and all. The Laurenses, the Rutledges, the Pinckneys, the Sumters, the Marions—Americans all—whose fame is no more to be hemmed in by State lines than their talents and patriotism were capable of being circumscribed within the same narrow limits. In their day and generation they served and honored the country and the whole country; and their renown is of the treasures of the whole country. Him whose honored name the gentleman himself bears—does he esteem me less capable of gratitude for his patriotism or sympathy for his sufferings than if his eyes had first opened upon the light of Massachusetts instead of South Carolina? Sir, does he suppose it in his power to exhibit a Carolina name so bright as to produce envy in my bosom? No,

sir, increased gratification and delight, rather. I thank God that if I am gifted with little of the spirit which is able to raise mortals to the skies, I have yet none, as I trust, of that other spirit which would drag angels down. When I shall be found, sir, in my place here in the Senate, or elsewhere, to sneer at public merit because it happens to spring up beyond the little limits of my own State or neighborhood; when I refuse for any such cause, or for any cause, the homage due to American talent, to elevated patriotism, to sincere devotion to liberty and the country; or, if I see an uncommon endowment of heaven—if I see extraordinary capacity and virtue in any son of the South—and if, moved by local prejudice, or gangrened by State jealousy, I get up here to abate the tithe of a hair from his just character and just fame, may my tongue cleave to the roof of my mouth!

Sir, let me recur to pleasing recollections—let me indulge in refreshing remembrances of the past—let me remind you that in early times no States cherished greater harmony, both of principle and feeling, than Massachusetts and South Carolina. Would to God that harmony might again return! Shoulder to shoulder they went through the Revolution—hand in hand they stood round the administration of Washington and felt his own great arm lean on them for support. Unkind feeling, if it exist, alienation and distrust, are the growth, unnatural to such soils, of false principles since sown. They are weeds, the seeds of which that same great arm never scattered.

Mr. President, I shall enter on no encomium upon Massachusetts—she needs none. There she is—behold her, and judge for yourselves. There is her history; the world knows it by heart. The past, at least, is secure. There is Boston, and Concord, and Lexington, and Bunker Hill—and there they will remain forever. The bones of her sons, falling in the great struggle for independence, now lie mingled with the soil of every State, from New England to Georgia; and there they will lie forever. And, sir, where American liberty raised its first voice; and where its youth was nurtured and sustained, there it still lives, in the strength of its manhood and full of its original spirit. If discord and disunion shall wound it—if party strife and blind ambition shall hawk at and tear it—if folly and madness—if uneasiness, under salutary and necessary restraint shall succeed to separate it from that union, by which alone its existence is made sure, it will stand, in the end, by the side of that cradle in which its

infancy was rocked; it will stretch forth its arm with whatever of vigor it may still retain, over the friends who gather round it; and it will fall at last, if fall it must, amidst the proudest monuments of its own glory, and on the very spot of its origin.

There yet remains to be performed, Mr. President, by far the most grave and important duty, which I feel to be devolved on me by this occasion. It is to state and to defend what I conceive to be the true principles of the Constitution under which we are here assembled. I might well have desired that so weighty a task should have fallen into other and abler hands. I could have wished that it should have been executed by those whose character and experience give weight and influence to their opinions, such as cannot possibly belong to mine. But, sir, I have met the occasion, not sought it; and I shall proceed to state my own sentiments, without challenging for them any particular regard, with studied plainness and as much precision as possible.

I understand the honorable gentleman from South Carolina to maintain that it is a right of the State legislatures to interfere, whenever, in their judgment, this Government transcends its constitutional limits, and to arrest the operation of its laws.

I understand him to maintain this right; as a right existing under the Constitution, not as a right to overthrow it on the ground of extreme necessity, such as would justify violent revolution.

I understand him to maintain an authority, on the part of the States, thus to interfere, for the purpose of correcting the exercise of power by the General Government, of checking it and of compelling it to conform to their opinion of the extent of its powers.

I understand him to maintain that the ultimate power of judging of the constitutional extent of its own authority is not lodged exclusively in the General Government or any branch of it; but that, on the contrary, the States may lawfully decide for themselves, and each State for itself, whether in a given case the act of the General Government transcends its power.

I understand him to insist that if the exigency of the case, in the opinion of any State government, require it, such State government may, by its own sovereign authority, annul an act of the General Government which it deems plainly and palpably unconstitutional.

This is the sum of what I understand from him to be the South Carolina doctrine, and the doctrine which he maintains. I propose to consider it and compare it with the Constitution. Allow me to say as a preliminary remark that I call this the South Carolina doctrine only because the gentleman himself has so denominated it. I do not feel at liberty to say that South Carolina, as a State, has ever advanced these sentiments. I hope she has not and never may. That a great majority of her people are opposed to the tariff laws is doubtless true. That a majority somewhat less than that just mentioned conscientiously believe these laws unconstitutional may probably also be true. But that any majority holds to the right of direct State interference, at State discretion, the right of nullifying acts of Congress, by acts of State legislation, is more than I know and what I shall be slow to believe.

That there are individuals besides the honorable gentleman who do maintain these opinions is quite certain. I recollect the recent expression of a sentiment, which circumstances attending its utterance and publication justify us in supposing was not unpremeditated. "The sovereignty of the State—never to be controlled, construed, or decided on, but by her own feelings of honorable justice."

[Mr. Hayne here rose and said that for the purpose of being clearly understood, he would state that his proposition was in the words of the Virginia Resolution as follows:—

"That this assembly doth explicitly and peremptorily declare that it views the powers of the Federal Government as resulting from the compact to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no further valid than they are authorized by the grants enumerated in that compact; and that, in case of a deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the States who are parties thereto have the right and are in duty bound to interpose, for arresting the progress of the evil and for maintaining within their respective limits the authorities, rights, and liberties appertaining to them."]

I am quite aware, Mr. President, of the existence of the resolution which the gentleman read and has now repeated, and that he relies on it as his authority. I know the source, too, from which it is understood to have proceeded. I need not say that I have much respect for the constitutional opinions of Mr. Madison; they would weigh greatly with me always. But, before the

authority of his opinion be vouched for the gentleman's proposition, it will be proper to consider what is the fair interpretation of that resolution to which Mr. Madison is understood to have given his sanction. As the gentleman construes it, it is an authority for him. Possibly he may not have adopted the right construction. That resolution declares that in the case of the dangerous exercise of powers not granted by the General Government, the States may interpose to arrest the progress of the evil. But how interpose, and what does this declaration purport? Does it mean no more than that there may be extreme cases in which the people in any mode of assembling may resist usurpation and relieve themselves from a tyrannical government? No one will deny this. Such resistance is not only acknowledged to be just in America, but in England also. Blackstone admits as much in the theory and practice, too, of the English Constitution. We, sir, who oppose the Carolina doctrine do not deny that the people may, if they choose, throw off any government when it becomes oppressive and intolerable, and erect a better in its stead. We all know that civil institutions are established for the public benefit and that when they cease to answer the ends of their existence they may be changed. But I do not understand the doctrine now contended for to be that which, for the sake of distinctness, we may call the right of revolution. I understand the gentleman to maintain that, without revolution, without civil commotion, without rebellion, a remedy for supposed abuse and transgression of the powers of the General Government lies in a direct appeal to the interference of the State governments.

[Mr. Hayne here rose. He did not contend, he said, for the mere right of revolution, but for the right of constitutional resistance. What he maintained was that, in case of a plain, palpable violation of the Constitution by the General Government, a State may interpose, and that this interposition is constitutional.]

So, sir, I understood the gentleman, and am happy to find that I did not misunderstand him. What he contends for is that it is constitutional to interrupt the administration of the Constitution itself in the hands of those who are chosen and sworn to administer it by the direct inference in form of law of the States in virtue of their sovereign capacity. The inherent right in the people to reform their Government I do not deny; and they have

another right and that is to resist unconstitutional laws without overturning the Government. It is no doctrine of mine that unconstitutional laws bind the people. The great question is: Whose prerogative is it to decide on the constitutionality or unconstitutionality of the laws? On that the main debate hinges. The proposition that, in case of a supposed violation of the Constitution by Congress, the States have a constitutional right to interfere and annul the law of Congress, is the proposition of the gentleman: I do not admit it. If the gentleman had intended no more than to assert the right of revolution for justifiable cause, he would have said only what all agree to. But I cannot conceive that there can be a middle course between submission to the laws, when regularly pronounced constitutional on the one hand, and open resistance, which is revolution or rebellion on the other. I say the right of a State to annul a law of Congress cannot be maintained but on the ground of the unalienable right of man to resist oppression; that is to say, upon the ground of revolution. I admit that there is an ultimate violent remedy above the Constitution and in defiance of the Constitution, which may be resorted to when a revolution is to be justified. But I do not admit that under the Constitution, and in conformity with it, there is any mode in which a State government, as a member of the Union, can interfere and stop the progress of the General Government, by force of her own laws, under any circumstances whatever.

This leads us to inquire into the origin of this Government and the source of its power. Whose agent is it? Is it the creature of the State legislatures, or the creature of the people? If the Government of the United States be the agent of the State governments, then they may control it, provided they can agree in the manner of controlling it; if it be the agent of the people, then the people alone can control it, restrain it, modify, or reform it. It is observable enough that the doctrine for which the honorable gentleman contends leads him to the necessity of maintaining, not only that this General Government is the creature of the States, but that it is the creature of each of the States severally; so that each may assert the power for itself of determining whether it acts within the limits of its authority. It is the servant of four and twenty masters, of different wills and different purposes, and yet bound to obey all. This absurdity (for it seems no less) arises from a misconception as to the origin of

this Government and its true character. It is, sir, the people's Constitution, the people's Government; made for the people, made by the people, and answerable to the people. The people of the United States have declared that this Constitution shall be the supreme law. We must either admit the proposition, or dispute their authority. The States are, unquestionably, sovereign, so far as their sovereignty is not affected by this supreme law. But the State legislatures, as political bodies, however sovereign, are yet not sovereign over the people. So far as the people have given power to the General Government, so far the grant is unquestionably good, and the Government holds of the people, and not of the State governments. We are all agents of the same supreme power, the people. The General Government and the State governments derive their authority from the same source. Neither can, in relation to the other, be called primary, though one is definite and restricted and the other general and residuary. The National Government possesses those powers which it can be shown the people have conferred on it, and no more. All the rest belong to the State governments or to the people themselves. So far as the people have restrained State sovereignty, by the expression of their will, in the Constitution of the United States, so far, it must be admitted, State sovereignty is effectually controlled. I do not contend that it is, or ought to be, controlled further. The sentiment to which I have referred propounds that State sovereignty is only to be controlled by its own "feeling of justice"; that is to say, it is not to be controlled at all; for one who is to follow his own feelings is under no legal control. Now, however men may think this ought to be, the fact is that the people of the United States have chosen to impose control on State sovereignties. There are those, doubtless, who wish they had been left without restraint; but the Constitution has ordered the matter differently. To make war, for instance, is an exercise of sovereignty; but the Constitution declares that no State shall make war. To coin money is another exercise of sovereign power; but no State is at liberty to coin money. Again, the Constitution says that no sovereign State shall be so sovereign as to make a treaty. These prohibitions, it must be confessed, are a control on the State sovereignty of South Carolina, as well as of the other States, which does not arise "from her own feelings of honorable justice." Such an opinion, therefore, is in defiance of the plainest provisions of the Constitution.

There are other proceedings of public bodies which have already been alluded to, and to which I refer again for the purpose of ascertaining more fully what is the length and breadth of that doctrine, denominated the Carolina doctrine, which the honorable Member has now stood upon this floor to maintain. In one of them I find it resolved that "the tariff of 1828, and every other tariff designed to promote one branch of industry at the expense of others, is contrary to the meaning and intention of the Federal compact; and is such a dangerous, palpable and deliberate usurpation of power, by a determined majority, wielding the General Government beyond the limits of its delegated powers, as calls upon the States which compose the suffering minority, in their sovereign capacity, to exercise the powers which, as sovereigns, necessarily devolve upon them when their compact is violated."

Observe, sir, that this resolution holds the tariff of 1828, and every other tariff, designed to promote one branch of industry at the expense of another, to be such a dangerous, palpable and deliberate usurpation of power, as calls upon the States, in their sovereign capacity, to interfere by their own authority. This denunciation, Mr. President, you will please to observe, includes our old tariff of 1816, as well as all others; because that was established to promote the interest of the manufactures of cotton, to the manifest and admitted injury of the Calcutta cotton trade. Observe, again, that all the qualifications are here rehearsed and charged upon the tariff, which are necessary to bring the case within the gentleman's proposition. The tariff is a usurpation; it is a dangerous usurpation; it is a palpable usurpation; it is a deliberate usurpation. It is such a usurpation, therefore, as calls upon the States to exercise their right of interference. Here is a case, then, within the gentleman's principles, and all his qualifications of his principles. It is a case for action. The Constitution is plainly, dangerously, palpably and deliberately violated; and the States must interpose their own authority to arrest the law. Let us suppose the State of South Carolina to express this same opinion by the voice of her legislature. That would be very imposing; but what then? Is the voice of one State conclusive? It so happens that at the very moment when South Carolina resolves that the tariff laws are unconstitutional, Pennsylvania and Kentucky resolve exactly the reverse. They hold those laws to be both highly proper and strictly constitutional.

And now, sir, how does the honorable Member propose to deal with this case? How does he relieve us from this difficulty upon any principle of his? His construction gets us into it; how does he propose to get us out?

In Carolina the tariff is a palpable, deliberate usurpation; Carolina, therefore, may nullify it, and refuse to pay the duties. In Pennsylvania it is both clearly constitutional and highly expedient; and there the duties are to be paid. And yet we live under a Government of uniform laws, and under a Constitution, too, which contains an express provision, as it happens, that all duties shall be equal in all the States. Does not this approach absurdity?

If there be no power to settle such questions, independent of either of the States, is not the whole Union a rope of sand? Are we not thrown back again precisely upon the old confederation?

It is too plain to be argued. Four-and-twenty interpreters of constitutional law, each with a power to decide for itself, and none with authority to bind anybody else, and this constitutional law the only bond of their union! What is such a state of things but a mere connection during pleasure, or, to use the phraseology of the times, during feeling? And that feeling, too, not the feeling of the people, who established the Constitution, but the feeling of the State governments.

In another of the South Carolina addresses, having premised that the crisis requires "all the concentrated energy of passion," an attitude of open resistance to the laws of the Union is advised. Open resistance to the laws, then, is the constitutional remedy, the conservative power of the State, which the South Carolina doctrines teach for the redress of political evils, real or imaginary. And its authors further say that, appealing with confidence to the Constitution itself to justify their opinions, they cannot consent to try their accuracy by the courts of justice. In one sense, indeed, sir, this is assuming an attitude of open resistance in favor of liberty. But what sort of liberty? The liberty of establishing their own opinions, in defiance of the opinions of all others; the liberty of judging and of deciding exclusively themselves, in a matter in which others have as much right to judge and decide as they; the liberty of placing their own opinions above the judgment of all others, above the laws, and above the Constitution. This is their liberty, and this is the fair result

of the proposition contended for by the honorable gentleman. Or it may be more properly said, it is identical with it, rather than a result from it.

In the same publication we find the following:—

“Previously to our Revolution, when the arm of oppression was stretched over New England, where did our Northern brethren meet with a 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.”

This seems extraordinary language. South Carolina no collision with the king’s ministers in 1775! No extortion! No oppression! But, sir, it is also most significant language. Does any man doubt the purpose for which it was penned? Can any one fail to see that it was designed to raise in the reader’s mind the question whether, at this time,—that is to say, in 1828,—South Carolina has any collision with the king’s ministers, any oppression, or extortion to fear from England? Whether, in short, England is not as naturally the friend of South Carolina, as New England with her navigation interests springing up in envious rivalry of England?

Is it not strange, sir, that an intelligent man in South Carolina in 1828 should thus labor to prove that in 1775 there was no hostility, no cause of war between South Carolina and England? That she had no occasion in reference to her own interest, or from a regard to her own welfare, to take up arms in the revolutionary contest? Can any one account for the expression of such strange sentiments and their circulation through the State, otherwise than by supposing the object to be what I have already intimated, to raise the question if they had no “collision” (mark the expression) with the ministers of King George III., in 1775, what collision have they in 1828 with the ministers of King George IV.? What is there now in the existing state of things to separate Carolina from Old more, or rather, than from New England?

Resolutions, sir, have been recently passed by the legislature of South Carolina. I need not refer to them; they go no further than the honorable gentleman himself has gone,—and, I hope, not so far. I content myself, therefore, with debating the matter with him.

And now, sir, what I have first to say on this subject is that at no time and under no circumstances has New England or any State in New England, or any respectable body of persons in New England, or any public man of standing in New England, put forth such a doctrine as this Carolina doctrine.

The gentleman has found no case, he can find none, to support his own opinions by New England authority. New England has studied the Constitution in other schools and under other teachers. She looks upon it with other regards, and deems more highly and reverently both of its just authority and its utility and excellence. The history of her legislative proceedings may be traced—the ephemeral effusions of temporary bodies, called together by the excitement of the occasion, may be hunted up—they have been hunted up. The opinions and votes of her public men, in and out of Congress, may be explored—it will all be in vain. The Carolina doctrine can derive from her neither countenance nor support. She rejects it now; she always did reject it; and till she loses her senses, she always will reject it. The honorable Member has referred to expressions on the subject of the Embargo law made in this place by an honorable and venerable gentleman [Mr. Hillhouse] now favoring us with his presence. He quotes that distinguished Senator as saying that, in his judgment, the Embargo law was unconstitutional, and that, therefore, in his opinion the people were not bound to obey it. That, sir, is perfectly constitutional language. An unconstitutional law is not binding; but then it does not rest with a resolution or a law of a State legislature to decide whether an act of Congress be or be not constitutional. An unconstitutional act of Congress would not bind the people of this district, although they have no legislature to interfere in their behalf; and, on the other hand, a constitutional law of Congress does bind the citizens of every State, although all their legislatures should undertake to annul it by act or resolution. The venerable Connecticut Senator is a constitutional lawyer of sound principles and enlarged knowledge; a statesman practiced and experienced, bred in the company of Washington, and holding just views upon the nature of our governments. He believed the Embargo unconstitutional, and so did others; but what then? Who did he suppose was to decide that question? The State legislatures? Certainly not. No such sentiment ever escaped his lips. Let us follow up, sir, this New England opposition

to the Embargo laws; let us trace it till we discern the principle which controlled and governed New England throughout the whole course of that opposition. We shall then see what similarity there is between the New England school of constitutional opinions and this modern Carolina school. The gentleman, I think, read a petition from some single individual, addressed to the legislature of Massachusetts, asserting the Carolina doctrine,—that is, the right of State interference to arrest the laws of the Union. The fate of that petition shows the sentiment of the legislature. It met no favor. The opinions of Massachusetts were otherwise. They had been expressed in 1798 in answer to the resolutions of Virginia, and she did not depart from them, nor bend them to the times. Misgoverned, wronged, oppressed as she felt herself to be, she still held fast her integrity to the Union. The gentleman may find in her proceedings much evidence of dissatisfaction with the measures of government, and great and deep dislike to the Embargo; all this makes the case so much the stronger for her; for notwithstanding all this dissatisfaction and dislike, she claimed no right, still, to sever asunder the bonds of the Union. There was heat and there was anger in her political feeling. Be it so! Her heat or her anger did not, nevertheless, betray her into infidelity to the Government. The gentleman labors to prove that she disliked the Embargo as much as South Carolina dislikes the tariff, and expressed her dislike as strongly. Be it so; but did she propose the Carolina remedy?—did she threaten to interfere, by State authority, to annul the laws of the Union? That is the question for the gentleman's consideration.

No doubt, sir, a great majority of the people of New England conscientiously believed the Embargo law of 1807 unconstitutional; as conscientiously, certainly, as the people of South Carolina hold that opinion of the tariff. They reasoned thus: Congress has power to regulate commerce; but here is a law, they said, stopping all commerce, and stopping it indefinitely. The law is perpetual; that is, it is not limited in point of time, and must, of course, continue until it shall be repealed by some other law. It is as perpetual therefore, as the law against treason or murder. Now, is this regulating commerce or destroying it? Is it guiding, controlling, giving the rule to commerce, as a subsisting thing; or is it putting an end to it altogether? Nothing is more certain than that a majority in New England deemed this law

a violation of the Constitution. The very case required by the gentleman to justify State interference had then arisen. Massachusetts believed this law to be "a deliberate, palpable, and dangerous exercise of a power not granted by the Constitution." Deliberate it was, for it was long continued; palpable, she thought it, as no words in the Constitution gave the power, and only a construction, in her opinion most violent, raised it; dangerous it was, since it threatened utter ruin to her most important interests. Here, then, was a Carolina case. How did Massachusetts deal with it? It was, as she thought, a plain, manifest, palpable violation of the Constitution, and it brought ruin to her doors. Thousands of families, and hundreds of thousands of individuals were beggared by it. While she saw and felt all this, she saw and felt also that, as a measure of national policy, it was perfectly futile; that the country was no way benefited by that which caused so much individual distress; that it was efficient only for the production of evil, and all that evil inflicted on ourselves. In such a case, under such circumstances, how did Massachusetts demean herself? Sir, she remonstrated, she memorialized, she addressed herself to the General Government, not exactly "with the concentrated energy of passion," but with her own strong sense and the energy of sober conviction. But she did not interpose the arm of her own power to arrest the law and break the Embargo. Far from it. Her principles bound her to two things; and she followed her principles, lead where they might. First, to submit to every constitutional law of Congress, and, secondly, if the constitutional validity of the law be doubted, to refer that question to the decision of the proper tribunals. The first principle is vain and ineffectual without the second. A majority of us in New England believed the Embargo law unconstitutional; but the great question was, and always will be, in such cases: Who is to decide this? Who is to judge between the people and the Government? And, sir, it is quite plain that the Constitution of the United States confers on the Government itself, to be exercised by its appropriate department, and under its own responsibility to the people, this power of deciding ultimately and conclusively upon the just extent of its own authority. If this had not been done, we should not have advanced a single step beyond the old confederation.

Being fully of opinion that the Embargo law was unconstitutional, the people of New England were yet equally clear in the

opinion,—it was a matter they did not doubt upon,—that the question, after all, must be decided by the judicial tribunals of the United States. Before those tribunals, therefore, they brought the question. Under the provisions of the law they had given bonds to millions in amount, and which were alleged to be forfeited. They suffered the bonds to be sued, and thus raised the question. In the old-fashioned way of settling disputes, they went to law. The case came to hearing and solemn argument; and he who espoused their cause and stood up for them against the validity of the Embargo Act was none other than that great man of whom the gentleman has made honorable mention, Samuel Dexter. He was then, sir, in the fullness of his knowledge and the maturity of his strength. He had retired from long and distinguished public service here, to the renewed pursuit of professional duties; carrying with him all that enlargement and expansion, all the new strength and force, which an acquaintance with the more general subjects discussed in the national councils is capable of adding to professional attainment in a mind of true greatness and comprehension. He was a lawyer and he was also a statesman. He had studied the Constitution, when he filled public station, that he might defend it; he had examined its principles that he might maintain them. More than all men, or at least as much as any man, he was attached to the General Government and to the Union of the States. His feelings and opinions all ran in that direction. A question of Constitutional law, too, was, of all subjects, that one which was best suited to his talents and learning. Aloof from technicality, and unfettered by artificial rule, such a question gave opportunity for that deep and clear analysis, that mighty grasp of principle, which so much distinguished his higher efforts. His very statement was argument; his inference seemed demonstration. The earnestness of his own conviction wrought conviction in others. One was convinced, and believed, and assented, because it was gratifying, delightful, to think and feel and believe in unison with an intellect of such evident superiority.

Mr. Dexter, sir, such as I have described him, argued the New England cause. He put into his effort his whole heart, as well as all the powers of his understanding; for he had avowed, in the most public manner, his entire concurrence with his neighbors on the point in dispute. He argued the cause; it was lost, and New England submitted. The established tribunals