

*Mr. Johnson*  
*94 Oct 12 1869*  
*John James*  
*1863*

ORATION

DELIVERED BEFORE THE

*at Bellerose N.Y.*

Young Men's Association

*on the War*

OF

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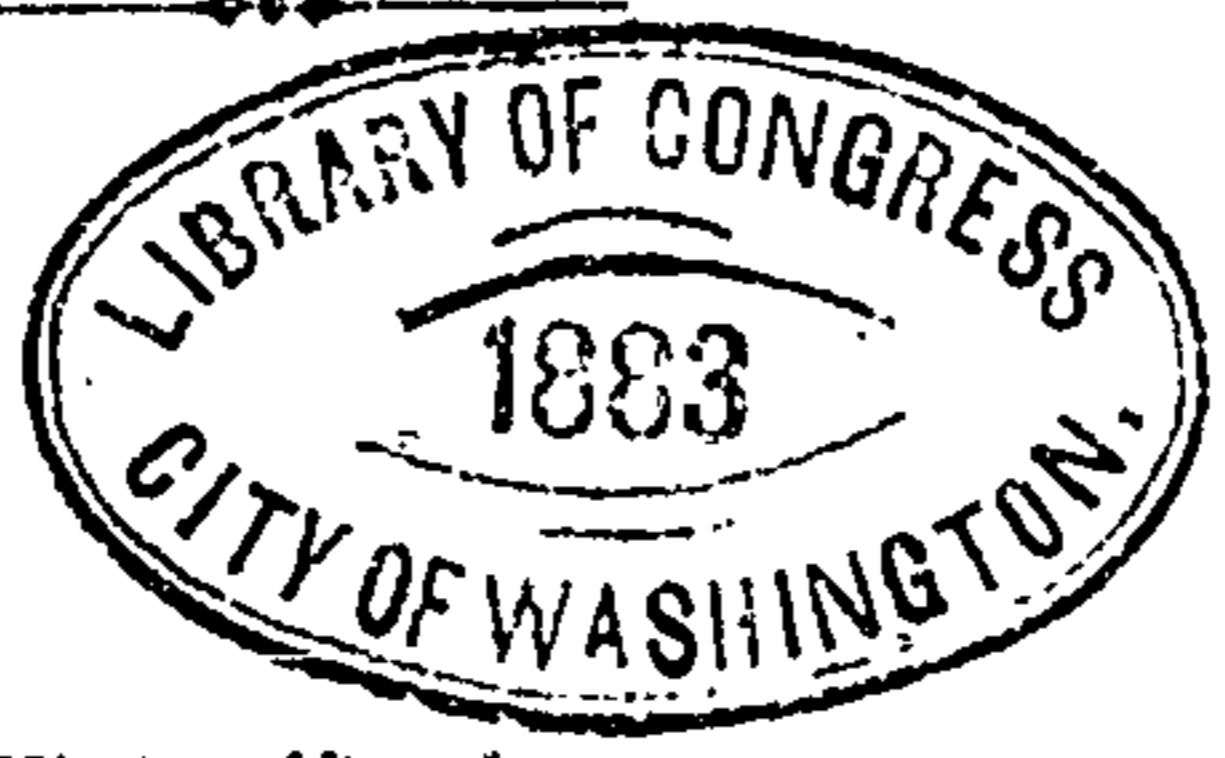
BROOKLYN, N. Y.,

ON THE

FOURTH OF JULY, 1863.

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BY EDWIN JAMES.



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1863

IN the dark hour of national adversity and trial we meet to commemorate the ever memorable Declaration of Independence. We celebrate the eighty-seventh anniversary of the nation's birth-day. Gloomy and clouded as are the visions of the future, the memories awakened by the recurrence of this day should inspire us with hope. We should more than ever appreciate our deep responsibility. We have enjoyed the great privilege of free constitutional government. We owe our admiration and our gratitude to the men who framed that government and created the nation; and we are, indeed, unworthy the inheritance if we allow all our aspirations for the future grandeur of our country, and all our recollections of her past career, to be changed to bitter disappointment and despair. Our nation, as we reckon the age of nations, is yet in its infancy: one of the most prosperous upon which the sun of heaven has ever shone, she had reached greatness, as the poet described the birth of Venice, from the wave of the Adriatic,

“As by the touch of the enchanter's wand.”

A giant nation, yet in its infancy. Its vast geographical extent, its territorial acquisitions, the mighty increase of its population—from three millions at the date of her independence to more than thirty-one millions—the tide of immigration still swelling and peopling its fertile regions with enterprising and industrious races, already the granary of more than half the world; the spread of education, the rapidity with which civilization and the arts have advanced, have been the theme of wonder and astonishment to the whole civilized world. Prosperous at home, abroad our country ranked as one of the great nations of the earth. Removed by her policy of non-interference, she soared in isolated grandeur above the petty

complications of foreign politics. She threatened no wars but in support of her own dignity and protection. Her commerce floated peacefully upon every sea, and she had proved that the freest institutions and that a republican government were not incompatible with national prosperity. Her power exacted unwilling recognition from continental nations—enemies of her free system of government.

Liberty of speech, liberty of action, were enshrined here. The poet's dream was almost realized :

“ Liberty !! Go seek  
Earth's loftiest heights, ocean's deepest caves—  
Go where the sea-snake and the eaglet dwell  
Midst mighty elements—where nature is,  
And man is not. Then may you see afar,  
Impalpable as is the rainbow on the cloud,  
The glorious vision—Liberty !! ”

The American citizen has reason to be proud of such a country. “ *Civis Romanus sum,* ” was uttered by the Apostle when he defiantly demanded the shield of his country's protection ; and the American citizen in foreign lands received consideration and respect. Amid the gaudy pageantry of European courts, amid the haughty circles of old and traditional aristocracies, he prided himself on the austere simplicity of his country's forms. He loves his Republic ; for he has stood beside thrones from which monarchs have been ejected ; he has visited palaces which have sheltered various dynasties ; he has met the families of kings supplicating the assistance of friendly governments ; princes fugitive from their outraged subjects ; the haughty Bourbon a wanderer, and the Orleanist a refugee. He contrasted his own form of government with that of the monarchies of Europe, and it suffered little from the comparison. Such reflections endeared him to his country, and made him value her institutions.

And but two years since, when the national banners of England and France fluttered before him, he could point with pride to his own country's flag—that flag which not a century ago Congress had resolved should be his Nation's Emblem : “ That the thirteen then United States should be designated by

thirteen stripes." He could point to it with twenty-one new stars added to the constellation of 1771, and its blue field glittering with thirty-four symbols of Liberty and Union. But all is changed.

The rapid and onward course of national happiness and prosperity is interrupted. A War, upon the origin of which I do not now stop to dilate, and the results of which no man can foretell, is raging in our midst—a war gigantic, from the magnitude of its arena, from the vastness of its armaments, from the enormous expenditure it will entail, from the heroic valor of the combatants on either side, from the improvements in the science of artillery and naval armaments which it has developed, and the importance of its results to the whole civilized world. Anglo-Saxon never met Anglo-Saxon in such combat before! The nations of Europe are watching with intense anxiety every changing phase of the conflict; some believing that Republican Institutions are upon their trial and hoping that they will fail; and ardently desiring the separation of States hitherto united, and that this great nationality, sprung from our independence of the crown of England, should be shattered into fragments. Never did patriotism respond to its country's call as did the loyal States of the Union. The student left his college, the artificer his loom, the husbandman his plough, the clerk his desk, the merchant his counting-room, the lawyer his practice, the divine his pulpit. All rushed to the standard which had been sacrilegiously fired upon at Fort Sumter. No country in the world's history ever called so great an army into such sudden existence. On many a field our armies have acquitted themselves honorably. There has been no great naval engagement; but the brave men who sunk in the "Cumberland," and as the waves rolled over them kept their standard at the mast, and uttered their last convulsive cry for their country's glory, have achieved renown that will never die.

But how comes it that we meet now, after two years of war, and that war no nearer its termination than when I first stepped on these generous and hospitable shores in August, 1861. The fluctuating fortunes of the contest

have been unfavorable, and the object of the suppression of rebellion, has up to this time failed. I shall speak frankly. If you agree with me I shall feel flattered; if not, you will, I trust, appreciate my candor and give me credit for sincerity.

The mismanagement and incompetency displayed by the war department of the Administration, is one of the causes that has brought about a state of things perfectly calamitous. Our armies have been wasted by disease, their ranks thinned by unnecessary carnage, their courage paralyzed and their honor sullied by the impotence of generals. Generals have been appointed and displaced by secret political influences. A cautious, prudent, soldier-like general was ordered to report himself at Trenton, and empty, braggart, vain-glorious boasters took his place.

The defeats at Fredericksburg, the retreat from Winchester, the alarm now felt for the safety of the capital, the panic at Pittsburg, the barricades in the streets at Baltimore, the invasion of Maryland and Pennsylvania, the threatening of Harrisburg, are facts which will for ever tarnish the history of this civil war. This national humiliation does not arise from the want of personal courage or power of endurance of our soldiers, but from the ignorance and the inflated vanity of many of their commanders,—

“Men

Who never set a squadron on the field,  
Nor the division of a battle know  
More than a spinster,”

have been intrusted with the destinies of this war, appointed and displaced, reappointed and replaced, in a manner which, but for the vast interests involved, would excite ridicule. Merit has been thrust aside, and the minions of faction and of party have crept into its place.

Anxiously reflecting upon the manner in which this war has been conducted, and the want of confidence which, I believe, is generally felt in the administration, I am led to contrast the direct and immediate responsibility of the government as it exists in the constitutional monarchy of England, with that of the United States. The crown there is represented in

each branch of the legislature by its ministers, who explain its policy, enforce its opinions, and maintain the general principles of the government. The action of the popular will upon the administration is direct. The important business of the country, measures of political and social consequence, are generally initiated and discussed in the House of Commons, amongst the representatives of the people; and, contrasted with the hereditary peerage, that branch of the legislature is, in fact, the democratic element of the constitution. A vote of want of confidence in the administration recorded in the House of Commons, or a majority in a division upon any important ministerial measure, results in an immediate change of government, or brings the crown in direct collision with the people. In this country the president and his ministers are alike excluded from Congress; so that his influence and opinions can only penetrate indirectly into such great body. It is an established axiom in Europe that a constitutional monarch cannot govern when opposed by the two branches of the legislature. But several presidents of the United States have been known to lose the majority in the legislative body, without being obliged to abandon the supreme power; so that you may have the whole executive government carried on during the presidential term of office in direct opposition to the wish of the people—the very source, in a republic, of legitimate power. The Senate may refuse to ratify a treaty, or sanction an appointment; but the House of Representatives cannot dictate a policy, nor remove a minister in whom the country has lost its confidence.

#### ARBITRARY ARRESTS.

The confidence of the people in the Government—and I use that term as synonymous with the Administration—has been shaken by the arbitrary arrest of citizens. There has been danger of substituting a military despotism for free institutions. The arbitrary arrest of a citizen of the State of Ohio, and a trial and conviction before a military tribunal at last aroused the people, who had evinced much apathy, to the danger which

threatened their liberty. They have indeed endured much, and been patient and long-suffering. Nothing has struck me so forcibly as that the American people, who by their own prowess had secured those institutions, upon the freedom of which they rested with a just pride, should have submitted as they have done to repeated outrages inflicted upon them, and upon those privileges which they so dearly value, by a weak and vacillating administration—an administration which has trampled under its feet every law they were bound to respect, and arrogated to themselves power, the exercise of which belonged exclusively to the Legislature of the Republic. Robespierre, when nominated by the Committee of Public Safety Prosecutor-General for the District of the Seine; the Bourbon, in the infamous use of the “lettres de cachet,” never propounded such an edict as this,—

“My Lord, I can touch a bell on my right hand and order the arrest of a citizen in Ohio. I can touch the bell again and order the imprisonment of a citizen of New York; and no power on earth but that of the President can release them. Can the Queen of England in her dominions do as much?”

Thus wrote Mr. Seward, the Secretary for Foreign Affairs, to the British Minister on the 14th November, 1861. I know not how Lord Lyons answered the question Mr. Seward propounded,—“Can the Queen of England in her dominions do as much?” But I venture to answer it, by saying that the Queen of England cannot do as much,—would not, if she could do as much,—and dare not do as much; and that the veriest despot, by whose existence a people has been ever cursed, could *not do more!*

The first great battle of the war had scarcely been fought before the fortresses of Lafayette and Warren were turned into prisons and peopled with citizens arrested without law, condemned without trial, and imprisoned without cause. Those fortresses which rose from the sea—the protectors of our country from foreign aggression—were converted into Bastilles; citizens from this city and from loyal States were immured within their damp and gloomy walls, many of whom languish there to the hour I am now addressing you.

The laws which secure our liberties have not only been outraged but openly defied. Those of the judiciary, and there are many of them, who have had the courage to extend to the citizen his inalienable right—the writ of *habeas corpus*—have been rendered powerless. The warrant which flashed across the wires of the telegraph to arrest the citizen without cause, has been almost overtaken in its flight by the order to discharge him without explanation.

No wonder that the people have looked upon these illegal and unconstitutional proceedings with deep concern, and, as Governor Seymour in his admirable letter expressed it, with “solemn solicitude.” Dissatisfaction with the acts of the Administration soon becomes dissatisfaction with the government. The people reflect and ponder upon these things, and ask themselves the value of a government which can thus act. They review the sacrifices they have made for its support—the blood and treasure they have poured forth with a prodigality almost without parallel in the history of nations—and ask themselves if these unconstitutional proceedings are the return made by the administration for the sacrifices they have so lavishly made.

Nothing is so dangerous to the liberties of the people as the first inroads of a Military despotism. “*Obsta principiis*” is an aphorism particularly applicable to such attempts. Your recollections will recur to France and her emperor. Like Aurelian, he seized the diadem, destroyed the republic and every vestige of constitutional liberty. He used the machinery of a bribed and subservient soldiery. Military orders suppressing trial by jury were issued; military arrests were made; military prisons were created; military tribunals constituted; military despotism overthrew the French republic of 1851, which Napoleon, the then president, had sworn to maintain. The military orders of St. Arnaud and Magnan very much resembled those of Burnside and Hascall. Under a military order two hundred and thirty-two members of the legislature were conveyed in prison vans to military fortresses in France. Under a military order editors of journals who dared to vindicate the liberty of the press were shut up in dungeons. Under a



military order, the judiciary, who had assembled in the supreme court in Paris, and were deliberating upon an impeachment of Napoleon, were rudely thrust from their court. Under a military order a drunken and infuriated army were turned loose in the streets of Paris, and unarmed men, suppliant women, and helpless children slaughtered. Under a military order the throne was usurped, and the republic of France changed into a military despotism. This is what occurred within the recollection of all who hear me: and here, on the free ground of America; here, on this soil sacred as an asylum for the Irish patriot from English persecution; sacred as the home of the victim of the despotisms of Europe; on this soil, under a military order, Clement Vallandigham has been arrested; under a military order has had a mock military trial; under a military order has been condemned; and, under a military order, has been banished.

#### THE QUESTION OF SLAVERY.

There is a subject admitted to be one of the immediate occasions of the present rebellion upon which you will probably expect that I should pronounce my opinion. The Southern institution of Slavery is a question upon which the sensibilities of two sections of the country have been so deeply stirred; the agitation has been so acrimonious and so bitter that it is difficult to utter the words of impartial truth.

South Carolina alleged no other reason for her secession from the Union than the enactment of laws impeding the surrender of fugitive slaves. Our Constitution recognizes the existence of slavery, although the word slavery is carefully excluded from that document.

Slavery, admitted to be "a social, political, and moral evil," is a legacy bequeathed to us by England. The sanguinary philanthropists of Exeter Hall in England, in ignorance of the difficulties which surround the question in this country, proclaim immediate and unconditional abolition. Let me pause for a moment, and recur to its origin in this country.

The testimony of authentic history attests the notorious facts that the African slave trade was carried on by the British nation for more than two centuries, under the patronage of its government, and protected by charters of monopoly and public treaties; not for the supply of their own colonies merely, but those of France and Spain, before even the slightest effort had been made to awaken the public mind to a sense of its enormous iniquity. Under the first Stuart kings of England, charters were granted incorporating joint stock companies, endowed with the exclusive privilege of carrying on trade with Africa. The operations of these companies were sustained by all the power and patronage of the British government, both in legislative measures and diplomatic acts. The memorable treaty of Utrecht, 1713,—by which the Spanish succession-war was terminated, the balance of power confirmed, and the maritime law of nations definitely settled,—so far as depending on conventions, granted “to her Britannic majesty, and to the company of her subjects established for that purpose (the South Sea Company), as well the subjects of Spain, all others being excluded, the contract for introducing negroes into several parts of the dominions of his catholic majesty in America (commonly called *El pacto de el Assiento de negros*), at the rate of 4,800 negroes yearly, for the space of thirty years successively.”

In the debate which took place in the House of Commons, on the 16th of June, 1815, relating to the negotiations at the Congress of Vienna respecting this matter, Lord Brougham stated, that “by the treaty of Utrecht, which the execrations of ages had left inadequately censured, Great Britain was content to obtain, as the whole price of Ramillies and Blenheim, an additional share of the accursed slave trade.”

Mr. C. Grant said in the House of Commons, on the 9th February, 1818, that “in the beginning of the last century we deemed it a great advantage to obtain, by the Assiento contract, the right of supplying with slaves the possessions of that very power we were now paying for abolishing the trade. During the negotiations which preceded the Peace of Aix-la-Chapelle, we higgled for four years longer of this exclusive trade; and

in the treaty of Madrid we cling to the last remains of the Assiento contract.

The principal object, however, of the slave trade, so long carried on by Great Britain, was the supply of her own colonies in North America and the West Indies. The British settlers in the colonies which now form the five southern states of the American Union, were naturally tempted by the example of the West Indian planters to substitute for white servants the labor of African slaves, better fitted by their physical constitution to endure the toil of cultivating, under a burning sun, the rich soil of that region. The desire to obtain an ample supply of these laborers was powerfully stimulated by the encouragement of the British Government, which sought, by this means, at once, to increase the amount of colonial produce for home consumption and re-exportation, and to discourage the emigration of its European subjects to the New World, where they were but too much disposed to seek refuge from the oppression of the Restoration. "On the accession of Charles II," says Davenant, "a representation being made to him that the British plantations in America were by degrees advancing to such a condition as necessarily required a greater yearly supply of servants and laborers than could well be spared from England, without the danger of depopulating his Majesty's native dominions, his Majesty did (upon account of supplying these plantations with negroes), publicly invite all his subjects to the subscription of a new joint-stock company for recovering and carrying on the trade to Africa."

The southern colonists yielded with too much facility to the temptation thus held out to them of being relieved from the wasting labor of the field, under a burning sun, and with respect to one particular species of cultivation (that of rice), in a marshy soil, whose pestilent exhalations are fatal to whites, whilst they were thus left with leisure and the means of providing for their defence against the incursion of a savage foe. Not so with the settlers of New England. They stood less in need of this class of servants, and, therefore, more readily listened to the voice of conscience. The colony of Massachusetts, as early as 1645, enacted a law prohibiting the buying and

selling of slaves, "except those taken in lawful war, or reduced to servitude for their crimes by a judicial sentence," and these were to be allowed "the same privileges, as were allowed by the law of Moses." This prohibition, with its exception, conceived in the spirit of Puritanism, must have fallen into disuse, since we find in 1703 the legislature of Massachusetts imposed a heavy duty on negroes imported into that colony. And in 1767 they attempted to establish a duty equivalent to the absolute prohibition of the introduction of slaves, which was defeated by the opposition of the council appointed by the crown. Had the bill passed the two branches of the legislature it must have been destroyed by the negative of the governor, as all the royal governors had express instructions from the British cabinet to reject bills of that description.

The colonial legislatures of Pennsylvania and New Jersey followed the example of New England in seeking to interdict the further importation of African slaves by prohibitive duties. But the influence of the African Company, and other slave-traders in the mother country, was ever found adequate to cause their enactments to be rejected by the crown. It is stated by Lord Brougham, in that celebrated work on the "Colonial Policy of the European Powers," which, at an early period of his brilliant career, earned for him the highest reputation in economical science, that "every measure proposed by the colonial legislatures which did not meet the entire concurrence of the British cabinet was sure to be rejected in the last instance by the crown. In the colonies, the direct power of the crown, backed by all the resources of the mother country, prevented any measure obnoxious to the crown from being carried into effect, even by the unanimous efforts of the colonial legislature. If examples were required, we might refer to the history of the abolition of the slave-trade in Virginia. A duty on the importation of negroes had been imposed, amounting to a prohibition. One assembly, induced by a temporary peculiarity of circumstances, repealed this law by a bill which received the immediate sanction of the crown. But never afterwards could the royal assent be obtained to a renewal of the duty; although, as we are told by Mr. Jefferson, all manner

of expedients were tried for this purpose by almost every subsequent assembly that met under the colonial government. The very first assembly that met under the *new constitution* finally prohibited the traffic."

Edmund Burke, in his celebrated speech on conciliation with America, recognized her "refusal to deal any more in the inhuman traffic of the negro slaves," as one of the causes of her quarrel with Great Britain. And, in the first clause of the independent constitution of Virginia, "the inhuman use of the royal negative" in this matter is enumerated among the reasons justifying the separation of the colonies from the mother country. It is, then, not too much to assert that the institution of slavery, which has now become identified with the social system of the Southern States, was originally established among them by the selfish policy of the mother country, and was perpetuated by the refusal of the metropolitan government to concur in the measures necessary to prevent the increase of the evil by importation. We may even go further, and affirm, with the able author of the "Appeal from the Judgments of Great Britain respecting the United States," that the institution of slavery would never have existed in the latter, or, at least, would have been abolished by the efforts of the colonies themselves, if it had not been for the counteracting power of the mother country. The earliest denunciations of the iniquities of the slave-trade proceeded from that province founded by William Penn. And the great English apostle of abolition has borne testimony to the fact that the writings which gave the first impulse to the benevolent efforts of his religious sect in this cause proceeded from the same quarter. Long before Clarkson had succeeded in rousing the English nation from its apathy on this subject—an apathy which had been confirmed by selfish class-interests, then enlisted in favor, as they are now enlisted against, the slave-trade—Anthony Benezet, and a crowd of other American philanthropists, had anticipated his labors in the same field.

We are told by Lord Brougham that "The Court was decidedly against abolition. George III. always regarded the question with abhorrence, as savoring of innovation—and inno-

vation in a part of his empire connected with his earliest and most rooted prejudices, the colonies! The courtiers took, as is their wont, the color of their sentiments from him. The House of Lords were of the same opinion."

England must take the responsibility of the origin and continuance of slavery.

I would advocate the adoption of effectual and decisive measures for the amelioration of the condition of the slave population; every measure which would tend to their progressive improvement, and calculated to prepare them for a participation in civil rights. This should be done legally and constitutionally, and with the fair and equitable consideration of the interests of private property. I do not believe that this war should be made subservient to the views of the abolition party in this country. Every instinct of freedom that I possess would induce me to ameliorate the condition of the slaves, but I cannot concur with those who make *the hour of their country's difficulty their opportunity*. Mr. Canning, in introducing resolutions in the House of Commons in 1824, with reference to the slave population in the West Indies, expressed a constitutional and sound view upon this question. He said immediate emancipation to the negro would indeed be a fatal gift; to be safely enjoyed it must be gradually and diligently earned. "*Haud facilem esse viam voluit*," is the condition under which it has pleased Divine Providence that all the valuable objects of human aspiration should be attained. This condition is the legitimate stimulant of laudable industry, and the best corrective of ambitious desire. No effort of an individual, and no enactment of a legislature, can relieve human nature from the operation of this condition. To attempt to shorten the road between desire and attainment, is nine times out of ten to go astray, and to miss the wished-for object altogether. I am fully persuaded that freedom, when acquired under the regulations prescribed by government, will be a more delightful, as well as a more safe and more stable possession, than if it were bestowed by a sudden acclamation. In dealing with the negro, we must remember that we are dealing with a being possessing the form and strength of a man, but the intellect only of a child. To turn him loose in

the manhood of his physical strength, in the maturity of his physical passions, but in the infancy of his unobstructed reason, would be to raise up a creature resembling the splendid fiction of a recent romance, the hero of which constructs a human form, with all the corporeal capabilities of man, and with the thews and sinews of a giant; but, being unable to impart to the work of his hands a perception of right and wrong, he finds too late that he has only created a more than mortal power of doing mischief, and himself recoils from the monster which he has made.

Such would be the effect of a sudden emancipation before the negro was prepared for the enjoyment of well-regulated liberty. I, therefore, would proceed gradually, because I would proceed safely. I know that the impulse of enthusiasm would carry us much faster than I am prepared to go. I know it is objected that all this preparation will take time. Take time! To be sure it will; to be sure it should; to be sure it must! Time? Why, what is it we have to deal with? Is it with an evil of yesterday's origin? with a thing which is grown up in our time, of which we have watched the growth, measured the extent, and which we have ascertained the means of correcting or controlling? No; we have to deal with an evil which is the growth of centuries, and of tens of centuries; which is almost coeval with the deluge; which has existed under different modifications since man was man. Do we, in the ardor of our nascent reformation, forget that during the ages for which this system has existed no preceding generation of legislators has ventured to touch it with a reforming hand? And have we the vanity to flatter ourselves that we can annihilate at a blow? No, no; we must be contented to proceed, as I have already said, gradually and cautiously; and what I have now laid before the House is, I flatter myself, sufficient for the first step in a process which will widen and strengthen as it goes."

This was the opinion of a statesman who was as anxious for human freedom as any man who ever breathed, and I cite it as being applicable, in many respects, to the question which has been, and, I believe, ever will be, as long as the present con-

dition of things lasts, a never-failing source of agitation. The institution of slavery is an element of the Constitution; the dark blood is in the body politic, and it requires no acquaintance with the laws of physiology to know that diseases in the blood do not admit of violent and sudden eradication.

#### INTERVENTION, &c.

During the progress of this war, and very early after its breaking out, England issued a proclamation dignifying a rebel with the rank of a belligerent. France adopted the same course. I am not prepared to say but that later in the contest the usages of International Law would have rendered such a proclamation necessary; but occurring at the time it did, it was deemed by this country, and I think justly deemed, a hasty and unfriendly act. Since that day, the country has been agitated, and I think, needlessly agitated, by rumors and reports of Intervention by the powers of Europe in this unhappy quarrel; and every mail has brought the news of threats of recognition by the same powers, or one of them, of the Southern Confederacy. There has already probably been a discussion in the British House of Commons upon the subject. A dyspeptic and splenetic politician (Mr. Roebuck), has given notice of a motion to be made in the last week of June, "That an address be presented to the Crown that her majesty would cause negotiations to be entered into with European powers with a view to the recognition of the Confederate States of America." Such a motion is prompted more by a feeling of animosity to the North, than by any regard to the Southern States. Probably there will be no practical result to such a debate. A great deal of bitterness arising from jealousy of the power of America will be discharged. If there be a division, it will, I believe, be small and insignificant. Her majesty's government will probably declare, as they have done before, "that the time and manner of recognizing the Southern Confederacy must be left to them," and thus the question for the present will be left.

Recognition of the Southern Confederacy is now impossible, unless by an intentional violation of every principle of Inter-



national Law,—the code regulating the intercourse of nations. There cannot be said to be a *de facto* government of the Southern Confederacy. They cannot export one bale of cotton, nor import one pound of gunpowder, but by eluding a blockade.

This rebellion is not a revolution,—it is not the uprising of a people injured and oppressed by misrule and tyranny,—it has none of the dignity of a revolution. It is rank, unjustified, and unjustifiable rebellion. Recognition of the Southern Confederacy by a European power, or a combination of European powers, although an act not necessarily hostile, nor of itself a cause of war, would lead to complications which would inevitably result in war. The latest instance of the recognition by the Powers of Europe was that of the kingdom of Italy, but the annexation of the South of Italy to the crown of Victor Emanuel was the result of the act of the whole people, whose monarch had fled from his throne at Naples (a habit very common to the Bourbon race), and who voted by the voice of the whole country for their annexation to the crown of Piedmont.

Then we hear of Intervention by the Powers of Europe. I see no reason why the cabinets of St. James and the Tuileries are to be the arbiters of the destinies of this country. The North would not, I trust, tolerate intervention, and the South have spurned it.

There is no pretext of treaties or alliances upon which it could be based. Intervention can take place only at the request of one of the parties to the quarrel. The course pursued by the Secretary for Foreign Affairs, and the firm attitude he has taken upon this subject—vital to the interests and the dignity of the United States,—and the spirit which has animated all his diplomatic correspondence, entitle him, in my humble judgment, to the lasting gratitude of his country.

#### THE PRESENT.

An oration—such as you have done me the honor to request this day—must necessarily be cursory and superficial. The

theme of the past, the present, and the probable future of a nation is too vast a topic. I defy the most far-seeing statesman to give you a glimpse now of the future. Prophecies have been indulged in which events have speedily falsified. We have read that in ninety days this rebellion was to have been crushed;—that Richmond was to have been taken before the first of May, 1862;—that the great Anaconda was to encircle in its folds the Southern armies, and lay them prostrate at the feet of the North. Diplomatic correspondence has been full of prophecies of the speedy termination of the war, and the triumph of the arms of the North. We have overrated our own power, and underrated that of the South. We have met a gallant, determined, and united foe. The contest has been rendered more intense, more lasting, and more bitter by a mistaken and infatuated policy. It is not a war of a monarch for the subjugation of a province, but an effort to compel States who have vaunted their sovereignty, and have declared that they know no tribunal upon earth above their own authority, to rejoin the Federal compact. A doctrine which destroys the very basis of the Federal Constitution, and brings back to us the anarchy of 1787, was propounded before the Senate of the United States in 1833. The “Nullification” theory, comprised in a sentence of Vice-President Calhoun,—“That the Constitution is a compact to which the States were parties in their sovereign capacity; that whenever a compact is entered into by parties which acknowledge no common arbiter to decide to the last resort, each of them has the right to judge for itself in relation to the nature, extent, and obligations of the instrument,” was fatal to the Union.

When South Carolina perceived that Congress turned a deaf ear to its remonstrances, it threatened to apply the doctrine of Nullification to the Federal tariff law. Congress persisted in its system, and at length the storm broke out. In the course of 1822, the people of South Carolina named a national convention to consult upon the extraordinary measures which remained to be taken; and, on the 24th of November of the

same year, this convention promulgated a law, under the form of a decree, which annulled the Federal law of the tariff, forbade the levy of the imposts which that law commands, and refused to recognize the appeal which might be made to the Federal courts of law. Open and avowed treason to the Constitution.

This decree was preceded by a report of the committee by which it was framed, containing the explanation of the motives and object of the law. The following passage occurs in it (p. 34): "When the rights reserved by the Constitution to the different States are deliberately violated, it is the duty and the right of those States to interfere, in order to check the progress of the evil; to resist usurpation, and to maintain within their respective limits those powers and privileges which belong to them as independent sovereign States. If they were destitute of this right, they would not be sovereign. South Carolina declares that she acknowledges no tribunal upon earth above her authority. She has, indeed, entered into a solemn compact of union with the other States; but she demands, and will exercise, the right of putting her own construction upon it; and when this compact is violated by her sister States, and by the government which they have created, she is determined to avail herself of the unquestionable right of judging what is the extent of the infraction, and what are the measures best fitted to obtain justice." Meantime, South Carolina armed her militia, and prepared for war.

Upon this pretext South Carolina drove the Union to the verge of a civil war; and she led the van of this rebellion upon the pretext that the general conduct of the North and the laws of some of the States obstructed the surrender of her fugitive slaves.

We must appreciate the difficulties of this national crisis, and endeavor to rise to the level of the national emergency. "Do you believe that this great republic, this national consolidation of States, can ever be restored?" is the question now upon every lip. A considerable party in this country, and

many of deserved influence from their talents and their position, advocate "peace." I venture to differ from them. At this juncture the demand for peace should not come from the North; nor be canvassed, while one single rebel holds a sword within his grasp. "Lay down your arms," I would say to them, "and I will be the very first to put an end to this internecine struggle." *We were* at peace—why are we not at peace *now*? The North has not waged the war for any purpose of aggression or conquest, but it has been forced upon us in self-defence. You, the South, had the constitution and the laws, the executive, the congress, and the courts, much controlled by yourselves. You were dissatisfied with legal protectors and constitutional remedies." You have grasped the sword and brought the horrors and the guilt of this civil war upon the country. "You have aimed at the destruction of a government by which your interests have been protected and favored." You have severed the bonds of the Union, and cancelled the compact which secured peace." "You fired upon the flag, the sacred shield of our common nationality." You seized the national forts and plundered the national arsenals. "You cried, 'Havoc, and let slip the dogs of war' on the loyal citizens of Western Virginia." You poured your armies into the peaceful valleys of Tennessee and Missouri. You have dissolved the dream of peace and happiness which slumbered over half the western hemisphere. You have caused the widows' tears and the orphans' suppliant cry. "The cry for peace is to come from you, and you only."

This is the language which, I think, should be addressed to armed rebellion.

#### THE FUTURE.

An ignoble peace would be a national degradation! At this moment, with the Invasion of Maryland and Pennsylvania before us, it would be attributed to fear. That man is a true patriot who can devise some mode by which the struggle can be terminated; but the North must not, cannot sue for peace.

Is it to be a war of subjugation? The term is used by those who forget all the lessons of History. A war of subjugation of such a people, on such a territory, is beyond human effort. This war has now lasted more than two years, and yet I read in the "Herald" of yesterday morning, this paragraph :

" WASHINGTON, JULY 1, 1863.

" Serious apprehensions are entertained that Lee's army may take a line of retreat from Maryland, and reach Washington before it can be defended by the Union army."

And also this statement :

" We are happy to say that no rebels are to be seen within ten miles of Washington."

If Vicksburg is captured, and if the army of Lee were defeated and scattered into companies to-morrow, beyond all power of re-organization, a war of subjugation would be impossible.

More eloquent lips than mine have discoursed on these occasions on the bright future and the glorious destinies of this country. We meet here in an hour "big with the fate" of a nation's hope. Is this grand confederation to be annihilated and resolved into its original elements? Are the States which now compose it, to return to their isolated condition and new Unions to be formed out of its wreck? Is this mighty continent to be divided into petty republics as Italy was in the middle ages? Is it to fall, as all republics have fallen, into anarchy and chaos by the corruptions, the ambitions and the treachery of its own citizens? Athens thought herself immortal, but she lived to be insulted by the servile Ottoman. We are too young to die! Our republic may live when the monarchies of Europe shall be forgotten; but its life depends on the courage, the firmness and the patriotism of its citizens.

Are we to behold the broken and dishonored fragments of a once glorious union, and see States dissevered, discordant and belligerent?

It depends upon your devotion and your energy. Sacrifices have already been made; you must be prepared to make more.

This occasion demands from us the tribute of our gratitude to those brave men whose unyielding courage and ardent patriotism have upheld the prowess of the national arms. Let us assure our soldiers that their blood has not moistened the soil of Virginia in vain; and the cause for which they cheerfully died shall suffer no dishonor at our hands.

Æschines, in that remarkable speech against Ctesiphon,—dear to the memory of every classic,—apostrophized those who had fallen for their country's liberty on the plains of Marathon and Plataea, and called from their graves the spirits of the illustrious Athenian dead. I invoke you by the same charm. Sink all differences,—make party and faction subservient to your country's honor. Let every youth before me be able to say, with the illustrious orator and patriot of Rome,—

“Defendi Rempublicam Adolescens.”

And no prouder epitaph can adorn the tomb of the old than the words—

Non deseram Senex.

The history of a magnificent past is before you. Whilst wars have devastated every nation of Europe,—while civil discord has torn and dismembered kingdoms,—we have been at peace. Europe has been convulsed with revolutions,—we have been pursuing peace, and have been blessed with unexampled prosperity. The rickety despotisms of Europe have been shaken to their foundations, and we have been unharmed; and, severe as the ordeal through which our country must pass, let every aspiration and every hope be—

“That she shall remain to all invulnerable,  
Like a great sea-mark standing every flaw,  
And saving those that eye her” !!!