

INTRODUCTORY LECTURE

—BY—

HON. ROBERT P. DICK,

U. S. DISTRICT JUDGE,

BEFORE

THE LAW SCHOOL,

GREENSBORO, N. C.,

AT FIRST SESSION OF 1887.

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### REVOLUTIONS IN ENGLISH HISTORY.

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#### YOUNG GENTLEMEN :

By careful historical investigation we find that facts are numerous and manifold, while the great essential principles of justice, truth and virtue which have contributed to the elevation and advancement of human progress are comparatively few and simple. These great principles are the outgrowth of man's better nature, and were implanted and developed by Divine Providence and the teachings of the Bible. In this lecture we propose briefly to refer to some of the historical facts which were instrumental in developing and fully establishing the fundamental principles of England's freedom, greatness and glory.

We closed our last introductory lecture with a very brief reference to the eventful reign of Edward I. Such an important era in the history of England and of Europe deserves a more extended consideration. This was the closing period of the crusades which, for two hundred years, had been producing wonderful changes in governments, and in individual and social development. The awakened mind of man was then beginning to manifest its innovating and gigantic powers,—was breaking the bonds of feudal bondage,—was striving to overthrow



the dominion of hierarchal despotism, bigotry and superstition,—and was shedding the morning light of a higher and nobler civilization. The great masses of the people of Europe, with unavailing murmurs of discontent, or with the sullen patience of despair, had endured for many dark centuries the evils of barbarism, and the oppressions of civil and religious despots; but now they were animated with new hopes and energies, and were beginning to assert the rights of individual manhood and the divine principles of freedom and equality in civil government. Many of the towns and cities of Italy had acquired considerable wealth by transporting the vast armies and military supplies of the crusades to the shores of Asia; and commercial enterprise had built up numerous thriving ports in Southern Europe, and filled the Mediterranean and adjacent seas with fleets richly laden with the productions of reviving art and industry. The inflowing golden tide of commerce brought in the rich stores of classic learning and literature, which still flourished in the prosperous cities of the Eastern Empire, and also the refined culture of Saracen and Arabian poets, sages and philosophers. Colleges and schools of learning and art sprang up amidst the busy marts of trade and manufacture, where earnest scholars and skilful artists, by studying the productions of ancient civilization, were preparing themselves as the teachers of the great and glorious masters of after times. The reviving influences of intellectual, social and political progress had crossed the Alps and were exerting their elevating and enlightening beneficences on the shores of the Atlantic and the Baltic. The Hanse Towns were establishing those municipal and commercial organizations in which associated interests and united efforts built up those enterprising and independent communities, which became the homes of wealth, freedom and prosperity, and the centres of enlightened

social and political progress in after ages. The social condition of Europe at that period may well be compared to a wide extended and varied landscape, as it is gradually illumined by the advancing light of the morning—when the tops of the mountains and hills are glowing with the ruddy beams of the dawn, while the gray twilight rests upon the plains, and shadows of gloom still linger in the valleys.

England had advanced greatly since the time of the Conquest, but was still in a moral condition of semi-barbarism. The hostilities and prejudices of commingled races had in a great degree passed away, but social and political affairs were still disturbed by the conflict of some antagonistic elements. There were three forms of despotism struggling for supremacy. The King was bitterly hostile to the Great Charter, and made frequent efforts to free himself from the restrictions imposed upon his royal prerogative and autocratic will. The proud, wealthy and imperious barons were jealous of their assumed rights, and were ever ready to rally their retainers to resist the exactions and encroachments of the Crown upon the common liberties of the realm. The crafty and comparatively learned clergy, under the lead of haughty and arrogant Pontiffs, were constantly endeavoring to increase their wealth and power, and relieve themselves from the restraints of the common law. The friction and counter-action of these conflicting forces imposed checks upon each other, and all recognized and often courted the influence of a strong, popular and conservative element, consisting of the Knights of the Shire, the burgesses and merchants, and independent land proprietors, who constituted the sturdy and patriotic *middle classes* of the nation, and who by their industry, frugality and energy had acquired wealth and social influence. The rigid enforcement of the laws; the enactment of statutes



of mortmain, and other wise and firm measures of the King and the Parliament, checked the aggressions of the papal hierarchy. The spirit of the "Bold Barons of Runnymede," and of Simon de Montfort and his associates, still animated and united the nobles and commons, and they heroically resisted the usurpations and illegal exactions of the Crown; and insisted upon the observance of the principles of Magna Charta. During the preceding reign many towns and cities had accumulated wealth by manufactures and trade, and from time to time had, *by actual purchase*, obtained royal charters bestowing large local liberties and privileges. Many Knights of the Shire and freehold farmers had acquired estates and permanent homesteads, and they manifested the sturdy independence of freemen in their neighborhood meetings, and at the county courts. The old principles of Saxon liberty were not crushed out by Norman oppressions, but still lived in the English heart, and nerved the arms of freemen and patriots to resist the unjust demands and encroachments of haughty nobles and an imperious sovereign.

The expenditures incident to the conquest of Wales, and the wars with Scotland and France exhausted the treasures and resources of Edward, and he was forced to seek supplies from his subjects; and although he was as haughty and self-willed as any of the Plantagenets, he dared not make laws or tax the people without their consent. The necessities of his condition induced him to appeal to the national pride, generosity and patriotism of his people, and to yield to their just and reasonable demands; and he issued writs summoning the Parliament of 1295, to be composed of Lords and Commons. In such writs he announced the just principle, "That what concerns all should be approved of by all, and common dangers be repelled by united efforts."

The political principle thus announced and acted upon laid the deep and strong foundation of a free, equitable and representative government which has secured and advanced English constitutional freedom.

The Commons were first represented in the Parliament of Simon de Montfort in 1265, but that body was convened under the military power of the leaders of a great rebellion, and was not summoned in conformity with usage and the laws of the land. The Parliament of Edward I. was in all respects legal and regular, and was sanctioned by the full and free consent of the King and the nobles in the Great Council.

After the Conquest the Saxon Wittenagemote was superseded by the Great Council, which was composed of the great barons and such other persons as the Crown, by special writs summoned to attend upon its deliberations.

There was a branch of this Great Council called the Aula Regis, which principally exercised judicial functions under the control of the chief justiciary and associate judges who represented the King. During the reign of Edward I., the arrangement was completed for dividing the judicial functions of the Aula Regis among the three Superior Courts of common law which were then established, and their jurisdictions and forms of procedure in some degree was defined. The High Court of Chancery was a remnant of the Aula Regis, and was presided over by a Chancellor or Lord Keeper, and its jurisdiction was limited to cases in which suitors could not obtain adequate relief and remedy in the courts of common law. The modes of procedure and the principles of justice administered in this court were derived from the Roman Civil Law, that cultivated and enlightened system of jurisprudence which exerted such a beneficial influence upon the courts and the laws of all civilized nations of

subsequent ages, and still regulates the business and commercial transactions of the world.

In 1295 the Great Council was merged into the English Parliament, which became a national legislative assembly and was composed of "the three estates of the realm"—the King, Lords and Commons. In a short time the Parliament was divided into two bodies, called the House of Lords and the House of Commons. A Privy Council was also established as an advisory council of the King, and soon it assumed and exercised great and despotic legislative and judicial powers; and its odious enormities produced murmurs of almost continuous discontent, and often aroused a spirit of rebellion and revolution. We have not time to refer to many of the important historical events of this reign, so interesting to the student of history, and so often the themes of thrilling poetry and romance. Edward was in many respects a grand man. He was an accomplished knight of chivalry, with the brilliant prestige of a crusader. He was a wise and enlightened statesman for his times, and the most prudent and successful King that had sat upon the throne since the Conquest. He had many admirable personal qualities, but his character was stained by some capricious acts of injustice, cruelty and despotism. Had he lived in an age of higher Christian civilization he would have been a far nobler sovereign. The statute laws which he approved, the firm establishment of his wise systems of courts for the speedy and convenient administration of justice, and his full recognition of the rights of his people to be represented in the House of Commons, will always make his reign an important and interesting era in English constitutional history.

We will pass rapidly over the two succeeding reigns, as during that period no new principles of law or liberty were evolved by the civil strifes that disturbed the peace,

and retarded the social progress of the realm. The wars of Edward III., with Scotland and France, although productive of much military glory, were not founded in justice, or directed to any salutary purpose, and were the cause of many disasters in subsequent years. During the troubled reign of Edward III. there was a slow but steady advancement in national wealth and progress. The industry and frugality of the middle classes enabled them to accumulate wealth, which the nobles and King needed for their extravagances, and in carrying on foreign wars and domestic feuds. The people were willing to furnish supplies, but always demanded in return the enlargement of their local privileges, their liberties and rights of self-government. In this way cities and towns acquired liberal charters, investing them with important municipal franchises. Trade and merchant guilds, and other business organizations were formed in many places in the Kingdom, and these various associations were connected with each other by mutual obligations of assistance and co-operation. Thus a net work of associated institutions of business and liberty pervaded the whole realm, binding the people together into a strong and united nation of freemen, animated by an enthusiastic patriotism. This vigorous development of national life manifested its results in the heroism of the English yeomanry at Cressy and Poitiers; in the rapid improvement of agriculture by industrious freehold farmers; in the steady progress of free towns in useful manufactures; in that adventurous commercial enterprise that sent ships to seek treasures in distant marts over hitherto untravelled seas; and in that maritime skill and daring that prepared the English seamen to defend the coasts of their island realm from invasion, and bear their meteor flag in triumph over the ocean, and amidst the storms of battle.

Such were the people who heard with deep moral earn-



estness and reverence the voice of Wicliffe proclaiming in their native language the messages of a free Bible,—and whose hearts were thrilled with emotions of pride and delight by the sweet melodies of Chaucer's English verse.

This period of prosperity and brightness was in the course of a few years overcast with the deepest gloom. The untimely death of the peerless Black Prince disappointed the fond hopes of the nation; and the last days of the courteous and chivalrous victor of Cressy were closed in imbecility and shame. A boy King was placed upon the throne and he was surrounded by many serious social, religious and political difficulties which he had not the executive capacity or disposition to adjust and control. The exorbitant claims and demands of the clergy; the great schism in the church which had placed rival Popes on the hierarchal throne at Rome and Avignon; and the preaching and writings of Wicliffe and his English version of the Bible, greatly weakened the reverence of the people for papal authority, and increased the long existing prejudices against the spiritual domination of foreign ecclesiastics. The great mass of the peasantry and middle classes were animated by the spirit of reformation, and the nation was on the verge of a grand religious convulsion.

Richard II., in the early part of his reign was disposed to favor the popular movement by a liberal tolerance of the new religious doctrines; but after the death of his young, pious and noble queen Anne of Bohemia, he became a friend of the clergy, and aided them in their efforts to crush the alleged heresy that threatened the domination of the Pope in England and in Christendom.

After the death of Wicliffe and the learned disciples who had been associates in his noble work of reformation, there were not, for many years, any brave and gifted

spirits to guide the Lollards in their efforts to establish a higher and purer religious faith, and their earnest zeal often degenerated into the excesses of lawless fanaticism. But the English Bible, and the truths and principles of religious faith which had been published by the noble and dauntless Rector of Lutterworth, had taken a deep and lasting hold upon the English mind and heart; they were conveyed over the sea to Bohemia, where they inspired Huss and Jerome in their heroic efforts and in their dauntless martyrdoms,—and in a little more than a century they kindled the genius and nerved the courage of Luther, when in the church of Wittenburg he proclaimed to the world the doctrines of the Reformation.

In addition to these religious commotions great industrial and financial grievances produced a threatening social and political disturbance.

The heavy expenditures made in French wars, civil strife and reckless extravagances, greatly impoverished the King and the nobles, and they sought to replenish their exhausted treasuries by unjust and unreasonable exactions upon their tenant farmers, who in the depressed condition of affairs could scarcely support themselves and families by constant industry, and the most rigid economy. The peasantry, who barely subsisted upon the scant wages of daily labor, were reduced to a condition of hunger, wasting toil and despair. The harsh statutes that were passed to regulate labor were cruel and oppressive, and kindled the fires of revolt that threatened to plunge the nation into the horrors of anarchy and civil war. This sudden outburst of popular fury was the first grand upheaval of the lower classes in English society, and it manifested itself in the folly, madness and wild enormities of mob violence. The insurrection of Wat. Tyler and Jack Straw were soon crushed by superior strategy and disciplined force, but the seeds of popular



discontent which had been sown by hands of injustice and oppression, were not eradicated, and continued to germinate, from century to century, in the minds and hearts of the common people, and produced as fruits that undying hatred of injustice and oppression, and that dauntless love of liberty that enabled the Puritans and other patriots to achieve glorious victories for freedom in the halls of stormy debate, and on the fields of civil war.

The student of history will not fail to observe the fact that the century which immediately succeeded the death of Wickliffe was a period of deeper intellectual and moral darkness than the two preceding centuries. The causes of this national retrogression are clearly manifest. Wickliffe was the most learned scholar, the most vigorous thinker, and the most advanced theologian that had yet appeared in England. His English version of the Bible, and his other writings gave regularity and new beauty and force to the language of his people. The national language and literature were also greatly cultivated and enriched by the splendid genius of Chaucer. The writings of these distinguished men were received with great popular favor, and they educated and delighted their countrymen,—but the intellectual and moral influences which they exerted, were in a great degree overcome by the bigotry of the clergy and the misrule of the King. Religious superstition and royal despotism were in that age almost resistless "powers of darkness." Henry IV was an usurper, and he needed the assistance of the clergy to maintain his illegal authority, and to gratify them he commenced a persecution against the Lollards as cruel as the Albigensian crusade; but retributive justice followed him along his bloody pathway. His whole reign was a continuous scene of foreign wars and civil strifes. His turbulent nobles allowed him no quietude, and his avenging conscience filled his declining days with gloomy

forebodings of the disasters to his kingdom, and the misfortunes of his royal house.

Henry V. was a brave and skilful general, but he was also a persecutor and an imperious King. His lofty ambition induced him to continue the unjust war for the crown of France, and his splendid victory at Agincourt advanced the fame of England for military prowess, but resulted in no substantial benefits, and brought many misfortunes to his successor and to his people. His hands were red with the blood of Christian martyrs, and in the early prime of manhood he passed from the stage of life where he had enacted many a terrible tragedy,—and he left to his infant son a heritage of sorrow and woe.

The Wars of the Roses were the outgrowth of long years of injustice, crime, oppression and misrule, but they reached their sternest disasters during the reign of Henry VI. He was an imbecile, but his armies were led to alternate victory and defeat, and at last to complete overthrow by his haughty and heroic queen, Margaret of Anjou. The Baronage had become corrupted by partizan rancor and luxurious self-indulgences, and they were greatly impoverished by wasteful extravagances and the misfortunes of civil war; and were no longer animated by the patriotic spirit of the old barons who had often so nobly asserted the principles of English liberty, and bravely maintained them with their swords. In these cruel and bloody civil wars, many of the descendants of the old barons had perished upon the scaffold or on the field of battle, and their estates and titles had been conferred upon the favorite partizans of the successful King. When the brave, politic and unscrupulous Edward IV. ascended the throne there was no power in his realm that would or could resist or restrain his spirit of despotism.

The disasters of civil strife fell principally upon the

great nobles and their immediate retainers. The independent freehold farmers were not so seriously affected by the misfortunes of war, but many of them enlarged and improved their estates; and the thrifty merchants, manufacturers and tradesmen in towns and cities had increased in wealth, and many of them had become large land owners. These property holders and capitalists were very anxious to secure their estates, and in such unsettled times they readily gave their adherence and support to a monarch who had the disposition and the power to preserve the nation from anarchy by the establishment of a firm despotic government. Capital, although essential to the development of national resources and prosperity, generally prefers security to freedom. Edward IV. laid deep and strong the foundation on which was built the firm and absolute rule of the able, energetic and imperious Tudors.

Henry VII. was in some respects a wise and politic sovereign, active and attentive to public business, but his inordinate avarice greatly clouded his political virtues. His greed for wealth was insatiable, and he resorted to the grossest acts of cruelty and rapacity to gratify his ruling passion. He impoverished and intimidated his nobles by heavy fines and forfeitures. He withheld many favors and well settled privileges from merchants and manufacturers until they yielded to his exorbitant demands. His acts of apparent clemency were influenced by sordid motives. He sold pardons for alleged offenses, exacted a part of legal salaries from office-holders, and bishoprics and other church preferments were conferred upon the highest bidder. He encouraged trade, commerce and manufactures, but always with the primary view of personal benefit. He used the despotic court of Star Chamber and the courts of the common law as engines of oppression, not from a wanton spirit of cruelty

and injustice, but for the purpose of exacting money; and he appointed servile judges who were the active agents of his extortion from suitors who were forced into the courts against their protests. This ruling passion of avarice and parsimony continued even unto death, and in his dying hours he made provision for two thousand prayers for his soul at sixpence a piece.

The patriotic spirit which had animated the members of the House of Commons in their heroic struggles with the arrogant and haughty Plantagenets, had been crushed by despotic power, or corrupted into subserviency by favors ignobly received from the Crown. They neither proposed or enacted any laws favorable to public liberty, or in restraint of the aggressions of kingly power upon the person of the citizen, and only grumbled with discontent when taxes and benevolences were demanded without their consent. The only protection of the rights and privileges announced in Magna Charta, was the courage and love of freedom, natural to the great mass of the English people, speaking in the threatening voice of tumult and rebellion, which sometimes shook the throne and other fabrics of despotism, and could only be hushed by measures of conciliation and promised reform.

This reign is generally regarded by historians as the commencement of the history of Modern England. The civil wars between the barons and their frequent contests with the Crown were ended; villenage and other odious enormities of feudalism had passed away before the influence of Christianity and revived learning; and despotic kingly power was bringing together in closer unity the various elements of nationality. This was also a very important and interesting period in the affairs of Continental Europe. The invention of printing in 1440 had greatly increased the facilities of spreading and acquiring knowledge. The fall of Constantinople in 1453



had driven many accomplished Greek scholars into the Western States of Europe, carrying with them the treasures of the learning and culture of ancient civilization. In Italy the beams of the Renaissance dawn was verging on the splendors of the advancing morning; and the human mind was displaying the wondrous powers of intellect and genius which in a few years filled the Mediterranean cities with the matchless and immortal productions of art. This was the golden age when Lorenzo the Magnificent was the cultured and munificent patron of genius; and Leonardo da Vinci, Angelo and Raphael were commencing their splendid careers; and religious and civil freedom was speaking through the eloquent lips of Savonarola.

Columbus and Vasco de Gama discovered for Spain and Portugal new empires in distant quarters of the globe; and John and Sebastian Cabot in English ships sailed along the coasts of the New World, and gave to England a claim to a rich, extensive and magnificent domain, and she was then entering upon that illustrious maritime career which, in a short time, made her the mistress of the seas. The industrial interests of England were largely increased, and then great manufacturing towns and cities were founded which were destined to become the busy workshops for the world. Caxton had carried the printing press to England, and in her Universities, colleges and schools the New Learning was rapidly spreading and enlightening the minds and hearts of the people, and preparing them for the noble struggles for intellectual, civil and religious freedom upon which they were destined to enter and accomplish such glorious achievements. I cannot dwell longer upon the events of this memorable era, and trace the important influences which they exerted upon the laws, the constitution and national progress of the English people.

The despotic rule of the first Tudar was continued by his son and successor Henry VIII. His temper was naturally arrogant, fierce and cruel, and these characteristics were strengthened by habit, and exasperated by disappointment of his wishes and by frequent murmurs of discontent among his oppressed people. His Prime Minister, Cardinal Wolsey, was a man of wonderful mental gifts and lofty ambition, but his political conduct was not controlled by any moral restraints. He directed all of his energies and faculties to advance his schemes of ambition, to accomplish the purposes of his unscrupulous master, and to keep in subjection the liberties of his country. He was a profound scholar of extensive and varied knowledge, and a munificent patron of learning and art. He was also a great Chancellor, and did much to enlarge and improve the system of equity jurisprudence, which was beginning to afford adequate relief to suitors, which could not be obtained under the narrow, harsh and inflexible rules of the courts of the common law. Much odium is attached to his memory, but he was an important factor in the advancement of English progress, in learning, manufactures, commerce, jurisprudence and national unity.

The reign of Henry VIII. was in some respects a very important epoch in English and Continental history. In his foreign wars he maintained the honor of Englishmen for courage and martial prowess, but his foreign policy was productive of no substantial advantage to his realm. Many wise laws were passed by Parliament, which constitute important elements in English jurisprudence; and the manufacturing, commercial and other industrial interests and pursuits were greatly advanced. Impelled by selfish and ignoble motives he severed the nation from the ecclesiastical dominion of Rome, and thus contributed greatly to the introduction and advancement of the



Protestant religion in England, but he was not the friend of civil and religious liberty. To his people he was cruel and rapacious, and unjustly shed much noble and innocent blood. He hesitated not to send the proudest peer of the realm to the dungeon or the scaffold, without any justification, and with no pretence of right but the whims of his capricious temper and imperious will. He was a heartless and remorseless libertine and disregarded all the obligations and endearments of domestic affection; and his pretended friendships were the sure precursors of ruin to those whom he had duped by his royal promises and favors. He stands preëminent on the roll of bloody tyrants, and in religious matters he was more intolerant than the most imperious Popes; and yet his name will forever be mentioned in association with the Reformation in England, which produced such momentous and glorious results in civil and religious freedom.

During the succeeding reigns of Edward VI. and Mary, questions of ecclesiastical policy engaged the attention in all classes of the realm. It was a period of religious and intellectual fermentation, of violent action and reaction of antagonistic elements in society. The high courage and imperious will of Henry VIII. enabled him to assume and maintain the Sacerdotal headship of the Church, but at the time of his death there were three strong factions which had widely differing views upon question of ecclesiastical government.

The Roman Catholics regarded as the most sinful sacrilege and audacious blasphemy the usurpation by the King of that spiritual supremacy which from the days of the Apostles had been transmitted by sacred ceremonies through a long line of the successors of St. Peter, the divinely appointed head of the Church. A large majority of the English people, influenced by their common hatred of papal domination, cordially approved of the

action of the King in subverting the authority of the Romish hierarchy, and many of them held the opinion that the spiritual control of the Church belonged only to Presbyters, who were equally invested with all the rights, privileges and functions which Christ conferred upon his Apostles when he sent them forth under the great commission to preach His Gospel to all nations. Between these two religious parties, differing so widely in their views of ecclesiastical policy, there was a strong conservative party which approved of the royal headship and visitatorial supremacy of the sovereign, but denied his Sacerdotal functions. They were satisfied with a reformation in the government, ritual and doctrines of the Church that would restore it to the spiritual control of the Episcopal hierarchy and to the pure tenets of the patristic ages. During the short reign of Edward VI. the Anglican Church, under the leadership of Archbishop Cranmer, began to assume a distinctive individuality, but its ritual and articles of belief—corresponding in some degree to the ritual and tenets of the ancient Romish faith—were not completely formulated and established until the reign of Elizabeth. I have not the learning or the disposition to enter into the ecclesiastical controversies of this troublous age, although they had a very important influence upon the civil, political and social progress of the English people. My purpose is to refer principally to political actions and results. During the early part of the reign of Elizabeth all sects of Protestants were bound together by a common patriotism and a common danger. The Romish Church did not yield to the innovations of the Reformation without a terrible and gigantic struggle, which for fifty years made Europe a scene of turmoil and bloody civil and national strife. Charles V. and his son Phillip II. were the advocates and champions of Romanism, and they had under their com-

mand such abundant resources of wealth and of military and naval forces as had never been accumulated and marshalled since the stately triremes and invincible legions of Imperial Rome had controlled the political and social destinies of the civilized world. The combination of various causes and circumstances made Elizabeth the head of the Protestant alliance; and Phillip II. fitted out the greatest naval armament that ever floated on the ocean, to storm the island stronghold of heresy and civil and religious liberty. The glorious Armada fight was the greatest battle ever fought for human rights. This decisive victory firmly established Protestantism, and gave intellectual, civil and religious liberty a powerful impetus, and made England the mistress of the seas and the arbiter of the Continental nations.

When Elizabeth had overcome the foreign political and religious difficulties and dangers that so seriously threatened the security of her throne, she became very intolerant in her religious opinions, and in disregard of the advice and warnings of her able and wise ministers, she renewed and increased her cruel and unjust persecutions of the Puritans. Elizabeth had the fierce temper and dictatorial ideas of her father, and she regarded the reformed religious faith as only an agency to establish her royal powers, and contribute to the glory of her reign.

The Puritans had adhered with eminent loyalty to her fortunes in times of darkness and danger, but under persecution, they became a formidable political faction, bitterly hostile to despotic power. They had much influence in the House of Commons, and began to array themselves in systematic opposition to the government, and in high and positive terms to assert equality in the rights of civil and religious freedom. At the beginning of the reign of the Tudors civil freedom was at its lowest

ebb-tide, and the people remained for more than a century in a condition of discontented servitude to royal power, but during the closing years of Elizabeth—the last of that royal line—the flood-tides were coming in that were destined to sweep away the throne in the overwhelming waves of civil war.

When the first Stuart succeeded Elizabeth there was a favorable opportunity of restoring unity and peace to the enlarged Kingdom. All armed hostility had ceased in Ireland, and Scotland became an integral part of the nation by having her King upon the throne; and a wise and patriotic sovereign, by a firm, prudent and liberal administration, might have restored peace, liberty and prosperity to the realm, and greatly increased its influence and power among the nations of Europe. But the fields of constitutional freedom were not yet ready for the reapers, they had yet to be watered many times by the "red rain" from the hearts of patriots and heroes. The seeds were sown and germinated in the dark days of the *curfew*. Some of the young plants were often crushed but not destroyed by the iron tread of the Norman, Plantagenet and Tudor, or were blighted by the mildew of misrule, civil strife and servile selfishness. Some vigorous shoots thrived in the humble homes of the people and along the pathways of manufacture, trade and commerce. All were warmed into the higher energies of life by the general light of learning, and expanded into more luxuriant growth and bloom under the radiance of a pure Christianity. In less than half a century from the accession of the House of Stuart the stalwart Puritans put in their keen sickles and commenced the ingathering of the ripe sheaves of the harvest of freedom.

James I. was a political imbecile, a pedant, a bigot and a tyrant. He constantly asserted the divine rights of Kings, and his independence of parliamentary control.



Without the ability and courage of his predecessors he arrogated higher sovereign powers than the imperious Tudors, and he heeded not the writhings of political discontent which had often shaken their thrones and made them yield to the popular will. In his high pretensions he was sustained by many of the nobles, the bishops and most of the judges whose tenure of office were subject to his pleasure, but he found a strong and persistent opposition in the House of Commons, among the lower clergy and the great mass of the people. His whole reign was disturbed by continuous conflicts with Parliament, and the bold and patriotic conduct of Chief Justice Coke in asserting the independence of the courts, of royal control, reflected honor upon the English Bench, and made his name venerable to posterity. The political controversies of this ignoble reign were but the skirmish conflicts that preceded the life and death struggles of the Long Parliament with the indiscreet, misguided and unfortunate Charles Stuart.

I will speak in milder terms of the character of Charles I. than is generally used by historians. He had many natural qualities that fitted him for a sovereign, but he was unfortunate in his education, in his early associations, in his marriage, in his counselors and in the circumstances of the times when he ascended the throne; and many of his errors may be attributed to the embarrassments, agitations and calamities in which he became involved. Had he lived a century afterwards he would have made a far better King than any of the four Georges of the House of Hanover. When he assumed the helm the ship of State was tossing among the threatening breakers and was drifting towards the rocks and headlands of a stormy lee shore, and he had not the wisdom, skill and firmness to guide her course along the foaming channels, through the dangerous reefs and quicksands, to the safer pathways of the deep rolling and open sea.

The great mass of the English people were in a condition of high political excitement, and were intensely opposed to the usurpations and unlawful exactions of the Crown, but they were not ready for rebellion. The citizen landholders, manufacturers and merchants, who composed the middle classes, and were possessed of a large part of the wealth of the nation, and controlled its various productive industries, were very conservative in their ideas, and were unwilling to plunge the country into the sore disasters of civil war. The Petition of Rights—a second Magna Charta—was passed by Parliament and received the unconditional royal assent. For a short time the people rejoiced at the prospect of peace and the security of popular rights, but these prospects were soon overclouded by the King again demanding the old tonnage and poundage duties without consent of Parliament. The bitterness of controversy was revived and the King angrily dissolved the Parliament, and for eleven years—in defiance of law, usage and public sentiment—he refused to call that body to assist in the administration of the government. During this long period he disregarded all the principles embodied in the Petition of Rights, and completely alienated large classes of his subjects by continuous acts of usurpation, misrule and despotism. In civil matters he was controlled by the advice of the able, brave and haughty Earl of Strafford, who seemed determined to subvert the liberties of his country. In ecclesiastical matters Archbishop Laud ruled with more imperious domination than had been exercised by the most arrogant and haughty of the Roman Pontiffs in the medieval ages. Popular discontent became more and more turbulent every day, but still the ill-advised King remained obstinate in his purposes, and to his other unlawful exactions demanded the payment of *ship money* from all the property holders of the realm. This exac-



tion was unsuccessfully resisted by John Hampden in the courts of law, but a large majority of the people approved of his heroic and patriotic action. The nation had found by frequent experience that the ordinary courts of justice afforded no protection to the citizen against the oppressions of the Crown, and that the Star Chamber and High Commission court were always the active engines of despotism. The great popular discontent was fast verging on the convulsions of revolution, but the King and his suppliant minister and other councillors, in the blindness of arrogance and political madness, seemed to feel that they had the power to resist and control the rising storm. At length they found that all the unlawful means of oppression and extortion which had been diligently applied could not fill the royal exchequer with money sufficient to carry on the government, and in April, 1640, Charles summoned the Parliament. This body was controlled by able, wise and conservative men, who were willing to grant liberal subsidies to the Crown for national purposes, upon the reformation of abuses in government and upon receiving more certain guarantees for the security of popular rights. The great mass of the English people were attached to the principles of a constitutional monarchy, and had a natural regard for the person of their undoubted hereditary sovereign. They longed for the establishment of peace and the principles of constitutional government, which from the times of Magna Charta had been claimed by their ancestors through the struggles of eventful centuries. Notwithstanding the oppressive misrule of the past eleven years, and the intense popular excitement, a majority of the members of the first Parliament of 1640 were ready and willing to adjust long disturbed national affairs upon liberal, just and honorable terms of conciliation; but they were firm and determined in their patriotic purpose of ob-

taining a redress of public grievances. The King was impatient at their delay in complying with his wishes, and indignant at their remonstrances and demands, and he angrily and haughtily dissolved that patriotic and conservative body after a session of three weeks. He was soon conscious of his folly and with melancholy forebodings he contemplated the future.

On a cold and bleak November day in 1640 the Long Parliament assembled, in obedience to the writs of the King. For exalted ability, intense patriotism and dauntless courage it was the most memorable Parliament that ever met in Westminster. The members of the House of Commons felt that they represented an oppressed people, and that the security of public liberty was within their charge, and they were ready for their noble work. The remedies for past abuses and the measures for future security were speedy and decisive. Strafford was brought to the block; Laud was sent to the tower, and the King was deprived of the power of dissolving Parliament without its consent. I will not attempt to follow the course of the memorable struggle between the King and the Parliament—as it passed from the angry contests of the council chamber into the fierce drama of civil war until closed by the scaffold tragedy at Whitehall. The monarchy which had existed from the days of the Conquest was swept away, and the royal heir of a long line of illustrious sovereigns was a penniless fugitive in foreign lands. The Peerage was involved in the catastrophe which overwhelmed the monarchy, and the descendants of the great barons and nobles, whose names are associated with the despotism, misrule and shame, and with the freedom, greatness and glory of England were reduced to poverty and the rank of common citizens. The Church that had established Protestantism in England was dissevered from the State and deprived of its national

ecclesiastical supremacy. The Long Parliament itself was wrecked in the great civil convulsion. The Commonwealth was but a political phantom, and for several years the nation was saved from anarchy only by the strong and despotic control of the army. From the ruins of the Monarchy and Commonwealth the Protectorate was formed, and the genius and courage of the Great Protector made England the most formidable power in Europe.

Oliver Cromwell was the grandest and most powerful ruler that ever controlled the destinies of Great Britain. Two-thirds of the people were hostile to his imperial domination. He had but few friends among former political leaders, and his life was continually endangered by every form of conspiracy. His small army consisted of about fifty thousand well disciplined and devoted veteran soldiers, who for their power of endurance, ardent religious zeal, lofty patriotism and invincible and irresistible valor were well called Ironsides. With this comparatively small military force he was enabled by his exalted genius, dauntless courage and magnanimous heart to keep down rebellion, and establish peace—to administer impartial justice in the courts; to proclaim and secure the most enlarged religious liberty in his own realm; and protect Protestantism from persecution in every land from the Mediterranean to the Baltic. Every nation in Europe was awed by the dread and power of his great name, and dared not disregard his just demands, and his gallant navy proudly ruled the seas. Upon the death of Cromwell a counter revolution began, which his amiable son and successor was unable to control, and he soon abdicated his authority. The generals of the army endeavored to maintain a military government, but they were jealous and distrustful of each other and were divided in their councils, and these opposing factions soon

weakened the organization and efficiency of the army. In 1860 the army in Scotland under the leadership of Gen. Monk espoused the royal cause, and soon the nation in a wild delirium of joy, and with enthusiastic demonstrations of loyalty welcomed the exiled Stuart to the palaces and throne of his ancestors.

The civil and religious institutions of the Puritans were overthrown and the government was re-established on its ancient foundations, but the principles of civil and religious liberty which they announced and maintained with the courage of heroes, the zeal of martyrs and the skill and endurance of renowned warriors, now form fundamental and essential elements in the free constitutions of England and America. They were not wise in their construction of free institutions, but they furnished enduring materials for master builders in after times. They were in some respects the most remarkable class of men that ever made history, and furnished illustrious precepts and examples for the instruction and guidance of mankind in the grand march of progress. I will not attempt fully to portray their character, or paliate their excesses of patriotic enthusiasm and religious zeal, as this work has so often been done with great justice, force and elegance by many learned, accomplished and eloquent admirers and advocates. It has well been said that in the annals of Puritanism there is much of truth to enlighten the mind, much of romantic beauty to kindle the imagination, and much of Christian heroism to thrill and renovate the heart. Their age of action is past. They worked well for truth, for liberty and for man; and now they are—

"The dead but sceptered sovereigns who still rule  
Our spirits from their urns."



The limits of this lecture are already so much extended that we cannot refer at any length to many interesting and instructive events that occurred in the ignoble and disgraceful reign of Charles II. He learned no wisdom from the discipline of sorrow, and no prudence from the stern lessons of misfortune. He came to the throne with the fixed opinion that the fervid popular enthusiasm which welcomed his restoration was a manifestation of affectionate loyalty for the memory of his father, and as an approval of a political policy for which he died as a martyr. The moral condition of the court and of the society that it controlled has been strikingly portrayed by Macaulay in his celebrated essay on Milton. "Then came those days never to be recalled without a blush; the days of servitude without loyalty, and sensuality without love; of dwarfed talents and gigantic vices; the paradise of cold hearts and narrow minds; the golden age of the coward, the bigot and the slave."

The Established Church of England learned no forgiveness, tolerance and Christian charity in the school of adversity. In the time of its re-established power its hierarchy indulged in persecutions of non-conformists far more unjust and cruel than those that darken the memory of Laud.

The ignoble foreign policy of the King destroyed the proud prestige in continental affairs which England had acquired under the stern Protector. The shameful licentiousness of Charles and his courtiers, and their numerous other atrocious vices, enormities and crimes were severely condemned by patriotic and virtuous subjects, and lessened their reverence for the person and authority of royalty. The persecuting spirit of the benefited clergy diminished their spiritual influence, as they were regarded as hypocrites in professing a religion which taught the brotherhood of man and Christian charity. Notwith-

standing the numerous elements of demoralization which so seriously affected the State, the Church and society during the dissolute and disgraceful reign of Charles II., the works of the Long Parliament, of the Puritans and the great Protector were not entirely undone. The apparent ebb in the tides of civil freedom and social progress was only a temporary reflux and the waves of popular virtue and patriotism were but gathering volume and force for a grander and more sweeping overflow.

The abolition of military tenures during this reign destroyed one of the strong bulwarks of feudalism, and the Habeas Corpus Act was a glorious consummation of one of the principles of Magna Charta that had so long been disregarded. The loyalty to the King manifested by the House of Lords and the Episcopal hierarchy, and by a strong party in the House of Commons encouraged and enabled Charles in the last years of his reign to govern with an authority almost as despotic as that of the Tudors. In the midst of the wild orgies of despotism, servility, licentiousness, debauchery, official corruption and hypocrisy that disgraced the royal court, the Parliament and the Capital of the realm there was always one person whose influence over the King, and whose prospects of succession to the Crown caused gloomy foreboding in the minds of many of the sycophants and revellers.

The Duke of York was the brother of the King and his heir apparent, and he was a papist. The Exclusion Bill was introduced in Parliament but was not passed, and the leading men in Church and State yielded to the despotic will of the King and his brother, and with subdued acquiescence awaited the dread results of a papist King. The great mass of English and Scotch protestants were alarmed and were every day becoming more united in their feelings and opinions while the phantom

of the Roman Pontiff was shadowing the throne. The fear of a common danger to their religious faith made moderate churchmen and non-conformists better friends, and more tolerant and kindly disposed to each other. Protestantism was again making the hearts of Englishmen throb in unison.

In 1683 James II. ascended the throne and public affairs rapidly grew worse. The first outburst of national feeling was manifested in the rebellion under the Duke of Monmouth, but it was crushed with disastrous defeat, and the Bloody Assizes of Judge Jeffreys made the great heart of the nation throb with indignation at the terrible vengeance of despotism. The next measure that caused alarm was the increase of the regular army, but the people submitted in sullen silence, as they hoped that the army might be controlled by the House of Commons. The continued indiscretion and madness of tyrants are usually the causes that lead to their overthrow. The strongest tie that bound the English people together was hatred and dread of the power of Rome. This tie was strengthened into an indissoluble bond by the Declaration of Indulgence which annulled the Test and Uniformity Acts that were passed in the former reign for the purpose of destroying Puritanism. The Puritans forgot, for the time, all the wrongs and outrages which they had suffered, and many of them refused to avail themselves of an *indulgence* which embraced Romanists. Six bishops who had sustained and aided the Crown in the cruel persecution of the non-conformist clergy were now required themselves to pass into the fiery furnace of religious rancor. They refused to proclaim the Declaration of Indulgence in their dioceses and they were committed to the Tower on a charge of sedition. Their trial in the King's Bench caused intense excitement throughout the Kingdom, and news of their acquittal was received with

acclamations of joy by nearly all classes of people.

Romanists were admitted as members of the Privy Council, the High Commission Court was re-established, and the Fellows of Magdalen College—who had always been warm adherents of the Crown—were the first victims of its oppression. The nation by many acts of outrage were now united as it had not been united since the days of the great Armada fight. The last of the House of Stuart fled from the Kingdom; driven forth by the indignant wrath of a long suffering and oppressed people, and William Prince of Orange, the head of the Protestant Alliance in Europe, was called to fill the vacant throne. The Declaration of Rights was presented and accepted. William and Mary were crowned as joint sovereigns of the realm; the Declaration of Rights became an Act of Parliament in 1689 under the title of the Bill of Rights, and the civil freedom of England was permanently established by this great charter, clearly defining the powers of the Crown and the rights of the people. The Toleration Act was also passed, which secured religious liberty to all classes of Protestants. The subsequent Act of Settlement furnished other guarantees of civil freedom and made the provisions that secured to the Protestant House of Hanover the succession to the Crown.

We have reached that glorious era in English constitutional history when splendid and decisive victories were won for civil and religious freedom. The struggle commenced six hundred years before, when William the Norman improved the feudal system on Saxon England, and with the mailed hand of military despotism suppressed, for a time, the wise laws and free institutions of Alfred the Great and good king Edward the Confessor.

In this and our preceding lecture we have endeavored to briefly trace the course of constitutional development



and national progress through six stormy and eventful centuries. Many of the events and scenes of this long and checkered period of patriotic struggle and national progress have afforded fruitful and inspiring themes for the splendors of oratory, for the thrilling stories of romance, and for the finest conceptions of poetic genius. They have furnished well tested principles and truths of political wisdom and philosophy to patriots, historians and statesmen. They have been largely instrumental in establishing wise constitutional governments, and in developing a highly cultivated and enlightened system of jurisprudence which secures to all citizens civil and political equality, justice and freedom, and promotes their happiness and prosperity.

In the course of our investigations we have passed from the misty twilight of the Midieval Ages into the clearer radiance of the dawn of learning, literature and art ; then into the morning of the Reformation and reached the steady sunshine of the day of civil and religious freedom. For two hundred years this day has been advancing amidst clouds and storms enlarging the sphere of its light and multiplying its beneficences in many quarters of the world; and all men who with sincere faith believe that " God Omnipotent reigneth," and is ever manifesting his wisdom, mercy and power in the affairs of men and nations, now look forward with confident hopes to the unclouded noontide when Christian civilization and civil freedom will cover the whole earth with their manifold blessings, hallowing influences and everincreasing splendors.

## Greensboro Law School.

The Sessions will commence on the First Monday in January and Third Monday in August.

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### COURSE OF STUDY.

Blackstone's Commentaries (2nd book) diligently.

Coke, Cruise, or some other standard work on Real Property.

Stephen and Chitty on Pleading.

Adams on Equity and 1st Greenleaf on Evidence.

Some standard work on Executors and Administrators.

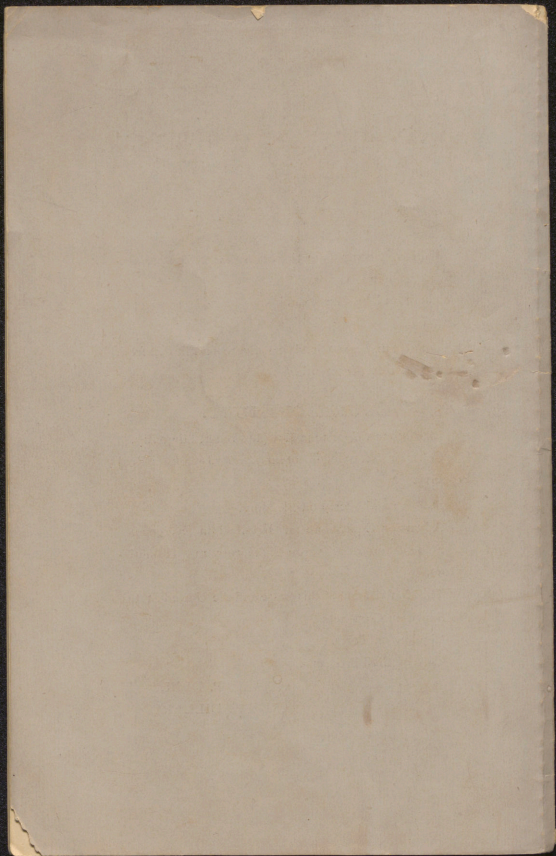
The Constitution of this State and the United States.

Smith on Contracts.

Bigelow on Torts.

Code of Civil Procedure.

ROBERT P. DICK,  
JOHN H. DILLARD.





## DEATH OF HON. SOLOMON G. HAVEN.

Died—On the 24th December, at his residence, SOLOMON G. HAVEN, aged 81 years.

From the Buffalo Courier, Dec. 25, 1881.

The community was saddened yesterday morning by the news that Solomon G. Haven was dead. It was comparatively few of our citizens who were aware of his illness, and no one was prepared to hear that he had put on the mortal and put on immortality. For the past year or more, Mr. Haven has been an invalid, but for the greater portion of the time he has been able to give considerable attention to business. On the night of Sunday, the 23d inst., he was stricken with paralysis of the throat and face from which he never recovered, though the immediate cause of his death was a disease of the heart.

We are enabled to give only a brief outline of Mr. Haven's public life. He was born in Cheango County, New York, in 1810, and commenced the study of law with Governor Young, in Genesee. He came to Buffalo in the winter of 1835, and completed his legal studies in the office of Fillmore & Hall. After admission to the Bar, he practiced alone until January, 1836, when he became a partner of Fillmore & Hall. This partnership continued about three years, when Judge Hall withdrew from the firm, and Messrs. Fillmore & Haven continued in business until December, 1847, when Mr. Fillmore being elected Comptroller, Mr. Haven succeeded to the business of the firm. In the year 1848, he formed a partnership with James M. Smith, Esq., which continued till 1857, when Mr. Smith withdrew to engage in banking. In the fall of 1850, he formed a partnership with Charles W. Upham, his son-in-law, and William Dorschner, but the former gentleman survived only a few months, and the latter left the profession, a few months ago, for a position on the staff of Major-General Fremont.

The public career of Mr. Haven may be briefly sketched as follows: He was appointed District Attorney for Erie County in 1844, and was elected Mayor of Buffalo in 1846. In 1850, he was elected a member of the House of Representatives, and was re-elected in 1852 and again in 1854. In 1856, he was a candidate for Congress and defeated by Hon. J. T. Hatch, and in 1860 he ran again, as the nominee of the Democratic and Union Parties, and was defeated by Hon. E. G. Spaulding. In Congress, Mr. Haven was distinguished for his honesty, his industry and his straight-forward, independent course on all questions. Though in a political minority, and thus deprived of the opportunity of bringing forward measures, he acquired considerable influence by the judicious exercise of the qualities we have named. He was a ready debater, and always commanded the attention and respect of his colleagues. No man ever questioned his integrity or doubted the purity of his motives. He was a strictly conscientious man, and the temptations of public life were powerless to swerve him from the path of rectitude. He was active in securing the appropriation for the Federal and Custom House Building in this city. In politics, Mr. Haven was a conservative Whig, and, in the recent political changes, never proved false to his consistently cherished principles. He opposed the Republican Party in the last Presidential election, regarding its success as fraught with the worst danger to the Republic. In short, he was strictly a National man.

Pure, and honorable as was Mr. Haven's political life, it is as a lawyer that he won his laurels. He was devotedly attached to his profession, and never gave it up until failing health compelled him to do so. He was an indefatigable worker, and his close confinement to business and his disregard of recreation taxed his energies and shortened his life. For years, he has occupied by common consent the front rank in his profession in Western New York. He was distinguished for his clear perception of the strong points of cases, and for his fairness in fact that could not be shaken. His directness, earnestness and cool determination gave him great power with a jury, while his thorough knowledge of law and his compact logic never failed to weigh with the Court. Dead all too early for his fame, he leaves a reputation unassailed by a dishonest act, and the good name which he prized above position and wealth.

In his social relations, Mr. Haven was a model man. Devoted as a husband, affectionate and genial as a friend, charitable even to his enemies, he was a man to be loved as well as respected. He had a kind of humor quite inexhaustible, and his pleasantness and saltness of wit will long be remembered by those who have known him. Devoid of all ostentation, a gentleman at heart, he had his warmest admirers in the common walks of life, and the most sincere mourners at his grave, outside of his immediate relatives, will be the farmers of the country, who regarded him as a patriotic and a friendly friend.

We have thus hastily and imperfectly sketched the character of one of our most honored citizens. Stars, unnumbered and unwept, disappear

from the broad sky, but when a planet fades from our vision, darkness seems to shroud the Heavens, and we are left to wonder why the All-Wise Being should deprive us of a glory and a brightness that cheered and blessed us. In an hour like this, philosophy is weak and only Christian faith and resignation can see the silver lining to the cloud.

### PROCEEDINGS OF THE BAR OF BUFFALO.

From the Buffalo Courier, Dec. 27th, 1881.

A meeting of the Bar of Buffalo was held at the Old Court House, at half past two o'clock yesterday afternoon, to pass resolutions and make an appropriate expression of respect to the memory of the late Solomon G. Haven. Nearly all the members of the Bar were present, as well as the Justices of the Supreme and Superior Courts, and several of our most prominent citizens. Not less than one hundred and twenty practicing attorneys were in attendance, including a great number of veterans of the profession and the younger members, all moved by a common sentiment of respect and sorrow. The gathering in itself was a noble tribute to the great and good man who had gone to receive his reward at that Bar where justice and mercy are enthroned.

HENRY W. BOONE, Esq., stated the object of the meeting, and moved that Mr. Justice Davis be called to the Chair. The motion prevailed, and on taking the Chair, Justice Davis said:

It affords me a melancholy pleasure to preside at this meeting, the objects of which have been already stated. I feel deeply the great loss which the Bar of Buffalo, and the citizens of this County and Western New York have sustained. His rank in the profession for many years has been his life remained among the first of our eminent men who for twenty-five years have conferred so much distinction on the Bar of Erie County. Few are now in active life who commenced their career with the illustrious dead. Mr. Haven was a courteous, kind and upright citizen, and deserved and enjoyed the respect and confidence of his fellow-men. For twenty years I have known him well, and I never knew a more open, generous, genial man than he. He was courteous alike to Bar and Court. When duties were given, which he did not approve, he was ever considerate and forbearing.

The community has sustained a great loss. He has fallen when the country needed such men—when men of his character—dispassionate, national, decided—are all too few. I will pass no eulogium on our departed friend, but will only express the hope that his example may not be lost on the young men of the Bar—his life was untarnished by a vice of any nature.

On motion, B. H. Williams was made Secretary of the meeting.

JOHN L. TALCOTT, Esq., said he rose to make an ordinary motion with no ostentatious intentions. He did not intend to make a long speech, but brother and friend, but he would make a few remarks. Mr. Haven came to the Bar about the same time with him. For twenty-five years he had practiced in this office. In the death of Mr. Haven, the Bar has lost the best of his early associations was sundered—completely stricken down. It had been his fortune to be concerned with Mr. H., in many cases, sometimes as his associate, sometimes as his opponent. During all their experience, he had never seen his unerring zeal, his untiring industry, his devotion to his clients, surpassed. Bringing to his profession a large and sagacious intellect, great perseverance and energy, he had been successful—beyond measure, as a trial lawyer.

It is not necessary to speak of his efforts at the Bar, for all of its members are familiar with them. It was but yesterday he was standing in his place, the youngest member of the profession is not ignorant of his skill. His knowledge, his genial temperament, his probity, excited universal admiration, and were worthy the emulation of all. In 1859 was his fortune to be with Mr. H. when he was first seized with the malady which, occasioned his death. After consultation with him they had gone together to the Banking Office of Robinson & Co., to execute some document. Mr. H. took the pen in his hand, when a sudden pain overpowered his face, and he sat silent. I wish you would write this paper. I have forgotten what I came here for." Since this remembrance, he and others had repeatedly urged Mr. H. to abandon his profession, but it seemed impossible for him to do so. Only a few days ago he sent for me to ask that I would take charge of a case that he had prepared and hoped to argue. He said that he was very sick, and had not slept for three nights. This I took as an illustration of the character of the man. I'll admit dying, he had left his house to discharge a duty to his client. His career, from first to last, has been honorable and worthy of emulation. In conclusion, Mr. Talcott moved a committee of five to be appointed to prepare resolutions to be presented and adopted. The Chair named the following gentlemen such committee:









## SPEECH OF GOVERNOR YATES, AT THE GREAT WAR MEETING AT CHICAGO, AUGUST 1, 1861.

The *Chicago Tribune* gives the following account of the meeting:

Last evening witnessed another patriotic uprising of the people of Chicago, not at all inferior to its predecessors either in numbers or enthusiasm. The visit of Governor Yates to this city on matters connected with the raising of the new regiments required from Illinois under the call of the President, was made the occasion on the part of the Board of Trade for a call for a public meeting, at which the citizens of Chicago could have an opportunity to meet the Governor and listen to his views upon the present crisis. The meeting was first called for Bryan Hall; but it soon became evident that that hall would not hold a tithe of the numbers who would seek admittance, and it was adjourned to the Court House Square. The result of this shows that the Board of Trade Committee did not misunderstand the temper of our citizens in the present emergency. By eight o'clock, as the shades of evening began to gather, the men, the bone and sinew of Chicago, came around the southern entrance of the Court House, and by half-past eight the entire enclosure between the Court House and Washington and Clark streets was densely packed with people. At least ten thousand persons were present, all animated with one common sentiment, a patriotic zeal for the salvation of our country. A notable feature of the meeting was the hearty approval of every sentiment endorsing or advocating the freedom of the slaves. Each speaker favored the employment of negroes in the suppression of this rebellion, and each was enthusiastically applauded. Hereafter, in Chicago, the advocate of human freedom, of right against might, is sure of an enthusiastic welcome at the hands of our citizens.

The meeting was called to order by his honor, Mayor Sherman, who introduced his Excellency, Governor Yates. After the applause which succeeded his introduction, had subsided, the Governor came forward and addressed the audience as follows:

### SPEECH OF GOVERNOR YATES.

*Fellow-citizens of the City of Chicago:*—I thank you heartily for this cordial welcome. I receive, however, your loud and generous cheering, not as designed for me, but given in compliment to the great cause in which we are all engaged. I have not been in your midst for a year past, but we have known each other well as co-operators with all loyal men in the great work of saving our country from the perils which beset her.

I came here, to-night, fellow-citizens of Chicago, for a double purpose: First, as the Governor of the State of Illinois, to return you my sincere thanks for the efficient aid which you have rendered me in carrying out the requisitions of the War Department; and without which aid I am free to confess that the administration of State affairs must have been very difficult if not almost unsuccessful. In you I have always found faithful laborers and co-workers. When the storms of calumny have assailed me, you have nobly, generously and magnanimously sustained my feeble arm, and enabled me to carry on my efforts in common with those of other loyal men to save our bleeding country. [Applause.] My heart goes out to you to-night that you have assisted me and sustained me in this trying time.

It has been my lot to be placed at the head of State affairs in the very midst of times to try men's souls. Instead of the office of Governor being a tame, quiet, dignified sort of position, in which he exercises the powers of appointing Notories Public and pardoning criminals out of the penitentiary, I have found fellow-citizens, that I truly bought the elephant. [Laughter and applause.] It has been no slow train, but 240 all the time, and sometimes a mile a minute; and during all this hurry and struggle and tumult, you have given your united support, without distinction of party, to the vigorous measures which have been instituted in this State for the successful prosecution of the war.

Fellow-citizens, I am proud of the city of Chicago for these things—proud of her as the



beautiful Queen City of the Lakes—such the centre of commerce and trade, with such magnificent grain and lumber markets, so superior in all the West, and so pre-eminent in the elegance of the architecture of her private residences, that I am not in error, in her schools and colleges, in her vast estates of railroads concentrating here and there, in her hundreds of miles of railway, which day by day and night are carrying forth their myriads of wheels to bring in and carry away the immense cargoes of your commerce, transcending these, towering above these, I admire, I adore, I adore your magnificence, your liberality so boundless, and your organized and exhaustless energy in supporting the cause of this her hour of trial. You have sent me to this hour of trial, to this hour of field, composed of men as brave as ever drew the sword or shouldered the musket—men, who have gone out and beaten the storm, and have come back and are now unhampered upon every field upon which they have engaged. The bones of thousands of those who have fallen gallant spirits now repose upon the banks of the Mississippi and Tennessee and in the wilds of Arkansas.

"They sleep their last sleep; they have fought their last battle;  
No sound shall awake them to glory again."

But, fellow-citizens, as long as the human heart is swayed by the impulses of gratitude, you will cherish their memories, and their names shall be preserved in the archives of the State, to be transmitted to posterity as immortal heroes, who first went forth with life in hand to stand between their country and the traitors who would destroy it. [Applause]

And then, fellow-citizens, you have responded nobly in money as well as men. Immortal honor to the primary commission—to your public authorities—for their courage in trusting your railroad companies. Immortal honor to them all. For I stand before you, a living witness, to testify that I have seen the sum of \$1,000,000 in gold and silver upon the banks of the Cumberland, the Tennessee and the Mississippi. In the hour of need, I have found them ready to my hand, upon our State and Federal treasuries of the United States. Lasting honor to your surgeons, your nurses, your Brainards, your McVickers, your Boones, your Johnsons, and a host of others—your brave men and women—who have stood day by day and night in the front of the line of your dying soldiers. And immortal honor to the ladies of Chicago. I have seen in the tent of the soldier the bright evidences of tender love and devotion. I have seen the mother's benevolence, and prayers have gone up for the health and recovery of the soldier, and blessings have invoked upon the noble, fearless women of Illinois for their invaluable and self-sacrificing contributions to relieve our sick and dying soldiers.

And now that another call is made for troops, I find that Chicago responds with renewed cheerfulness and liberality. I am gratified by

the announcement that your Board of Trade and your private citizens, with a munificence and liberality worthy of all imitation, have contributed some two hundred and fifty thousand dollars to the support of this war in giving bounty to the soldiers who will enlist to go forth to defend our flag. I say, I came here for the purpose of thanking you for these things, my fellow-citizens.

The other object which induced me to visit you upon the present occasion, was to talk to you upon the subject of the crisis which is now before the nation, and to encourage you, as it is my design to encourage every part of the State, to do all you can, to make every effort at this time in crushing out the infernal rebellion which, with red hands and demoniac intent, is aiming a fatal blow at the life-blood of our nation.

The history of this controversy is full of interest. In 1820 the nation was excited to its profoundest depths upon this subject of secession. The debate between Mr. Hayne and Mr. Webster upon Mr. Foote's resolution in the year 1820, is one of the most memorable in the history of the country. It required at that time all the powers of the giant mind, the ponderous logic and the thunder of the voice of Daniel Webster to give a quietus to the subject of secession. In the year 1832 it thrust its hydra head again into the halls of our National Council, and it then required the iron will and stern energy and determination of Gen. Jackson to quell it. Then it was that he uttered those famous words, "By the Eternal! This Union must and shall be preserved." (Loud applause.)

ever since for a period of thirty years, the doctrine has been perseveringly promulgated in the interior of the Southern States—stalking at the head of the rebellion, and now in the Southern National Capitol. It grew stronger and stronger until the meeting of the Charleston Convention in 1860, when our illustration Senator, Stephen A. Douglas, was so honorably and manfully kicked out of the Charleston Convention because his great heart and mind knew no compromise with the preservation of those United States which were so manifestly "untenable." [Applause.] Fellow-citizens, it then became evident to every statesman and to every patriot, man, that South Carolina and her adherents were determined to break up the Union, and, indeed, disunion. One of your Chicago patriots, who has published at a very timely juncture, has had two speeches of Senator Douglas—one at Springfield, and one at Chicago, immediately preceding his death. I remember that he said in his first speech substantially as follows: "I might as well be a member of the whole North, and to the people of Illinois, in their impartial judgment to sustain me in my position, regarding it as the greatest error of my life that I have ever committed, to have been a member of our country than towards any other."

It was in view of this fact and before those difficulties commenced, that in my inaugural address to the Legislature of the State of Illinois, I proposed the most stupendous preparations for war. I proposed the arming, drilling and equipping of the militia of the State. I was assisted in that effort by many of your valuable citizens—the lamented Elkhworth, Co. Tucker, and others, who assisted me in drafting the bills; and if these bills had been adopted by the Legislature at that period, Illinois alone by this time would have sent an army into the field sufficiently strong to have crushed out every uprising of rebellion in the Mississippi Valley. [Applause.]

Follow citizens, what were the protests in this rebellion? It was, as Senator Douglas said, one of his speeches, that the Constitution of the United States the people of the South could not, assure their rights; when it was a known fact that at that very period the Fugitive Slave Law was more faithfully enforced than had ever been during the history of the Government, and that had always been enforced, as well as other public laws, in the Southern portion of the United States there is no relation that slaves escaping from their masters should be returned. The Constitution protects the South in this regard, and the first of the first, the unalienable hands upon the Constitution and tear in pieces the very instrument which secured to them the return of the fugitive slaves. The Missouri Compromise

Another pretext was the election of a Republican President, and yet they knew—in all the public meetings their leaders show they knew—that it was not the mere election of a Republican President, but they intended simply to make that the signal for rebellion and for the est-

ishment of a Southern Confederacy. If anybody doubts this, subsequent events and well authenticated facts proved that the South for fifteen months previous had been making the most gigantic preparations for war, and this is conclusive evidence that these and all other pretexts which they had advanced were but the hollow pretenses of conspirators.

Now, fellow-citizens, what cause had they for this rebellion? We had a country which was prospering as never a country prospered be-

fore. We lived under the best government upon earth. We enjoyed the noblest institutions in the world. Throughout all its broad expanse, from ocean to ocean, happiness and prosperity were diffused upon every hand. Imperial wealth and unequalled power and a proud position was the status of these United States of America. We were at once the terror of tyrants and the envy of the nations of the

world. The denizens of the foreign lands groaning beneath the iron heel of foul oppression, looked to this country as his sure asylum. By thousands they sought our peaceful and happy shores. As a people we were enjoying more of prosperity, more of happiness, and a more extended diffusion of the blessings of education, a higher appreciation of religion, a lofty and purer national character than any other nation in the world.

Then, I ask again, fellow-citizens, where was the cause for the destruction of this Union? The South has been the petted child of this government. She had the control of its offices and its power. This government was kind to her gentle as a mother to her child; and at the very time of the outbreak of this rebellion, she was enjoying prosperity and reaping harvests, such as she had not seen before.

Yes, fellow-citizens, without the slightest cause, we find these Southern politicians dissatisfied and discontented. We find them with fire and sword, with savage and demoniac desperation laying their unhallowed hands upon the temple of liberty and striking terrible blows at the pillars which upheld it. Citizens! shall that proud, time honored structure fall? (No, no!) No. By the blessing of God, it shall stand—IT SHALL STAND—and traitors shall rue the day and the hour they laid their hands upon it. (Loud cheering.)

So unexpected and sudden was this rebellion that the statesmen of America did not and could not conceive of the blackness of heart, and of the savage character, and the utter wickedness of its supporters. They could not believe that any American citizen was so mad as to really desire the overthrow of this government, and they attributed it all to political animosities and jealousies, to pass away as had been the case in all other heated Presidential contests.

Acting upon this belief, when the call for seventy-five thousand men was made by the President, everybody seemed to think that was an immense army—such an army as had not existed since the days of Napoleon. Then



was thought that it would be unnecessary for that army to go to fight—that if they made a big show and a fine parade, that was enough to silence the rebels and make them abandon the struggle without further contest.

But this was not the only error then committed. The fatal policy, fellow-citizens, of the conciliation of the enemy was then and there adopted. Gentle measures towards our Southern brethren—as the secession, sympathizers call these destroyers of our government and murderers of our citizens—gentle measures were supposed to be sufficient; and while we were preëssing upon gentle measures and encouraging the hope of reconciliation, they were making extensive preparations for war—preparing and drilling their soldiers for the fight. We acted in all our conduct of the war as though we feared there was danger of hurting somebody. We were not the attacking party, but the party that was attacked. In order to reconcile rebellion to the government, we were kind, gentle and forbearing; whereas I tell you fellow citizens, the way to make traitors love you is to crush them out. [Great applause and cries of "good, good."] While we were waiting for conciliation to heal up the bleeding wounds, we were only giving up to the rebels to mass superior forces against us—and make the most stupendous preparations for war. The consequence has been that the nation, with its boundless resources of men and money, with twenty millions to eight, has fought almost every battle with numbers inferior to the enemy. And now behold the proud army of McClellan, the cavalry and the glory of the land, while fighting with desperate and heroic valor, driven back by your enemies, until they stand not conquered, it is true, but beleagured within sight of their very capital.

Fellow citizens, no one man was to blame in this matter. No party was to blame—it was the error of the nation. All of us, without distinction of party, were to blame. Even now there is a very inconsiderable portion of the people of these Northern States who are opposed to employing the effective means by which this rebellion is to be crushed out.

Fellow citizens, a change of policy is demanded, imperatively. We are to depend upon ourselves, and where, or how this war is to terminate. [Great cheering.] We are to fight. The policy of reconciliation is fatal, utterly false. Our only chance now is to depend upon ourselves, and crush man upon himself—to do all that you can, to give all that you possess, if you love your country as you ought to love it—the greatest country this God ever gave to man. Your duty is now out every thing, treasure and blood, and, if it need be, to save this glorious cause of ours. [Loud applause.]

Fellow citizens, my opinions with regard to this cause are well known. From the first, from the day of my inaugural down to the present time, I have been in favor of employing

all the means within our reach for the vigorous prosecution of this war. [Cheers and cries of "good, good."] And I stand up here to-night to say as I did the other night, "my voice is still for war" [applause] for stern, relentless, resistless, stupendous, exterminating war, [great enthusiasm] and I am proud to-night to stand up before you, fellow citizens of Chicago, and in the face of the world, if it need be, proclaim that I am for employing all the means in the power of this Government for suppressing this infernal rebellion. [Renewed applause.]

Fellow citizens, the South, as you all remember, asserted long ago that the slaves were an element in their strength, and that if they were entirely correct, because while their slaves were digging their ditches and building their fortifications, the white men were fresh and vigorous for the battle. "Why the slaves in their fields were providing sustenance for the rebel enemy, and support for their families, the rebel himself was in the army shooting down your brave and gallant men, from behind pickets, and fences, and fortifications built by negroes.

Now, my fellow citizens, can this policy be pursued and this country be saved? [Cries, "no, no, no."] And let me tell you here that this very night, as for the last ten months, England and France are intervening as they have been intervening all that time to favor the Southern Confederacy. We need not debate the question whether England or France will intervene. They slip their guns and munitions of war into our ports by every conceivable trick of fraud and force, and what they cannot accomplish in that way, they endeavor to attain through their commercial and consular agents in New Orleans, New York, or other cities in the United States. They are intervening as much to-day as though they had declared by public proclamation, recognizing the independence of the Southern Confederacy.

Moreover, fellow-citizens, to show you the immense importance of the contest in which we are engaged, I beseech you do not flatter yourselves into the idea that the power of the South is exhausted. She has 800,000 valiant warriors in the field now, and I tell you, fellow citizens, she can have 800,000 more. I ask, if in view of this, it is not our duty to employ all the means within our reach to crush this infernal rebellion? We necessarily are compelled to have two or three men to their one, because ours is in the invading army, and we have to protect the territory which we have conquered. Let us then have no more child's play. When the present call is answered we shall have one million of men. Let us call out another million as a reserve force—let them be drilled and stand always ready for the light—ready to occupy the posts already taken or pressing forward to hurl the thunderbolts of war. [Loud long applause.]

But again, in this view of the case, I am for doing everything necessary not only to strengthen ourselves but to weaken the enemy. I am

for laying aside every weight that shall beset us, striking rapid and effectual blows at the rebellion.

In this view of the case, I am free to declare to you here as my honest conviction, and not as a partisan, for I know no party now, no party except my country—I am free to declare that I believe that if the slaves are set free the rebellion dies. [Applause.] While I would provide a compensation for every loyal slave owner, I would let the nation hold itself aloof, glistening about the unfurled banner of universal emancipation, [great enthusiasm and three cheers for Governor Yates, and as this nation in the years to come the future marches down through time in glory, grandeur, and power, it should never have it said that the clank of one slave's chain was to be heard upon her broad and beautiful domain.] [Renewed cheering.]

You ask me what I will do with the negroes. I will answer that with a familiar text of scripture. When Moses was pursued by Pharaoh, his horsemen and chariots, and encamped by the red Sea, the children of Israel, seeing no escape, murmured. What then did Moses say to them? "Fear ye not; stand still and see the salvation of the Lord." [Loud applause.]

Fellow-citizens, there is one thing that I do know—if there is emancipation there will not be one negro more than there is now. [Laughter applause.] I verily believe, as God is my judge, and I am a Southern man, too, that there is more of amalgamation and of negro equality and negro association, more of ignorance, inhumanity, barbarism and disgrace to our national character in the negro slave than there ever would be in the negro who is subjected to the dictation, the caprices and the lusts of slave owners. [Applause, and cries of "that's true."] I cannot help but believe, my religion and most inward suggestion teaches me that a man, be he white or black, who can stand upright in the image of his God as a free man, can make as much cotton, is just as good a member of society, and will add as much respectability to the nation, as if he were a slave. [Renewed applause.]

What designs a kind Providence may have in regard to the slave, I know not. Whether driven by cruel legislation out of the States, they will seek a more congenial climate in the tropics, or whether they will be employed raising cotton, at remunerative prices, in the cotton States, or whether as they become a little more independent, they will go to Africa where the distinction of color is not against them, there to light up the flames of civilization, Christianity and Freedom in that forsighted continent—whether either of these destinies may be reserved for them, I do not know, but there is one thing that I do know, and that is that slavery is not only in the course of ultimate but immediate extinction. [Great applause.] If written in fire upon yonder sky, it could not more plainly to mortal sight appear than that with the vigor-

ous policy which this government will be ready to adopt in consequence of Southern madness, the freedom of the slave is no distant event. And that this policy will be adopted, I have no doubt. I know it will be adopted; I know that the President will go for this policy and save the Union. I know the people will go for this policy and then I know the politicians will sneak in. [Cheers and laughter.] You all admit, every man of you admits, that you would employ the same measures to build up fortifications, and as teaasters. Every man without distinction of party, admits that do you not? [Cries of "Yes, yes."] None of you but believe in the doctrine that a negro might as well receive the bill of the country as a white man. [Cries "Good, good."] But if you employ them to dig ditches how would you hold and protect these ditches? Would you be so inhuman as to set them there digging ditches and not put arms in their hands to defend themselves. [Cries! "No, no."] How would you defend them? Would you let the enemy come and take them and the ditches or fortifications they had built? I repeat, how would you defend them? [A Voice, "Give them arms."] You must give them arms or you must have white men stand there and guard them, and I am not such a negro-worshiper, as some negroes, as to have white men stand between negroes and rebel bullets. [Cheers and laughter.]

There is another policy we must adopt. But must forage upon the enemy. [Applause.] But a few minutes ago, I read a letter from a gallant colonel in the field, a son of our respected chairman (Mr. Sherman), in which he says the policy of guarding rebel property holds out inducements to treason. If the Union men have property, it is destroyed by the rebels. If the rebels have property, the Union men guard it—the rebels are safe. [Cries "That's true."] The rebel from either side. Who wouldn't be a rebel? [Laughter.] We must stop this policy. Why, I have been told that Tennessee was full of slaves, nobody but slaves were there. Suppose there were some deadly malaria, destructive to the life and vigor of a man, but a perfect elixir of life to a woman; and every woman says she is a poor, unprotected and defenseless widow. But go out into the field and ask a man, he is a poor, unprotected and defenseless widow. But go out into the field and ask Sambo, and he will say, "Oh, paw! I massa's in the rebel army, with a knapsack strapped upon his back, shooting down your soldiers."

Now, let the Government proclaim the stern and irrevocable decree that hereafter rebel property may be seized to feed and clothe our army, and that whenever a slave, passing for forty, comes into our ranks, he shall not be driven back to his home, but he shall be put to work, at fair wages, and arms put in his hands to defend himself while he is at work. Proclaim this edict, and these rebels will fly from the army to their homes, and soon take steps, quick and rapid "steps to the music of the Union."



Now, fellow-citizens, what policy should we pursue? Your Government is in danger—your all is at stake. Suppose a conflagration should sweep wildly over this city, until it lighted up the sky with its lurid flames and the clouds of smoke towered to the very heavens, would you stop to inquire whether it was a black man or a white man attempting to extinguish the flames. No, fellow-citizens, if you are reasonable men, if you do as every nation under the sun has done, in all the history of the past, you will employ every means in your power, by which to crush this infamous and ugly rebellion.

You would deprive the enemy of every element of strength, and if necessary to save the country, you would attempt to extinguish the Jackson and Perry dike; you would convert every hoe and plough and pruning hook of the Southern slave into weapons of war—you would put swords and bayonets into the hands of every loyal man and tell him to shoot down traitors wherever their feet disgraced the sod.

When I light I light to whip. What nation ever adopted a different policy? Whatever, consistent with the uses of war, be weak or cripple, or destroy, whatever will dampen the energies or cool the hopes, whatever will most signally rebuke and punish the horrid crime of treason, whatever will soonest restore to my country the supremacy of law and constitutional liberty, whatever will soonest re-illumine her face with the sunshine of peace and union shall have my unqualified approbation. [Applause.] If to save my country I would blot out the dark blot which has so long sullied our national escutcheon, and write emancipation on every inch of her soil. [Loud cheering.]

Fellow-citizens, some distinguished American statesman and philosopher has said that every nation has its birth time and its trial time. Our trial time has come. The crisis of our national existence is before us. The nation which is trembling in the scale between life and death. Now, let me ask you, what course is to be pursued in such a case? Will you not come up as one man to the rescue? Behold your inheritance. Already three stars gleam upon your national banner, and more than half of which have been placed there since the first thirteen were placed there by our fathers—star by star being added. State after State being introduced to this confederacy—thirty millions of people destined to be one hundred millions—the inhabitants of an ocean bound Republic—with all the organized institutions of a civilized society, with all the ten thousand charms of a christian civilization, united by railroads and telegraphs, by mighty rivers and lakes into one great confederate Republic, all recognizing the great principle of the right of the majority to rule, acknowledging no superior but God alone. [Cheers.]

Where in the world is there a country so free as this? Where has the poor man such rights, franchises and privileges as in these United States of America? Why, the idea of our gov-

ernment, the principle upon which it is based, is the greatest good to the greatest number.— Its foundations are laid broad and deep in the inalienable rights of man. All men are brought to a level by this form of Government. Every man has a right to vote and to aspire to the highest office. The poorest boy in your midst, the son of the humblest man, can stand erect and say, "I have as good a right to be President as any other man's boy." These are the privileges held out to you by this great and glorious Government. I wish I had the power to depict the great interests, the hopes and the fears and the destinies involved in this awful contest.

Let no one dream that if this Union be dissolved we can hereafter have peace. It will be an idle dream. This government can never be reconstructed, after such a dissolution.— The mutual repugnances of its parts will render its dissolution eternal. Do you suppose we can ever have peace? Will you ever give up the mouth of the Mississippi? [No, never.] Will you ever give up the navigation of the Father of Waters? [Never, never.] I case that the brave people of Illinois will submit to navigate that noble stream with foreign batteries frowning from its banks, and subject to all the tolls, delays and exorbitant exactions of a foreign jurisdiction, as I said in my inaugural address, before that time shall come, the Father of Waters—the Father of Waters, from its head to its mouth, shall be one continuous spectacle of the "mighty, cheerful," good, cool," and with its cities in ruins, and the cultivated fields upon its sloping sides, laid waste—it shall roll its flaming tide in solitary grandeur as at the dawn of creation. I tell you the battles of Belmont, Island No. 10, Fort Donaldson, Pittsburg Landing, are trumpet-tongued evidences of the unalterable determination of the people of Illinois and the rest of the Union, that the nation of Mississippi shall never flow through a foreign jurisdiction. [Cheers.]

Establish the doctrine of secession, and all is lost. If one State has the right to secede, then another State has the same right, and so on, until all of them may secede. Draw the line between the Northern and Southern Confederacies, and see what a disjointed, unadquated and fragmentary remnant of empire you would be, as it is bounded by mountains and rivers. It is plain that it would be utterly impossible to hold it together. Division would be inevitable, so that we would not only have to submit to tolls and exactions upon the banks of the Mississippi, but wherever our commerce went out or came in, between San Francisco and New York, we would have to submit to the tolls and exactions which independent jurisdictions might impose upon us.

Dissolve this Union and we shall see sights such as the eye never saw before. It would not be one year before, for some time, slavery real cause or grievance, such as the navigation of the Mississippi, the escape of slaves from the

slave to the free States, the attempts to capture them, and the resistance to their capture, would involve us in war—and such a war! Why, again we would have the North arrayed against the South—the impetuous valor of the South against the determined bravery of the North. Blood would flow to the horses' bridles. We should see cannon frowning along our rivers, beyonds glistening along our borders, armies marching to and fro, and commanders winning their victories; we should see the arts of peace converted into the arts of war. The green field of growing corn, the grain ripening for the harvest, would be despoiled and the whole country would gleam with the light of burning towns and villages, until at last, fellow-citizens, this dismembered, disorganized and fragmentary republic would cry out for intervention and some foreign despot would rise to lord it over the people.

Thus would depart before the glory of the land of Washington. This would sink forever the last experiment made by man for self government. Thus would go out in endless night the watch-fires which our fathers kindled upon our hills. [Applause.]

Fellow-citizens, I desire to make my appeal to you—all to—all of us who are engaged in this war—to use our utmost efforts to put down this rebellion—to sacrifice every consideration, except that of the welfare of the country, and come to the conclusion—that I say before six months you will have to come to—that all the means in our power must be employed to put down this rebellion. This is the point of decision we must come to. I care not what politicians may say; I care not what venal pressmen may say; the doom of these politicians, I can tell them, is sure, and the day is fast approaching when they shall fall upon the rocks and mountains to hide them as they see the triumphal car of universal freedom, marching as John Brown's soul is marching on, [cheers] and the whole country stands at attention and disenthralled by the genius of universal emancipation. [Loud applause.]

Let us sacrifice all party considerations of every character and stand united as one man, doing everything in our power; while the miserable miscreant and wretch who, out of the distress of his country in this perilous hour would attempt to manufacture capital for a political party, deserves to die a death such as we ought to impose upon Jeff. Davis himself. [Applause.]

Fellow-citizens, I shall not, as there are other speakers here, detain you much longer. ["Go on," "go on."] I will add one thing, however. As I have presented to you some discouraging facts, I will present you also with the most interesting feature in the remark which I am making, and that is this: That we will whip them. [Cheers.] As I told you when this war commenced, our statesmen did not believe that we were going to lose much of a war. They did not dream that these traitors, these rebels, would give up so great and glorious a government as

ours; consequently they made no preparations for the war. When the war commenced, we were without anything—without arms or munitions of war. We had literally nothing. We were taken by surprise. On the other hand, what had been doing by the secessionists of the South? For fifteen months they had been engaged in the laudable business of seducing our army and navy officers, and by and through them stealing all of our best guns and all our munitions of war from the United States arsenals; and through the Secretary of War, Floyd, they had been stealing millions of manna of money on the war; so that we were left entirely unprepared for the crisis which was upon us.

What have we done in the meantime? This nation has arisen like a giant refreshed with wine. We had to go to Europe for arms, and we had to manufacture arms to supply those which had been stolen. We have gone to Europe and have got them, and we have manufactured them in our own country. We have sent 600,000 men into the field in that short period of time—an army such as the world never saw before. We have conquered territory far and wide, as the Roman eagles ever did. We have lost from our coast from Orleans to New York, a distance of nearly 2,000 miles. We have opened the Mississippi. We have taken Arkansas, Louisiana, Missouri, Tennessee, Kentucky, Maryland, and a part of Virginia; and this day and hour, the American flag is floating triumphant in every State in the United States. [Applause.] Although our proud army has been driven back, it is simply for the want of reinforcements. The concentration of the rebel army at Richmond, is an evidence of their weakness—not of their strength. Driven from the sea coast and the Mississippi valley, they have drawn all their forces from Georgia, and from Tennessee, and from almost every other portion of the United States, leaving those portions unprotected, that they might meet the grand army of the Union in its march; thus showing that what might seem their strength is an evidence of their weakness. All we have to do is to be true to ourselves, and we will certainly and surely triumph.

Don't stand with your hands idling away your time. You are under solemn obligations to the brave boys who are now holding out their hands for reinforcements. They have gone through many exhaustions and campaigns, and numbers have been decimated. The bones of very many of these brave boys lie mouldering beneath the sod upon the banks of the Potomac, the Cumberland and Tennessee, and upon every battle field from the mountains of the State of Tennessee, that of Pen Ridge. The very blood of your martyred dad, of your young Joe Wolf, and many others who have offered up their lives as a sacrifice in this cause of their country, call to you. The living stretch out their hands to you for reinforcements. In the name of God, is there an American so recreant to his country and to every principle of humanity and friendship, so false to the great cause of the Union



and liberty, as not to volunteer at once and come forward in this great and glorious contest?

The policy of the administration is coming up to your standard. They have passed the act now by which you are to quarter upon the enemy, by which the labor of the negro is to be used and the negroes are to be used as far as necessary. Yet they are coming up to your standard and now will you not stand up to your country in her hour of peril, and do your duty?

When I was asked what I meant by a vigorous policy, stamping armies out of the earth, it was asked of me whether I meant that, free the groins in the North and slaves in the South would come up to the battle. At the time, although such would have been the result, to my good degree, yet I had no such thought in my mind. I meant that if this administration would adopt a policy in which the people had confidence; if they would employ all the means at the hands of this Government and prosecute the war vigorously, it would so arouse the people of this country, that it would seem as if armies came out of the earth to defend the ever-glorious Stars and Stripes. [Cheers.] I can now say to you, candidly and truthfully, that I believe within the next ten days all the regiments yet required of me will be enrolled and ready for service. [Tremendous applause.] You ask me what I mean; by stamping armies out of the earth, and I tell you the response here in the hearts of you people is deeply touched and their pulses opened wide—in the prompt cheerful action of our cities and counties in their corporate capacities. In the magnificent spectacle of our great State, roused through its length and breadth, and in all its deep foundations. Under the prospect of a vigorous prosecution of the war, Illinois is already inspiring like a giant into the fight. [Loud applause.]

Active, energetic co-operation by all loyal men—speedy and rapid enrollment of our forces, one road to peace, and will speedily bring it about, while inaction, indecision, feeble response to the President's call, and a continuation of the conciliatory policy means a long and protracted war, foreign intervention, national bankruptcy, a broken, belligerent, dismembered Union and the loss of our dear bought and long cherished liberties. Rally then, rally to the rescue.

The accounts come glowingly from every other State. I want to ask now if Illinois shall lag behind. [Orie of "no, no."] Hereafter she has gallantly and gloriously led the column. Her brave soldiers have shed imperishable lustre upon the arms, the names, the fame of Illinois. The star which answers to Illinois is now the brightest in the galaxy of the thirty-four. [Applause.] The name of Illinois is synonymous with lofty courage and great achievements. [Renewed applause.] Her brave boys have

never quailed in a single conflict. A General in our army, whom I met at Shiloh, said to me, "Your Illinois boys fight like the devil." [Laughter.] I tell them to storm a battery and they storm it; I tell them to go out, one regiment against four, and they go, but," he added, "the infernal confederates there is one order they won't obey, and that's the order to retreat." I remember it was told me by an eye witness that when the glorious regiment which Chicago sent to the field under the gallant Col. White was pressed down by three or four regiments of the enemy, and was retreating in good order, the Colonel crying, "Steady, boys, steady," it was of no avail, until riding in front of the whole line and taking off his hat, he said, "now boys is the time to show the pluck of Illinois." [Loud cheering.] They staggered and reeled for a moment, but they stood firm, and marched to a great and glorious victory. [Applause.]

You are fighting for your Constitution—for all that is dear to you—for your wives and children—for civil and religious liberty—for the great experiment of government—for the interest of mankind, not only now, but always; not only here, but throughout all climes of the world. You are fighting for your Union, which has been handed down by man immortal for their goodness and greatness. Oh! what undying memories cluster around it! What hopes are fixed upon it! What eyes of the world are riveted upon it? You are fighting for our glorious old flag, the flag borne aloft in the days of the Revolution by those old patriots of sires who struggled round about the camps of liberty; the same old flag that floated in triumph at Bunker Hill, and Brandywine, and Valley Forge, and Ticonderoga, at Bepa Vista and Cerro Gordo, and Donelson and Pittsburg Landing; [cheers] the same glorious old flag which is now or was at the commencement of this war, as under the whole heavens as the best and noblest emblem of honor and freedom. [Applause.]

Now let me address myself to the foreigners who are here. Let me refer to an incident in the history of the country that you all know. Do you remember that away upon a distant coast, the country of Smyrna, when a foreign born citizen, a Hungarian, and who considered his domicile in this country, was claimed by the Austrian, and taken aboard of their ship, that Captain Ingraham levelled his guns on the Austrian vessel and raised the American flag? Do you remember how the Austrian tyrant shrunk back in terror before the ever glorious Stars and Stripes? [cheers] and how even the unstarred foreigner had the protection of this flag, which was honored through the world?

There is another incident to which I will refer. During one of the tumultuous revolutions in Mexico, while Joseph T. Pelouet, former Secretary of War under Gen. Jackson, was

Minister to Mexico, that city was taken by assault. The invaders, after they had got within the city walls, asked where the leading men of the city had secreted themselves. It was found that they had sought the house of the American Ambassador as their only place of refuge. They marched to the house, they levelled their cannon upon it, and Mr. Poinsett says: "In that moment of extreme peril, as my only refuge, I seized the national flag. I ran out upon the balcony. I unfolded the Stars and Stripes and stood beneath them. In a moment every musket fell. Three cheers were given and the band struck up music to the old tune of 'Hail Columbia.' Shall this flag be trailed in the dust? [Orie "No."] Shall its glorious stars be divided and scattered in confusion over the face of the earth? No! by the blessings of Almighty God, by the memories of our fathers, by the worth of human liberty, it shall remain, a proud emblem of national freedom and the ensign of national greatness. [Cheers.] And whether it shall float aloft in holiday triumph upon the summer breeze, or whether it shall be seen (as I have numerous specimens in my office now) pierced with bullets, amid the cloud and smoke of war—wherever it shall be seen upon this earth by the oppressed of every land, it shall be hailed as the bright and glorious emblem of freedom.

Fellow-citizens, I must conclude, but before doing so I must mention one thing—that your city has so munificently provided, not only for those who are going to the war, but also the families they leave behind. We must remember that they leave families. Those families they love dearly. They leave behind these their wives and little ones. They go out to fight these battles for you and for me, for God, for their liberty and humanity. In every town and city there should be provided a fund which should be literally exhaustless. It should be supplied from day to day, so that the soldier, when he is fighting beneath his flag, upon the most distant hill, can feel his heart go toward the knowledge that his wife and dear little ones have friends and means to protect them in the home that connection. [Applause.] I will only say in there is a dollar in the State Treasury and I am your Governor, I will bring back every wounded and sick man I can from the battle field. [Cheers.]

We will rally round this glorious old flag of ours until the Union is restored, until the majesty of our laws is vindicated, until the last armed foe of the Constitution shall either be slain or driven from the land, until we can see that old flag again proudly flying—with not a star obscured nor a stripe crossed and pray that so it may float forever. [Long continued cheers.]





# Immediate Emancipation a War Measure!

## SPEECH

OF

HON. CHARLES SUMNER,

OF MASSACHUSETTS,

ON

### THE BILL PROVIDING FOR EMANCIPATION IN MISSOURI.

IN THE SENATE OF THE UNITED STATES, FEBRUARY 12TH, 1863.

Mr. SUMNER. Mr. President, if I speak tardily in this debate I hope for the indulgence of the Senate. Had I been able to speak earlier I should have spoken; but, though present in the Chamber, and voting when this subject was under consideration formerly, I was at the time too much of an invalid to take an active part in the proceedings. In justice to myself and to the great question under consideration I cannot be silent.

I have already voted to give \$20,000,000 to Missouri, in order to secure freedom at once to her slaves and to make her at once a free State. I am ready to vote more, if more be needed for this purpose; but I will not vote money to be sunk and lost in an uncertain scheme of prospective emancipation, where freedom is a jack-o'-lantern, and the only certainty is to be found in the congressional appropriation. For money paid down, freedom, too, must be paid down.

Notwithstanding all differences of opinion on this important question, there is much occasion for congratulation in the progress that has been made.

There is one point on which the Senate is substantially united. A large majority will vote for emancipation. This is much, both as a sign of the present and a prophecy for the future. A large majority, in the name of Congress, will offer pecuniary aid to this object. This is a further sign and prophecy. Such a vote, and such an appropriation, will constitute an epoch. Only a few short years ago the very mention of slavery in Congress was forbidden, and all discussion of it was stifled. Now, emancipation is an accepted watchword, while slavery is openly denounced as a guilty thing worthy of death.

It is admitted that now, under the exigency of war, the United States ought to co-operate with any State in the abolition of slavery, giving to it pecuniary aid; and

it is proposed to apply this principle practically in Missouri. It was fit that emancipation, destined to end the rebellion, should first begin in South Carolina, where the rebellion first began. It is also fit that the action of Congress in behalf of emancipation should first begin in Missouri, which, through the faint-hearted remissness of Congress, as late as 1820, was opened to slavery. Had Congress at that time firmly insisted that Missouri, on entering the Union, should be a free State, the vast appropriation now proposed would have been saved; and, better still, this vaster civil war would have been prevented. The whole country is now paying with treasure and blood for that fatal surrender. Alas! that men should forget that God is bound by no compromise, and that, sooner or later, He will insist that justice shall be done. There is not a dollar spent, and not a life sacrificed, in this calamitous war, which does not plead against any repetition of that wicked folly. Blasted be the tongue which speaks of compromise with slavery!

But, though happily compromise is no longer openly proposed, yet it insinuates itself in this debate. In former times it took the form of bare-faced concession to slavery, as in the admission of Missouri as a slave State; the annexation of Texas as a slave State; the waiver of the prohibition of slavery in the Territories; the atrocious bill for the re-enslavement of fugitives; and the opening of Kansas to slavery, first by the Kansas bill, and then by the Lecompton constitution. In each of these cases there was a concession to slavery which history now records with shame, but it was by this that your wicked slaveholding conspiracy waxed confident and strong, till at last it was ripe for war.

And now it is proposed, as an agency in the suppression of the rebellion, to put an end to slavery. By proclamation of the



President all the slaves in certain States, and designated parts of States, are declared to be free. Of course this proclamation is a war measure, rendered just and necessary by the exigencies of war. As such it is summary and instant in its operation; not prospective or procrastinating. A proclamation of prospective emancipation would have been a declaration; like a declaration of prospective battle, where not a blow was to be struck, or a cannon pointed, before 1876, unless, meanwhile, the enemy desisted. War, as such, is done in war must be done promptly, except, perhaps, under the policy of defense. Gradualism is delay; and delay is the betrayal of victory. If you would be triumphant, strike quickly. Let your blows be felt at once, without notice or premonition; and especially without time for resistance or debate. Time always descends those who do not appreciate its value. Strike promptly, and time becomes your invaluable ally. Strike slowly, gradually, prospectively, and time goes over to the enemy.

But every argument for the instant operation of the proclamation; every consideration in favor of dispatch in war, is especially applicable to all that is done by Congress as a war measure. In a period of peace, Congress might fitly consider whether emancipation should be immediate or prospective, and we might listen with patience to the instances adduced by the Senator from Wisconsin [Mr. DOORNBLE] in favor of delay; to the case of Pennsylvania and to the case of New York, where slaves were readily admitted to their birthright. Such arguments, though to my judgment of little value at any time, would then be legitimate. But now, when we are considering how to put down the rebellion, they are not even legitimate. There is but one way to put down the rebellion, and that is *instant action*; and all that is done, whether in the field, in the Cabinet, or in Congress, must partake of this character. Whatever is postponed for twenty years, or ten years, may seem to be abstractly postponed; but it is in no sense a war measure, nor can it contribute essentially to the suppression of the rebellion.

Now, I think that I may assume, without contradiction, that the proposed tender of money to Missouri for the sake of emancipation is a war measure, to be vindicated as such under the Constitution of the United States. It is also an act of justice to an oppressed race; but it is not in this unquestionable character that it is recommended to Congress. If it were urged on no other ground, even if every consideration of philanthropy and of religion pleaded for it with rarest eloquence, I fear

that it would stand but little chance in either House of Congress. Let us not disguise the truth. Except as a war measure, in order to aid in putting down the rebellion, this proposition would find little hospitality here. Senators are ready to vote money—as the British Parliament voted subsidies—in order to supply the place of soldiers, or to remove a stronghold of the rebellion; all of which is done by emancipation. I do not overstate the case. Slavery is a stronghold of the rebellion, which, through emancipation, will be removed, while every slave and every slave-master will become an ally of the Government. Therefore emancipation is a war measure, as constitutional as the raising of armies or the occupation of a hostile territory.

But in vindicating emancipation as a war measure, we must see that it is made under such conditions as to exercise a present, instant influence against the rebellion. It must be immediate, not prospective. In proposing prospective emancipation you propose a measure which can have little or no influence on the war.—Senators abstractly may prefer that emancipation should be prospective rather than immediate; but this is not the time for the exercise of any such abstract preference. Whatever is done as a war measure must be immediate, or it will cease to have this character. If made prospective, it will not be a war measure, whatever you may call it.

If I am correct in this statement—and I do not see how it can be questioned—then is the appropriation for immediate emancipation just and proper under the Constitution, while that for prospective emancipation is without any sanction, except what it may find in the sentiments of justice and humanity.

It is proposed to vote \$10,000,000 of money to promote emancipation ten years from now. Perhaps I am sanguine, but I cannot doubt that before the expiration of that period slavery will die in Missouri under the awakened judgment of the people, even without the action of Congress. If our resources were infinite, we might tender this large sum by way of experiment; but with a Treasury drained to the bottom, and with a debt accumulating in fabulous proportions, I do not understand how we can vote millions, which, in the first place, will be of little or no service in the suppression of the rebellion, and, in the second place, which will be simply a largess in no way essential to the subversion of slavery.

Whatever is given for immediate emancipation is given for the national defense, and for the safety and glory of the Repub-

lic. It will be a blow at the rebellion.—Whatever is given for prospective emancipation will be a gratuity to slaveholders and a tribute to slavery. Pardon me if I repeat what I have already said in this debate, “millions for defense, but not a cent for tribute!” millions for defense against peril from whatever quarter it may come; but not a cent for tribute in any quarter, especially not a cent for tribute to the loathsome tyranny of slavery.

I know it is sometimes said that even prospective emancipation will help to weaken the rebellion. That it will impair the confidence in slavery and also its value, I cannot doubt; but it is equally clear that it will leave slavery still alive and on its legs, and just so long as this is the case there must be controversy and debate with attending weakness; while reaction will perpetually lift its crest. Instead of tranquility, which we all seek for Missouri, we shall have contention. Instead of peace we shall have prolonged war. Every year's delay, ay, sir, every week's delay in dealing death to slavery leaves just so much of opportunity for the rebellion; for so long as slavery is allowed to exist in Missouri the rebellion will still struggle, not without hope for its ancient mastery. But let slavery cease at once and all this will be changed. There will be no room for controversy or debate with its attending weakness, nor can reaction lift its crest.—There will be no opportunity for the rebellion, which must cease all efforts there, when Missouri can no longer be a slave State. Freedom will become our watchful, generous, and invincible ally, while the well-being, the happiness, the repose, and the renown of Missouri will be established forever.

Thus far, sir, I have presented the argument on grounds peculiar to this case; and here I might stop. Having shown that, as a military necessity, and for the sake of that economy which it is our duty to cultivate, emancipation must be immediate, I need not go further; but I do not content myself here. The whole question is open between immediate emancipation and prospective emancipation; or, in other words, between doing right at once and doing it at some distant future day. Procrastination is the thief not only of time, but of virtue itself. But such is the nature of man that he is disposed always to delay, so that he does nothing to-day which he can put off till to-morrow. Perhaps in no single matter has this disposition been more apparent than with regard to slavery. Every consideration of humanity, justice, religion, reason, common sense, and history, all demanded the instant cessation of an intolerable wrong, without procrastination or delay. Bathu-

man nature would not yield; and we have been driven to argue that in question whether an outrage, asserting property in man, denying the conjugal relation, annulling the parental relation, shutting out human improvement, and robbing its victim of all the fruits of his industry—the whole, in order to compel work without wages—should be stopped instantly or gradually. It is only slavery and its legal slavery, its essential elements, and look at its unutterable and unquestionable atrocity, that we can fully comprehend the mingled folly and wickedness of this question. If it were merely a question of economy, or a question of policy, then the Senate might properly debate whether the change should be instant or gradual; but consideration of economy and policy are all absorbed in the higher claims of justice and humanity. There is no question whether justice and humanity shall be immediate or gradual. Men are to cease at once from wrong doing; they are to obey the Ten Commandments instantly and not gradually.

Senators who argue for prospective emancipation, show that they are inensible to the true character of slavery, or inensible to the requirements of reason. One or the other of these alternatives must be accepted.

Shall property in man be disowned immediately or only prospectively? Reason answers immediately.

Shall the parental relation be maintained immediately or only prospectively? Reason recoils from the wicked absurdity of the inquiry.

Shall the parental relation be recognized immediately or only prospectively? Reason is indignant at the question.

Shall the opportunities of knowledge, including the right to read the Book of Life, be opened immediately or prospectively? Reason brands the idea of delay as impious.

Shall the fruits of his own industry be given to a man immediately or prospectively? Reason insists that every man shall have his own without posthumous title.

And history, thank God! speaking by examples, testifies in conformity with reason. The conclusion is irresistible. If you would contribute to the strength and glory of the United States; if you would bless Missouri; if you would benefit the slave-master; if you would liberate the slave; and still further, if you would afford an example which shall fortify and sanctify the Republic, making it at once citadel and temple, do not put off the day of freedom. In this case, move, man any other, he gives twice who quickly gives.

