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**SPEECHES, ADDRESSES,
AND
OCCASIONAL SERMONS,**

BY

THEODORE PARKER,

MINISTER OF THE TWENTY-EIGHTH CONGREGATIONAL CHURCH IN BOSTON.

IN THREE VOLUMES.

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I.

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**SPEECH AT A MEETING OF THE CITIZENS OF BOSTON, IN FANEUIL
HALL, MARCH 25, 1850, TO CONSIDER THE SPEECH OF MR. WEBSTER.**

Mr. President and Fellow Citizens: It is an important occasion which has brought us together. A great crisis has occurred in the affairs of the United States. There is a great question now before the people. In any European country west of Russia and east of Spain, it would produce a revolution, and be settled with gunpowder. It narrowly concerns the material welfare of the nation. The decision that is made will help millions of human beings into life, or will hinder and prevent millions from being born. It will help or hinder the advance of the nation in wealth for a long time to come. It is a question which involves the honor of the people. Your honor and my honor are concerned in this matter, which is presently to be passed upon by the people of the United States. More than all this, it concerns the morality of the people. We are presently to do a right deed, or to inflict a great wrong on others and on ourselves, and thereby entail an evil upon this continent which will blight and curse it for many an age.

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It is a great question, comprising many smaller ones:—Shall we extend and foster Slavery, or shall we extend and foster Freedom? Slavery, with its consequences, material, political, intellectual, moral; or Freedom, with the consequences thereof?

A question so important seldom comes to be decided before any generation of men. This age is full of great questions, but this of Freedom is the chief. It is the same question which in other forms comes up in Europe. This is presently to be decided here in the United States by the servants of the people, I mean, by the Congress of the nation; in the name of the people; for the people, if justly decided; against them, if unjustly. If it were to be left to-morrow to the naked votes of the majority, I should have no fear. But the public servants of the people may decide otherwise. The political parties, as such, are not to pass judgment. It is not a question between whigs and democrats; old party distinctions, once so sacred and rigidly observed, here vanish out of sight. The party of Slavery or the party of Freedom is to swallow up all the other parties. Questions about tariffs and banks can hardly get a hearing. On the approach of a battle, men do not talk of the weather.

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Four great men in the Senate of the United States have given us their decision; the four most eminent in the party politics of the nation—two great whigs, two great democrats. The Shibboleth of their party is forgotten by each; there is a strange unanimity in their decision. The Herod of

free trade and the Pilate of protection are "made friends," when freedom is to be crucified. All four decide adverse to freedom; in favor of slavery; against the people. Their decisions are such as you might look for in the politicians of Austria and Russia. Many smaller ones have spoken on this side or on that. Last of all, but greatest, the most illustrious of the four, so far as great gifts of the understanding are concerned, a son of New England, long known, and often and deservedly honored, has given his decision. We waited long for his words; we held our peace in his silence; we listened for his counsel. Here it is; adverse to freedom beyond the fears of his friends, and the hopes even of his foes. He has done wrong things before, cowardly things more than once; but this, the wrongest and most cowardly of them all: we did not look for it. No great man in America has had his faults or his failings so leniently dealt with; private scandal we will not credit, public shame we have tried to excuse, or, if inexcusable, to forget. We have all of us been proud to go forward and honor his noble deeds, his noble efforts, even his noble words. I wish we could take a mantle big and black enough, and go backward and cover up the shame of the great man who has fallen in the midst of us, and hide him till his honor and his conscience shall return. But no, it cannot be; his deed is done in the face of the world, and nothing can hide it.

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We have come together to-night in Faneuil Hall, to talk the matter over, in our New England way; to look each other in the face; to say a few words of warning, a few of counsel, perhaps something which may serve for guidance. We are not met here to-night to "calculate the value of the Union," but to calculate the worth of freedom and the rights of man; to calculate the value of the Wilmot Proviso. Let us be cool and careful, not violent, not rash; true and firm, not hasty or timid.

Important matters have brought our fathers here many times before now. Before the Revolution, they came here to talk about the Molasses Act, or the Sugar Act, or the Stamp Act, the Boston Port Bill, and the long list of grievances which stirred up their manly stomachs to the Revolution; afterwards, they met to consult about the Embargo, and the seizure of the Chesapeake, and many other matters. Not long ago, only five years since, we came here to protest against the annexation of Texas. But before the Revolution or after it, meetings have seldom been called in Faneuil Hall on such solemn occasions as this. Not only is there a great public wrong contemplated, as in the annexation of Texas, but the character and conduct of a great public servant of the people come up to be looked after. This present conduct of Mr. Webster is a thing to be solemnly considered. A similar thing once happened before. In 1807, a senator from Massachusetts was disposed to accept a measure the President had advised, because he had "recommended" it "on his high responsibility." "I would *not consider*," said the senator, "I would *not deliberate*, I would *act*."^[1] He did so; and with little deliberation, with small counsel, as men thought at the time, he voted for the Embargo, and the Embargo came. This was a measure which doomed eight hundred thousand tons of shipping to rot at the wharf. It touched the pockets of New England and all the North. It affected the daily meals of millions of men. There was indignation, deep and loud indignation; but it was political in its nature and personal in its form; the obnoxious measure was purely political, not obviously immoral and unjust. But, long as John Quincy Adams lived, much as he did in his latter years for mankind, he never wholly wiped off the stain which his conduct then brought upon him. Yet it may be that he was honest in his vote; it may have been an error of judgment, and nothing more; nay, there are men who think it was no error at all, but a piece of political wisdom.

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A senator of Massachusetts has now committed a fault far greater than was ever charged upon Mr. Adams by his most inveterate political foes. It does not directly affect the shipping of New England and the North: I wish it did. It does not immediately concern our daily bread; if it were so, the contemplated wrong would receive a speedy adjustment. But it concerns the liberty of millions of men yet unborn.

Let us look at the matter carefully.

Here is a profile of our national action on the subject now before the people.

In 1774, we agreed to import no more slaves after that year, and never finally repealed this act of agreement.

In 1776, we declared that all men are created equal, and endowed by their Creator with certain unalienable rights, among which are life, liberty, and the pursuit of happiness.

In 1778, we formed the Confederacy, with no provision for the surrender of fugitive slaves.

In 1787, we shut out slavery from the Northwest Territory for ever, by the celebrated proviso of Mr. Jefferson.

In 1788, the Constitution was formed, with its compromises and guarantees.

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In 1808, the importation of slaves was forbidden. But,

In 1803, we annexed Louisiana, and slavery along with it.

In 1819, we annexed Florida, with more slavery.

In 1820, we legally established slavery in the territory west of the Mississippi, south of 36 deg. 30 min.

In 1845, we annexed Texas, with three hundred and twenty-five thousand five hundred and

twenty square miles, as a slave State.

In 1848, we acquired, by conquest and by treaty, the vast territory of California and New Mexico, containing five hundred and twenty-six thousand and seventy-eight square miles. Of this, two hundred and four thousand three hundred and eighty-three square miles are south of the slave line—south of 36 deg. 30 min. Here is territory enough to make more than thirty slave States of the size of Massachusetts.

At the present day, it is proposed to have some further action on the matter of slavery. Connected with this subject, four great questions come up to be decided:—

1. Shall four new slave States at any time be made out of Texas? This is not a question which is to be decided at present, yet it is one of great present importance, and furnishes an excellent test of the moral character and political conduct of politicians at this moment. The other questions are of immediate and pressing concern. Here they are:—

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2. Shall Slavery be prohibited in California?

3. Shall Slavery be prohibited in New Mexico?

4. What laws shall be passed relative to fugitive slaves?

Mr. Webster, in this speech, defines his position in regard to each of these four questions.

1. In regard to the new States to be made hereafter out of Texas, he gives us his opinion, in language well studied, and even with an excess of caution. Let us look at it, and the resolution which annexed Texas. That declares that "new States ... not exceeding four in number, in addition to said State of Texas ... may hereafter, by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution. And such States ... shall be admitted with or without slavery, as the people of each State asking admission may desire."

I will not stop to consider the constitutionality of the joint resolution which annexed Texas. Mr. Webster's opinion on that subject is well known. But the resolution does two things: 1. It confers a power, the power to make four new States on certain conditions; a qualified power, restricted by the terms of the act. 2d. It imposes an obligation, namely, the obligation to leave it to the people of the new State to keep slaves or not, when the State is admitted. The words *may be*, etc., indicate the conferring of a power: the words *shall be*, etc., the imposing of an obligation. But as the power is a qualified power, so is the obligation a qualified obligation; the *shall be* is dependent on the *may be*, as much as the *may be* on the *shall*. Admitting in argument what Mr. Webster has denied, that Congress had the constitutional right to annex Texas by joint resolution, and also that the resolution of one Congress binds the future Congress, it is plain Congress may admit new States from Texas, on those conditions, or refuse to admit them. This is plain, by any fair construction of the language. The resolution does not say, they *shall be* formed, only "*may be* formed," and "shall be entitled to admission, under the provisions of the Federal Constitution"—not in spite of those provisions. The provisions of the Constitution, in relation to the formation and admission of new States, are well known, and sufficiently clear. Congress is no more bound to admit a new slave State formed out of Texas, than out of Kentucky. But Mr. Webster seems to say that Congress is bound to make four new States out of Texas, when there is sufficient population to warrant the measure, and a desire for it in the States themselves, and to admit them with a Constitution allowing slavery. He says, "Its guaranty is, that new States shall be made out of it,... and that such States ... may come in as slave States," etc. Quite the contrary. It is only said they "*may be* formed," and admitted "under the provisions of the Constitution." The *shall be* does not relate to the fact of admission.

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Then he says, there is "a solemn pledge," "that if she shall be divided into States, those States may come in as slave States." But there is no "solemn pledge" that they *shall come* in at all. I make a "solemn pledge" to John Doe, that if ever I give him any land, it shall be a thousand acres in the meadows on Connecticut River; but it does not follow from this that I am bound to give John Doe any land at all. This solemn pledge is worth nothing, if Congress says to new States, You shall not come in with your slave Constitution. To make this "stipulation with Texas" binding, it ought to have provided that "new States ... shall be formed out of the territory thereof ... such States shall be entitled to admission, in spite of the provisions of the Constitution." Even then it would be of no value; for as there can be no moral obligation to do an immoral deed, so there can be no constitutional obligation to do an unconstitutional deed. So much for the first question. You see that Mr. Webster proposes to do what we never stipulated to do, what is not "so nominated in the bond." He wrests the resolution against freedom, and for the furtherance of the slave power!

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2 and 3. Mr. Webster has given his answer to the second and third questions, which may be considered as a single question, Shall slavery be legally forbidden by Congress in California and New Mexico? Mr. Webster is opposed to the prohibition by Congress. Here are his words: "Now, as to California and New Mexico, I hold slavery to be excluded from those territories by a law even superior to that which admits and sanctions it in Texas. I mean the law of nature, of physical geography, the law of the formation of the earth."... "I will say further, that if a resolution or a law were now before us to provide a territorial government for New Mexico, I would not vote to put any prohibition into it whatever. The use of such a prohibition would be idle, as it respects any effect it would have upon the territory: and I would not take pains to reaffirm an ordinance of nature, nor to reënact the will of God." "The gentlemen who belong to the Southern States would think it a taunt, an indignity; they would think it an act taking away from them what they regard

as a proper equality of privilege" ... "a plain theoretic wrong," "more or less derogatory to their character and their rights."

"African slavery," he tells us, "cannot exist there." It could once exist in Massachusetts and New Hampshire. Very little of this territory lies north of Mason and Dixon's line, the northern limit of Maryland; none above the parallel of forty-two degrees; none of it extends fifty miles above the northern limit of Virginia; two hundred and four thousand three hundred and fifty-three square miles of it lie south of the line of the Missouri Compromise, south of 36° 30'. Almost all of it is in the latitude of Virginia and the Carolinas. If slavery can exist on the west coast of the Atlantic, I see not why it cannot on the east of the Pacific, and all the way between. There is no reason why it cannot. It will, unless we forbid it by positive laws, laws which no man can misunderstand. Why, in 1787, it was thought necessary to forbid slavery in the Northwest Territory, which extends from the Ohio River to the forty-ninth parallel of north latitude.

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Not exclude slavery from California and New Mexico, because it can never exist there! Why, it was there once, and Mexico abolished it by positive law. Abolished, did I say! We are not so sure of that; I mean, not sure that the Senate of the United States is sure of it. Not a month before Mr. Webster made this very speech, on the 13th and 14th of last February, Mr. Davis, the Senator from Mississippi, maintained that slavery is not abolished in California and New Mexico. He denies that the acts abolishing slavery in Mexico were made by competent powers; denies that they have the force of law. But even if they have, he tells us, "Suppose it be conceded that by law it was abolished—could that law be perpetual? Could it extend to the territory after it became the property of the United States? Did we admit territory from Mexico, subject to the Constitution and laws of Mexico? Did we pay fifteen million dollars for jurisdiction over California and New Mexico, that it might be held subordinate to the laws of Mexico?" The Commissioners of Mexico, he tells us, did not think that "we were to be bound by the edicts and statutes of Mexico." They pressed this point in the negotiation, "the continuation of their law for the exclusion of slavery;" and Mr. Trist told them he could not make a treaty on that condition; if they would "offer him the land covered a foot thick with pure gold, upon the single condition that slavery should be excluded therefrom, I could not entertain the offer for a moment." Does not Mr. Webster know this? He knows it too well.

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But Mr. Davis goes further. He does not think slavery is excluded by legislation stronger than a joint resolution. This is his language: "I believe it is essential, on account of the climate, productions, soil, and the peculiar character of cultivation, that we shall, during its first settlement, have that slavery [African slavery] in a part, at least, of California and New Mexico." Now on questions of "A law of nature and physical geography," the Senator from Mississippi is as good authority as the Senator from Massachusetts, and a good deal nearer to the facts of the case.

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In the House of Representatives, Mr. Clingman, of North Carolina, amongst others, wants New Mexico for slave soil. Pass the Wilmot Proviso over this territory, and the question is settled, disposed of for ever. Omit to pass it, and slavery will go there, and you may get it out if you can. Once there, it will be said that the "Compromises of the Constitution" are on its side, and we have no jurisdiction over the slavery which we have established there.

Hear what Mr. Foote said of a similar matter on the 26th of June, 1848, in his place in the Senate: "Gentlemen have said this is not a practical question, that slaves will never be taken to Oregon. With all deference to their opinion, I differ with them totally. I believe, if permitted, slaves would be carried there, and that slavery would continue, at least, as long as in Maryland or Virginia. ['The whole of Oregon' is north of forty-two degrees.] The Pacific coast is totally different in temperature from the Atlantic. It is far milder.... Green peas are eaten in the Oregon city at Christmas. Where is the corresponding climate to be found on this side the continent? Where we sit—near the thirty-ninth? No, sir; but to the south of us." "The latitude of Georgia gives, on the Pacific, a tropical climate." "The prohibition of slavery in the laws of Oregon was adopted for the express purpose of excluding slaves." "A few had been brought in; further importations were expected; and it was with a view to put a stop to them, that the prohibitory act was passed."

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Now, Mr. Foote of Mississippi—"Hangman Foote," as he has been called—understands the laws of the formation of the earth as well as the distinguished senator from Massachusetts. Why, the inhabitants of that part of the Northwest Territory, which now forms the States of Indiana and Illinois, repeatedly asked Congress to allow them to introduce slaves north of the Ohio; and but for the ordinance of '87, that territory would now be covered with the mildew of slavery!

But I have not yet adduced all the testimony of Mr. Foote. Last year, on the 23d of February, 1849, he declared: "No one acquainted with the vast mineral resources of California and New Mexico, and who is aware of the peculiar adaptedness of slave labor to the development of mineral treasures, can doubt for a moment, that were slaves introduced into California and New Mexico, being employed in the mining operations there in progress, their labor would result in the acquisition of pecuniary profits not heretofore realized by the most successful cotton or sugar planter of this country?" Does not Mr. Webster know this? Perhaps he did not hear Mr. Foote's speech last year; perhaps he has a short memory, and has forgotten it. Then let us remind the nation of what its Senator forgets. Not know this—forget it? Who will credit such a statement? Mr. Webster is not an obscure clergyman, busy with far different things, but the foremost politician of the United States.

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But why do I mention the speeches of Mr. Foote, a year ago? Here is something hardly dry from the printing-press. Here is an advertisement from the "Mississippian" of March 7th, 1850, the

very day of that speech. The "Mississippian" is published at the city of Jackson, in Mississippi.

"CALIFORNIA,

"THE SOUTHERN SLAVE COLONY.

"Citizens of the slave States, desirous of emigrating to California with their slave property, are requested to send their names, number of slaves, and period of contemplated departure, to the address of 'SOUTHERN SLAVE COLONY,' Jackson, Miss....

"It is the desire of the friends of this enterprise to settle in the richest mining and agricultural portions of California, and to have the uninterrupted enjoyment of slave property. It is estimated that, by the first of May next, the members of this Slave Colony will amount to about five thousand, and the slaves to about ten thousand. The mode of effecting organization, &c., will be privately transmitted to actual members.

"Jackson (Miss.), Feb. 24, 1850. "dtf.

What does Mr. Webster say in view of all this? "If a proposition were now here for a government for New Mexico, and it was moved to insert a provision for the prohibition of slavery, I would not vote for it." Why not vote for it? There is a specious pretence, which is publicly proclaimed, but there is a real reason for it which is not mentioned!

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In the face of all these facts, Mr. Webster says that these men would wish "to protect the everlasting snows of Canada from the pest of slavery by the same overspreading wing of an act of Congress." Exactly so. If we ever annex Labrador—if we "re-annex" Greenland, and Kamskatka, I would extend the Wilmot Proviso there, and exclude slavery forever and forever.

But Mr. Webster would not "reaffirm an ordinance of nature," nor "reënact the will of God." I would. I would reaffirm nothing else, enact nothing else. What is justice but the "ordinance of nature?" What is right but "the will of God?" When you make a law, "Thou shalt not kill," what do you but "reënact the will of God?" When you make laws for the security of the "unalienable rights" of man, and protect for every man the right to life, liberty, and the pursuit of happiness, are you not re-affirming an ordinance of nature? Not reënact the will of God? Why, I would enact nothing else. The will of God is a theological term; it means truth and justice, in common speech. What is the theological opposite to "The will of God?" It is "The will of the devil." One of the two you must enact—either the will of God, or of the devil. The two are the only theological categories for such matters. *Aut Deus aut Diabolus*. There is no other alternative, "Choose you which you will serve."

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So much for the second and third questions. Let us now come to the last thing to be considered. What laws shall be enacted relative to fugitive slaves? Let us look at Mr. Webster's opinion on this point.

The Constitution provides—you all know that too well—that every person "held to service or labor in one State,... escaping into another, shall be delivered up." By whom shall he be delivered up? There are only three parties to whom this phrase can possibly apply. They are,

1. Individual men and women; or,
2. The local authorities of the States concerned; or,
3. The Federal Government itself.

It has sometimes been contended that the Constitution imposes an obligation on you, and me, and every other man, to deliver up fugitive slaves. But there are no laws or decisions that favor that construction. Mr. Webster takes the next scheme, and says, "I always thought that the Constitution addressed itself to the Legislatures of the States, or to the States themselves." "It seems to me that the import of the passage is, that the State itself ... shall cause him [the fugitive] to be delivered up. That is my judgment." But the Supreme Court, some years ago, decided otherwise, that "The business of seeing that these fugitives are delivered up resides in the power of congress and the national judicature." So the matter stands now. But it is proposed to make more stringent laws relative to the return of fugitive slaves. So continues Mr. Webster—"My friend at the head of the judiciary committee has a bill on the subject now before the Senate, with some amendments to it, which I propose to support, with all its provisions, to the fullest extent."

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Everybody knows the act of Congress of 1793, relative to the surrender of fugitive slaves, and the decision of the Supreme Court in the "Prigg case," 1842. But everybody does not know the bill of Mr. Webster's "friend at the head of the judiciary committee." There is a bill providing "for the more effectual execution of the third clause of the second section of the fourth article of the Constitution of the United States." It is as follows:—

"Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That when a person held to service or labor, in any State or Territory of the United States, under the laws of such State or territory, shall escape into any other of the said States or territories, the person to whom such service or labor may be due, his or her agent, or attorney, is hereby

empowered to seize or arrest such fugitive from service or labor, and to take him or her before any Judge of the Circuit or District Courts of the United States, or before any commissioner or clerk of such courts, or marshal thereof, or before any postmaster of the United States, or collector of the customs of the United States, residing or being within such State wherein such seizure or arrest shall be made; and, upon proof to the satisfaction of such judge, commissioner, clerk, postmaster, or collector, as the case may be, either by oral testimony or affidavit taken before and certified by any person authorized to administer an oath under the laws of the United States, or of any State, that the person so seized or arrested, under the laws of the State or territory, from which he or she fled, owes service or labor to the person claiming him or her, it shall be the duty of such judge, commissioner, clerk, marshal, postmaster, or collector, to give a certificate thereof to such claimant, his or her agent or attorney, which certificate shall be a sufficient warrant for taking and removing such fugitive from service or labor to the State or territory from which he or she fled.

"Sec. 2. *And be it further enacted*, That when a person held to service or labor, as mentioned in the first section of this act, shall escape from such service or labor, therein mentioned, the person to whom such service or labor may be due, his or her agent or attorney, may apply to any one of the officers of the United States named in said section, other than a marshal of the United States, for a warrant to seize and arrest such fugitive; and upon affidavit being made before such officer (each of whom, for the purposes of this act, is hereby authorized to administer an oath or affirmation), by such claimant, his or her agent, that such person does, under the laws of the State or territory from which he or she fled, owe service or labor to such claimant, it shall be and is hereby made the duty of such officer, to and before whom such application and affidavits are made to issue his warrant to any marshal of any of the courts of the United States, to seize and arrest such alleged fugitive, and to bring him or her forthwith, or on a day to be named in such warrant, before the officer issuing such warrant, or either of the other officers mentioned in said first section, except the marshal to whom the said warrant is directed, which said warrant or authority, the said marshal is hereby authorized and directed in all things to obey.

"Sec. 3. *And be it further enacted*, That upon affidavit made as aforesaid, by the claimant of such fugitive, his agent or attorney, after such certificate has been issued, that he has reason to apprehend that such fugitive will be rescued by force from his or their possession, before he can be taken beyond the limits of the State in which the arrest is made, it shall be the duty of the officer making the arrest, to retain such fugitive in his custody, and to remove him to the State whence he fled, and there to deliver him to said claimant, his agent or attorney. And to this end, the officer aforesaid is hereby authorized and required to employ so many persons as he may deem necessary to overcome such force, and to retain them in his service, so long as circumstances may require. The said officer and his assistants, while so employed, to receive the same compensation, and to be allowed the same expenses as are now allowed by law, for transportation of criminals, to be certified by the judge of the district within which the arrest is made, and paid out of the treasury of the United States: *Provided*, That before such charges are incurred, the claimant, his agent, or attorney, shall secure to said officer payment of the same, and in case no actual force be opposed, then they shall be paid by such claimant, his agent or attorney.

"Sec. 4. *And be it further enacted*, When a warrant shall have been issued by any of the officers under the second section of this act, and there shall be no marshal or deputy marshal within ten miles of the place where such warrant is issued, it shall be the duty of the officer issuing the same, at the request of the claimant, his agent, or attorney, to appoint some fit and discreet person, who shall be willing to act as marshal, for the purpose of executing said warrant; and such persons so appointed shall, to the extent of executing such warrant, and detaining and transporting the fugitive named therein, have all the power and the authority, and he, with his assistants, entitled to the same compensation and expenses, provided in this act, in cases where the services are performed by the marshals of the courts.

"Sec. 5. *And be it further enacted*, That any person who shall knowingly and wilfully obstruct or hinder such claimant, his agent, or attorney, or any person or persons assisting him, her or them, in so serving or arresting such fugitive from service or labor, or shall rescue such fugitive from such claimant, his agent, or attorney, when so arrested, pursuant to the authority herein given or declared, or shall aid, abet, or assist such person so owing service or labor, to escape from such claimant, his agent, or attorney, or shall harbor or conceal such person, after notice that he or she was a fugitive from labor, as aforesaid, shall, for either of the said offences, forfeit and pay the sum of one thousand dollars, which penalty may be recovered by, and for the benefit of, such claimant, by action of debt in any court proper to try the same, saving, moreover, to the person claiming such labor or service, his right of action for, on account of, the said injuries, or either of them.

"Sec. 6. *And be it further enacted*, That when such person is seized and arrested, under and by virtue of the said warrant, by such marshal, and is brought before either of the officers aforesaid, other than said marshal, it shall be the duty of such officer to proceed in the case of such person, in the same way that he is directed and authorized to do, when such person is seized and arrested by the person claiming him, or by his or her agent, or attorney, and is brought before such officer or attorney, under the provisions of the first section of this act."

This is the bill known as "Mason's Bill," introduced by Mr. Butler of South Carolina, on the 16th of January last. This is the bill which Mr. Webster proposes to support, "with all its provisions to the fullest extent." It is a Bill of abominations, but there are "some amendments to it," which modify the bill a little. Look at them. Here they are. The first provides in addition to the fine of one thousand dollars for aiding and abetting the escape of a fugitive, for harboring and concealing him, that the offender "shall also be imprisoned twelve months." The second amendment is as follows—"And in no trial or hearing under this act shall the testimony of such fugitive be admitted in evidence."

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These are Mr. Mason's amendments, offered on the twenty-third of last January. This is the bill, "with some amendments," which Mr. Webster says, "I propose to support, with all its provisions, to the fullest extent." Mr. Seward's bill was also before the Senate—a bill granting the fugitive slave a trial by jury in the State where he is found, to determine whether or not he is a slave. Mr. Webster says not a word about this bill. He does not propose to support it.

Suppose the bill of Mr. Webster's friend shall pass Congress, what will the action of it be? A slave-hunter comes here to Boston, he seizes any dark-looking man that is unknown and friendless, he has him before the postmaster, the collector of customs, or some clerk or marshal of some United States court, and makes oath that the dark man is his slave. The slave-hunter is allowed his oath. The fugitive is not allowed his testimony. The man born free as you and I, on the false oath of a slave-hunter, or the purchased affidavit of some one, is surrendered to a southern State, to bondage life-long and irremediable. Will you say, the postmaster, the collector, the clerks and marshals in Boston would not act in such matters? They have no option; it is their official business to do so. But they would not decide against the unalienable rights of man—the right to life, liberty, and the pursuit of happiness. That may be, or may not be. The slave-hunter may have his "fugitive" before the collector of Boston, or the postmaster of Truro, if he sees fit. If they, remembering their Old Testament, refuse to "bewray him that wandereth," the slave-hunter may bring on his officer with him from Georgia or Florida; he may bring the custom-house officer from Mobile or Wilmington, some little petty postmaster from a town you never heard of in South Carolina or Texas, and have any dark man in Boston up before that "magistrate," and on his decision have the fugitive carried off to Louisiana or Arkansas, to bondage for ever. The bill provides that the trial may be had before any such officer, "residing or being" in the State where the fugitive is found!

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There were three fugitives at my house the other night. Ellen Craft was one of them. You all know Ellen Craft is a slave; she, with her husband, fled from Georgia to Philadelphia, and is here before us now. She is not so dark as Mr. Webster himself, if any of you think freedom is to be dealt out in proportion to the whiteness of the skin. If Mason's bill passes, I might have some miserable postmaster from Texas or the District of Columbia, some purchased agent of Messrs. Bruin & Hill, the great slave-dealers of the Capitol, have him here in Boston, take Ellen Craft before the caitiff, and on his decision hurry her off to bondage as cheerless, as hopeless, and as irremediable as the grave!

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Let me interest you in a scene which might happen. Suppose a poor fugitive, wrongfully held as a slave—let it be Ellen Craft—has escaped from Savannah in some northern ship. No one knows of her presence on board; she has lain with the cargo in the hold of the vessel. Harder things have happened. Men have journeyed hundreds of miles bent double in a box half the size of a coffin, journeying towards freedom. Suppose the ship comes up to Long Wharf, at the foot of State Street. Bulk is broken to remove the cargo; the woman escapes, emaciated with hunger, feeble from long confinement in a ship's hold, sick with the tossing of the heedless sea, and still further etiolated and blanched with the mingling emotions of hope and fear. She escapes to land. But her pursuer, more remorseless than the sea, has been here beforehand; laid his case before the official he has brought with him, or purchased here, and claims his slave. She runs for her life, fear adding wings. Imagine the scene—the flight, the hot pursuit through State Street, Merchants' Row—your magistrates in hot pursuit. To make the irony of nature still more complete, let us suppose this shall take place on some of the memorable days in the history of America—on the 19th of April, when our fathers first laid down their lives "in the sacred cause of God and their country;" on the 17th of June, the 22d of December, or on any of the sacramental days in the long sad history of our struggle for our own freedom! Suppose the weary fugitive takes refuge in Faneuil Hall, and here, in the old Cradle of Liberty, in the midst of its associations, under that eye of Samuel Adams, the bloodhounds seize their prey! Imagine Mr. Webster and Mr. Winthrop looking on, cheering the slave-hunter, intercepting the fugitive fleeing for her life. Would not that be a pretty spectacle?

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Propose to support that bill to the fullest extent, with all its provisions! Ridiculous talk! Does Mr. Webster suppose that such a law could be executed in Boston? that the people of Massachusetts will ever return a single fugitive slave, under such an act as that? Then he knows his constituents very little, and proves that he needs "Instruction."^[2]

"Slavery is a moral and religious blessing," says somebody in the present Congress. But it seems some thirty thousand slaves have been blind to the benefits—moral and religious benefits—which it confers, and have fled to the free States. Mr. Clingman estimates the value of all the fugitive slaves in the North at \$15,000,000. Delaware loses \$100,000 in a year in this way; her riches taking to themselves not wings, but legs. Maryland lost \$100,000 in six months. I fear Mr. Mason's bill and Mr. Webster's speech will not do much to protect that sort of "property" from this kind of loss. Such action is prevented "by a law even superior to that which admits and sanctions it in Texas."

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Such are Mr. Webster's opinions on these four great questions. Now, there are two ways of accounting for this speech, or, at least, two ways of looking at it. One is, to regard it as the work of a statesman seeking to avert some great evil from the whole nation. This is the way Mr. Webster would have us look at it, I suppose. His friends tell us it is a statesmanlike speech—very statesmanlike. He himself says *Vera pro gratis*^[31]—true words in preference to words merely pleasing. *Etsi meum ingenium non moneret necessitas cogit*—Albeit my own humor should not prompt the counsel, necessity compels it. The necessity so cogent is the attempt to dissolve the Union, in case the Wilmot Proviso should be extended over the new territory. Does any man seriously believe that Mr. Webster really fears a dissolution of this Union undertaken and accomplished on this plea, and by the Southern States? I will not insult the foremost understanding of this continent by supposing he deems it possible. No, we cannot take this view of his conduct.

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The other way is to regard it as the work of a politician, seeking something beside the permanent good of a great nation. The lease of the Presidency is to be disposed of for the next four years by a sort of auction. It is in the hands of certain political brokers, who "operate" in presidential and other political stock. The majority of those brokers are slaveholders or pro-slavery men; they must be conciliated, or they will "not understand the nod" of the candidate—I mean of the man who bids for the lease. All the illustrious men in the national politics have an eye on the transaction, but sometimes the bid has been taken for persons whose chance at the sale seemed very poor. General Cass made his bid some time ago. I think his offer is recorded in the famous "Nicholson Letter." He was a Northern man, and bid Non-intervention—The unconstitutionality of any intervention with slavery in the new territory. Mr. Clay made his bid, for old Kentucky "never tires," the same old bid that he has often made—a Compromise. Mr. Calhoun did as he has always done. I will not say he made any bid at all; he was too sick for that, too sick for any thought of the Presidency. Perhaps at this moment the angel of death is dealing with that famed and remarkable man. Nay, he may already have gone where "The servant is free from his master, and the weary are at rest;" have gone home to his God, who is the Father of the great politician and the feeble-minded slave. If it be so, let us follow him only with pity for his errors, and the prayer that his soul may be at rest. He has fought manfully in an unmanly cause. He seemed sincerely in the wrong, and spite of the badness of the cause to which he devoted his best energies, you cannot but respect the man.

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Last of all, Mr. Webster makes his bid for the lease of "that bad eminence," the Presidency. He bids higher than the others, of course, as coming later; bids Non-intervention, Four new slave States in Texas, Mason's Bill for Capturing Fugitive slaves, and Denunciation of all the Anti-slavery movements of the North, public and private. That is what he bids, looking to the southern side of the board of political brokers. Then he nods northward, and says, The Wilmot Proviso is my "thunder;" then timidly glances to the South and adds, But I will never use it.

I think this is the only reasonable way in which we can estimate this speech—as a bid for the Presidency. I will not insult that mighty intellect by supposing that he, in his private heart, regards it in any other light. Mr. Calhoun might well be content with that, and say "Organize the territories on the principle of that gentleman, and give us a free scope and sufficient time to get in—we ask nothing but that, and we never will ask it."

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Such are the four great questions before us; such Mr. Webster's answers thereunto; such the two ways of looking at his speech. He decides in advance against freedom in Texas, against freedom in California, against freedom in New Mexico, against freedom in the United States, by his gratuitous offer of support to Mr. Mason's bill. His great eloquence, his great understanding, his great name, give weight to all his words. Pains are industriously taken to make it appear that his opinions are the opinions of Boston. Is it so? [Cries of No, No.] That was rather a feeble cry. Perhaps it is the opinion of the prevailing party in Boston. [No, No.] But I put it to you, Is it the opinion of Massachusetts? [Loud cries of No, No, No.] Well, so I say, No; it is not the opinion of Massachusetts.

Before now, servants of the people and leaders of the people have proved false to their employers, and betrayed their trust. Amongst all political men who have been weighed in the balance, and found wanting, with whom shall I compare him? Not with John Quincy Adams, who, in 1807, voted for the embargo. It may have been the mistake of an honest intention, though I confess I cannot think so yet. At any rate, laying an embargo, which he probably thought would last but a few months, was a small thing compared with the refusal to restrict slavery, willingness to enact laws to the disadvantage of mankind, and the voluntary support of Mason's iniquitous bill. Besides, Mr. Adams lived a long life; if he erred, or if he sinned in this matter, he afterwards fought most valiantly for the rights of man.

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Shall I compare Mr. Webster with Thomas Wentworth, the great Earl of Strafford, a man "whose doubtful character and memorable end have made him the most conspicuous character of a reign so fertile in recollections?" He, like Webster, was a man of large powers, and once devoted them to noble uses. Did Wentworth defend the "Petition of Right?" So did Webster many times defend the great cause of liberty. But it was written of Strafford, that "in his self-interested and ambitious mind," patriotism "was the seed sown among thorns!" "If we reflect upon this man's cold-blooded apostasy on the first lure to his ambition, and on his splendid abilities, which enhanced the guilt of that desertion, we must feel some indignation at those who have palliated all his iniquities, and embalmed his memory with the attributes of patriot heroism. Great he surely was, since that epithet can never be denied without paradox to so much comprehension of mind, such ardor and energy, such courage and eloquence, those commanding qualities of soul, which, impressed upon his dark and stern countenance, struck his contemporaries with mingled awe and hate ... But it may be reckoned a sufficient ground for distrusting any one's attachment to the English Constitution, that he reveres the name of Strafford." His measures for stifling liberty in England, which he and his contemporaries significantly called "Thorough" in the reign of Charles I., were not more atrocious, than the measures which Daniel Webster proposes himself, or proposes to support "to the fullest extent." But Strafford paid the forfeit—tasting the sharp and bitter edge of the remorseless axe. Let his awful shade pass by. I mourn at the parallel between him and the mighty son of our own New England. Would God it were not thus!

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For a sadder parallel, I shall turn off from the sour features of that great British politician, and find another man in our own fair land. This name carries us back to "the times that tried men's souls," when also there were souls that could not stand the rack. It calls me back to "The famous year of '80;" to the little American army in the highlands of New York; to the time when the torch of American liberty which now sends its blaze far up to heaven, at the same time lighting the northern lakes and the Mexique Bay, tinging with welcome radiance the eastern and the western sea, was a feeble flame flickering about a thin and hungry wick, and one hand was raised to quench in darkness, and put out forever, that feeble and uncertain flame. Gentlemen, I hate to speak thus. I honor the majestic talents of this great man. I hate to couple his name with that other, which few Americans care to pronounce. But I know no deed in American history, done by a son of New England, to which I can compare this, but the act of Benedict Arnold!

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Shame that I should say this of any man; but his own motto shall be mine—*VERA PRO GRATIS*—and I am not responsible for what he has made the TRUTH; certainly, *meum ingenium non moneret, necessitas cogit!*

I would speak with all possible tenderness of any man, of every man; of such an one, so honored, and so able, with the respect I feel for superior powers. I would often question my sense of justice, before I dared to pronounce an adverse conclusion. But the Wrong is palpable, the Injustice is open as the day. I must remember, here are twenty millions, whose material welfare his counsel defeats; whose honor his counsel stains; whose political, intellectual, moral growth he is using all his mighty powers to hinder and keep back. "*Vera pro gratis. Necessitas cogit. Vellem, equidem, vobis placere, sed multo malo vos salvos esse, qualicumque erga me animo futuri estis.*"

Let me take a word of warning and of counsel from the same author; yes, from the same imaginary speech of Quintus Capitolinis, whence Mr. Webster has drawn his motto:—*Ante portas est bellum: si inde non pellitur, jam intra mœnia erit, et arcem et Capitolium scandet, et in domos vestras vos persequetur.* The war [against the extension of Slavery, not against the Volscians, in this case] is before your very doors: if not driven thence, it will be within your walls [namely, it will be in California and New Mexico]; it will ascend the citadel and the capitol [to wit, it will be in the House of Representatives and the Senate]; and it will follow you into your very homes [that is, the curse of Slavery will corrupt the morals of the nation].

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Sedemus desides domi, mulierum ritu inter nos altercantes; præsentis pace læti, nec cernentes EX OTIO ILLO BREVI MULTIPLEX BELLUM REDITURUM. We [the famous Senators of the United States] sit idle at home, wrangling amongst ourselves like women [to see who shall get the lease of the Presidency], glad of the present truce [meaning that which is brought about by a compromise], not perceiving that for this brief cessation of trouble, a manifold war will follow [that is, the "horrid internecine war" which will come here, as it has been elsewhere, if justice be too long delayed]!

It is a great question before us, concerning the existence of millions of men. To many men in politics, it is merely a question of party rivalry; a question of in and out, and nothing more. To many men in cities, it is a question of commerce, like the establishment of a bank, or the building of one railroad more or less. But to serious men, who love man and love their God, this is a question of morals, a question of religion, to be settled with no regard to party rivalry, none to fleeting interests of to-day, but to be settled under the awful eye of conscience, and by the just law of God.

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Shall we shut up slavery or extend it? It is for us to answer. Will you deal with the question now, or leave it to your children, when the evil is ten times greater? In 1749, there was not a slave in Georgia; now, two hundred and eighty thousand. In 1750, in all the United States, but two hundred thousand; now, three millions. In 1950, let Mr. Webster's counsels be followed, there will be thirty millions. Thirty millions! Will it then be easier for your children to set limits to this crime against human nature, than now for you? Our fathers made a political, and a commercial, and a moral error—shall we repeat it? They did a wrong; shall we extend and multiply the wrong?

Was it an error in our fathers; not barely a wrong—was it a sin? No, not in them; they knew it not. But what in them to establish was only an error, in us to extend or to foster is a sin!

Perpetuate Slavery, we cannot do it. Nothing will save it. It is girt about by a ring of fire which daily grows narrower, and sends terrible sparkles into the very centre of the shameful thing. "Joint resolutions" cannot save it; annexations cannot save it—not if we re-annex all the West Indies; delinquent representatives cannot save it; uninstructed senators, refusing instructions, cannot save it, no, not with all their logic, all their eloquence, which smites as an earthquake smites the sea. No, slavery cannot be saved; by no compromise, no non-intervention, no Mason's Bill in the Senate. It cannot be saved in this age of the world until you nullify every ordinance of nature, until you repeal the will of God, and dissolve the union He has made between righteousness and the welfare of a people. Then, when you displace God from the throne of the world, and instead of his eternal justice, reënact the will of the Devil, then you may keep Slavery; keep it forever, keep it in peace. Not till then.

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The question is, not if slavery is to cease, and soon to cease, but shall it end as it ended in Massachusetts, in New Hampshire, in Pennsylvania, in New York; or shall it end as in St. Domingo? Follow the counsel of Mr. Webster—it will end in fire and blood. God forgive us for our cowardice, if we let it come to this, that three millions or thirty millions of degraded human beings, degraded by us, must wade through slaughter to their unalienable rights.

Mr. Webster has spoken noble words—at Plymouth, standing on the altar-stone of New England; at Bunker Hill, the spot so early reddened with the blood of our fathers. But at this hour, when we looked for great counsel, when we forgot the paltry things which he has often done, and said, "Now he will rouse his noble soul, and be the man his early speeches once bespoke," who dared to fear that Olympian head would bow so low, so deeply kiss the ground? Try it morally, try it intellectually, try it by the statesman's test, world-wide justice; nay, try it by the politician's basest test, the personal expediency of to-day—it is a speech "not fit to be made," and when made, not fit to be confirmed.

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"We see dimly in the distance what is small and what is great,
Slow of faith how weak an arm may turn the iron helm of fate;
But the soul is still oracular; amid the market's din,
List the ominous stern whisper from the Delphic cave within—
'They enslave their children's children, who make compromise with sin.'"

FOOTNOTES:

- [1] Mr. John Quincy Adams.
- [2] Alas, a single year taught me the folly of this confidence in Boston! See No. VI. of this volume.
- [3] Motto of Mr. Webster's speech.

II.

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SPEECH AT THE NEW ENGLAND ANTI-SLAVERY CONVENTION IN BOSTON, MAY 29, 1850.

Mr. President,—If we look hastily at the present aspect of American affairs, there is much to discourage a man who believes in the progress of his race. In this republic, with the Declaration of Independence for its political creed, neither of the great political parties is hostile to the existence of slavery. That institution has the continual support of both the whig and democratic parties. There are now four eminent men in the Senate of the United States, all of them friends of slavery. Two of these are from the North, both natives of New England; but they surpass their southern rivals in the zeal with which they defend that institution, and in the concessions which they demand of the friends of justice at the North. These four men are all competitors for the Presidency. Not one of them is the friend of freedom; he that is apparently least its foe, is Mr. Benton, the Senator from Missouri. Mr. Clay, of Kentucky, is less effectually the advocate of slavery than Mr. Webster, of Massachusetts. Mr. Webster himself has said, "There is no North," and, to prove it experimentally, stands there as one mighty instance of his own rule.

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In the Senate of the United States, only Seward and Chase and Hale can be relied on as hostile to slavery. In the House, there are Root and Giddings, and Wilmot and Mann, and a few others. "But what are these among so many?"

See "how it strikes a stranger." Here is an extract from the letter of a distinguished and learned man,^[4] sent out here by the King of Sweden to examine our public schools: "I have just returned from Washington, where I have been witnessing the singular spectacle of this free and enlightened nation being buried in sorrow, on account of the death of that great advocate of slavery, Mr. Calhoun. Mr. Webster's speech seems to have made a very strong impression upon

the people of the South, as I have heard it repeated almost as a lesson of the catechism by every person I have met within the slave territory. It seems now to be an established belief, that slavery is not a *malum necessarium*, still less an evil difficult to get rid of, but desirable soon to get rid of. No, far from that; it seems to be considered as quite a natural, most happy, and essentially Christian institution!"

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Not satisfied with keeping an institution which the more Christian religion of the Mohammedan Bey of Tunis has rejected as a "sin against God," we seek to extend it, to perpetuate it, even on soil which the half-civilized Mexicans made clear from its pollutions. The great organs of the party politics of the land are in favor of the extension; the great political men of the land seek to extend it; the leading men in the large mercantile towns of the North—in Boston, New York, and Philadelphia—are also in favor of extending slavery. All this is plain.

But, Sir, as I come up here to this Convention year after year, I find some signs of encouragement. Even in the present state of things, the star of hope appears, and we may safely and reasonably say, "Now is our salvation nearer than when we first believed" in anti-slavery. Let us look a little at the condition of America at this moment, to see what there is to help or what to hinder us.

First, I will speak of the present crisis in our affairs; then of the political parties amongst us; then of the manner in which this crisis is met; next of the foes of freedom; and last, of its friends. I will speak with all coolness, and try to speak short. By the middle of anniversary week, men get a little heated; I am sure I shall be cool, and I think I may also be dull.

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There must be unity of action in a nation, as well as in a man, or there cannot be harmony and welfare. As a man "cannot serve two masters" antagonistic and diametrically opposed to one another, as God and Mammon, no more can a nation serve two opposite principles at the same time.

Now, there are two opposite and conflicting principles recognized in the political action of America: at this moment, they contend for the mastery, each striving to destroy the other.

There is what I call the American idea. I so name it, because it seems to me to lie at the basis of all our truly original, distinctive and American institutions. It is itself a complex idea, composed of three subordinate and more simple ideas, namely: The idea that all men have unalienable rights; that in respect thereof, all men are created equal; and that government is to be established and sustained for the purpose of giving every man an opportunity for the enjoyment and development of all these unalienable rights. This idea demands, as the proximate organization thereof, a democracy, that is, a government of all the people, by all the people, for all the people; of course, a government after the principles of eternal justice, the unchanging law of God; for shortness' sake, I will call it the idea of Freedom.

That is one idea; and the other is, that one man has a right to hold another man in thralldom, not for the slave's good, but for the master's convenience; not on account of any wrong the slave has done or intended, but solely for the benefit of the master. This idea is not peculiarly American. For shortness' sake, I will call this the idea of Slavery. It demands for its proximate organization, an aristocracy, that is, a government of all the people by a part of the people—the masters; for a part of the people—the masters; against a part of the people—the slaves; a government contrary to the principles of eternal justice, contrary to the unchanging law of God. These two ideas are hostile, irreconcilably hostile, and can no more be compromised and made to coalesce in the life of this nation, than the worship of the real God and the worship of the imaginary Devil can be combined and made to coalesce in the life of a single man. An attempt has been made to reconcile and unite the two. The slavery clauses of the Constitution of the United States is one monument of this attempt; the results of this attempt—you see what they are, not order, but confusion.

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We cannot have any settled and lasting harmony until one or the other of these ideas is cast out of the councils of the nation: so there must be war between them before there can be peace. Hitherto, the nation has not been clearly aware of the existence of these two adverse principles; or, if aware of their existence, has thought little of their irreconcilable diversity. At the present time, this fact is brought home to our consciousness with great clearness. On the one hand, the friends of freedom set forth the idea of freedom, clearly and distinctly, demanding liberty for each man. This has been done as never before. Even in the Senate of the United States it has been done, and repeatedly during the present session of Congress. On the other hand, the enemies of freedom set forth the idea of slavery as this has not been done in other countries for a long time. Slavery has not been so lauded in any legislative body for many a year, as in the American Senate in 1850. Some of the discussions remind one of the spirit which prevailed in the Roman Senate, A. D. 62, when about four hundred slaves were crucified, because their master, Pedanius Secundus, a man of consular dignity, was found murdered in his bed. I mean to say, the same disregard of the welfare of the slaves, the same willingness to sacrifice them—if not their lives, which are not now in peril, at least their welfare, to the convenience of their masters. Anybody can read the story in Tacitus,^[5] and it is worth reading, and instructive, too, at these times.

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Here are some of the statements relative to slavery made in the thirty-first Congress of the

"It is clear that this institution [slavery] not only was not disapproved of, but was expressly recognized, approved, and its continuance sanctioned by the divine lawgiver of the Jews."

"Whether an evil or not, it is not a sin; it is not a violation of the divine law.

"What treatment did it receive from the founder of the gospel dispensation? It was approved, first negatively, because, in the whole New Testament, there is not to be found one single word, either spoken by the Saviour, or by any of the evangelists or apostles, in which that institution is either directly or indirectly condemned; and also affirmatively." This he endeavors to show, by quoting the passages from St. Paul, usually quoted for that purpose. Nothing would be easier than for St. Paul to have said—'Slaves, be obedient to your heathen masters; but I say to you, feeling masters, emancipate your slaves; the law of Christ is against that relation, and you are bound, therefore, to set them at liberty.' No such word is spoken.

Thus far goes the Hon. Senator Badger, of North Carolina.

Mr. Brown, of Mississippi, goes further yet. He knows what some men think of slavery, and tells them, "Very well, think so; but keep your thoughts to yourselves." He is not content with bidding the "Freest and most enlightened nation in the world," be silent on this matter: he is not content, with Mr. Badger, to declare that if an evil, it is not a sin, and to find it upheld in the Old Testament, and allowed in the New Testament; he tells us that he "regards slavery as a great moral, social, political and religious blessing—a blessing to the slave, and a blessing to the master."

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Thus, the issue is fairly made between the two principles. The contradiction is plain. The battle between the two is open, and in sight of the world.

But this is not the first time there has been a quarrel between the idea of slavery and the idea of freedom in America. The quarrel has lasted, with an occasional truce, for more than sixty years. In six battles, slavery has been victorious over freedom.

1. In the adoption of the Constitution supporting slavery.
2. In the acquisition of Louisiana, as slave territory.
3. In the acquisition of Florida as slave territory.
4. In making the Missouri Compromise.
5. In the annexation of Texas as a slave State.
6. In the Mexican war—a war, mean and wicked, even amongst wars.

Since the Revolution, there have been three instances of great national importance, in which freedom has overcome slavery; there have been three victories:

1. In prohibiting slavery from the Northwest Territory, before the adoption of the Constitution.
2. In prohibiting the slave-trade in 1808. I mean, in prohibiting the African slave-trade; the American slave-trade is still carried on in the capital of the United States.
3. The prohibition of slavery in Oregon may be regarded as a third victory, though not apparently

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of so much consequence as the others.

Now comes another battle, and it remains to be decided whether the idea of slavery or the idea of freedom is to prevail in the territory we have conquered and stolen from Mexico. The present strife is to settle that question. Now, as before, it is a battle between freedom and slavery; one on which the material and spiritual welfare of millions of men depends; but now the difference between freedom and slavery is more clearly seen than in 1787; the consequences of each are better understood, and the sin of slavery is felt and acknowledged by a class of persons who had few representatives sixty years ago. It is a much greater triumph for slavery to prevail now, and carry its institutions into New Mexico in 1850, than it was to pass the pro-slavery provisions of the Constitution in 1787. It will be a greater sin now to extend slavery, than it was to establish it in 1620, when slaves were first brought to Virginia.

Ever since the adoption of the Constitution, protected by that shield, mastering the energies of the nation, and fighting with that weapon, slavery has been continually aggressive. The slave-driver has coveted new soil; has claimed it; has had his claim allowed. Louisiana, Florida, Texas, California and New Mexico are the results of Southern aggression. Now the slave-driver reaches out his hand towards Cuba, trying to clutch that emerald gem set in the tropic sea. How easy it was to surrender to Great Britain portions of the Oregon Territory in a high northern latitude! Had it been south of 36° 30', it would not have been so easy to settle the Oregon question by a compromise. So when we make a compromise there, "the reciprocity must be all on one side."

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Let us next look at the position of the political parties with respect to the present crisis. There

are now four political parties in the land.

1. There is the Government party, represented by the President, and portions of his Cabinet, if not the whole of it. This party does not attempt to meet the question which comes up, but to dodge and avoid it. Shall Freedom or Slavery prevail in the new territory? is the question. The government has no opinion; it will leave the matter to be settled by the people of the territory. This party wishes California to come into the Union without slavery, for it is her own desire so to come; and does not wish a territorial government to be formed by Congress in New Mexico, but to leave the people there to form a State, excluding or establishing slavery as they see fit. The motto of this party is inaction, not intervention. King James I. once proposed a question to the Judges of England. They declined to answer it, and the King said, "If ye give no counsel, then why be ye counsellors?" The people of the United States might ask the government, "If ye give us no leading, then why be ye leaders?" This party is not hostile to slavery; not opposed to its extension.

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2. Then there is the Whig Party. This party has one distinctive idea; the idea of a Tariff for Protection; whether for the protection of American labor, or merely American capital, I will not now stop to inquire. The Whig Party is no more opposed to slavery, or its extension, than the Government party itself.

However there are two divisions of the whigs, the Whig Party South, and the Whig Party North. The two agree in their ideas of protection, and their pro-slavery character. But the Whig Party South advocates Slavery and Protection; the Whig Party North, Protection and Slavery.

In the North there are many whigs who are opposed to slavery, especially to the extension of slavery; there are also many other persons, not of the whig party, opposed to the extension of slavery; therefore in the late electioneering campaign, to secure the votes of these persons, it was necessary for the whig party North to make profession of anti-slavery. This was done accordingly, in a general form, and in special an attempt was made to show that the whig party was opposed to the extension of slavery.

Hear what Senator Chase says on this point. I read from his speech in the Senate, on March 26, 1850:—

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"On the whig side it was urged, that the candidate of the Philadelphia Convention was, if not positively favorable to the Proviso, at least pledged to leave the matter to Congress free from Executive influence, and ready to approve it when enacted by that body."

General Cass had written the celebrated "Nicholson Letter," in which he declared that Congress had no constitutional power to enact the Proviso. But so anxious were the Democrats of the North to assume an anti-slavery aspect,—continues Mr. Chase,—that

"Notwithstanding this letter, many of his friends in the free States persisted in asserting that he would not, if elected, veto the Proviso; many also insisted that he regarded slavery as excluded from the territories by the Mexican laws still in force; while others maintained that he regarded slavery as an institution of positive law, and Congress as constitutionally incompetent to enact such law, and that therefore it was impossible for slavery to get into the territories, whether Mexican law was in force or not."

This, says Mr. Chase, was the whig argument:—

"Prohibition is essential to the certain exclusion of slavery from the territories. If the democratic candidate shall be elected, prohibition is impossible, for the veto will be used: if the whig candidate shall be elected, prohibition is certain, provided you elect a Congress who will carry out your will. Vote, therefore, for the whigs."

Such was the general argument of the whig party. Let us see what it was in Massachusetts in special. Here I have documentary evidence. This is the statement of the Whig Convention at Worcester in 1848, published shortly before the election:—

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"We understand the whig party to be committed in favor of the principles contained in the ordinance of 1787, the prohibition of slavery in territory now free, and of its abolition wherever it can be constitutionally effected."

They professed to aim at the same thing which the free soil party aimed at, only the work must be done by the old whig organization. Free soil cloth must be manufactured, but it must be woven in the old whig mill, with the old whig machinery, and by the old whig weavers. See what the Convention says of the democratic party:—

"We understand the democratic party to be pledged to decline any legislation upon the subject of slavery, with a view either to its prohibition or restriction in places where it does not exist, or to its abolition in any of the territories of the United States."

There is no ambiguity in that language. Men can talk very plain when they will. Still there were

some that doubted; so the great and famous men of the party came out to convince the doubters that the whigs were the men to save the country from the disgrace of slavery.

Here let me introduce the testimony of Mr. Choate. This which follows is from his speech at Salem. He tells us the great work is, "The passage of a law to-day that California and New Mexico shall remain forever free. That is ... an object of great and transcendent importance:... we should go up to the very limits of the Constitution itself ... to defeat the always detested, and forever-to-be detested object of the dark ambition of that candidate of the Baltimore Convention, who has consented to pledge himself in advance, that he will veto the future law of freedom!" "Is there a whig upon this floor who doubts that the strength of the whig party next March will extend freedom to California and New Mexico, if by the Constitution they are entitled to freedom at all? Is there a member of Congress that would not vote for freedom?" [*Sancta simplicitas! Ora pro nobis!*] "Is there a single whig constituency, in any free State in this country, that would return any man that would not vote for freedom? Do you believe that Daniel Webster himself could be returned, if there was the least doubt upon this question?"

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That is plain speech. But, to pass from the special to the particular, hear Mr. Webster himself. What follows is from his famous speech at Marshfield, September, 1848.

"General Cass (he says) will have the Senate; and with the patronage of the government, with the interest that he, as a Northern man, can bring to bear, coöperating with every interest that the South can bring to bear, we cry *safety* before we are out of the woods, if we feel that there is no danger as to these new territories!" "In my judgment, the interests of the country and the feelings of a vast majority of the people require that a President of these United States shall be elected, who will neither use his official influence to promote, nor who feels any disposition in his heart to promote, the further extension of slavery in this country, and the further influence of it in the public councils."

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Speaking of the free soil party and the Buffalo platform, he says—"I hold myself to be as good a free soil man as any of the Buffalo Convention." Of the platform he says—"I can stand upon it pretty well." "I beg to know who is to inspire into my breast a more resolute and fixed determination to resist, unyieldingly, the encroachments and advances of the slave power in this country, than has inspired it, ever since the day that I first opened my mouth in the councils of the country."

If such language as this would not "deceive the very elect," what was more to the point, it was quite enough to deceive the electors. But now this language is forgotten; forgotten in general by the whig party North; forgotten in special by those who seemed to be the exponents of the whig party in Massachusetts; forgotten at any rate by the nine hundred and eighty-seven men who signed the letter to Mr. Webster; and in particular it is forgotten by Mr. Webster himself, who now says that it would disgrace his own understanding to vote for the extension of the Wilmot Proviso over the new territory!

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There were some men in New England who did not believe the statements of the whig party North in 1848, because they knew the men that uttered the sentiments of the whig party South. The leaders put their thumbs in the eyes of the people, and then said, "Do you see any dough in our faces?" "No!" said the people, "not a speck." "Then vote our ticket, and never say we are not hostile to slavery so long as you live."

At the South, the whig party used language somewhat different. Here is a sample from the New Orleans Bee:—

"General Taylor is from birth, association, and conviction, identified with the South and her institutions; being one of the most extensive slaveholders in Louisiana—and supported by the slaveholding interest, as opposed to the Wilmot Proviso, and in favor of securing the privilege to the owners of slaves to remove with them to newly acquired territory."

3. Then there is the Democratic party. The distinctive idea of the democrats is represented by the word anti-protection, or revenue tariff. This party, as such, is still less opposed to slavery than the whigs; however, there are connected with it, at the North, many men who oppose the extension of slavery. This party is divided into two divisions, the democratic party South, and the democratic party North. They agree in their idea of anti-protection and slavery, differing only in the emphasis which they give to the two words. The democrats of the South say Slavery and Anti-protection; the democrats North, Anti-protection and Slavery. Thus you see, that while there is a specific difference between democrats and whigs, there is also a generic agreement in the matter of slavery. According to the doctrine of elective affinities, both drop what they have a feeble affinity for, and hold on with what their stronger affinity demands. The whigs and democrats of the South are united in their attachment to slavery, not only mechanically, but by a sort of chemical union.

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Mr. Cass's Nicholson letter is well known. He says Congress has no constitutional right to restrict slavery in the territories. Here is the difference between him and General Taylor. General Taylor does not interfere at all in the matter. If Congress puts slavery in, he says, Very well! If Congress

puts slavery out, he says the same, Very well! But if Congress puts slavery out, General Cass would say, No. You shall not put it out. One has the policy of King Log, the other that of King Serpent. So far as that goes, Log is the better king.

So much for the democratic party.

4. The Free Soil party opposes slavery so far as it is possible to do, and yet comply with the Constitution of the United States. Its idea is declared by its words,—No more slave territory. It does not profess to be an anti-slavery party in general, only an anti-slavery party subject to the Constitution. In the present crisis in the Congress of the United States, it seems to me the men who represent this idea, though not always professing allegiance to the party, have yet done the nation good and substantial service. I refer more particularly to Messrs. Chase, Seward and Hale in the Senate, to Messrs. Root, Giddings and Mann in the House. Those gentlemen swear to keep the Constitution; in what sense and with what limitations, I know not. It is for them to settle that matter with their own consciences. I do know this, that these men have spoken very noble words against slavery; heroic words in behalf of freedom. It is not to be supposed that the free soil party, as such, has attained the same convictions as to the sin of slavery, which the anti-slavery party has long arrived at. Still they may be as faithful to their convictions as any of the men about this platform. If they have less light to walk by, they have less to be accountable for. For my own part, spite of their short-comings, and of some things which to me seem wrong in the late elections in New England, I cannot help thinking they have done good as individuals, and as a party; it seems to me they have done good both ways. I will honor all manly opposition to slavery, whether it come up to my mark, or does not come near it. I will ask every man to be true to his conscience, and his reason, not to mine.

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In speaking of the parties, I ought not to omit to say a word or two respecting some of the most prominent men, and their position in reference to this slavery question. It is a little curious, that of all the candidates for the Presidency, Mr. Benton, of Missouri, should be the least inclined to support the pretensions of the Slave Power. But so it is.

Of Mr. Cass, nothing more need be said at present; his position is defined and well known. But a word must be said of Mr. Clay. He comes forward, as usual, with a "Compromise." Here it is, in the famous "Omnibus Bill." In one point it is not so good as the Government scheme. General Taylor, as the organ of the party, recommends the admission of California, as an independent measure. He does not huddle and lump it together with any other matters; and in this respect, his scheme is more favorable to freedom than the other; for Mr. Clay couples the admission of California with other things. But in two points Mr. Clay's bill has the superiority over the General's scheme.

1. It limits the Western and Northern boundaries of Texas, and so reduces the territory of that State, where slavery is now established by law. Yet, as I understand it, he takes off from New Mexico about seventy thousand square miles, enough to make eight or ten States like Massachusetts, and delivers it over to Texas to be slave soil; as Mr. Webster says, out of the power of Congress to redeem from that scourge.

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2. It does not maintain that Congress has no power to exclude slavery in admitting a new State; whereas, if I understand the President in his Message, he considers such an act "An invasion of their rights."^[6]

Let us pass by Mr. Clay, and come to the other aspirant for the Presidency.

At the Philadelphia Convention, Mr. Webster, at the most, could only get one half the votes of New England; several of these not given in earnest, but only as a compliment to the great man from the North. Now, finding his presidential wares not likely to be bought by New England, he takes them to a wider market; with what success we shall one day see.

Something has already been said in the newspapers and elsewhere, about Mr. Webster's speech. No speech ever delivered in America has excited such deep and righteous indignation. I know there are influential men in Boston, and in all large towns, who must always have somebody to sustain and applaud. They some time since applauded Mr. Webster, for reasons very well known, and now continue their applause of him. His late speech pleases them; its worst parts please them most. All that is as was to be expected; men like what they must like. But, in the country, among the sober men of Massachusetts and New England, who prize Right above the political expediency of to-day, I think Mr. Webster's speech is read with indignation. I believe no one political act in America, since the treachery of Benedict Arnold, has excited so much moral indignation, as the conduct of Daniel Webster.

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But I pass by his speech, to speak of other things connected with that famous man. One of the most influential pro-slavery newspapers of Boston, calls the gentlemen who signed the letter to him, the "Retainers" of Mr. Webster. The word is well chosen and quite descriptive. This word is used in a common, a feudal, and a legal sense. In the common sense, it means one who has complete possession of the thing retained; in the feudal sense, it means a dependent or vassal, who is bound to support his liege lord; in the legal sense, it means the person who hires an attorney to do his business; and the sum given to secure his services, or prevent him from acting for the opposite party, is called a retaining fee. I take it the word "Retainers," is used in the legal

sense; certainly it is not in the feudal sense, for these gentlemen do not owe allegiance to Mr. Webster. Nor is it in its common sense, for events have shown that they have not a "complete possession" of Mr. Webster.

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Now, a word about this letter to him. Mr. Webster's retainers—nine hundred and eighty-seven in number—tell him, "You have pointed out to a whole people the path of duty, have convinced the understanding, and touched the conscience of a nation." "We desire, therefore, to express to you our entire concurrence in the sentiments of your speech, and our heartfelt thanks for the inestimable aid it has afforded towards the preservation and perpetuation of the Union."

They express their entire concurrence in the sentiments of his speech. In the speech, as published in the edition "revised and corrected by himself," Mr. Webster declares his intention to support the famous fugitive slave bill, and the amendments thereto, "with all its provisions, to the fullest extent." When the retainers express their "entire concurrence in the sentiments of the speech," they express their entire concurrence in that intention. There is no ambiguity in the language; they make a universal affirmation—(*affirmatio de omni*). Now Mr. Webster comes out, by two agents, and recants this declaration. Let me do him no injustice. He shall be heard by his next friend, who wishes to amend the record, a correspondent of the Boston Courier, of May 6th:

"The speech now reads thus:—'My friend at the head of the Judiciary Committee has a bill on the subject, now before the Senate, with some amendments to it, which I propose to support, with all its provisions, to the fullest extent.' Changing the position of the word *which*, and the sentence would read thus:—'My friend at the head of the Judiciary Committee has a bill on the subject, now before the Senate, which, with some amendments to it, I propose to support, with all its provisions, to the fullest extent.'"

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"Call you that backing your friends?" Really, it is too bad, after his retainers have expressed their "entire concurrence in the sentiments of the speech," for him to back out, to deny that he entertained one of the sentiments already approved of and concurred in! Can it be possible, we ask, that Mr. Webster can resort to this device to defend himself, leaving his retainers in the lurch? It does not look like him to do such a thing. But the correspondent of the Courier goes on as follows:—

"We are authorized to state, first—That Mr. Webster did not revise this portion of his speech, with any view to examine its exact accuracy of phrase; and second—That Mr. Webster, at the time of the delivery of the speech, had in his desk three amendatory sections,... and one of which provides expressly for the right of trial by jury."

But who is the person "authorized to state" such a thing? Professor Stuart informs the public that it "comes from the hand of a man who might claim a near place to Mr. Webster, in respect to talent, integrity, and patriotism."

Still, this recantation is so unlike Mr. Webster, that one would almost doubt the testimony of so great an unknown as is the writer in the Courier. But Mr. Stuart removes all doubt, and says—"I merely add, that Mr. Webster himself has personally assured me that his speech was in accordance with the correction here made, and that he has now in his desk the amendments to which the corrector refers." So the retainers must bear the honor, or the shame, whichever it may be, of volunteering the advocacy of that remarkable bill.

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When Paul was persecuted for righteousness' sake, how easily might "the offence of the cross" have been made to cease, by a mere transposition! Had he pursued that plan, he need not have been let down from the wall in a basket: he might have had a dinner given him by forty scribes, at the first hotel in Jerusalem, and a doctor of the law to defend him in a pamphlet.

But, alas! in Mr. Webster's case, admitting the transposition is real, the transubstantiation is not thereby effected; the transfer of the *which* does not alter the character of the sentence to the requisite degree. The bill, which he volunteers to advocate, contains provisions to this effect: That the owner of a fugitive slave may seize his fugitive, and, on the warrant of any "judge, commissioner, clerk, marshal, postmaster, or collector," "residing or being" within the State where the seizure is made, the fugitive, without any trial by jury, shall be delivered up to his master, and carried out of the State. Now, this is the bill which Mr. Webster proposes "to support, with all its provisions, to the fullest extent." Let him transfer his *which*, it does not transubstantiate his statement so that he can consistently introduce a section which "provides expressly for the right of trial by jury." This attempt to evade the plain meaning of a plain statement, is too small a thing for a great man.

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I make no doubt that Mr. Webster had in his desk, at the time alleged, a bill designed to secure the trial by jury to fugitive slaves, prepared as it is set forth. But how do you think it came there, and for what purpose? Last February Mr. Webster was intending to make a very different speech; and then, I make no doubt, it was that this bill was prepared, with the design of introducing it! But I see no reason for supposing, that when he made his celebrated speech, he intended to introduce it as an amendment to Mr. Mason's or Butler's bill. It is said that he will present it to the Senate. Let us wait and see.^[7]

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But, since the speech at Washington, Mr. Webster has said things at Boston, almost as bad. Here

they are; extracts from his speech at the Revere House. I quote from the report in the Daily Advertiser. "Neither you nor I shall see the legislation of the country proceed in the old harmonious way, until the discussions in Congress and out of Congress upon the subject, to which you have alluded [the subject of slavery], shall be, in some way, suppressed. Take that truth home with you—and take it as truth." A very pretty truth that is to take home with us, that "discussion" must be "suppressed!"

Again, he says:—

"Sir, the question is, whether Massachusetts will stand to the truth against temptation [that is the question]! whether she will be just against temptation! whether she will defend herself against her own prejudices! She has conquered every thing else in her time; she has conquered this ocean which washes her shore; she has conquered her own sterile soil; she has conquered her stern and inflexible climate; she has fought her way to the universal respect of the world; she has conquered every one's prejudices but her own. The question now is, whether she will conquer her own prejudices!"

The trumpet gives no uncertain sound; but before we prepare ourselves for battle, let us see who is the foe. What are the "prejudices" Massachusetts is to conquer? The prejudice in favor of the American idea; the prejudice in favor of what our fathers called self-evident truths; that all men "are endowed with certain unalienable rights;" that "all men are created equal," and that "to secure these rights, governments are instituted amongst men." These are the prejudices Massachusetts is called on to conquer. There are some men who will do this "with alacrity;" but will Massachusetts conquer her prejudices in favor of the "unalienable rights of man?" I think, Mr. President, she will first have to forget two hundred years of history. She must efface Lexington and Bunker Hill from her memory, and tear the old rock of Plymouth out from her bosom. These are prejudices which Massachusetts will not conquer, till the ocean ceases to wash her shore, and granite to harden her hills. Massachusetts has conquered a good many things, as Mr. Webster tells us. I think there are several other things we shall try our hand upon, before we conquer our prejudice in favor of the unalienable rights of man.

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There is one pleasant thing about this position of Mr. Webster. He is alarmed at the fire which has been kindled in his rear. He finds "considerable differences of opinion prevail ... on the subject of that speech," and is "grateful to receive ... opinions so decidedly concurring with" his own,—so he tells the citizens of Newburyport. He feels obliged to do something to escape the obloquy which naturally comes upon him. So he revises his speech; now supplying an omission, now altering a little; authorizes another great man to transpose his relative pronoun, and anchor it fast to another antecedent; appeals to amendments in the senatorial desk, designed to secure a jury trial for fugitive slaves; derides his opponents, and compares them with the patriots of ancient times. Here is his letter to the citizens of Newburyport—a very remarkable document. It contains some surprising legal doctrines, which I leave others to pass upon. But in it he explains the fugitive slave law of 1793, which does not "provide for the trial of any question whatever by jury, in the State in which the arrest is made." "At that time," nobody regarded any of the provisions of that bill as "repugnant to religion, liberty, the Constitution, or humanity;" and he has "no more objections to the provisions of this law, than was seen to them" by the framers of the law itself. If he sees therein nothing "repugnant to religion, liberty, the Constitution, or humanity," then why transpose that relative pronoun, and have an amendment "which provides expressly for the right of trial by jury?"

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"In order to allay excitement," he answers, "and remove objections." "There are many difficulties, however, attending any such provision [of a jury trial]; and a main one, and perhaps the only insuperable one, has been created by the States themselves, by making it a penal offence in their own officers, to render any aid in apprehending or securing such fugitives, and absolutely refusing the use of their jails for keeping them in custody, till a jury could be impanelled, witnesses summoned, and a regular trial be had."

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Think of that! It is Massachusetts, Pennsylvania, Ohio, and New York, which prohibit the fugitive from getting a trial for his freedom, before a jury of twelve good men and true! But Mr. Webster goes on: "It is not too much to say, that to these State laws is to be attributed the actual and practical denial of trial by jury in these cases." Generally, the cause is thought to precede the effect, but here is a case in which, according to Mr. Webster, the effect has got the start of the cause, by more than fifty years. The fugitive slave law of Congress, which allowed the master to capture the runaway, was passed in 1793; but the State laws he refers to, to which "is to be attributed the actual and practical denial of trial by jury in these cases," were not passed till after 1840. "To what base uses may we come at last!" Mr. Webster would never have made such a defence of his pro-slavery conduct, had he not been afraid of the fire in his rear, and thought his retainers not able to put it out. He seems to think this fire is set in the name of religion: so, to help us "Conquer our prejudices," he cautions us against the use of religion, and quotes from the private letter of "One of the most distinguished men in England," dated as late as the 29th of January—"Religion is an excellent thing in every matter except in politics: there it seems to make men mad." In this respect, it seems religion is inferior to money, for the Proverbs tell us that money "answereth all things;" religion, it seems, "answereth all things," except politics. Poor Mr. Webster! If religion is not good in politics, I suppose irreligion is good there; and, really, it is often enough introduced there. So, if religion "seems to make men mad" in politics, I suppose irreligion makes them sober in politics. But Mr. Webster, fresh from his transposition of his own

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relative, explains this: His friend ascribes the evils not to "true and genuine religion," but to "that fantastic notion of religion." So, making the transposition, it would read thus: "That fantastical notion of religion," "is an excellent thing in any matter except politics." Alas! Mr. Webster does not expound his friend's letter, nor his own language, so well as he used to expound the Constitution. But he says, "The religion of the New Testament is as sure a guide to duty in politics, as in any other concern of life." So, in the name of "Conscience and the Constitution," Professor Stuart comes forward to defend Mr. Webster, "by the religion of the New Testament; that religion which is founded on the teachings of Jesus and his apostles." How are the mighty fallen!

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Mr. Webster makes a "great speech," lending his mighty influence to the support and extension of slavery, with all its attendant consequences, which paralyze the hand of industry, enfeeble the thinking mind, and brutify the conscience which should discern between right and wrong; nine hundred and eighty-seven of his retainers in Boston, thank him for reminding them of their duty. But still the fire in his rear is so hot, that he must come on to Boston, talk about having discussion suppressed, and ask Massachusetts to conquer her prejudices. That is not enough. He must go up to Andover, and get a minister to defend him, in the name of "Conscience and the Constitution," supporting slavery out of the Old Testament and New Testament. "To what mean uses may we not descend!"

There is a "short and easy method" with Professor Stuart, and all other men who defend slavery out of the Bible. If the Bible defends slavery, it is not so much the better for slavery, but so much the worse for the Bible. If Mr. Stuart and Mr. Webster do not see that, there are plenty of obscurer men that do. Of all the attacks ever made on the Bible, by "deists" and "infidels," none would do so much to bring it into disrepute, as to show that it sanctioned American slavery.

It is rather a remarkable fact, that an orthodox minister should be on Mr. Webster's paper, endorsing for the Christianity of slavery.

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Let me say a word respecting the position of the Representative from Boston. I speak only of his position, not of his personal character. Let him, and all men, have the benefit of the distinction between their personal character, and official conduct. Mr. Winthrop is a consistent whig; a representative of the idea of the whig party North, Protection and Slavery. When he first went into Congress, it was distinctly understood that he was not going to meddle with the matter of slavery; the tariff was the thing. All this was consistent. It is to be supposed that a Northern whig will put the mills of the North before the black men of the South: and "Property before persons," might safely be writ on the banner of the whig party, North or South.

Mr. Winthrop seems a little uneasy in his position. Some time ago he complained of a "Nest of vipers" in Boston, who had broken their own teeth in gnawing a file; meaning the "vipers" in the free soil party, I suppose, whose teeth, however, have a little edge still left on them. He finds it necessary to define his position, and show that he has kept up his communication with the base-line of operations from which he started. This circumstance is a little suspicious.

Unlike Mr. Webster, Mr. Winthrop seems to think religion is a good thing in politics, for in his speech of May 7th, he says—"I acknowledge my allegiance to the whole Constitution of the United States.... And whenever I perceive a plain conflict of jurisdiction and authority between the Constitution of my country and the laws of my God, my course is clear. I shall resign my office, whatever it may be, and renounce all connection with public service of any sort." That is fair and manly. He will not hold a position under the Constitution of the United States which is inconsistent with the Constitution of the Universe. But he says—"There are provisions in the Constitution [of the United States, he means, not of the universe], which involve us in painful obligations, and from which some of us would rejoice to be relieved; and this [the restoration of fugitive slaves], is one of them. But there is none, none, in my judgment, which involves any conscientious or religious difficulty." So he has no "conscientious or religious" objection to return a fugitive slave. He thinks the Constitution of the United States "avoids the idea that there can be property in man," but recognizes "that there may be property in the service or labor of man." But when it is property in the service of man without value received by the servant, and a claim which continues to attach to a man and his children forever, it looks very like the idea of property in man. At any rate, there is only a distinction in the words, no difference in the things. To claim the sum of the accidents, all and several of a thing, is practically to claim the thing.

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Mr. Winthrop once voted for the Wilmot Proviso, in its application to the Oregon Territory. Some persons have honored him for it, and even contended that he also was a free soiler. He wipes off that calumny by declaring, that he attached that proviso to the Oregon bill for the purpose of defeating the bill itself. "This proviso was one of the means upon which I mainly relied for the purpose." "There can be little doubt," he says, "that this clause had its influence in arresting the bill in the other end of the capitol," where it was "finally lost." That is his apology for appearing to desire to prevent the extension of slavery. It is worth while to remember this.

Unlike Mr. Webster, he thinks slavery may go into New Mexico. "We may hesitate to admit that nature has everywhere [in the new territory] settled the question against slavery." Still he would not now pass the proviso to exclude slavery. It "would ... unite the South as one man, and if it did not actually rend the Union asunder, would create an alienation and irritation in that quarter of the country, which would render the Union hardly worth preserving." "Is there not ample reason for an abatement of the northern tone, for a forbearance of northern urgency upon this subject, without the imputation of tergiversation and treachery?"

Here I am reminded of a remarkable sentence in Mr. Webster's speech at Marshfield, in relation to the northern men who helped to annex Texas. Here it is:—

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"For my part, I think that Dough-faces is an epithet not sufficiently reproachful. Now, I think such persons are dough-faces, dough-heads, and dough-souls, that they are all dough; that the coarsest potter may mould them at pleasure to vessels of honor or dishonor, but most readily to vessels of dishonor."

The Representative from Boston, in the year 1850, has small objection to the extension of slave soil. Hearken to his words:—

"I can never put the question of extending slave soil on the same footing with one of directly increasing slavery and multiplying slaves. If a positive issue could ever again be made up for our decision, whether human beings, few or many, of whatever race, complexion or condition, should be freshly subjected to a system of hereditary bondage, and be changed from free men into slaves, I can conceive that no bonds of union, no ties of interest, no cords of sympathy, no consideration of past glory, present welfare, or future grandeur, should be suffered to interfere, for an instant, with our resolute and unceasing resistance to a measure so iniquitous and abominable. There would be a clear, unquestionable moral element in such an issue, which would admit of no compromise, no concession, no forbearance whatever.... A million of swords would leap from their scabbards to assert it, and the Union itself would be shivered like a Prince Rupert's dress in the shock.

"But, Sir, the question whether the institution of slavery, as it already exists, shall be permitted to extend itself over a hundred or a hundred thousand more square miles than it now occupies, is a different question.... It is not, in my judgment, such an issue that conscientious and religious men may not be free to acquiesce in whatever decision may be arrived at by the constituted authorities of the country.... It is not with a view of cooping up slavery ... within limits too narrow for its natural growth;... it is not for the purpose of girding it round with lines of fire, till its sting, like that of the scorpion, shall be turned upon itself,... that I have ever advocated the principles of the Ordinance of 1787."

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Mr. Mann, I think, is still called a whig, but no member of the free soil party has more readily or more ably stood up against the extension of slavery. His noble words stand in marvellous contrast to the discourse of the representative from Boston. Mr. Mann represents the country, and not the "metropolis." His speech last February, and his recent letter to his constituents, are too well known, and too justly prized, to require any commendation here. But I cannot fail to make a remark on a passage in the letter. He says, if we allow Mr. Clay's compromise to be accepted, "Were it not for the horrible consequences which it would involve, a roar of laughter, like a *feu de joie*, would run down the course of the ages." He afterwards says—"Should the South succeed in their present attempt upon the territories, they will impatiently await the retirement of General Taylor from the executive chair to add the 'State of Cuba' ... to this noble triumph." One is a little inclined to start such a laugh himself at the idea of the South waiting for that event before they undertake that plan!

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Mr. Mann says: "If no moral or religious obligation existed against holding slaves, would not many of those opulent and respectable gentlemen who signed the letter of thanks to Mr. Webster, and hundreds of others, indeed, instead of applying to intelligence offices for domestics, go at once to the auction room, and buy a man or a woman with as little hesitancy or compunction as they now send to Brighton for beeves?" This remark has drawn on him some censures not at all merited. There are men enough in Boston, who have no objection to slavery. I know such men, who would have been glad if slavery had been continued here. Are Boston merchants unwilling to take mortgages on plantations and negroes? Do northern men not acquire negroes by marrying wealthy women at the South, and keep the negroes as slaves? If the truth could be known, I think it would appear that Dr. Palfrey had lost more reputation in Boston than he gained, by emancipating the human beings which fell to his lot. But here is a story which I take from the Boston Republican. It is worth preserving as a monument of the morals of Boston in 1850, and may be worth preserving at the end of the century:—

"A year or two since, a bright-looking mulatto youth, about twenty years of age, and whose complexion was not much, if any, darker than that of the great 'Expounder of the Constitution,' entered the counting-room, on some errand for his master, a Kentuckian, who was making a visit here. A merchant on one of our principal wharves, who came in and spoke to him, remarked to the writer that he once owned this 'boy' and his mother, and sold them for several hundred dollars. Upon my expressing astonishment to him that he could thus deal in human flesh, he remarked that 'When you are among the Romans, you must do as the Romans do.' I know of others of my northern acquaintances, and good whigs too, who have owned slaves at the South, and who, if public opinion warranted it, would be as likely, I presume, to buy and sell them at the North."

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I have yet to learn that the controlling men of this city have any considerable aversion to domestic slavery.^[8]

Mr. Mann's zeal in behalf of freedom, and against the extension of slavery, has drawn upon him the indignation of Mr. Webster, who is grieved to see him so ignorant of American law. But Mr.

So much for the political parties and their relation to the matters at issue at this moment. Still, there is some reason to hope that the attempt to extend slavery, made in the face of the world, and supported by such talent, will yet fail; that it will bring only shame on the men who aim to extend and perpetuate so foul a blight. The fact that Mr. Webster's retainers must come to the rescue of their attorney; that himself must write letters to defend himself, and must even obtain the services of a clergyman to help him—this shows the fear that is felt from the anti-slavery spirit of the North. Depend upon it, a politician is pretty far gone when he sends for the minister, and he thinks his credit failing when he gets a clergyman on his paper to indorse for the Christian character of American slavery.

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Here I ought to speak of the party not politicians, who contend against slavery not only beyond the limits of the Constitution, but within those limits; who are opposed not only to the extension, but to the continuance of slavery; who declare that they will keep no compromises which conflict with the eternal laws of God,—of the Anti-slavery party. Mr. President, if I were speaking to whigs, to democrats, or to free soil men, perhaps I might say what I think of this party, of their conduct, and their motives; but, Sir, I pass it by, with the single remark, that I think the future will find this party where they have always been found. I have before now attempted to point out the faults of this party, and before these men; that work I will not now attempt a second time, and this is not the audience before which I choose to chant its praises.

There are several forces which oppose the anti-slavery movement at this day. Here are some of the most important.

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The Demagogues of the Parties are all or nearly all against it. By demagogue I mean the man who undertakes to lead the people for his own advantage, to the harm and loss of the people themselves. All of this class of men, or most of them, now support slavery—not, as I suppose, because they have any special friendship for it, but because they think it will serve their turn. Some noble men in politics are still friends of the slave.

The Demagogues of the Churches must come next. I am not inclined to attribute so much original power to the churches as some men do. I look on them as indications of public opinion, and not sources thereof—not the wind, but only the vane which shows which way it blows. Once the clergy were the masters of the people, and the authors of public opinion to a great degree; now they are chiefly the servants of the people, and follow public opinion, and but seldom aspire to lead it, except in matters of their own craft, such as the technicalities of a sect, or the form of a ritual. They may lead public opinion in regard to the "posture in prayer," to the "form of baptism," and the like. In important matters which concern the welfare of the nation, the clergy have none or very little weight. Still, as representatives of public opinion, we really find most of the clergy, of all denominations, arrayed against the cause of Eternal Justice. I pass over this matter briefly, because it is hardly necessary for me to give any opinion on the subject. But I am glad to add, that in all denominations here in New England, and perhaps in all the North, there are noble men, who apply the principles of justice to this question of the nation, and bear a manly testimony in the midst of bad examples. Some of the theological newspapers have shown a hostility to slavery and an attachment to the cause of liberty which few men expected; which were quite unknown in those quarters before. To do full justice to men in the sects who speak against this great and popular sin of the nation, we ought to remember that it is harder for a minister than for almost any other man to become a reformer. It is very plain that it is not thought to belong to the calling of a minister, especially in a large town, to oppose the actual and popular sins of his time. So when I see a minister yielding to the public opinion which favors unrighteousness, and passing by, in silence and on the other side, causes which need and deserve his labors and his prayers, I remember what he is hired for, and paid for,—to represent the popular form of religion; if that be idolatry, to represent that. But when I see a minister oppose a real sin which is popular, I cannot but feel a great admiration for the man. We have lately seen some examples of this.

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Yet, on the other side, there are some very sad examples of the opposite. Here comes forward a man of high standing in the New England churches, a man who has done real service in promoting a liberal study of matters connected with religion, and defends slavery out of what he deems the "Infallible word of God,"—the Old Testament and New Testament. Well, if Christianity supports American slavery, so much the worse for Christianity, that is all. Perhaps I ought not to say, *if* Christianity supports slavery. We all know it does not, never did, and never can. But if Paul was an apologist for slavery, so much the worse for Paul. If Calvinism or Catholicism supports slavery, so much the worse for them, not so much the better for Slavery! I can easily understand the conduct of the leaders of the New York mob: considering the character of the men, their ignorance and general position, I can easily suppose they may have thought they were doing right in disturbing the meetings there. Considering the apathy of the public authorities, and the attempt, openly made by some men,—unluckily of influence in that city,—to excite others to violence, I have a good deal of charity for Rynders and his gang. But it is not so easy to excuse the conspicuous ecclesiastical defenders of slavery. They cannot plead their ignorance. Let them

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alone, to make the best defence they can.

The Toryism of America is also against us. I call that man a Tory, who prefers the accidents of man to the substance of manhood. I mean one who prefers the possessions and property of mankind to man himself, to reason and to justice. Of this Toryism we have much in America, much in New England, much in Boston. In this town, I cannot but think the prevailing influence is still a Tory influence. It is this which is the support of the demagogues of the State and the Church.

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Toryism exists in all lands. In some, there is a good deal of excuse to be made for it. I can understand the Toryism of the Duke of Medina Sidonia, and of such men. If a man has been born to great wealth and power, derived from ancestors for many centuries held in admiration and in awe; if he has been bred to account himself a superior being, and to be treated accordingly, I can easily understand the Toryism of such a man, and find some excuse for it. I can understand the Tory literature of other nations. The Toryism of the "London Quarterly," of "Blackwood," is easily accounted for, and forgiven. It is, besides, sometimes adorned with wit, and often set off by much learning. It is respectable Toryism. But the Toryism of men who only know they had a grandfather by inference, not by positive testimony; who inherited nothing but their bare limbs; who began their career as tradesmen or mechanics,—mechanics in divinity or law as well as in trade,—and get their bread by any of the useful and honorable callings of life—that such men, getting rich, or lifting their heads out of the obscurity they were once in, should become Tories, in a land, too, where institutions are founded on the idea of freedom and equity and natural justice—that is another thing. The Toryism of American journals, with little scholarship, with no wit, and wisdom in hom[oe]opathic doses; the Toryism of a man who started from nothing, the architect of his own fortune; the Toryism of a Republican, of a Yankee, the Toryism of a Snob,—it is Toryism reduced to its lowest denomination, made vulgar and contemptible; it is the little end of the tail of Toryism. Let us loathe the unclean thing in the depth of our soul, but let us pity the poor Tory; for he, also, in common with the negro slave, is "A man and a brother."

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Then the Spirit of Trade is often against us. Mr. Mann, in his letter, speaks of the opposition made to Wilberforce by the "Guinea merchants" of Liverpool, in his attempts to put an end to the slave-trade. The Corporation of Liverpool spent over ten thousand pounds in defence of a traffic, "the worst the sun ever shone upon." This would seem to be a reflection upon some of the merchants of Boston. It seems, from a statement in the Atlas, that Mr. Mann did not intend his remarks to apply to Boston, but to New York and Philadelphia, where mass meetings of merchants had been held, to sustain Mr. Clay's compromise resolutions. Although Mr. Mann did not apply his remarks to Boston, I fear they will apply here as well as to our sister cities. I have yet to learn that the letter of Mr. Webster's retainers was any less well adapted to continue and extend slavery, than the resolutions passed at New York and Philadelphia. I wish the insinuations of Mr. Mann did not apply here.

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One of the signers of the letter to Mr. Webster incautiously betrayed, I think, the open secret of the retainers when he said—"I don't care a damn how many slave States they annex!" This is a secret, because not avowed; open, because generally known, or at least believed, to be the sentiment of a strong party in Massachusetts. I am glad to have it also expressed; now the issue is joined, and we do not fight in the dark.

It has long been suspected that some inhabitants of Boston were engaged in the slave-trade. Not long since, the brig "Lucy Anne," of Boston, was captured on the coast of Africa, with five hundred and forty-seven slaves on board. This vessel was built at Thomaston in 1839; repaired at Boston in 1848, and now hails from this port. She was commanded by one "Captain Otis," and is owned by one "Salem Charles." This, I suppose, is a fictitious name, for certainly it would not be respectable in Boston to extend slavery in this way. Even Mr. Winthrop is opposed to that, and thinks "a million swords would leap from their scabbards to oppose it." But it may be that there are men in Boston who do not think it any worse to steal men who were born free, and have grown up free in Africa, and make slaves of them, than to steal such as are born free in America, before they are grown up. If we have the Old Testament decidedly sustaining slavery, and the New Testament never forbidding it; if, as we are often told, neither Jesus nor his early followers ever said a word against slavery; if scarcely a Christian minister in Boston ever preaches against this national sin; if the Representative from Boston has no religious scruples against returning a fugitive slave, or extending slavery over a "hundred or a hundred thousand square miles" of new territory; if the great Senator from Massachusetts refuses to vote for the Wilmot Proviso, or reaffirm an ordinance of nature, and reënact the will of God; if he calls on us to return fugitive slaves "with alacrity," and demands of Massachusetts that she shall conquer her prejudices; if nine hundred and eighty-seven men in this vicinity, of lawful age,^[9] are thankful to him for enlightening them as to their duty, and a professor of theology comes forward to sanction American slavery in the name of religion—why, I think Mr. "Salem Charles," with his "Captain Otis," may not be the worst man in the world, after all! Let us pity him also, as "A man and a brother."

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Such is the crisis in our affairs; such the special issue in the general question between freedom and slavery; such the position of parties and of great men in relation to this question; such the foes to freedom in America.

On our side, there are great and powerful allies. The American idea is with us; the spirit of the majority of men in the North, when they are not blindfolded and muzzled by the demagogues of State and Church. The religion of the land, also, is on our side; the irreligion, the idolatry, the infidelity thereof, all of that is opposed to us. Religion is love of God and love of man: surely, all of that, under any form, Catholic or Quaker, is in favor of the unalienable rights of man. We know that we are right; we are sure to prevail. But in times present and future, as in times past, we need heroism, self-denial, a continual watchfulness, and an industry which never tires.

Let us not be deceived about the real question at issue. It is not merely whether we shall return fugitive slaves without trial by jury. We will not return them with trial by jury! neither "with alacrity," nor "with the solemnity of judicial proceedings!" It is not merely whether slavery shall be extended or not. By and by there will be a political party with a wider basis than the free soil party, who will declare that the nation itself must put an end to slavery in the nation; and if the Constitution of the United States will not allow it, there is another Constitution that will. Then the title, Defender and expounder of the Constitution of the United States, will give way to this,—"Defender and expounder of the Constitution of the Universe," and we shall reaffirm the ordinance of nature, and reenact the will of God. You may not live to see it, Mr. President, nor I live to see it; but it is written on the iron leaf that it must come; come, too, before long. Then the speech of Mr. Webster, and the defence thereof by Mr. Stuart, the letter of the retainers and the letters of the retained, will be a curiosity; the conduct of the whigs and democrats an amazement, and the peculiar institution a proverb amongst all the nations of the earth. In the turmoil of party politics, and of personal controversy, let us not forget continually to move the previous question, whether Freedom or Slavery is to prevail in America. There is no attribute of God which is not on our side; because, in this matter, we are on the side of God.

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Mr. President: I began by congratulating you on the favorable signs of the times. One of the most favorable is the determination of the South to use the powers of government to extend slavery. At this day, we exhibit a fact worse than Christendom has elsewhere to disclose; the fact that one sixth part of our population are mere property; not men, but things. England has a proletary population, the lowest in Europe; we have three million of proletaries lower than the "pauper laborers" of England, which the whig protectionists hold up to us in terror. The South wishes to increase the number of slaves, to spread this blot, this blight and baneful scourge of civilization over new territory. Hot-headed men of the South declare that, unless it is done, they will divide the Union; famous men of the North "cave in," and verify their own statements about "dough-faces" and "dough-souls." All this is preaching anti-slavery to the thinking men of the North; to the sober men of all parties, who prefer Conscience to cotton. The present session of Congress has done much to overturn slavery. "Whom the gods destroy they first make mad."

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FOOTNOTES:

- [4] Mr. Silgeström.
- [5] Annal. Lib. XIV. cap. 42, *et seq.*
- [6] Executive Documents: House of Representatives, No. 17, p. 3.
- [7] Since the delivery of the above, Mr. Webster has introduced his bill, providing a trial by jury for fugitive slaves. If I understand it, Mr. Webster does not offer it as a substitute for the Judiciary Bill on the subject, does not introduce it as an amendment to that or to any thing else. Nay, he does not formally introduce it—only lays it before the Senate, with the desire that it may be printed! The effect it is designed to produce, it is very easy to see. The retainers can now say—See! Mr. Webster himself wishes to provide a trial by jury for fugitives! Some of the provisions of the bill are remarkable, but they need not be dwelt on here.
- [8] While this is passing through the press, I learn that several wealthy citizens of Boston are at this moment owners of several hundreds of slaves. I think they would lose reputation among their fellows if they should set them free.
- [9] It has since appeared that several of those persons were at the time, and still are, holders of slaves. Their conduct need excite no surprise.

III.

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A DISCOURSE OCCASIONED BY THE DEATH OF THE LATE PRESIDENT TAYLOR.—PREACHED AT THE MELODEON, JULY 14, 1850.

Last Sunday, on a day near the national anniversary, something was said of the relation which the American citizen bears to the State, and of the duties and rights which belong to that relation. Since then an event has occurred which suggests another topic of a public nature, and so I invite your attention to a discourse of the general position and duties of an American ruler, and in special of the late President Taylor. It is no pleasant task to rise to speak so often on such themes as this, but let us see what warning or guidance we can gather from this occasion.

In order that a man should be competent to become a complete political ruler and head of the American people, he ought to be distinguished above other men in three particulars.

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First, he ought to have just political ideas in advance of the people, ideas not yet organized into institutions in the State. Then he will be a leader in ideas.

Next, he ought to have a superior power of organizing those ideas, of putting them into institutions in the State. Then he will be a leader in the matter of organizing ideas.

Then he ought to have a superior power of administering the institutions after they are made. Then he will be a leader in the matter of administering institutions.

An eminent degree of these three qualities constitutes genius for statesmanship, genius, too, of a very high order. A man who really and efficiently leads in politics must possess some or all of these qualities; without them, or any of them, he can only seem to lead. He and the people both may think he is the leader, and call him so; but he that shall lead others aright, must himself be on the right road and in advance of them. To perform the functions of a leader of men, the man must be eminently just also, true to the Everlasting Right, the Law of God; otherwise he can never possess in the highest degree, or in a competent degree, the power of ideas, of organization, of administration. A man eminently just, and possessing these three qualities is a leader by nature; if he is also put into the conventional position of leader, then he bears the same relation to the people, which the captain of a ship, skilful and competent, would bear to the ship's company who were joint owners with him, and had elected him to his office, expecting that he would serve them as captain while he held the office of captain.

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The complete and perfect leader must be able to originate just political ideas, to organize them justly, to administer the organization with justice. But these three powers are seldom united in the same man; so, practically, the business of leading, and therefore of ruling, is commonly distributed amongst many persons; not concentrated in one man's hands. I think we have as yet had no statesman in America who has enjoyed each and all of these three talents in an eminent degree. No man is so rich as mankind. Any one of them is a great gift, entitling the man to distinction; but the talent for administration is not very rare. It is not difficult to find a man of good administrative ability with no power to invent, none to organize the inventions of other men. How many men can work all day with oxen yoked to a plough; how few could invent a plough or tame wild cattle. It is not hard to find men capable of managing political machinery, of holding the national plough and conducting the national team, when both are in the field, and there is the old furrow to serve as guide. That is all we commonly look for in an American politician. He is to follow the old constitutional furrow, and hold the old plough, and scatter a little democratic or whig seed, furnished by his party, not forgetting to give them the handsel of the crop. That is all we commonly look for in an American politician, leaving it for some bright but obscure man in the mass of the people to discover a new idea, and to devise the mode of its organization. Then the politician, perched aloft on his high place and conspicuous, holds the string of the kite which some unknown men have thought out, made up, and hoisted with great labor; he appears to be the great man because he sits and holds the string, administering the kite, and men look up and say, "See there, what a great man he is! Is not this the foremost man of the age?"

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In this way the business of ruling the nation is made a matter of mere routine, not of invention or construction. The ruler is to tend the public mill; not to make it, or to mend it; not to devise new and better mills, not even to improve the old one. We may be thankful if he does not abuse and leave it worse than he found it. He is not to gather the dam, only to shut the gate at the right time, and at the right time open it; to take sufficient toll of all comers, and now and then make a report of the grinding, or of what he sees fit to communicate to the owners of the mill. As it is a part of the written Constitution of the land that all money bills shall originate with the House of Representatives, so it is a part of the unwritten custom that political ideas in advance of the people shall not originate with the nominal rulers of the nation, but elsewhere. One good thing results from this: we are not much governed, but much let alone. The American form of government has some great merits; this I esteem the greatest; that it lets the people alone so much. In forming ourselves into a State, we agreed with one another not to meddle and make politically with individuals so much as other nations had done.

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It is a long time since we have had a man of large genius for politics at the head of affairs in America. I think we could not mention more than one who had any genius for just political ideas in advance of the people. Skilful administrators we have had in great abundance in politics as in other matters. Nature herself seems democratic in her action here, and all our great movements appear to be brought about by natural power diffused amongst many men of talent, not by natural power condensed into a single man of genius. So long as this is the case, the present method of letting alone is the best one. The American nation has marched on without much pioneering on the part of its official rulers, no one of them for a long time being much in advance of the million; and while it is so it is certainly best that the million are very much left to themselves. But if we could have a man as much in advance of the people in all these three qualities, and especially in the chief quality—as the skilful projector of a cotton mill is in advance of the girls who tend the looms, in all that relates to the projection of a cotton mill,—then we should know what it was to have a real leader, a ruler who could be the schoolmaster of the nation, not ruling over our bodies by fear, but in the spirit of love, setting us lessons which we could not have devised, nor even understand without his help; one who preserves all the good of

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the old, and adds thereto much new good not seen before, and so instructs and helps forward the people. But as the good God has not sent such a man, and he is not to be made by men, only found, nor in the least helped in any of those three qualities by all the praise we can pour on him; so it comes to pass that an ordinary ruler is a person of no very great consequence. His importance is official and not personal, and as only the person dies, not the office, the death of such an one is not commonly an affair of much significance. Suppose after Mr. Tyler or Mr. Polk had taken the oath of office, he had appointed a common clerk, a man of routine and experience, as his factotum, with power to affix the presidential name to necessary documents, and then had quietly and in silence departed from this life, how much would the nation have lost? A new and just political idea; an organization thereof? No such thing. If the public press had kept the secret, we should not have found out their death till this time. The obscure clerk could tend the mill as well as his famous master who would not be missed.

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Louis XIV. said, "The State! That is I." He was the State. So when the ruler dies, the State is in peril. If the King of Prussia, the Emperor of Russia or Austria, or the Pope of Rome were to die, there would be a revolution, and nobody knows what would come of it; for there the ruler is master of the people, who are subjects, not citizens, and the old master dying, it is not easy to yoke the people to the chariot of a new one. Here the people are the State; and though the power of General Taylor was practically greater than that of any monarch in Europe, save Nicholas, William, and Ferdinand, yet at his death all the power passes into the hands of his successor, with no noise, no tumult, not even the appearance of a street constable. I think that was a sublime sight—the rule over twenty millions of people, jealous of their rights, silently, by due course of law, passes into the hands of another man at dead of night, and the next morning the nation is just as safe, just as quiet and secure as before, no fear of change perplexing them. That was a sublime sight—one of the fair things which comes of a democracy. Here the ruler is servant, and the people master; so the death of a President, like Mr. Van Buren, or any of his successors, Harrison or Tyler or Polk, would really have been a very unimportant event; not so momentous as the death of one of the ablest doctors in Boston, for should the physician die, your chance of life is diminished by that fact. If Dr. Channing had died at the age of forty, before he wrote his best works, his death would have been a greater calamity than that of any or all of the four Presidents just named, as soon as their inaugural address was delivered; for Dr. Channing had some truths to tell, which there was nobody else to deliver at that time. No President since Jefferson, I think, has done the nation so much good as the opening of the Erie Canal in New York, or the chief railroads in Massachusetts, or the building up of any one of the half dozen large manufacturing towns in New England. Mr. Cunard, in establishing his line of Atlantic steamers, did more for America than any President for five-and-twenty years. The discovery of the properties of sulphuric ether, the devising of the magnetic telegraph, was of more advantage to this nation, than the service of any President for a long time. I think I could mention a few men in Boston, any one of whom has been of more service than four or five Presidents; and, accordingly, the death of any one of those would be a greater calamity than the demise of all those Presidents the day after election. With us the President is only one spoke in the wheel, and if that is broken we always have a spare spoke on hand, and the wheel is so made that without stopping the mill, the new spoke drops into the place of the old one and no one knows the change till told thereof. If Mr. Polk had really been the ablest man in the land, a creator and an organizer, his death would have been a public calamity, and the whole nation would have felt it, as Boston or New York would feel the loss of one of its ablest manufacturers or merchants, lawyers or doctors. That would deprive us of the services of a man which could not be supplied. We have always spare men of routine, but not spare men of genius. Dr. Channing has been missed ever since his death, and the churches of Boston, poor enough before, are the poorer for his absence. So has John Quincy Adams, old as he was, been missed in the House of Representatives. The enemy of freedom may well rejoice that his voice is still. But who misses General Harrison or Mr. Polk? What interest languishes in consequence of their departure? What idea, what right, lost thereby a defender? If Sir Robert Peel were to die, the British nation would feel the loss.

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We attach a false importance to the death of a President. Great calamities were apprehended at the death of General Harrison. But what came? Whigs went out of office and democrats went into office. Had Jefferson died before the Declaration of Independence, or Washington any time after it, or before the termination of his official service, or John Adams before the end of the war, that would have been a great calamity; for I know not where we should have found another Jefferson, to see so distinctly, and write down so plain the great American idea, or another Washington to command an army without money, without provisions, without hats and shoes, as that man did. The death of Samuel Adams, in 1760, would have been a terrible misfortune to America. But the death of General Harrison only made a change in the Cabinet, not in the country; it affected the politicians more than the people.

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We are surrounded in the world with nations ruled by kings, who are the masters of the people; hard masters too! When they die the people mourn, not always very wisely, not always sincerely, but always with ceremony. The mourning for George IV. and William IV. in England, I doubt not, was more splendid and imposing than that for Edward the Confessor and Oliver Cromwell; and that for Louis XV. outdid that for Henry IV. In a monarchy, men always officially mourn their king, whether it be King Log, or King Snake, or King Christian; we follow the example of those States. If some of the men, whose death would be the greatest calamity, should die, the newspapers would not go into mourning; we should not have a day of fasting set apart; no minister would think it "An inscrutable providence;" only a few plain country people would come together and take up the dust, disenchanting of the genius which gave it power over other and animated clay, to lay it down in the ground. There would be no Catafalques in the street; but the

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upper mountain-tops would miss that early sun which kissed their foreheads, while all below the world was wrapped in drowsy mist, and the whole race of man would be losers by the fading out of so much poetry, or truth, or justice, love and faith.

The office of President of the United States is undeniably one of great importance. If you put in it a great man, one with ability to invent, to organize and to administer, he has a better opportunity to serve mankind than most kings of Europe. I know of no position in the world more desirable for a really great man, a man with a genius for statesmanship, a million-minded man, than to take this young, daring, hopeful nation, so full of promise, so ready for work, and lead them forward in the way of political righteousness, giving us ideas, persuading us to build institutions thereof, and make the high thought of a man of genius the common life of a mighty nation, young as yet and capable of taking any lesson of national nobility which the most gifted man can devise; to be the ruler, not over Russian serfs, but American freemen, citizens, not subjects; to be the schoolmaster for twenty millions, and they such promising pupils, loving hard lessons; and the men that set them, the most enterprising race of persons in the world, who have already learned something of Christianity and the idea of personal freedom,—why that is a noble ambition. I do not wonder that a man of great powers should covet this great position, and feel a noble dissatisfaction and unrest until he found himself there, gravitating towards it as naturally as the Mississippi to the ocean. Put in it such men as I point to, one with the intellect of a Webster, the conscience of a Channing, the philanthropy of much humbler men; let him aim at the welfare of the nation and mankind; let him have just political ideas in advance of the nation, and, in virtue thereof, ability to solve the terrible social and political questions of this age; careless of his popularity and reputation, but careful of his conscience and his character, let him devote himself to the work of leading this people, and what an office is that of President of the United States in the middle of the nineteenth century! He would make this nation a society for mutual improvement twenty millions strong; not King Log, not King Stork, but King Good-man, King Christian if you will, he would do us a service, dignifying an office which was itself a dignity.

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But if it be so noble for such a man, working with such an aim, for such an end; when a little man is in that office, with no ideas in advance of the people, and incapable of understanding such as have them; with no ability to organize the political ideas not yet organized, and applied to life; a man of routine; not ruling for the nation, but the ruler of a party and for a party, his ambition only to serve the party; an ordinary man, surrounding himself with other ordinary men; with ordinary habits, ordinary aims, ordinary means, and aiming at the ordinary ends of an adventurer; careless of his conscience and character, but careful of his party-popularity and temporary reputation,—why the office becomes painful to think of; and the officer, his state is not kingly, it is vulgar and mean, and low! So the lighthouse on the rocks of Boston harbor, is a pleasant thing to see and to imagine, with its great lamp looking far out to sea, and shining all night long, a star of special providence; seen afar off, when stormy skies shut other stars from sight, it assures the mariner of his whereabouts, guides the whaler and the Indiaman safe into port and peace, bringing wealth to the merchant, and a husband to the lingering wife, almost a widow in the cheating sea's delay and her own heart-sickness from hope so long deferred. But take away the great lamp, leaving all else; put in its place a little tallow candle of twenty to the pound, whose thin glitter could not be seen a mile off, spite of the burnished reflectors at its side, and which requires constant picking and trimming to keep the flame alive, and at its best estate flickers with every flutter of the summer wind,—what would the lighthouse be to look upon or to imagine? What a candlestick for what a candle! Praise it as much as you will; flatter it in the newspapers; vote it "adequate" and the "tallest beacon in the world;" call it the "Pharos of America;" it is all in vain; at the best, it can only attract moths and mosquitoes on a serene night; and when the storm thunders on that sepulchral rock, it is no light at all; and the whaler may be split asunder, and the Indiaman go to the grave, and the wealth of the merchant be scattered as playthings for the sea, and the bones of the mariner may blanch the bottom of the deep, for all the aid which that thin dazzle can furnish, spite of its lofty tower and loftier praise!

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To rule a bank, a factory, or a railroad, when the officer is chosen for business and not charity, to command a packet-ship or a steamboat, you will get a man of real talent in his line of work; one that has some history, who has made his proof-shot, and shown that he has some mettle in him. But to such a pass has the business of ruling a nation arrived, that, of all the sovereigns of Christian Europe, it is said not more than two, Nicholas of Russia, and Oscar of Sweden, would have been distinguished if born in private stations. The most practical and commercial nation in the world, possessing at this moment a power more eminently great than that of the Roman empire in its palmy time, has for a ruler a quite ordinary woman, who contributes neither ideas nor organizations, and probably could not administer wisely the affairs of a single shire in the island. In this respect, the highest stations of political life seem to have become as barren as the Dead Sea. In selecting our rulers in America, it is long since we have had a man of large powers, even of the sort which the majority of men appreciate in a contemporary. I have sometimes thought men were selected who were thought not strong enough to hurt us much, forgetting that a weak man may sometimes hurt us as much more than a strong one would.

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After all this preliminary, let me now say something of the late President Taylor, only further

premissing that I am here to tell the truth about him, so far as I know it, and nothing more or less. I am not responsible for the facts of the case, only for the correct statement thereof. There have been men who were not disposed to do him justice; there were men enough to flatter and overpraise him while alive, and there will probably be enough of such now that he is dead. Much official panegyric has there been already, and much more is in prospect. I think I need not be called on for any contribution of that sort. I wish to weigh him in an even balance, neither praising nor blaming without cause. To eulogize is one thing; to deal justly, another and quite different.

ZACHARY TAYLOR was born on the 24th of November, 1784, in Orange county, Virginia. His father, Richard Taylor, was a soldier during a part of the Revolutionary War, had a colonel's commission in 1779, and appears to have been a valuable officer and a worthy man. In 1785 he removed to Kentucky, where he resided until his death. He was a farmer, a man of property and influence in Kentucky, then a new country. He was one of the framers of the Constitution of that State; several times in the Legislature, and the first collector of the port of Louisville, then a port of entry.

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Zachary, the third son, followed the business of farming until he was more than twenty-three years of age. During his childhood he received such an education as you can imagine in a new and wild country like Kentucky sixty years ago. However, it is said his father took great pains with his education, and he enjoyed the instruction of a schoolmaster from Connecticut, who is still living. Hence it is plain the best part of his education must have come, not from the schoolmaster, but from the farm, the woods, and the connection with his parents and their associates. What a man learns at school, even in Boston, is but a small part of his education. In General Taylor's case, it is probable that things had much more to do with his culture than words. Men nursed on Greek and Latin would probably have called him an uneducated man; with equal justice he might call many a scholar an uneducated man. To speak and write with grammatical accuracy is by no means the best test of education.

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Fondness for a military life is natural in a man born and bred as he was, living in a country where the vicinity of the Indians made every man a Quaker or a soldier.

About 1808, volunteers were raised in the West to oppose the expected movements of Aaron Burr, a traitor to his country, a bold, bad man, who had been the candidate of the federalists for the Presidency; perhaps the worst man we had had in politics up to that time. Mr. Taylor joined one of the companies of volunteers. In 1808 he was appointed Lieutenant in the army of the United States, joined the forces, was soon sent to New Orleans, was seized with the yellow fever, and returned home.

In 1810 he was married to Miss Margaret Smith, of Maryland.

In 1811 he was employed in expeditions against the Indians in the Northwest of the United States. Here he was under the command of General Harrison.

In 1812 he was made Captain, and had the command of a block-house and stockade called Fort Harrison, on the Wabash river, soon after the declaration of war against England. This place was attacked by a strong body of Indians. Captain Taylor with less than fifty men, defended it with vigor and success. In consequence of his services on that occasion, he was promoted to the rank of Brevet Major. During the rest of the war, he continued in service on the frontiers, and seems to have done his duty faithfully as a soldier.

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After the war was over, in 1815, the army was diminished to a peace establishment, and Major Taylor reduced to the rank of Captain. In consequence of this, he withdrew from the army, but, after a few months, returned, and was then, or subsequently, restored to his former rank as Major. For several years he was employed in such various military services, in the west and south-west, as must be performed in a time of peace. In 1819 he was made Lieutenant-Colonel. In 1832 he became Colonel, and in that year, with a command of four hundred men, he served under General Atkinson, in the expedition against the Sacs and other Indians led by the celebrated Black Hawk. Afterwards he was intrusted with the command of Fort Crawford, where he remained till 1836, when he was ordered to Florida, to fight against the Seminole Indians.

It was here that he made use of the bloodhounds to hunt the poor savages from their hiding-places in the woods. You know what Mr. Pitt once said of the Spanish use of this weapon in the sixteenth century, but the animals imported from Cuba, where they had been trained to hunt runaway slaves, were of no value when put upon the track of red men. I do not know who originated the scheme of employing the bloodhounds. It has often been ascribed to General Taylor, and with good reason, I believe, has it been denied that he was the author of that plan. It was of no great honor to the nation, let who would invent it; and few men will be sorry that it did not turn out well.

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It was thought Colonel Taylor displayed a good deal of skill, in contending with the Indians in Florida, and, accordingly, he was made Brevet Brigadier-General, in 1838. After finishing the conquest of the Indians, he left Florida, in 1840. It is said that fighting against the Indians is a good school for a soldier. General Taylor served long at this work, and served faithfully. In the Florida war, his conduct as General is said to have been noble.

In 1840, he was made Commander of that portion of the American army in the south-west of the United States, and in 1841, removed his family from Kentucky to Baton Rouge, in Louisiana, which has since been his home. In 1845 he was ordered to Texas, and had command of the "Army of Occupation," and subsequently of the "Army of Invasion." In the war against Mexico, it is thought by competent judges that he displayed a good deal of military skill. He was beloved by his soldiers, and seems to have won their confidence, partly by success, partly by military talent, but also in part by his character, which was frank, honest, just and unpretending. I have heard of no instance in the whole war, in which cruelty is chargeable upon him. Several anecdotes are related of his kindness, generosity, and openness of heart. No doubt they are true. War is a bloody trade; it makes one shudder to think of it in its terrible details; but the soldier is not necessarily a malignant or a cruel man; that bloody and profane command, so well known, uttered in the heat of conflict, when the battle seemed to waver, does not imply any peculiar cruelty or ill-will. It is only one of the accidents of war, which shows more clearly what its substance is.

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I am no judge of warlike operations and of military skill, and therefore shall not pretend to pass judgment on matters which I know I do not understand; I shall not inquire as to the military value of the laurels he won at Resaca de la Palma, at Monterey, and at Buena Vista. But, in our judgment, we ought to remember one circumstance: that is, the inferiority of the Mexicans. They were beaten, I think, in every considerable battle throughout the whole war; no matter who commanded. General Scott landed at Vera Cruz, captured the city, and the far-famed Castle of St. Juan d'Ulloa, garrisoned by four thousand three hundred and ninety soldiers, and the American loss amounted to thirteen men killed, and sixty-three hurt! General Scott took possession of the great port of the nation, with less than twenty thousand soldiers, with only about fifteen thousand troops; marched nearly two hundred miles into the interior, fighting his way, and garrisoning the road behind him, sometimes even subsisting his army in the country which he conquered as he went on; and finally took the capital, a city with nearly two hundred thousand inhabitants, with less than six thousand soldiers. Suppose an army of that size were to land at Newburyport, with the intention of marching to Worcester, not two hundred miles, but only fifty or sixty, how many do you think would ever reach the spot? Why, suppose the American men did nothing, there are women enough in Massachusetts to throw every soldier into the Merrimac!

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I do not believe that this inferiority of the Mexican arises so much from the superior bravery of the Americans; almost any male animal will fight on small provocation; your Mexican male, as well as your American, on as small provocation, and as desperately. But the American soldier was always well armed, furnished with every thing that modern science makes terrible in war; well clad, well fed, well paid, he went voluntarily to the work. The Mexicans were ill armed, ill clad, ill fed, often not paid at all, and sometimes brought to fight against their will.

The difference does not end here: the main reliance of the Mexican government, the regular soldiers, the Presidiales, were men who seemed to have most of the vices of old garrison soldiers, with most of the faults of new recruits; or, as another has said, himself a soldier in the war, "All the vices engendered in a garrison life; all the cowardice which their constant defeats by the Indians had created; all the laziness contracted in an idle monotonous existence, and very little military skill." The new levies came unwillingly, and were often only "food for powder." On the American side was a small body of veteran soldiers, low and coarse men—it is the policy of America to have the rank and file of our army in peace composed usually of such—but full of brute courage; accustomed to all sorts of hardships and exposure; under a discipline rigorous and almost perfect; wonted to danger, and weaned from fear; careless of life almost to desperation; full of confidence in their commander, and of contempt for their foe. The volunteers brought with them the characteristic ardor of Americans, their confidence of success, their contempt of toil and of danger; familiar with fire-arms from their youth, they soon learned the discipline of the camp.

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You see what a difference this makes between the two armies; but the chief superiority of the American soldiers was this—they came from a country where there is a complete national unity of action. So the government could trust the army, and the army the government; the soldiers had confidence in their commander, confidence in their country, confidence in their cause; while the Mexicans had no national unity of action, the people little confidence in the government, the government as little in the people; the nation but little trust in the army, and the army little in the nation; the soldiers had great fear of the enemy, little faith in their officers, and the officers little in their men. Did you ever see a swarm of bees when the queen bee was dead, and moths had invaded the hive? The Mexicans were much in the same state. The result was what had readily been foreseen: at the battle of Buena Vista, on the one side, there were twenty-one thousand five hundred and fifty-three Mexicans; on the other, four thousand seven hundred and fifty-nine American soldiers, of which only four hundred and seventy-six were regulars. Yet the American loss, in killed, wounded and missing, was but seven hundred and forty-six, while that of the Mexican army was nearly two thousand men lost. If the Mexicans had done the same proportionate execution, every American would have been killed long before night.

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All these things ought to be taken into account, in making up our mind about the difficulty of the enterprise. Still, after this allowance is made, it must be confessed the American invasion of Mexico was a remarkable undertaking, distinguished for its boldness, not to say its rashness, and almost unparalleled in the history of modern wars. It certainly did require great coolness, courage, and prudence, on the part of General Taylor, to conduct his part of the expedition. He had those qualities, but it has not yet been proved or shown to be probable, that he had the

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nobler qualities which make a great General. The kind of warfare he was engaged in, does not bring to light the high qualities of a man like Gustavus Adolphus, Frederick the Great, or Napoleon. Perhaps General Taylor had them, but they did not appear.

The Mexican war was unfortunate for the administration which carried it on, for the political party which caused the war. The success of General Taylor attracted the attention of the people, and the obscure soldier took popular rank before the President of the United States. Unconsciously the vicarious suitor, courting public favor for his master, won good graces for himself. The political party which began the war, was eclipsed by the triumph of its own soldier; and the slave-power which projected the war seems likely to be ruined by the success of the enterprise.

It has been said, that he was averse to the Mexican war which he fought in; I know not whether this be true or false. But if true, it deserves to be remembered in his defence, that the soldier is only an active tool, as much the instrument of his employer as the spade of the workman whose foot crowds it into the ground. The soldier, high or low, must obey the men who have the official right to command him, his free-will merging in that of his superior. If General Taylor had thought the Mexican war unjust and wicked, and in consequence had resigned his commission, he would have been covered with obloquy and contempt in the eyes of military men, and the officials of government. Most of the newspapers of the land would have attacked him, called him a coward, a traitor and a fanatic; their condemnation would have been worth as much as their praise is now. In estimating his character we ought to remember this fact, for few men do more than their office demands of them, or more than public opinion can approve.

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Such was the success of General Taylor in war, at the head of a few thousand men, that public attention was turned towards him, and in a few months the obscure frontier soldier was the most prominent man in the nation. In 1848 he received the nomination of the Whig Convention at Philadelphia, for President, and in due time was elected.

His election was certainly one of the most remarkable that ever took place in America. It is worth while to look at it for a moment. There was nothing very remarkable in the man to entitle him to that eminent distinction; if there were, the nation was very slow in finding it out. He was a farmer till about twenty-four years old; then a common Lieutenant four years more. In the next twenty years he got no higher than to the rank of a "Frontier Colonel;" he attained that dignity in fact, at the age of forty-eight. He was not made General till the fifty-fifth year of his age. But for the Mexican war, I suppose he would, at this day, be as obscure as any other General in the United States' army; nobody would think he was the "Second Washington," "first in war, first in peace, and first in the hearts of his countrymen," as his creatures have declared. Other military men have been chosen to the presidency. But Washington was much more than a soldier; in "a time that tried men's souls" to the utmost, he had carried the nation through eight years of most perilous warfare, more by his character than any eminent military skill, and so had become endeared to the hearts of the people as no American had ever been before. General Jackson, at first educated as a lawyer, was a man of large talents, distinguished as a Governor, as a Senator, and as a Judge of the Supreme Court of Tennessee, before he was elected President, or nominated for that office. General Harrison, a man of small abilities, surely not more than a third-rate politician in Ohio, was yet familiar with the routine of political affairs. He had been a member of the Legislature of Ohio, of both branches of the Congress of the United States, and Minister to Colombia. General Taylor, with an education very imperfect, had passed his life, from twenty-four to sixty-four, on the frontiers and in the army; had never held any civil office; had seldom voted, and though an excellent officer in the sphere of duty he had occupied, did not appear to be the most promising man in the nation to select for its highest and most difficult office. The defence of a log-house in 1812 against a troop of Indians, the conquest of Black Hawk, the rout of the Seminoles, the gaining of half-a-dozen battles in Mexico, at the head of a few thousand soldiers, does not seem exactly an adequate schooling to prepare a common man to lead and rule twenty million Americans with the most complicated government in the world. It certainly was surprising, that he should be nominated for that office; and more so, that the nomination should be confirmed by the people. It is not surprising, that the distinguished Senator of Massachusetts should call this "A nomination not fit to be made;" the wonder is, he deemed it fit to be confirmed. In selecting him for our chief, the nation went hap-hazard, and made a leap in the dark. No prudent man in Boston would hire a cook or a coachman with such inadequate recommendations as General Taylor had to prove his fitness for his place. Had a sensible man on election day asked the nation, "What do you know about the man you vote for?" the people would have been sadly puzzled to seek for an answer. The reasons which led to his selection were partly special, and partly of a general and popular character. It is instructive for us to look at them, now that we can do it coolly.

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I suppose this was the special cause of his nomination: The leaders of the whig party thought they could not elect either of their most prominent men. If they went before the people with nothing but their idea,—The protection of property by a tariff, and a Representative of that idea, however able and well trained, they feared defeat; such as they had met with in the last campaign, when the democratic party, with a man almost unknown to the people, a tricky lawyer from Tennessee, had yet carried the day against one of the oldest and ablest politicians in the country. So the whig leaders availed themselves of the temporary popularity of a successful General to give an accidental triumph to their party, and apparently to their idea. That I think

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was the specific reason which led the politicians to nominate him. Doubtless there were other private reasons, weighty to certain individuals, that need not be touched upon.

But the general reasons, which gave him weight with the mass of the people and secured his election, ought to be stated for our serious reflection.

1. There was no one of the great leaders of either party whom the people had much confidence in. I am sorry to say so, but I do not think there is much in any of them to command the respect of a nation, and make us swear fealty to those men. There were two candidates of the whig party; from one of them you might expect a compromise; from the other you were not certain even of that. The democratic candidate had not a name to conjure with. The free soil candidate—was he a man to trust in such times as these? Did you see your king and chief in any one of those four men? Was any one of them fit to be the political schoolmaster of this nation? What "ground and lofty tumbling" have we had from all four of them?

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2. General Taylor was not mixed up with the grand or petty intrigues of the parties, their quarrels and struggles for office. Men knew little about him; if little good, certainly little not good; little evil in comparison with any of the others. Sometimes you take a man whom you do not know, in preference to an old acquaintance whom you have known too long and too well to trust.

3. Then General Taylor had shown himself a rough, honest, plain, straight-forward man, and withal mild and good-natured. Apparently, there was much in him to attract and deserve the good-will of the nation. His likeness went abroad through the country like a proclamation; it was the rude, manly, firm, honest, good-natured, homely face of a backwoodsman. His plain habits, plain talk, and modest demeanor reminded men of the old English ballad of "The King and the Miller" and the like, and won the affections of honest men. I doubt not the fact that General Harrison had once lived in a log cabin, and, other things failing, did drink "hard cider," gave him thousands of votes. The candidate was called "Old Rough and Ready," and there was not a clown in field or city but could understand all that was meant by those terms. Even his celebrated horse contributed to his master's election, and drew votes for the President by the thousand.

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4. Then he was a successful soldier. The dullest man in the Alleghany mountains, or in the low lanes of New York and Boston, or the silliest behind the counters of a city shop, can understand fighting, and remember who won a battle. It is wholly needless for such to inquire what the battle was fought for. Hence military success is always popular with the multitude, and will be, I suppose, for some ages in America as everywhere else. Our churches know no God but the "Lord of hosts," "A man of war!"

5. Then he was a southern man, and all our masters must be from the South, or of it, devoted to its peculiar institution. If he had been born in Barnstable county, and owned a little patch of yellow sand at Cape Cod, and had the freeman's hatred of slavery, even Churubusco and Buena Vista would not have given him the votes of the Convention, and his war-horse might have lived till this day, he would not have carried his master to the presidency. He was a slaveholder, as seven Presidents had been before him, holding office for eight-and-forty years. There are some men at the North, chiefly in the country towns, who think it is not altogether right for a man to steal his brother; such men were to be propitiated. So it was diligently rumored abroad in the North, that the candidate was "opposed to slavery," that he would "probably emancipate his slaves as soon as he was elected." I am told that some persons who heard such a story, actually believed it; I think nobody who told it believed any such thing. The fact that he was a slaveholder, that he had lately purchased one hundred and fourteen men, women, and children, and kept them at hard work for his advantage, showed the value of such a story; and the opposite statement, publicly and industriously circulated at the South, that he loved slavery, desired its extension, and hated the Wilmot Proviso, shows the honesty of some of the men at the North, who, knowing these facts, sought to keep them secret.

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These seem to have been the chief reasons which procured his nomination and election. It is easy to see that such a man, though as honest as Washington, must be eminently unfit for the high office of President of the United States. He knew little or nothing of the political history of the country, or of the political questions then up for solution; little or nothing of the political men. He had the honesty to confess it. He declared that he was not fit for the office, not acquainted with the political measures of the day, and only consented to be brought from his obscurity, when great men told him he was the only man that could "save the Union." He was no statesman, and knew nothing of politics, less than the majority of the more cultivated mechanics, merchants and farmers. He was a soldier, and knew something of fighting, at least of fighting Indians and Mexicans. If you should take a man of the common abilities, intellectual and moral, the common education, a farmer from Northfield, a skipper from Provincetown, a jobber from Boston, a bucket-maker from Hingham, and appoint him Chief Justice of the Supreme Court of Massachusetts, with the duty of selecting all his associate Judges, I think he would be about as competent for the office as General Taylor for the post he was elected to. In such a case as I have supposed, the new "Judge" must depend on other men, who will tell him what to do; his only safety would be in relying on their advice. Then they would be the Chief Justice, not he.

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Under such circumstances, the leaders of one party nominated him. I must confess such an act, committed by such men, seems exceedingly rash. It was done by the very men who ought, above all others, to have known better. This is one of the many things we have had, which show thinking men how little we can rely on our political chiefs. The nomination once made, the election followed. The wise men told the multitude: "You must vote for him," and the multitude voted. You know how angry men were if you did not believe in his fitness for the office; how it

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became a test of "patriotism" to believe in him. Now the good man is cold in death, how base all that seems!

When such a man under such circumstances comes into such an office, you do not know whether the deeds which receive his official sanction, the papers published under his name, the speeches he delivers, and the messages he sends, are his or not his. It is probable that he has little to do with them; they are his officially, not personally; he writes State papers by their signature. Some of his speeches were undoubtedly made for him. You know it once happened that a speech, alleged to have been made by him at a public meeting, was sent on by telegraph, and published by the party organ, in one of our great cities, and he was taken sick before the meeting was held, and could not speak at all. That speech betrayed the trick of the administration: it was a speech he had never heard of. From this one act judge of many more. In his arduous office, he must choose advisers, but he wants advisers to advise him to choose advisers. Much will depend on his first step; that must needs be in the dark.

Since this is so, I shall pass over his brief administration with very few words. I do not know how much it was the administration of General Taylor, or how far it was that of his Cabinet. I do not know who made the Cabinet. The messages, in his official term, were as good as usual; but who made the messages? One thing is clear: he promised to be the President of the country, not of a party; to remove no man from office except for reasons not political. Neither promise was kept. It was plain that other elements interfered and counteracted the honest intentions of that honest man. General Jackson rewarded his "friends" and punished his "enemies," men who voted against him. Mr. Jefferson had done the same. But I doubt if the administration of either of these men was so completely a party administration as that of General Taylor. Men were continually removed from office purely for political reasons. The general character of his appointments to office, you can judge of better than I. It seems to me the removal of subordinate officers from their station on account of their vote is one great evil in the management of our institutions. Of what consequence is it whether the postmaster at Eastham or West-Newton, the keeper of the lighthouse at Cape Anne, or the Clay Pounds of Truro, or the district attorney in Boston, or the tide-waiters at Nantucket are "good whigs," or not good whigs?

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What shall I say of the character of the man who has left this high office; of him on the whole? Some men can be as eloquent on a ribbon as on a Raphael. They find no difficulty in calling General Taylor "The second Washington." I like the first Washington too much to call any one by that name lightly. General Harrison was the "Second Washington" ten years ago. General Jackson ten years before that. I think there is another "Second Washington" getting ready, and before the century ends we shall perhaps have five or six of this family. But the world does not breed great men every day. I must confess it, I have not seen any thing very great in General Taylor, though I have diligently put my eye to the magnifying glasses of his political partisans; neither have I seen any thing uncommonly mean and little in him, though I have also looked through the minifying glasses of his foes. To be a frontier soldier for forty years, to attain the rank of Colonel at the age of forty-eight, after twenty-four years of service, to become a Brigadier-General at fifty-four, is no great thing. To defend a log-house, to capture Black Hawk, to use bloodhounds in war, and to extirpate the Seminole Indians from the everglades of Florida, to conquer the Mexicans at Churubusco and Monterey, does not require very high qualities of mind and heart. But in all the offices he ever held, he appears to have done his official duty openly and honestly. He was a good officer, a plain, blunt, frank, open, modest man. No doubt he was "rough and ready;" his courage was never questioned. His integrity is above suspicion. All this is well known. But is all this enough to make a great man in the middle of this century; a great man in America, and for such an office? Judge for yourselves.

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I sincerely believe that he was more of a man than his political supporters thought him; that he had more natural sagacity, more common sense, more firmness of purpose, and very much more honesty than they expected or desired. Rumors reach me that he was not found quite so manageable as his "friends" and admirers had hoped; that he had some conscience and a will of his own. It seems to me that he honestly intended to be an honest and impartial ruler, the President of his country; that he took Washington for his general model; that he never sought the office, and at first did not desire it, but when he came to it endeavored to deserve well of his country and do well by mankind. But with the best intentions, what could such a man do, especially with such foes, and more especially with such friends.

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It is said he was a religious man: sometimes that means that a man loves God and loves men; sometimes that he is superstitious, formal, hypocritical, that he does not love men, and is afraid of God, or of a devil. I do not know in which sense the word is used in reference to him. But it appears to me that he was a man of veracity, honest, upright, and downright too; a good father, a good husband, a good friend, faithful to his idea of duty; very plain, very unpretending, mild and yet firm, good-natured, free and easy. There were many that loved him; a rare circumstance among politicians. He was a temperate man, also, remarkably temperate, and such temperance as his is not a very common virtue in high political and social stations in America, as we all know too well.

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These are all the good qualities I can make out his title to. I suppose there are some ten thousand men in Massachusetts that are his equals in all these qualities, as honest, as able, and as patriotic as he. It is hardly worth while to worship those qualities in a President which are not rare in

farmers, and traders, and butchers and mechanics.

There are two things which seem to me decidedly wrong in his public career. His partisans at the North claimed that he was hostile to slavery. I never could find any reason for that opinion: at the South his friends insisted that he was the decided friend of slavery. When his opinion was asked on this matter, he remained steadily and pertinaciously silent. To me this does not seem honest or manly.

Then he was a slaveholder, not by compulsion, as some pretend they hold men in bondage, not by inheritance. He was a slaveholder from choice, and only three years ago bought one hundred and fourteen human beings and kept them as his slaves. This fact must be considered in estimating the character and value of the man. I know that Money is the popular god of America; that slaveholding is one of the canonical forms of worshipping that god, sanctioned by the Constitution and the laws and the legislature of the land, by its literature and by its churches. I know men in Boston, who would have no more scruple in buying and selling a black man as a slave, or a white man if they could catch and keep him, than they would have of buying a cow at Brighton. There are men in Massachusetts that have grown rich by the slave-trade. It does not hurt their reputation; it is no impeachment of their religious character. Now I do not expect a frontier colonel, busy in fighting Indians half his life, dogging them with Cuban bloodhounds, to be more enlightened on such a matter than merchants, manufacturers, lawyers, ministers and professors of theology in New England. It may be that he had the same opinion as Professor Stuart, that slavery was allowed in the New Testament and sanctioned in the Old Testament; such a good thing that Paul and James said never a word against it. We should not judge such a man as you would judge a Unitarian Minister in Boston or Doctors of Divinity at Andover. Born as he was, bred as he had been, living in a camp, sustained by the public opinion of the Press, the State and the Church, it would not be surprising if it had never occurred to him that it was wrong to steal men. But the fact is to be taken into the account in determining the elevation of his character.

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It is now plain that he found the office of President a heavy burden; that it cost him his life. It seems to me the conduct of some of our public men towards him was ungenerous, not to say unjust and shameful. An honest man, he looked for honest foes and honest friends; but his hardest battles were fought after he had ceased to be a soldier.

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Well, he has gone to his rest and his recompense. To his family the affliction is sudden, painful and terrible. What vicissitudes in their life—from the obscurity of their former home to the glaring publicity of that high station; then in so brief a time the honored and well-beloved head is silent and cold forever! The nation may well drop its tears of sympathy for those whom its election has robbed of a father and a husband; the ghastly honors of the office are poor recompense for the desolation it has brought into a quiet and once happy home.

He has gone to his reward. He leaves the government in the hands of an obscure man, whom the nation knows very little of, whom no one would ever have thought of making President; a man selected certainly for no eminence of faculty, intellectual or moral. There is some cause to fear, perhaps some little for hope.^[10] Two very important questions are now before the nation: Shall we extend over the territory conquered from Mexico the awful blight which now mildews the material welfare of the South, and curses with a threefold ban the intellect, the conscience and the religion of the land? Shall Congress pass that infamous fugitive slave measure, known as Mr. Mason's bill, with Mr. Webster's indorsement on it? I know not how his death will affect these things. Who knows the intentions of the late President? or those of his successor? He has power to bless, he may use it only to curse the land. Let us wait and see. The fact that the "Great Compromiser" now represents the Administration in the Senate, the rumor of the appointment of the Senator of Boston to the highest place in the Cabinet, are things of ill omen for freedom, and bid us fear the worst. However, it may be that this event will affect the politicians more than the people.

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Last Tuesday night General Taylor ceased to be mortal. His soul went home to God. He that fought against the Mexican and the Indian has gone to meet the God of the red man as well as the white. He who claimed to own the body and the soul of more than a hundred of his fellow creatures, enriched by the unrequited toil, which they unwillingly gave him when stung by the lash of his hireling overseers, has gone home to the Father of negro slaves, who is no respecter of persons; gone where the servant is free from his master. Black and white, conqueror and vanquished, the bond and the free, alike come up before the Infinite Father, whose perfect justice is perfect love; and there the question is, "What hast thou done with the talent committed unto thee?" The same question is asked of the President; the same of the slave; yea, it will one day be asked of you and me!

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"An old man, wearied with the storms of State," now only asks a little earth for charity. Costly heathen pageants there will be in these streets to his memory, and politicians will, I suppose, hold their drunken and profane debauch over his grave, as over the tomb of that far-famed friend of freedom who died two years ago. But he has ceased to be mortal. The memory of his battle-fields faded from before his dying sight. Power rests no longer in his hands; victory perches on another banner. His ear is still, and his heart is cold. How hollow sounds the voice of former flattery! His riches go to other men; his slaves will be called by his name no more; the scourge that goads them to unpaid toil is now owned by another man. His fame goes back to such as gave; the accident of an accident succeeds him in the presidential chair; only the man, not the officer, goes home to God, with what of goodness and piety he had won. His manhood is all that

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he can carry out of the world; elected or rejected, a conqueror or conquered, it is now the same to him; and it may be the humblest female slave who only earned the bread which her master only ate, and got an enforced concubinage for pay, takes rank in heaven far before the man whom the nation honored with its highest trust, and for whom the official Senate and low-browed Church send out their hollow groans.

"The glories of our birth and State
Are shadows, not substantial things.
There is no armor against fate:
Death lays his icy hand on kings.
Sceptre and crown
Must tumble down,
And in the dust be equal made,
With the poor crooked scythe and spade.

"Some men with swords may reap the field,
And plant fresh laurels where they kill;
But their strong arms at last must yield,
They tame but one another still.
Early or late
They stoop to fate,
And must give up their murmuring breath,
When they, pale captives, creep to death.

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"The garlands wither on his brow:
Then boast no more his mighty deeds,
Upon death's purple altar now,
See where the victor victim bleeds.
All heads must come
To the cold tomb,
Only the actions of the just
Smell sweet and blossom in the dust."

If he could speak to us from his present position, methinks he would say: Countrymen and friends! You see how little it availed you to agitate the land and put a little man in a great place. It is not the hurrah of parties that will "save the Union," it is not "great men." It is only Justice. Remember that Atheism is not the first principle of a Republic; remember there is a law of God, the higher law of the universe, the Everlasting Right; I thought so once, and now I know it. Remember that you are accountable to God for all things; that you owe justice to all men, the black not less than the white; that God will demand it of you, proud, wicked nation, careful only of your gold, forgetful of God's high law! Before long each of you shall also come up before the Eternal. Then and there it will not avail you to have compromised truth, justice, love, but to have kept them. Righteousness only is the salvation of a State; that only of a man.

FOOTNOTES:

- [10] The above was written in July, 1851. Since then the ground of hope has wholly vanished; the ground for fear remains alone. The following statement may suggest a thought the other side of the ocean, if no shame on this side among politicians and their priests:

Elisha Brazealle, a planter of Jefferson county in the State of Mississippi, was taken sick, and as he lay oppressed with a loathsome disease, a slave of his, a bright mulatto or quadroon, nursed him, and, as was believed, through her nursing, saved him from death. He was a man of feeling and did not forget her kindness, but took her to Ohio and there educated her. She made rapid progress, and soon became his wife. He made or caused to be made a legal and sound deed of emancipation, and had it legally and formally recorded in Ohio and Mississippi. Lawyers, in both States, said she was free, safe, and that no power in the South, or elsewhere, could legally deprive her or her children of freedom.

Mr. Brazealle returned to Mississippi with his wife; they had a son, and named him John Munroe Brazealle. After some years Mr. Brazealle sickened and died, leaving a will in which he recited the deed of emancipation, declared his intention to ratify it, and devised all his property to his son, acknowledging him in the will to be such.

Some poor and distant relations of his in North Carolina, whom he did not know, and for whom he did not care, hearing of his death, went on to Mississippi and claimed the property devised by Mr. Brazealle to his son. They instituted a suit for the recovery of the property. The case came before William L. Sharkey, "Chief Justice of the High Court of Errors and Appeals" for that State. It is reported in Howard's Mississippi Reports, Vol. II. p. 837, *et seq.* Judge Sharkey declared the act of emancipation "An offence against morality, pernicious and detestable as an example," set aside the will, gave to those distant relations the property which Mr. Brazealle had devised to his son, and in addition declared that son and his mother to be slaves. Here is his own language:—

"The state of the case shows conclusively that the contract had its origin in an offence against morality, pernicious and detestable as an example."... "The consequence [of the decision] is, that the negroes John Munroe and his mother, are still slaves, and a part of the estate of Elisha Brazealle." "John Munroe being a slave cannot take the property as

devised; and I apprehend it is equally clear that it cannot be held in trust for him."

While these volumes are in the press, I learn that Mr. Fillmore has appointed Judge Sharkey to the honorable and lucrative post of Consul to Havana.

IV.

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THE FUNCTION AND PLACE OF CONSCIENCE, IN RELATION TO THE LAWS OF MEN: A SERMON FOR THE TIMES.—PREACHED AT THE MELODEON, ON SUNDAY, SEPTEMBER 22, 1850.

ACTS 24: 16.

"Herein do I exercise myself to have always a conscience void of offence toward God and toward men."

There are some things which are true, independent of all human opinions. Such things we call facts. Thus it is true that one and one are equal to two, that the earth moves round the sun, that all men have certain natural unalienable rights, rights which a man can alienate only for himself, and not for another. No man made these things true; no man can make them false. If all the men in Jerusalem and ever so many more, if all the men in the world, were to pass a unanimous vote that one and one were not equal to two, that the earth did not move round the sun, that all men had not natural and unalienable rights, the opinion would not alter the fact, nor make truth false and falsehood true.

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So there are likewise some things which are right, independent of all human opinions. Thus it is right to love a man and not to hate him, to do him justice and not injustice, to allow him the natural rights which he has not alienated. No man made these things right; no man can make them wrong. If all the men in Jerusalem and ever so many more, if all the men in the world, were to pass a unanimous vote that it was right to hate a man and not love him, right to do him injustice and not justice, right to deprive him of his natural rights not alienated by himself, the opinion would not alter the fact, nor make right wrong and wrong right.

There are certain constant and general facts which occur in the material world, the world of external perception, which represent what are called the laws of matter, in virtue of which things take place so and not otherwise. These laws are the same everywhere and always; they never change. They are not made by men, but only discovered by men, are inherent in the constitution of matter, and seem designed to secure the welfare of the material world. These natural laws of matter, inherent in its constitution, are never violated, nor can be, for material nature is passive, or at least contains no element or will that is adverse to the will of God, the ultimate Cause of these laws as of matter itself. The observance of these laws is a constant fact of the universe; "the most ancient heavens thereby are fresh and strong." These laws represent the infinity of God in the world of matter, His infinite power, wisdom, justice, love and holiness.

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So there are likewise certain constant and general facts which occur in what may be called the spiritual world, the world of internal consciousness. They represent the laws of spirit—that is of the human spirit—in virtue of which things are designed to take place so and not otherwise. These laws are the same everywhere and always; they never change. They are not made by men, but only discovered by men. They are inherent in the constitution of man, and as you cannot conceive of a particle of matter without extension, impenetrability, figure and so on, no more can you conceive of man without these laws inhering in him. They seem designed to secure the welfare of the spiritual world. They represent the infinity of God in the world of man, His infinite power, wisdom, justice, love and holiness. But while matter is stationary, bound by necessity, and man is progressive and partially free, to the extent of a certain tether, so it is plain that there may be a will in the world of man adverse to the will of God, and thus the laws of man's spirit may be violated to a certain extent. The laws of matter depend for their execution only on the infinite will of God, and so cannot be violated. The laws of man depend for their execution also on the finite will of man, and so may be broken.^[11]

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Let us select a portion of these laws of the human spirit; such as relate to a man's conduct in dealing with his fellow men, a portion of what are commonly called moral laws, and examine them. They partake of the general characteristics mentioned above; they are universal and unchangeable, are only discovered and not made by man, are inherent in man, designed to secure his welfare, and represent the infinity of God. These laws are absolutely right; to obey them is to be and do absolutely right. So being and doing, a man answers the moral purpose of his existence, and attains moral manhood. If I and all men keep all the laws of man's spirit, I have peace in my own heart, peace with my brother, peace with my God; I have my delight in myself, in my brother, in my God, they theirs and God His in me.

What is absolutely right is commonly called justice. It is the point in morals common to me and all

mankind, common to me and God, to mankind and God; the point where all duties unite—to myself, my brethren, and my God; the point where all interests meet and balance—my interests, those of mankind, and the interests of God. When justice is done, all is harmony and peaceful progress in the world of man; but when justice is not done, the reverse follows, discord and confusion; for injustice is not the point where all duties and all interests meet and balance, not the point of morals common to mankind and me, or to us and God.

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We may observe and study the constant facts of the material world, thus learn the laws they represent, and so get at a theory of the world which is founded on the facts thereof. Such a theory is true; it represents the thought of God, the infinity of God. Then for every point of theory we have a point of fact. Instead of pursuing this course we may neglect these constant facts, with the laws they represent, and forge a theory which shall not rest on these facts. Such a theory will be false and will represent the imperfection of men, and not the facts of the universe and the infinity of God.

In like manner we may study the constant facts of the spiritual world, and, in special, of man's moral nature, and thereby obtain a rule to regulate our conduct. If this rule is founded on the constant facts of man's moral nature, then it will be absolutely right, and represent Justice, the thought of God, the infinity of God, and for every point of moral theory we shall have a moral fact. Instead of pursuing that course, we may forge a rule for our conduct, and so get a theory which shall not rest on those facts. Such a rule will be wrong, representing only the imperfection of men.

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In striving to learn the laws of the universe, the wisest men often go astray, propound theories which do not rest upon facts, and lay down human rules for the conduct of the universe, which do not agree with its nature. But the universe is not responsible for that; material nature takes no notice thereof. The opinion of an astronomer, of the American academy, does not alter a law of the material universe, or a fact therein. The philosophers once thought that the sun went round the earth, and framed laws on that assumption; but that did not make it a fact; the sun did not go out of his way to verify the theory, but kept to the law of God, and swung the earth round him once a year, say the philosophers what they might say, leaving them to learn the fact and thereby correct their theory.

In the same way, before men attain a knowledge of the absolute right, they often make theories which do not rest upon the facts of man's moral nature, and enact human rules for the conduct of men which do not agree with the moral nature of man. These are rules which men make and do not find made. They are not a part of man's moral nature, writ therein, and so obligatory thereon, no more than the false rules for the conduct of matter are writ therein, and so obligatory thereon. You and I are no more morally bound to keep such rules of conduct, because King Pharaoh or King People say we shall, than the sun is materially bound to go round the earth every day, because Hipparchus and Ptolemy say it does. The opinion or command of a king, or a people, can no more change a fact and alter a law of man's nature, than the opinion of a philosopher can do this in material nature.

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We learn the laws of matter slowly, by observation, experiment, and induction, and only get an outside knowledge thereof, as objects of thought. In the same way we might study the facts of man's moral nature, and arrive at rules of conduct, and get a merely outside acquaintance with the moral law as something wholly external. The law might appear curious, useful, even beautiful, moral gravitation as wonderful as material attraction. But no sense of duty would attach us to it. In addition to the purely intellectual powers, we have a faculty whose special function it is to discover the rules for a man's moral conduct. This is Conscience, called also by many names. As the mind has for its object absolute truth, so conscience has for its object absolute justice. Conscience enables us not merely to learn the right by experiment and induction, but intuitively, and in advance of experiment; so, in addition to the experimental way, whereby we learn justice from the facts of human history, we have a transcendental way, and learn it from the facts of human nature, from immediate consciousness.

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It is the function of conscience to discover to men the moral law of God. It will not do this with infallible certainty, for, at its best estate, neither conscience nor any other faculty of man is absolutely perfect, so as never to mistake. Absolute perfection belongs only to the faculties of God. But conscience, like each other faculty, is relatively perfect,—is adequate to the purpose God meant it for. It is often immature in the young, who have not had time for the growth and ripening of the faculty, and in the old, who have checked and hindered its development. Here it is feeble from neglect, there from abuse. It may give an imperfect answer to the question, What is absolutely right?

Now, though the conscience of a man lacks the absolute perfection of that of God, in all that relates to my dealing with men, it is still the last standard of appeal. I will hear what my friends have to say, what public opinion has to offer, what the best men can advise me to, then I am to ask my own conscience, and follow its decision; not that of my next friend, the public, or the best of men. I will not say that my conscience will always disclose to me the absolutely right, according to the conscience of God, but it will disclose the relatively right, what is my conviction of right to-day, with all the light I can get on the matter; and as all I can know of the absolute right, is my conviction thereof, so I must be true to that conviction. Then I am faithful to my own conscience, and faithful to my God. If I do the best thing I can know to-day, and to-morrow find a better one and do that, I am not to be blamed, nor to be called a sinner against God, because not so just to-day as I shall be to-morrow. I am to do God's will soon as I know it, not before, and to

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take all possible pains to find it out; but am not to blame for acting childish when a child, nor to be ashamed of it when grown up to be a man. Such is the function of conscience.

Having determined what is absolutely right, by the conscience of God, or at least relatively right, according to my conscience to-day, then it becomes my duty to keep it. I owe it to God to obey His law, or what I deem his law; that is my duty. It may be uncomfortable to keep it, unpopular, contrary to my present desires, to my passions, to my immediate interests; it may conflict with my plans in life; that makes no difference. I owe entire allegiance to my God. It is a duty to keep His law, a personal duty, my duty as a man. I owe it to myself, for I am to keep the integrity of my own consciousness; I owe it to my brother, and to my God. Nothing can absolve me from this duty, neither the fact that it is uncomfortable or unpopular, nor that it conflicts with my desires, my passions, my immediate interests, and my plans in life. Such is the place of conscience amongst other faculties of my nature.

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I believe all this is perfectly plain, but now see what it leads to. In the complicated relations of human life, various rules for the moral conduct of men have been devised, some of them in the form of statute laws, some in the form of customs, and, in virtue of these rules, certain artificial demands are made of men, which have no foundation in the moral nature of man; these demands are thought to represent duties. We have the same word to describe what I ought to do as subject to the law of God, and what is demanded of me by custom, or the statute. We call each a duty. Hence comes no small confusion: the conventional and official obligation is thought to rest on the same foundation as the natural and personal duty. As the natural duty is at first sight a little vague, and not written out in the law-book, or defined by custom, while the conventional obligation is well understood, men think that in case of any collision between the two, the natural duty must give way to the official obligation.

For clearness' sake, the natural and personal obligation to keep the law of God as my conscience declares it, I will call Duty; the conventional and official obligation to comply with some custom, keep some statute, or serve some special interest, I will call Business. Here then are two things—my natural and personal duty, my conventional and official business. Which of the two shall give way to the other,—personal duty or official business? Let it be remembered that I am a man first of all, and all else that I am is but a modification of my manhood, which makes me a clergyman, a fisherman, or a statesman; but the clergy, the fish, and the State, are not to strip me of my manhood. They are valuable in so far as they serve my manhood, not as it serves them. My official business as clergyman, fisherman, or statesman, is always beneath my personal duty as man. In case of any conflict between the two, the natural duty ought to prevail and carry the day before the official business; for the natural duty represents the permanent law of God, the absolute right, justice, the balance-point of all interests; while the official business represents only the transient conventions of men, some partial interest; and besides the man who owes the personal duty, is immortal, while the officer who performs the official business, is but for a time. At death, the man is to be tried by the justice of God, for the deeds done, and character attained, for his natural duty, but he does not enter the next life as a clergyman, with his surplice and prayer-book, or a fisherman, with his angles and net, nor yet as a statesman, with his franking privilege, and title of honorable and member of Congress. The officer dies, of a vote or a fever. The man lives forever. From the relation between a man and his occupation, it is plain, in general, that all conventional and official business is to be overruled by natural personal duty. This is the great circle, drawn by God, and discovered by conscience, which girdles my sphere, including all the smaller circles, and itself included by none of them. The law of God has eminent domain everywhere, over the private passions of Oliver and Charles, the special interests of Carthage and of Rome, over all customs, all official business, all precedents, all human statutes, all treaties between Judas and Pilate, or England and France, over all the conventional affairs of one man or of mankind. My own conscience is to declare that law for me, yours for you, and is before all private passions, or public interests, the decision of majorities, and a world full of precedents. You may resign your office, and escape its obligations, forsake your country, and owe it no allegiance, but you cannot move out of the dominions of God, nor escape where conscience has not eminent domain.

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See some examples of a conflict between the personal duty and the official business. A man may be a clergyman, and it may be his official business to expound and defend the creed which is set up for him by his employers, his bishop, his association, or his parish, to defend and hold it good against all comers; it may be, also, in a certain solemn sort, to please the audience, who come to be soothed, caressed, and comforted,—to represent the average of religion in his society, and so to bless popular virtues and ban unpopular vices, but never to shake off or even jostle with one of his fingers the load of sin, beloved and popular, which crushes his hearers down till they are bowed together and can in nowise lift themselves up; unpopular excellence he is to call fanaticism, if not infidelity. But his natural duty as a man, standing in this position, overrides his official business, and commands him to tell men of the false things in their creed, of great truths not in it; commands him to inform his audience with new virtue, to represent all of religion he can attain, to undo the heavy burdens of popular sin, private or national, and let the men oppressed therewith go free. Excellence, popular or odious, he is to commend by its own name,

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to stimulate men to all nobleness of character and life, whether it please or offend. This is his duty, however uncomfortable, unpopular, against his desires, and conflicting with his immediate interests and plans of life. Which shall he do? His official business, and pimp and pander to the public lust, with base compliance serving the popular idols, which here are Money and Respectability, or shall he serve his God? That is the question. If the man considers himself substantially a man, and accidentally a clergyman, he will perform his natural duty; if he counts the priesthood his substance, and manhood an accident of that, he will do only his official business.

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I may be a merchant, and my official business may be to buy, and sell, and get gain; I may see that the traffic in ardent spirits is the readiest way to accomplish this. So it becomes my official business to make rum, sell rum, and by all means to induce men to drink it. But presently I see that the common use of it makes the thriving unthrifty, the rich less wealthy, the poor miserably, the sound sick, and the sane mad; that it brings hundreds to the jail, thousands to the almshouse, and millions to poverty and shame, producing an amount of suffering, wretchedness, and sin, beyond the power of man to picture or conceive. Then my natural duty as man is very clear, very imperative. Shall I sacrifice my manhood to money?—the integrity of my consciousness to my gains by rum-selling? That is the question. And my answer will depend on the fact, whether I am more a man or more a rum-seller. Suppose I compromise the matter, and draw a line somewhere between my natural duty as man, and my official business as rum-seller, and for every three cents that I make by iniquity, give one cent to the American Tract Society, or the Board for Foreign Missions, or the Unitarian Association, or the excellent Society for promoting the Gospel among the Indians (and others) in North America. That does not help the matter; business is not satisfied, though I draw the line never so near to money; nor conscience, unless the line comes up to my duty.

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I am a citizen, and the State says, "You must obey all the statutes made by the proper authorities; that is your official business!" Suppose there is a statute adverse to the natural law of God, and the convictions of my own conscience, and I plead that fact in abatement of my obligation to keep the statute, the State says, "Obey it, none the less, or we will hang you. Religion is an excellent thing in every matter except politics; there it seems to make men mad." Shall I keep the commandment of men, or the law of my God?

A statute was once enacted by King Pharaoh for the destruction of the Israelites in Egypt; it was made the official business of all citizens to aid in their destruction: "Pharaoh charged all his people saying, Every son that is born ye shall cast into the river, and every daughter ye shall save alive." It was the official business of every Egyptian who found a Hebrew boy to throw him into the Nile,—if he refused, he offended against the peace and dignity of the kingdom of Egypt, and the form of law in such case made and provided. But if he obeyed, he murdered a man. Which should he obey, the Lord Pharaoh, or the Lord God? That was the question. I make no doubt that the priests of Osiris, Orus, Apis, Isis, and the judges, and the justices of the peace and quorum, and the members of Congress of that time said, "Keep the king's commandment, oh ye that worship the crocodile and fear the cat, or ye shall not sleep in a whole skin any longer!" So said every thing that loveth and maketh a lie.

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King Charles II. made a statute some one hundred and ninety years ago, to punish with death the remnant of the nine-and-fifty judges who had brought his father's head to the block, teaching kings "that they also had a joint in their necks." He called on all his subjects to aid in the capture of these judges. It was made their official business as citizens to do so; a reward was offered for the apprehension of some of them "alive or dead;" punishment hung over the head of any who should harbor or conceal them. Three of these regicides, who had adjudged a king for his felony, came to New England. Many Americans knew where they were, and thought the condemnation of Charles I. was the best thing these judges ever did. With that conviction ought they to have delivered up these fugitives, or afforded them shelter? In time of peril, when officers of the English government were on the lookout for some of these men, a clergyman in the town where one of them was concealed, preached, it is said, on the text "Bewray not him that wandereth," an occasional sermon, and put the duty of a man far before the business of a citizen. When Sir Edmund Andros was at New Haven looking after one of the judges, and attended public worship in the same meeting-house with the fugitive, the congregation sung an awful hymn in his very ears.^[12]

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Would the men of Connecticut have done right, bewraying him that wandered, and exposing the outcast, to give up the man who had defended the liberties of the world and the rights of mankind against a tyrant,—give him up because a wanton king, and his loose men and loose women, made such a commandment? One of the regicides dwelt in peace eight-and-twenty years in New England, a monument of the virtue of the people.

Of old time the Roman statute commanded the Christians to sacrifice to Jupiter; they deemed it the highest sin to do so, but it was their official business as Roman citizens. Some of them were true to their natural duty as men, and took the same cross Jesus had borne before them; Peter and John had said at their outset to the authorities—"Whether it be right in the sight of God to hearken unto you more than unto God, judge ye." The Emperor once made it the official business of every citizen to deliver up the Christians. But God made it no man's duty. Nay, it was each man's duty to help them. In such cases what shall a man do? You know what we think of men who comply basely, and save their life with the loss of their soul. You know how the Christian world honors the saints and martyrs, who laid down their lives for the sake of truth and right; a handful of their dust, which was quieted of its trouble by the headsman's axe seventeen hundred years

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ago, and is now gathered from the catacombs of Saint Agnes at Rome—why it is enough to consecrate half of the Catholic churches in New England. As I have stood among their graves, have handled the instruments with which they tasted of bitter death, and crumbled their bones in my hands,—I keep their relics still with reverend awe—I have thought there was a little difference between their religion, and the pale decency that haunts the churches of our time, and is afraid lest it lose its dividends, or its respectability, or hurt its usefulness, which is in no danger.

Do I speak of martyrs for conscience' sake? To-day is St. Maurice's day, consecrated to him and the "Thebæan legion." Maurice appears to have been a military tribune in the Christian legion, levied in the Thebais, a part of Egypt. In the latter part of the third century this legion was at Octodurum, near the little village of Martigni, in Valais, a Swiss Canton, under the command of Maximian, the associate emperor, just then named Herculeus, going to fight the Bagaudæ. The legion was ordered to sacrifice to the Gods after the heathen fashion. The soldiers refused; every tenth man was hewn down by Maximian's command. They would not submit, and so the whole legion, as the Catholic story tells us, perished there on the 22d of September, fifteen hundred and fifty-three years ago this day. Perhaps the account is not true; it is probable that the number of martyrs is much exaggerated, for six thousand soldiers would not stand still and be slaughtered without striking a blow. But the fact that the Catholic church sets apart one day in the calendar to honor this alleged heroism, shows the value men put on fidelity to conscience in such cases.

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Last winter a bill for the capture of fugitive slaves was introduced into the Senate of the United States of America; the Senator who so ably represented the opinions and wishes of the controlling men of this city, proposed to support that bill, "with all its provisions to the fullest extent;" that bill, with various alterations, some for the better, others for the worse, has become a law—it received the vote of the Representative from Boston, who was not sent there, I hope, for the purpose of voting for it. That statute allows the slaveholder, or his agent, to come here, and by summary process seize a fugitive slave, and, without the formality of a trial by jury, to carry him back to eternal bondage. The statute makes it the official business of certain magistrates to aid in enslaving a man; it empowers them to call out force enough to overcome any resistance which may be offered, to summon the bystanders to aid in that work. It provides a punishment for any one who shall aid and abet, directly or indirectly, and harbor or conceal the man who is seeking to maintain his natural and unalienable right to life, liberty, and the pursuit of happiness. He may be fined a thousand dollars, imprisoned six months, and be liable to a civil action for a thousand dollars more!

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This statute is not to be laid to the charge of the slaveholders of the South alone; its most effective supporters are northern men; Boston is more to be blamed for it than Charleston or Savannah, for nearly a thousand persons of this city and neighborhood, most of them men of influence through money if by no other means, addressed a letter of thanks to the distinguished man who had volunteered to support that infamous bill, telling him that he had "convinced the understanding and touched the conscience of the nation." A man falls low when he consents to be a slave, and is spurned for his lack of manhood; to consent to be a catcher of fugitive slaves is to fall lower yet; but to consent to be the defender of a slave-catcher—it is seldom that human nature is base enough for that. But such examples are found in this city! This is now the law of the land. It is the official business of judges, commissioners and marshals, as magistrates, to execute the statute and deliver a fugitive up to slavery; it is your official business and mine, as citizens, when legally summoned, to aid in capturing the man. Does the command make it any man's duty? The natural duty to keep the law of God overrides the obligation to observe any human statute, and continually commands us to love a man and not hate him, to do him justice, and not injustice, to allow him his natural rights not alienated by himself; yes, to defend him in them, not only by all means legal, but by all means moral.

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Let us look a little at our duty under this statute. If a man falls into the water and is in danger of drowning, it is the natural duty of the bystanders to aid in pulling him out, even at the risk of wetting their garments. We should think a man a coward who could swim, and would not save a drowning girl for fear of spoiling his coat. He would be indictable at common law. If a troop of wolves or tigers were about to seize a man, and devour him, and you and I could help him, it would be our duty to do so, even to peril our own limbs and life for that purpose. If a man undertakes to murder or steal a man, it is the duty of the bystanders to help their brother, who is in peril, against wrong from the two-legged man, as much as against the four-legged beast. But suppose the invader who seizes the man is an officer of the United States, has a commission in his pocket, a warrant for his deed in his hand, and seizes as a slave a man who has done nothing to alienate his natural rights—does that give him any more natural right to enslave a man than he had before? Can any piece of parchment make right wrong, and wrong right?

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The fugitive has been a slave before: does the wrong you committed yesterday, give you a natural right to commit wrong afresh and continually? Because you enslaved this man's father, have you a natural right to enslave his child? The same right you would have to murder a man because you butchered his father first. The right to murder is as much transmissible by inheritance as the right to enslave! It is plain to me that it is the natural duty of citizens to rescue every fugitive slave from the hands of the marshal who essays to return him to bondage; to do it peaceably if they can, forcibly if they must, but by all means to do it. Will you stand by and see your countrymen, your fellow-citizens of Boston, sent off to slavery by some commissioner? Shall I see my own parishioners taken from under my eyes and carried back to bondage, by a man whose

constitutional business it is to work wickedness by statute? Shall I never lift an arm to protect him? When I consent to that, you may call me a hireling shepherd, an infidel, a wolf in sheep's clothing, even a defender of slave-catching if you will; and I will confess I was a poor dumb dog, barking always at the moon, but silent as the moon when the murderer came near.

I am not a man who loves violence. I respect the sacredness of human life. But this I say, solemnly, that I will do all in my power to rescue any fugitive slave from the hands of any officer who attempts to return him to bondage. I will resist him as gently as I know how, but with such strength as I can command; I will ring the bells, and alarm the town; I will serve as head, as foot, or as hand to any body of serious and earnest men, who will go with me, with no weapons but their hands, in this work. I will do it as readily as I would lift a man out of the water, or pluck him from the teeth of a wolf, or snatch him from the hands of a murderer. What is a fine of a thousand dollars, and jailing for six months, to the liberty of a man? My money perish with me, if it stand between me and the eternal law of God. I trust there are manly men enough in this house to secure the freedom of every fugitive slave in Boston, without breaking a limb or rending a garment.

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One thing more I think is very plain, that the fugitive has the same natural right to defend himself against the slave-catcher, or his constitutional tool, that he has against a murderer or a wolf. The man who attacks me to reduce me to slavery, in that moment of attack alienates his right to life, and if I were the fugitive, and could escape in no other way, I would kill him with as little compunction as I would drive a mosquito from my face. It is high time this was said. What grasshoppers we are before the statute of men! what Goliaths against the law of God! What capitalist heeds your statute of usury when he can get illegal interest? How many banks are content with six *per cent.* when money is scarce? Did you never hear of a merchant evading the duties of the custom-house? When a man's liberty is concerned, we must keep the law, must we? betray the wanderer, and expose the outcast?^[13]

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In the same manner the natural duty of a man overrides all the special obligations which a man takes on himself as a magistrate by his official oath. Our theory of office is this: The man is sunk in the magistrate; he is *un homme couvert*; his individual manhood is covered up and extinguished by his official cap; he is no longer a man, but a mere president, general, governor, representative, sheriff, juror, or constable; he is absolved from all allegiance to God's law of the universe when it conflicts with man's law of the land; his official business as a magistrate supersedes his natural duty as a man. In virtue of this theory, President Polk, and his coadjutors in Congress and out of it, with malice aforethought and intent to rob and to kill, did officially invade Mexico, and therein "slay, kill, and murder" some thousands of men, as well Americans as Mexicans. This is thought right because he did it officially. But the fact that he and they were magistrates, doing official business, did not make the killing any the less a wrong than if he and they had been private men, with General Lopez and not General Taylor to head or back them. The official killing of a man who has not alienated his right to life, is just as much a violation of the law of God, and the natural duty of a man, as the unofficial killing of such a person. Because you and I and some other foolish people put a man in a high office, and get him to take an oath, does that, all at once, invest him with a natural right to kill anybody he sees fit; to kill an innocent Mexican? All his natural rights he had before, and it would be difficult to ascertain where the people could find the right to authorize him to do a wrong. A man does not escape from the jurisdiction of natural law and the dominion of God by enlisting in the army, or by taking the oath of the President; for justice, the law paramount of the universe, extends over armies and nations.

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A little while ago a murderer was hanged in Boston, by the Sheriff of Suffolk county, at the command of the Governor and Council of Massachusetts, by the aid of certain persons called grand and petit jurors, all of them acting in their official capacity, and doing the official business they had sworn to do. If it be a wrong thing to hang a man, or to take his life except in self-defence, and while in imminent peril, then it is not any less a wrong because men do it in their official character, in compliance with their oath. I am speaking of absolute wrong, not merely what is wrong relatively to the man's own judgment, for I doubt not that all those officers were entirely conscientious in what they did, and therefore no blame rests on them. But if a man believes it wrong to take human life deliberately, except in the cases named, then I do not see how, with a good conscience, he can be partaker in the death of any man, notwithstanding his official oath.

Let me suppose a case which may happen here, and before long. A woman flies from South Carolina to Massachusetts to escape from bondage. Mr. Greatheart aids her in her escape, harbors and conceals her, and is brought to trial for it. The punishment is a fine of one thousand dollars and imprisonment for six months. I am drawn to serve as a juror, and pass upon this offence. I may refuse to serve, and be punished for that, leaving men with no scruples to take my place, or I may take the juror's oath to give a verdict according to the law and the testimony. The law is plain, let us suppose, and the testimony conclusive. Greatheart himself confesses that he did the deed alleged, saving one ready to perish. The judge charges, that if the jurors are satisfied of that fact, then they must return that he is guilty. This is a nice matter. Here are two questions. The one, put to me in my official capacity as juror, is this: "Did Greatheart aid the woman?" The other, put to me in my natural character as man, is this: "Will you help punish Greatheart with fine and imprisonment for helping a woman obtain her unalienable rights?" I am to answer both. If I have extinguished my manhood by my juror's oath, then I shall do my official business and find Greatheart guilty, and I shall seem to be a true man; but if I value my manhood, I shall answer after my natural duty to love a man and not hate him, to do him justice, not

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injustice, to allow him the natural rights he has not alienated, and shall say "Not guilty." Then foolish men, blinded by the dust of courts, may call me forsworn and a liar; but I think human nature will justify the verdict.^[14]

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In cases of this kind, when justice is on one side and the court on the other, it seems to me a conscientious man must either refuse to serve as a juror, or else return a verdict at variance with the facts and what courts declare to be his official business as juror; but the eyes of some men have been so long blinded by what the court declares is the law, and by its notion of the juror's function, that they will help inflict such a punishment on their brother, and the judge decree the sentence, in a case where the arrest, the verdict and the sentence are the only wrong in which the prisoner is concerned. It seems to me it is time this matter should be understood, and that it should be known that no official oath can take a man out of the jurisdiction of God's natural law of the universe.

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A case may be brought before a commissioner or judge of the United States, to determine whether Daniel is a slave, and therefore to be surrendered up. His official business, sanctioned by his oath, enforced by the law of the land, demands the surrender; his natural duty, sanctioned by his conscience, enforced by absolute justice, forbids the surrender. What shall he do? There is no serving of God and Mammon both. He may abandon his commission and refuse to remain thus halting between two opposites. But if he keeps his office, I see not how he can renounce his nature and send back a fugitive slave, and do as great a wrong as to make a free man a slave!

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Suppose the Constitution had been altered, and Congress had made a law, making it the business of the United States' commissioners to enslave and sell at public outcry all the red-haired men in the nation, and forbid us to aid and abet their escape, to harbor and conceal them under the same penalties just now mentioned; do you think any commissioner would be justified before God by his oath in kidnapping the red-haired men, or any person in punishing such as harbored or concealed them, such as forcibly took the victims out of the hand of officials who would work mischief by statute? Will the color of a hair make right wrong, and wrong right?

Suppose a man has sworn to keep the Constitution of the United States, and the Constitution is found to be wrong in certain particulars: then his oath is not morally binding, for before his oath, by his very existence, he is morally bound to keep the law of God as fast as he learns it. No oath can absolve him from his natural allegiance to God. Yet I see not how a man can knowingly, and with a good conscience, swear to keep what he deems wrong to keep, and will not keep, and does not intend to keep.

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It seems to me very strange that men so misunderstand the rights of conscience and their obligations to obey their country. Not long ago, an eminent man taunted one of his opponents, telling him he had better adhere to the "higher law." The newspapers echoed the sneer, as if there were no law higher than the Constitution. Latterly, the democratic party, even more completely than the whig party, seems to have forgotten that there is any law higher than the Constitution, any rights above vested rights.^[15]

An eminent theologian of New England, who has hitherto done good and great service in his profession, grinding off the barb of Calvinism, wrote a book in defence of slave-catching, on "Conscience and the Constitution," a book which not only sins against the sense of the righteous in being wicked, but against the worldliness of the world in being weak,—and he puts the official business of keeping "a compact" far before the natural duty of keeping a conscience void of offence, and serving God. But suppose forty thieves assemble on Fire Island, and make a compact to rob every vessel wrecked on their coast, and reduce the survivors to bondage. Suppose I am born amongst that brotherhood of pirates, am I morally bound to keep that compact, or to perform any function which grows out of it? Nay, I am morally bound to violate the compact, to keep the pirates from their plunder and their prey. Instead of forty thieves on Fire Island, suppose twenty millions of men in the United States make a compact to enslave every sixth man—the dark men—am I morally bound to heed that compact, or to perform any function which grows out of it? Nay, I am morally bound to violate the compact, in every way that is just and wise. The very men who make such a compact are morally discharged from it as soon as they see it is wrong. The forty Jews who bound themselves by wicked oath to kill Paul before they broke their fast,—were they morally bound to keep their word? Nay, morally bound to break it.

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I will tell you a portion of the story of a fugitive slave whom I have known. I will call his name Joseph, though he was in worse than Egyptian bondage. He was "owned" by a notorious gambler, and once ran away, but was retaken. His master proceeded to punish him for that crime, took him to a chamber, locked the door, and lighted a fire; he then beat the slave severely. After that he put the branding-iron in the fire, took a knife,—I am not telling of what took place in Algiers, but in Alabama,—and proceeded to cut off the ears of his victim! The owner's wife, alarmed at the shrieks of the sufferer, beat down the door with a sledge-hammer, and prevented that catastrophe. Afterwards, two slaves of this gambler, for stealing their master's sheep, were beaten so that they died of the stripes. The "Minister" came to the funeral, told the others that those were wicked slaves, who deserved their fate; that they would never "rise" in the general resurrection, and were not fit to be buried! Accordingly their bodies were thrown into a hole and left there. Joseph ran away again; he came to Boston; was sheltered by a man whose charity never fails; he has been in my house, and often has worshipped here with us. Shall I take that man and deliver him up?—do it "with alacrity?" Shall I suffer that gambler to carry his prey from this city? Will you allow it—though all the laws and constitutions of men give the commandment? God do so unto us if we suffer it.^[16]

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This we need continually to remember: that nothing in the world without is so sacred as the Eternal Law of God; of the world within nothing is more venerable than our own conscience, the permanent, everlasting oracle of God. The Urim and Thummim were but Jewish or Egyptian toys on the breast-plate of the Hebrew priest; the Delphic oracle was only a subtle cheat, but this is the true Shekinah and presence of God in your heart: as this

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—"pronounces lastly on each deed,
Of so much fame in heaven expect your meed."

If I am consciously and continually false to this, it is of no avail that I seem loyal to all besides; I make the light that is in me darkness, and how great is that darkness! The centre of my manhood is gone, and I am rotten at my heart. Men may respect me, honor me, but I am not respectable, I am a base, dishonorable man, and like a tree, broad-branched, and leafed with green, but all its heart gnawed out by secret worms, at some slight touch one day, my rotten trunk will fall with horrid squelch, bringing my leafy honors to dishonored dust, and men will wonder that bark could hide such rottenness and ruin.

But if I am true to this Legate of God, holding his court within my soul, then my power to discover the just and right will enlarge continually; the axis of my little life will coincide with the life of the infinite God, His Conscience and my own be one. Then my character and my work will lie in the plane of his Almighty action; no other will in me, His infinite wisdom, justice, holiness, and love, will flow into me, a ceaseless tide, filling with life divine and new the little creeklets of my humble soul. I shall be one with God, feel His delight in me and mine in Him, and all my mortal life run o'er with life divine and bless mankind. Let men abhor me, yea, scourge and crucify, angels are at hand; yes, the Father is with me!

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How we mistake. Men think if they can but get wickedness dignified into a statute, enrolled in the capitol, signed by the magistrates, and popular with the people, that all is secure. Then they rejoice, and at their "Thanksgiving dinner," say with the short-lived tyrant in the play, after he had slain the rightful heirs of England's throne, and set his murderous hoof on justice at every step to power,—

"Now is the winter of our discontent
Made glorious summer" ...

and think that Sin sits fast and rides secure.^[17] But no statute of men is ever fixed on man till it be first the absolute, the right, the law of God. All else lasts but its day, forever this, forever still the same. By "previous questions," men may stop debate, vote down minorities with hideous grin, but the still small voice of Justice will whisper in the human heart, will be trumpet-tongued in history to teach you that you cannot vote down God.

on the natural law of God, inherent in your nature and in his; if the nation would build securely, it must build so. Out of their caprice, their selfishness, and their sin, may men make statutes, to last for a day, built up with joyous huzzas, and the chiming of a hundred guns, to come down with the curses of the multitude, and smitten by the thunder of God; but to build secure, you must build on the Justice of the Almighty. The beatitudes of Jesus will outlast the codes of all the tyrants of the old world and the new. So I have seen gamblers hurry and huddle up their booths at a country muster, on the unsmoothed surface of a stubble-field, foundation good enough for such a structure, not a post plumb, to endure a single day of riot, drunkenness, and sin; but to build a pyramid which shall outlast empires, men lay bare the bosom of the primeval rock, and out of primeval rock they build thereon their well-joined work, outlasting Syria, Greece, Carthage, Rome, venerable to Time, and underneath its steadfast foot the earthquakes pass all harmlessly away.

[Pg 176]In
your
private
character,
if you
would build
securely,
you must
build

All things conspire to overturn a wrong. Every advance of man is hostile to it. Reason is hostile; religion is its deadly foe; the new-born generation will assail it, and it must fall. Of old it was written, "Though hand join in hand, the wicked shall not prosper," and the world's wide walls, from the remotest bounds of peopled space, laugh out their loud and long "Amen!" Let Iniquity be never so old and respectable, get all the most eminent votes, have the newspapers on her side, guns fired at her success, it all avails nothing; for this is God's world, not a devil's, and His eternal word has gone forth that Right alone shall last forever and forever.

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Oh, young man, now in the period of the passions, reverence your Conscience. Defer that to no appetite, to no passion, to no foolish compliance with other men's ways, to no ungodly custom, even if become a law. Ask always "Is it right for me?" Be brave and self-denying for conscience' sake. Fear not to differ from men; keeping your modesty, keep your integrity also. Let not even your discretion consume your valor. Fear not to be scrupulously upright and pure; be afraid neither of men's hate, nor even of their laugh and haughty scorn, but shudder at the thought of tampering with your sense of right, even in the smallest matters. The Flesh will come up with deceitful counsels—the Spirit teaching the commandments of God; give both their due. Be not the

senses' slave, but the soul's free man.

Oh brother man, who once wert young, in the period of ambition, or beyond it, if such a time there be, can you trust the selfishness, the caprice, the passions, and the sin of men, before your own conscience, renounce the law of God for the customs of men? When your volcanic mountain has been capped with snow, Interest, subtler than all the passions of the flesh, comes up to give her insidious counsel. "On our side," says she, "is the applause of men; feasting is with us; the wise and prudent are here also, yea, the ancient and honorable, men much older than thy father; and with gray hairs mottling thy once auburn head, wilt thou forsake official business, its solid praise, and certain gain, for the phantom of natural duty, renounce allegiance to warm human lies for the cold truth of God remote and far!" Say, "Get thee behind me," to such counsellors; "I will not stain my age by listening to your subterranean talk."

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Oh, brother man, or old or young, how will you dare come up before your God and say: "Oh Lord, I heard, I heard thy voice in my soul, at times still and small, at times a trumpet talking with me of the Right, the Eternal Right, but I preferred the low counsels of the flesh; the commands of Interest I kept; I feared the rich man's decorous rage; I trembled at the public roar, and I scorned alike my native duty and thy natural law. Lo, here is the talent Thou gavest me, my sense of right. I have used each other sense, this only have I hid; it is eaten up with rust, but thus I bring it back to Thee. Take what is thine!" Who would dare thus to sin against infinite Justice? Who would wish to sin against it when it is also infinite Love, and the law of right is but the highway on which the Almightyness of the Father comes out to meet his prodigal, a great way off, penitent and returning home, or unrepentant still, refusing to be comforted, and famishing on draff and husks, while there is bread of heavenly life enough and yet to spare, comes out to meet us, to take us home, and to bless us forever and forever?

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FOOTNOTES:

[11] The terms *laws of the human spirit*, *spiritual laws*, &c., are sometimes used to denote exclusively those laws which man *must* keep, not merely what he *ought* to keep, laws in relation to which man has no more freedom than a mass of marble. The words are used above in a different sense.

[12] Why dost thou, Tyrant, boast abroad thy wicked works to praise?
Dost thou not know there is a God, whose mercies last alwaies?

* * * *

On mischief why sett'st thou thy minde, and wilt not walke upright?
Thou hast more lust false tales to find, than bring the truth to light.
Thou dost delight in fraud and guile, in mischief, bloud and wrong.
Thy lips have learned the flattering stile, oh false deceitful tongue.

Therefore shall God for aye confound, and pluck thee from thy place;
Thy seed root out from off the ground, and so shall thee deface.
The just, when they behold thy fall, with feare shall praise the Lord;
And in reproach of thee withall, crie out with one accord:—

"Behold the man that woulde not take the Lord for his defence;
But of his goods his God did make, and trust his corrupt sense.
But I, as olive, fresh and green, shall spring and spread abroad;
For why? my trust all times hath been, upon the living God!

"For this therefore will I give praise to Thee with heart and voyce;
I will set forth Thy name alwayes, wherein Thy saints rejoyce."

Psalm lii. in Sternhold and Hopkins.

[13] It has been said that the fugitive slave law cannot be executed in Boston. Let us not be deceived. Who would have thought a year ago, that the Senator of Boston would make such a speech as that of last March, that so many of the leading citizens of Boston would write such a letter of approval, that such a bill could pass Congress, and a man be found in this city (Mr. Samuel A. Eliot) to vote for it and get no rebuke from the people! Yet a single man should not endure the shame alone, which belongs in general to the leading men of the city. The member for Boston faithfully represented the public opinion of his most eminent constituents, lay and clerical. Here is an account of what took place in New York since the delivery of the sermon.

[From the New York Tribune.]

"SLAVE CATCHING IN NEW YORK—FIRST CASE UNDER THE LAW.

"The following case, which occurred yesterday, is one of peculiar interest, from the fact of its being the first case under the new Fugitive Slave Law. It will be noticed that there is very little of the 'law's delay' here; the proceedings were as summary as an Arkansas court audience could desire.

"U. S. COMMISSIONER'S OFFICE—Before Commissioner Gardiner.—*Examination as to James Hamlet, charged to be a fugitive slave, the property of Mary Brown, of Baltimore.*—No person was present as counsel for accused, and only one colored man. He is a light mulatto. The marshal said Mr. Wood had been there. The commissioner said they would go on, and if counsel came in, he would read proceedings.

"*Thomas J. Clare* (a man with dark eyes and hair), sworn.—Am thirty years of age; clerk for Merchant's Shot Manufacturing Company in Baltimore; know James Hamlet; he is slave of Mary Brown, a mother-in-law of mine, residing in Baltimore; have known Hamlet about twenty years; he left my mother-in-law about two years ago this season, by absenting himself from the premises, the dwelling where he resided in Baltimore; she is entitled to his services; he is a slave for life; she never parted with him voluntarily; she came into possession of him by will from John G. Brown, her deceased husband; the written paper shown is an extract from his will; she held him under that from the time she inherited him till he escaped, as I have testified; this is the man (pointing to Hamlet, a light mulatto man, about twenty-four or twenty-five years of age, looking exceedingly pensive).

"*Gustavus Brown*, sworn.—Am twenty-five years of age; reside in New York; clerk with A. M. Fenday, 25 Front street; resided before coming here in Baltimore; I know James Hamlet; I have known him since a boy; he is a slave to my mother; he is a slave for life; my mother inherited him under the will of my father; he left her service by running away, I suppose; absenting himself from the house in the city of Baltimore, about two years since; I have seen him several times, within the last six months, in the city; first time I saw him was in April last; my mother is still entitled to possession of him; she never has parted with him; the man sitting here (Hamlet) is the man.

"Mr. Asa Child, Counsellor at Law, here came into the room, and took his seat; he said he had been sent to this morning, through another, by a gentleman with whom Hamlet had lived in this city (Mr. S. N. Wood), but he had no directions in the matter; he merely came to see that the law is properly administered, and supposed it would be without him.

"Mr. Child was then shown the law, the power of attorney to Mr. Clare, the affidavit of Mr. Clare on which Hamlet was arrested—and the testimony thus far.

"*Mr. Clare*, cross-examined by Mr. Child.—I married Mrs. Brown's daughter about seventeen years ago; Hamlet has always lived with us in the family: I am in her family now, and was at the time he went away; think he is about twenty-eight years of age (he looks much younger than that—his features are very even, as those of a white person of the kind); he occasionally worked at the shot tower where I worked; he was hired there as a laborer, and Mrs. Brown got the benefit of him—that is, when I had no other use for him; he had formerly been employed as a drayman; after I married into the family some year or two, we lived together, I furnishing the house; such wages as I got for the man it was returned to Mrs. Brown, to be used as she saw fit; I was her agent to get employment for him as I could; I had him in various occupations; I have a power of attorney; I have no further interest in him than he is her property, and we wish to get him back to Maryland again, where he left.

"*Mr. Brown*, cross-examined.—Left home 27th March last. Was home when Hamlet went away. At the time he was engaged at the shot tower business.

"Mr. Child said he had no further questions to ask. He supposed the rules of the law had been complied with.

"Mr. Gardiner, the commissioner, then said, I will deliver the fugitive over to the marshal, to be delivered over to the claimant.

"Mr. Child suggested if that was the law. The commissioner then said he would hand him, as the law said, to the claimant, and if there should be any danger of rescue, he would deliver him to the United States Marshal.

"The United States Marshal said he had performed his duty in bringing him in.

"Mr. Clare said he would demand such aid from the United States Marshal, as would secure the delivery of the man to his owner in Baltimore.

"Mr. Child suggested that it must be an affidavit that he apprehends a rescue. Mr. Clare said that he did so apprehend.

"Mr. Talmadge, the marshal, said he would have to perform his duty, if called upon.

"Mr. Child replied he supposed he would, but there were doubts as to the form.

"The necessary papers were made out by the commissioner, Mr. Clare swearing he feared a rescue, and Hamlet was delivered to him, thence to the United States Marshal, and probably was conveyed with all possible despatch to Baltimore, a coach being in waiting at the door; and he was taken off in irons, an officer accompanying the party."

Here is the charge of Judge McLean in a similar case.

"No earthly power has a right to interpose between a man's conscience and his Maker. He has a right, an inalienable and absolute right, to worship God according to the dictates of his own conscience. For this he alone must answer, and he is entirely free from all human restraint to think and act for himself.

"But this is not the case when his acts affect the rights of others. Society has a claim upon all its citizens. General rules have been adopted in the form of laws, for the protection of the rights of persons and things. These laws lie at the foundation of the social compact, and their observance is essential to the maintenance of civilization. In

these matters the law, and not conscience, constitutes the rule of action You are sworn to decide this case according to the law and testimony; and you become unfaithful to the solemn injunctions you have taken upon yourselves, when you yield to an influence which you call conscience, that places you above the law and the testimony.

"Such a rule can only apply to individuals; and when assumed as a basis of action on the rights of others, it is utterly destructive of all law. What may be deemed a conscientious act by one individual, may be held criminal by another. In view of one, the act is meritorious; in the view of the other, it should be punished as a crime. And each has the same right, acting under the dictates of his conscience, to carry out his own view. This would overturn the basis of society. We must stand by the law. We have sworn to maintain it. It is expected that the citizens of the free States should be opposed to slavery. But with the abstract principles of slavery we have nothing to do. As a political question there could be no difference of opinion among us on the subject. But our duty is found in the Constitution of the Union, as construed by the Supreme Court. The fugitives from labor we are bound, by the highest obligations, to deliver up on claim of the master being made; and there is no State power which can release the slave from the legal custody of his master.

"In regard to the arrest of fugitives from labor, the law does not impose active duties on our citizens generally. They are not prohibited from exercising the ordinary charities of life towards the fugitive. To secrete him or convey him from the reach of his master, or to rescue him when in legal custody, is forbidden; and for doing this a liability is incurred. This gives to no one a just ground of complaint. He has only to refrain from an express violation of the law, which operates to the injury of his neighbor."

He seems to think the right to hold slaves as much a natural right as the absolute right to worship God according to the "dictates of conscience." One man has an unalienable right to liberty, other men an unalienable right to alienate and take it from him!

Here is something in a different spirit from a Boston newspaper.

"THE FUGITIVE SLAVE BILL.

"This infamous bill has finally passed both branches of Congress.^[A] My opinion on this subject may have little weight with those who voted for it, but may help sustain the sinking spirit of some poor disconsolate one, who, having fled from the land of oppressors, is anxiously looking to see if there is any one who will give him a cheering look, or a kind reception, or who dares to give him a crust of bread, or a cup of water, and help him on his way.

"Allow me to say to such an one, that if pursued by the merciless slaveholder, and every other door in Boston is shut against him, there is a door that will be open at No. 2 Beach street, and that the fear of fines and imprisonment will be ineffectual when the pursuer shall demand his victim. If he enters before the fleeing captive is safe, it will be at his peril. I am opposed to war, and all the spirit of war; even to all preparations for what is called self-defence in times of peace; yet I should resist the pursuer, and not allow him to enter my dwelling until he was able to tread me under his feet. I will not trample upon any law, either of my own State, or of the nation, that does not conflict with my conscientious duty to my God; but Jesus has commanded, saying, 'All things whatsoever ye would that men should do to you, do ye even so to them.'

"If, for no crime, I had been taken and sold, and deprived of all the rights of my manhood, and degraded to the rank of a beast of burden; not only deprived of the opportunity to labor for the support of my wife and children, but even deprived of their kind sympathy and companionship, whenever the interest or will of my oppressors should require it; and I should, at the peril of my life, flee from my oppressors, and they should pursue me to the dwelling of some poor disciple of Jesus, it may be that of a colored man, and I should beg of him to protect me, and help me to escape from the pursuer's grasp, should I not hope, if he was a Christian, he would give me bread and water, and help me on my way, regardless of the fines and imprisonment that such a kind act might render him liable to? Could I expect to meet the approbation of my Lord, if I did not do as much for the fleeing slave? Can there be a Christian, in this land of the Pilgrims, who will not do it, and besides, do all in his power to prevent any one of those Senators or Representatives in Congress who voted for that infamous bill from ever again misrepresenting any portion of the friends of freedom, in Boston or elsewhere? It is said, this is a law of the land, and must be obeyed: to such I would say, 'Whether it be right in the sight of God to hearken unto men more than unto God, judge ye,'

"I prefer to obey God, if in so doing I must break the laws of men and be punished, rather than violate the laws of God and obey the laws of men, to escape fines and imprisonments, or even death.

"Boston, Sept. 23, 1850.

T. GILBERT."

Here is yet more:

"THE FUGITIVE SLAVE BILL.

"MESSRS. EDITORS:—The bold and manly avowal of your correspondent, Mr.

T. Gilbert, in last evening's Traveller, in commenting upon what he very justly denominates the 'infamous fugitive slave bill,' is but the very echoing of thousands of hearts equally true to the cause of freedom, and who seek the elevation of the down-trodden sons and daughters of American slavery. That gentleman, acting upon the dictates of an enlightened patriotism, and in deep sympathy with the fleeing captive, has the courage to avow his determination to throw wide open his door, and offers to make his house—even though he should stand alone among his fellow-citizens—an asylum to the fugitive slave, in his retreat from the prison-house of bondage. The paramount claims which he awards to the Divine law over that which is but human, and therefore necessarily imperfect, commend his spirited letter to the consideration of all those that have in any way aided in the passage of a bill at variance with the first principles of civil freedom, and in direct hostility to the instruction of that great Teacher who hath commanded us to 'Do unto others as we would that they should do unto us.' That the determination of your correspondent may be true and unfaltering, is the hearty prayer of one, at least, of his fellow-citizens, who is ready at all times to cooperate in making an asylum for the fugitive slave, even though bonds and imprisonments should prove the penalty.

GEORGE W. CARNES.
"Boston, Sept. 26, 1850."

Here follow some characteristic remarks on the terror which the fugitives here in Boston feel in apprehension of being torn from their families and their freedom.

"THE FUGITIVE SLAVE LAW.

"The colored people had a grand time last evening, at Zion's Chapel in Church street. Their object was to denounce the fugitive slave law; and this was done with hearty goodwill, or, we should say, malediction.

"The steam would have been well up, without any extraneous elements of excitement; but what added a special interest to the occasion, and raised the temperament to blood-heat, was the announcement, made by Mr. Downing, that the wife of James Hamlet (the fugitive slave who was returned to his owner in Baltimore, a few days since, under a process of law), had died yesterday, of grief and convulsions.

"This filled the measure of indignation which burned in the bosoms of all present, against a law which, besides its other abominations, could produce such fatal effects. In the fever of the moment, a contribution was called for, to defray the expense of her funeral, and about twenty dollars was collected.

"Shortly after, information was received that it was all a mistake about her dying of convulsions, or in any other way; and that she was as well as ever. This was a damper upon the enthusiasm of the occasion, but the money was already collected, and seeing it could not be applied just now to defray her funeral expenses, it was very properly decided to apply it to her living expenses. The meeting adjourned.

"Mrs. Hamlet was in our office yesterday, accompanied by her mother and a colored man. She appeared to be in good health (though of course distressed at the misfortune of her husband), and we hope she will live a thousand years. She certainly shall, if his return will have that effect."—*N. Y. Journal of Commerce*.

I print these passages, hoping that some hundred years hence they may be found in some old library, and valued as monuments of the state of Christianity in the free States in the year 1850.

[A] I call this bill *infamous*, because by it the man or woman who is charged with being a slave is deprived of all the means of self-defence allowed to those who are charged with crimes, and to be delivered up summarily, without the right of trial by jury, or any other proper means of proving the charge groundless. Is it a worse crime to be a slave than a thief or a murderer?

[14] THE FUNCTION OF THE JURY.

There are two theories of the function of the jury in criminal trials. One I will call the theory of the Government; the other the theory of the People. The first has of late been insisted on in certain courts, and laid down by some judges in their charges to the jury. The second lies, perhaps dimly, in the consciousness of the people, and may be gathered from the conduct of juries in trials where the judges' law would do obvious injustice to the prisoner.

I. According to the theory of the Government. The judge is to settle the law for the jury. This involves two things:

1. He is to declare the law denouncing punishment on the alleged crime.

2. To declare what constitutes the crime. Then the jury are only to determine whether the prisoner did the deed which the judge says constitutes the crime. He, exclusively, is to decide what is the law, and what deed constitutes the crime; they only to decide if the prisoner did the deed. For example, to take a case which has not happened yet, to my knowledge: John Doe is accused of having eaten a Medford cracker; and thereupon, by direction of the Government, has been indicted by a grand jury for the capital offence of treason, and is brought before a traverse jury for trial. The judge tells the jury, 1. That eating a Medford cracker constitutes the crime of treason. 2. That there is a law denouncing death on that crime. Then the jury are to hearken to the evidence, and if it is proved to their satisfaction that John Doe ate the Medford cracker, they are to return a

verdict of guilty. They are only to judge of the matter of fact, and take the law on the judge's authority.

II. According to the theory of the People, in order to render their verdict, the jury are to determine three things:

1. Did the man do the deed alleged?
2. If so, Is there a legal and constitutional statute denouncing punishment upon the crime? Here the question is twofold: (*a*) as to the deed which constitutes the crime, and (*b*) as to the statute which denounces the crime.
3. If all this is settled affirmatively, then, Shall this man suffer the punishment thus legally and constitutionally denounced?

For example: John Doe is accused of having eaten a Medford cracker, is indicted for treason, and brought to trial; the judge charges as above. Then the jury are to determine:

1. Did John Doe eat the Medford cracker in the manner alleged?
2. If so: (*a*) Does that deed constitute the crime of treason? and (*b*) Is there a legal and constitutional statute denouncing the punishment of death on that crime?
3. If so likewise, Shall John Doe suffer the punishment of death?

The first question, as to the fact, they are to settle by the evidence presented in open court, according to the usual forms, and before the face of the prisoner; the testimony of each witness forms one element of that evidence. The jury alone are to determine whether the testimony of the witnesses proves the fact.

The second question, (*a*) as to the deed which constitutes the crime, and (*b*) as to the law which denounces the crime, they are to settle by evidence; the testimony of the Judge, of the States' Attorney, of the Prisoner's counsel, each forms an element of that evidence. The jury alone are to determine whether that testimony proves that the deed constitutes the crime, and that there is a law denouncing death against it; and the jury are to remember that the judge and the attorney who are the creatures of the Government, and often paid to serve its passions, may be, and often have been, quite as partial, quite as unjust, as the prisoner's counsel.

The third question, as to punishing the prisoner, after the other questions are decided against him, is to be settled solely by the mind and conscience of the jury. If they know that John Doe did eat the Medford cracker; that the deed legally constitutes the crime of treason, and that there is a legal and constitutional statute denouncing death on that crime, they are still to determine, on their oath as jurors, on their manhood as men, Whether John Doe shall suffer the punishment of death. They are jurors to do justice, not injustice; what they think is justice, not what they think injustice.

The Government theory, though often laid down in the charge, is seldom if ever practically carried out by a judge in its full extent. For he does not declare on his own authority what is the law and what constitutes the crime, but gives the statutes, precedents, decisions and the like; clearly implying by this very course that the jury are not to take his authority barely, but his reasons if reasonable.

In the majority of cases, the statute and the ruling of the court come as near to real justice as the opinion of the jury does; then if they are satisfied that the prisoner did the deed alleged, they return a verdict of guilty with a clear conscience, and subject the man to what they deem a just punishment for an unjust act. Their conduct then seems to confirm the Government theory of the jurors' function. Lawyers and others sometimes reason exclusively from such cases, and conclude such is the true and actual theory thereof. But when a case occurs, wherein the ruling of the judge appears wrong to the jury; when he declares legal and constitutional what they think is not so; when he declares that a trifling offence constitutes a great crime; when the statute is manifestly unjust, forbidding what is not wrong, or when the punishment denounced for a real wrong is excessive, or any punishment is provided for a deed not wrong, though there is no doubt of the facts, the jury will not convict. Sometimes they will acquit the prisoner; sometimes fail to agree. The history of criminal trials in England and America proves this. In such cases the jury are not false to their function and jurors' oath, but faithful to both, for the jurors are the "country"—the justice and humanity of men.

Suppose some one should invent a machine to be used in criminal trials for determining the testimony given in court. Let me call it a Martyrion. This instrument receives the evidence and determines and reports the fact that the prisoner did, or did not, do the deed alleged. According to the government theory, the Martyrion would perfectly perform all the functions of the jury in a criminal case; but would any community substitute the machine for the jury of "twelve good men and true?" If the jury is to be merely the judge's machine, it had better be of iron and gutta-percha than of human beings.

In Philadelphia, some years ago, a man went deliberately and shot a person who had seduced his sister under circumstances of great atrocity. He was indicted for wilful murder. There was no doubt as to the fact, none as to the law, none as to the deed which constituted that crime. The jury returned, "Not guilty"—and were justified in their verdict. In 1850, in New Jersey, a man seduced the wife of another, under circumstances even more atrocious. The husband, in open day, coolly and deliberately shot the seducer; was tried for wilful murder. Here, too, there was no doubt of the fact, of the law, or the deed which constituted the crime of murder; but the jury, perfectly in accordance with their official function, returned "Not guilty."

The case of William Penn in 1670, who was tried under the Conventicle Act, is well known. The conduct of many English juries who would not condemn a fellow-creature to death for stealing a few pounds of money, is also well known, and shows the value of this form of trial to protect a man from a wicked law. I think most men will declare the verdict of "Not guilty" in the case of J. P. Zenger, tried for high treason in New York in 1735, a righteous judgment, made in strict accordance with the official function of the jurors; but it was plainly contrary to the evidence as well as to the ruling of the court.

See Mr. Parker's Defence, p. 76, *et seq.* for further remarks on the Function of the Jury (Boston, 1855).

- [15] So it appeared in September, 1851; but since then the whig party has vindicated its claim to the same bad eminence as the democratic party.
- [16] The person referred to fled away from Boston, and in one of the British provinces found the protection for his unalienable rights, which could not be allowed him in New England.
- [17] This refers to a speech of Mr. Webster, occasioned by the passage of the fugitive slave law.

V.

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THE STATE OF THE NATION, CONSIDERED IN A SERMON FOR THANKSGIVING DAY.—PREACHED AT THE MELODEON, NOVEMBER 28, 1850.

PROVERBS XIV. 34.

Righteousness exalteth a nation, but sin is a reproach to any people.

We come together to-day, by the Governor's proclamation, to give thanks to God for our welfare, not merely for our happiness as individuals or as families, but for our welfare as a people. How can we better improve this opportunity, than by looking a little into the condition of the people? And accordingly I invite your attention to a Sermon of the State of this Nation. I shall try to speak of the Condition of the nation itself, then of the Causes of that condition, and, in the third place, of the Dangers that threaten, or are alleged to threaten, the nation.

First, of our Condition. Look about you in Boston. Here are a hundred and forty thousand souls, living in peace and in comparative prosperity. I think, without doing injustice to the other side of the water, there is no city in the old world, of this population, with so much intelligence, activity, morality, order, comfort, and general welfare, and, at the same time, with so little of the opposite of all these. I know the faults of Boston, and I think I would not disguise them; the poverty, unnatural poverty, which shivers in the cellar; the unnatural wealth which bloats in the parlor; the sin which is hid in the corners of the jail; and the more dangerous sin which sets up Christianity for a pretence; the sophistry which lightens in the newspapers, and thunders in the pulpit:—I know all these things, and do not pretend to disguise them; and still I think no city of the old world, of the same population, has so much which good men prize, and so little which good men deplore.

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See the increase of material wealth; the buildings for trade and for homes; the shops and ships. This year Boston will add to her possessions some ten or twenty millions of dollars, honestly and earnestly got. Observe the neatness of the streets, the industry of the inhabitants, their activity of mind, the orderliness of the people, the signs of comfort. Then consider the charities of Boston; those limited to our own border, and those which extend further, those beautiful charities which encompass the earth with their sweet influence. Look at the schools, a monument of which the city may well be proud, in spite of their defects.

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But Boston, though we proudly call it the Athens of America, is not the pleasantest thing in New England to look at; it is the part of Massachusetts which I like the least to look at, spite of its excellence. Look further, at the whole of Massachusetts, and you see a fairer spectacle. There is less wealth at Provincetown, in proportion to the numbers, but there is less want; there is more comfort; property is more evenly and equally distributed there than here, and the welfare of a country never so much depends upon the amount of its wealth, as on the mode in which its wealth is distributed. In the State, there are about one hundred and fifty thousand families—some nine hundred and seventy-five thousand persons, living with a degree of comfort, which, I think, is not anywhere enjoyed by such a population in the old world. They are mainly industrious, sober, intelligent, and moral. Every thing thrives; agriculture, manufactures, commerce. "The carpenter encourages the goldsmith; he that smites the anvil, him that smootheth with the

hammer." Look at the farms, where intelligent labor wins bread and beauty both, out of the sterile soil and climate not over-indulgent. Behold the shops all over the State; the small shops where the shoemaker holds his work in his lap, and draws his thread by his own strong muscles; and the large shops where machines, animate with human intelligence, hold, with iron grasp, their costlier work in their lap, and spin out the delicate staple of Sea Island cotton. Look at all this; it is a pleasant sight. Look at our hundreds of villages, by river, mountain, and sea; behold the comfortable homes, the people well fed, well clad, well instructed. Look at the school-houses, the colleges of the people; at the higher seminaries of learning; at the poor man's real college further back in the interior, where the mechanic's and farmer's son gets his education, often a poor one, still something to be proud of. Look at the churches, where, every Sunday, the best words of Hebrew and of Christian saints are read out of this Book, and all men are asked, once in the week, to remember they have a Father in heaven, a faith to swear by, and a heaven to live for, and a conscience to keep. I know the faults of these churches. I am not in the habit of excusing them; still I know their excellence, and I will not be the last man to acknowledge that. Look at the roads of earth and iron which join villages together, and make the State a whole. Follow the fisherman from his rocky harbor at Cape Ann; follow the mariner in his voyage round the world of waters; see the industry, the intelligence, and the comfort of the people. I think Massachusetts is a State to be thankful for. There are faults in her institutions and in her laws, that need change very much. In her form of society, in her schools, in her colleges, there is much which clamors loudly for alteration,—very much in her churches to be christianized. These changes are going quietly forward, and will in time be brought about.

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I love to look on this State, its material prosperity, its increase in riches, its intelligence and industry, and the beautiful results that are seen all about us to-day. I love to look on the face of the people, in halls and churches, in markets and factories; to think of our great ideas; of the institutions which have come of them; of our schools and colleges, and all the institutions for making men wiser and better; to think of the noble men we have in the midst of us, in every walk of life, who eat an honest bread, who love mankind, and love God, who have consciences they mean to keep, and souls which they intend to save.

The great business of society is not merely to have farms, and ships, and shops,—the greater shops and the less,—but to have men; men that are conscious of their manhood, self-respectful, earnest men, that have a faith in the living God. I do not think we have many men of genius. We have very few that I call great men; I wish there were more; but I think we have an intelligent, an industrious, and noble people here in Massachusetts, which we may be proud of.

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Let us go a step further. New England is like Massachusetts in the main, with local differences only. All the North is like New England in the main; this portion is better in one thing; that portion worse in another thing. Our ideas are their ideas; our institutions are the same. Some of the northern States have institutions better than we. They have added to our experience. In revising their constitutions and laws, or in making new ones, they go beyond us, they introduce new improvements, and those new improvements will give those States the same advantage over us, which a new mill, with new and superior machinery, has over an old mill, with old and inferior machinery. By and by we shall see the result, and take counsel from it, I trust.

All over the North we find the same industry and thrift, and similar intelligence. Here attention is turned to agriculture, there to mining; but there is a similar progress and zeal for improvement. Attention is bestowed on schools and colleges, on academies and churches. There is the same abundance of material comfort. Population advances rapidly, prosperity in a greater ratio. Everywhere new swarms pour forth from the old hive, and settle in some convenient nook, far off in the West. So the frontier of civilization every year goes forward, further from the ocean. Fifty years ago it was on the Ohio; then on the Mississippi; then on the upper Missouri: presently its barrier will be the Rocky Mountains, and soon it will pass beyond that bar, and the tide of the Atlantic will sweep over to the Pacific—yea, it is already there! The universal Yankee freights his schooner at Bangor, at New Bedford, and at Boston, with bricks, timber, frame-houses, and other "notions," and by and by drops his anchor in the smooth Pacific, in the Bay of St. Francis. We shall see there, ere long, the sentiments of New England, the ideas of New England, the institutions of New England; the school-house, the meeting-house, the court-house, the town-house. There will be the same industry, thrift, intelligence, morality, and religion, and the idle ground that has hitherto borne nothing but gold, will bear upon its breast a republic of men more precious than the gold of Ophir, or the rubies of the East.

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Here I wish I could stop. But this is not all. The North is not the whole nation; New England is not the only type of the people. There are other States differing widely from this. In the southern States you find a soil more fertile under skies more genial. Through what beautiful rivers the Alleghanies pour their tribute to the sea! What streams beautify the land in Georgia, Alabama, Louisiana, and Mississippi! There genial skies rain beauty on the soil. Nature is wanton of her gifts. There rice, cotton, and sugar grow; there the olive, the orange, the fig, all find a home. The soil teems with luxuriance. But there is not the same wealth, nor the same comfort. Only the ground is rich. You witness not a similar thrift. Strange is it, but in 1840, the single State of New York alone earned over four million dollars more than the six States of North and South Carolina, Georgia, Alabama, Louisiana, and Mississippi! The annual earnings of little Massachusetts, with her seven thousand and five hundred square miles, are nine million dollars more than the earnings of all Florida, Georgia, and South Carolina! The little county of Essex, with ninety-five thousand souls in 1840, earned more than the large State of South Carolina, with five hundred and ninety-five thousand.

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In those States we miss the activity, intelligence, and enterprise of the North. You do not find the little humble school-house at every corner; the frequent meeting-house does not point its taper finger to the sky. Villages do not adorn the margin of the mountain, stream and sea; shops do not ring with industry; roads of earth and iron are poorer and less common. Temperance, morality, comfort are not there as here. In the slave States, in 1840, there were not quite three hundred and two thousand youths and maidens in all the schools, academies, and colleges of the South; but in 1840, in the free States of the North there were more than two million two hundred and twelve thousand in such institutions! Little Rhode Island has five thousand more girls and boys at school than large South Carolina. The State of Ohio alone has more than seventeen thousand children at school beyond what the whole fifteen slave States can boast. The permanent literature of the nation all comes from the North; your historians are from that quarter—your Sparkses, your Bancrofts, your Hildreths, and Prescotts, and Ticknors; the poets are from the same quarter—your Whittiers, and Longfellows, and Lowells, and Bryants; the men of literature and religion—your Channings, and Irvings, and Emersons—are from the same quarter! Preaching—it is everywhere, and sermons are as thick almost as autumnal leaves; but who ever heard of a great or famous clergyman in a Southern State? of a great and famous sermon that rang through the nation from that quarter? No man. Your Edwards of old time, and your Beechers, old and young, your Channing and Buckminster, and the rest, which throng to every man's lips—all are from the North. Nature has done enough for the South; God's cup of blessing runs over—and yet you see the result! But there has been no pestilence at the South more than at the North; no earthquake has torn the ground beneath their feet; no war has come to disturb them more than us. The government has never laid a withering hand on their commerce, their agriculture, their schools and colleges, their literature and their church.

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Still, letting alone the South and the North as such, not considering either exclusively, we are one nation. What is a nation? It is one of the great parties in the world. It is a sectional party, having geographical limits; with a party organization, party opinions, party mottoes, party machinery, party leaders, and party followers; with some capital city for its party head-quarters. There has been an Assyrian party, a British, a Persian, an Egyptian, and a Roman party; there is now a Chinese party, and a Russian, a Turkish, a French, and an English party; these are also called nations. We belong to the American party, and that includes the North as well as the South; and so all are brothers of the same party, differing amongst ourselves—but from other nations in this, that we are the American party, and not the Russian nor the English.

We ought to look at the whole American party, the North and South, to see the total condition of the people. Now at this moment there is no lack of cattle and corn and cloth in the United States, North or South, only they are differently distributed in the different parts of the land. But still there is a great excitement. Men think the nation is in danger, and for many years there has not been so great an outcry and alarm amongst the politicians. The cry is raised, "The Union is in danger!" and if the Union falls, we are led to suppose that every thing falls. There will be no more Thanksgiving days; there will be anarchy and civil war, and the ruin of the American people! It is curious to see this material plenty, on the one side, and this political alarm and confusion on the other. This condition of alarm is so well known, that nothing more need be said about it at this moment.

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Let me now come to the next point, and consider the Causes of our present condition. This will involve a consideration of the cause of our prosperity and of our alarm.

1. First, there are some causes which depend on God entirely; such as the nature of the country, soil, climate, and the like; its minerals, and natural productions; its seas and harbors, mountains and rivers. In respect to these natural advantages, the country is abundantly favored, but the North less so than the South. Tennessee, Virginia and Alabama, certainly have the advantage over Maine, New Hampshire and Ohio. That I pass by; a cause which depends wholly on God.

2. Then again, this is a wide and new country. We have room to spread. We have not to contend against old institutions, established a thousand years ago, and that is one very great advantage. I make no doubt that in crossing the ocean, our fathers helped forward the civilization of the world at least a thousand years; I mean to say, it would have taken mankind a thousand years longer to reach the condition we have attained in New England, if the attempt had of necessity been made on the soil of the old world and in the face of its institutions.

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3. Then, as a third thing, much depends on the peculiar national character. Well, the freemen in the North and South are chiefly from the same race, this indomitable Caucasian stock; mainly from the same composite stock, the tribe produced by the mingling of Saxon, Danish and Norman blood. That makes the present English nation, and the American also. This is a very powerful tribe of men, possessing some very noble traits of character; active and creative in all the arts of peace; industrious as a nation never was before; enterprising, practical; fond of liberty, fond also of law, capable of organizing themselves into great masses, and acting with a complete concert and unity of action. In these respects, I think this tribe, which I will call the English tribe, is equal to any race of men in the world that has been or is; perhaps superior to any race that has been developed hitherto. But in what relates to the higher reason and imagination, to the affections and to the soul, I think this tribe is not so eminent as some others have been. North and South, the people are alike of Anglo-Norman descent.

4. Another cause of our prosperity, which depends a great deal on ourselves, is this—the absence of war and of armies. In France, with a population of less than forty millions, half a million are constantly under arms. The same state of things prevails substantially in Austria, Prussia, and in all the German States. Here in America, with a population of twenty millions, there is not one in a thousand that is a soldier or marine. In time of peace, I think we waste vast sums in military preparations, as we did in actual war not long since. Still, when I compare this nation with others, I think we have cause to felicitate ourselves on the absence of military power.

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5. Again, much depends on the past history of the race; and here there is a wide difference between the different parts of the country. New England was settled by a religious colony. I will not say that all the men who came here from 1620 to 1650 were moved by religious motives; but the controlling men were brought here by these motives, and no other. Many who cared less for religious ideas, came for the sake of a great moral idea, for the sake of obtaining a greater degree of civil freedom than they had at home. Now the Pilgrims and the Puritans are only a little ways behind us. The stiff ruff, the peaked beard, the "Prophecy book" are only six or seven generations behind the youngest of us. The character of the Puritans has given to New England much of its present character and condition. They founded schools and colleges; they trained up their children in a stern discipline which we shall not forget for two centuries to come. The remembrance of their trials, their heroism, and their piety affects our preaching to-day, and our politics also. The difference between New England and New York, from 1750 to 1790, is the difference between the sons of the religious colony and the sons of the worldly colony. You know something of New York politics before the Revolution, and also since the Revolution; the difference between New York and New England politics at that time, is the difference between the sons of religious men and the sons of men who cared very much less for religion.

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Just now, when I said that all the North is like New England, I meant substantially so. The West is our own daughter. New England has helped people the western part of the State of New York; and the best elements of New England character mingling with others, its good qualities will appear in the politics of that mighty State.

The South, in the main, had a very different origin from the North. I think few if any persons settled there for religion's sake; or for the sake of freedom in the State. It was not a moral idea which sent men to Virginia, Georgia and Carolina. "Men do not gather grapes of thorns." The difference of the seed will appear in the difference of the crop. In the character of the people of the North and South, it appears at this day. The North is not to be praised, nor the South to be blamed for this; they could not help it: but certainly it is an advantage to be descended from a race of industrious, moral and religious men; to have been brought up under their training, to have inherited their ideas and institutions,—and this is a circumstance which we make quite too little account of. I pass by that.

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6. There are other causes which depend on ourselves entirely. Much depends on the political and social organization of the people. There is no denying that government has a great influence on the character of the people; on the character of every man. The difference between the development of England and the development of Spain at this day, is mainly the result of different forms of government; for three centuries ago the Spaniards were as noble a race as the English.

A government is carried on by two agencies: the first is public opinion, and the next is public law,—the fundamental law which is the Constitution, and the subsidiary laws which carry out the ideas of the Constitution. In a government like this, public opinion always precedes the laws, overrides them, takes the place of laws when there are none, and hinders their execution when they do not correspond to public opinion. Thus the public opinion of South Carolina demands that a free colored seaman from the North shall be shut up in jail, at his employer's cost. The public opinion of Charleston is stronger than the public law of the United States on that point, stronger than the Constitution, and nobody dares execute the laws of the United States in that matter. These two things should always be looked at, to understand the causes of a nation's condition—the public opinion, as well as the public law. Let me know the opinions of the men between twenty-five and thirty-five years of age, and I know what the laws will be.

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Now in public opinion and in the laws of the United States, there are two distinct political ideas. I shall call one the Democratic, and the other the Despotical idea. Neither is wholly sectional; both chiefly so. Each is composed of several simpler ideas. Each has enacted laws and established institutions. This is the democratic idea: That all men are endowed by their Creator with certain natural rights, which only the possessor can alienate; that all men are equal in these rights; that amongst them is the right to life, liberty, and the pursuit of happiness; that the business of the government is to preserve for every man all of these rights until he alienates them.

This democratic idea is founded in human nature, and comes from the nature of God who made human nature. To carry it out politically is to execute justice, which is the will of God. This idea, in its realization, leads to a democracy, a government of all, for all, by all. Such a government aims to give every man all his natural rights; it desires to have political power in all hands, property in all hands, wisdom in all heads, goodness in all hearts, religion in all souls. I mean the religion that makes a man self-respectful, earnest, and faithful to the infinite God, that disposes him to give all men their rights, and to claim his own rights at all times; the religion which is piety within you, and goodness in the manifestation. Such a government has laws, and the aim thereof is to give justice to all men; it has officers to execute these laws, for the sake of justice. Such a government founds schools for all; looks after those most who are most in need; defends

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and protects the feeblest as well as the richest and most powerful. The State is for the individual, and for all the individuals, and so it reverences justice, where the rights of all, and the interests of all, exactly balance. It demands free speech; every thing is open to examination, discussion, "agitation," if you will. Thought is to be free, speech to be free, work to be free, and worship to be free. Such is the democratic idea, and such the State which it attempts to found.

The despotic idea is just the opposite:—That all men are *not* endowed by their Creator with certain natural rights which only the possessor can alienate, but that one man has a natural right to overcome and make use of some other men for his advantage and their hurt; that all men are *not* equal in their rights; that all men have *not* a natural right to life, liberty, and the pursuit of happiness; that government is *not* instituted to preserve these natural rights for all.

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This idea is founded on the excess of human passions, and it represents the compromise between a man's idleness and his appetite. It is not based on facts eternal in human nature, but on facts transient in human nature. It does not aim to do justice to all, but injustice to some; to take from one man what he ought not to lose, and give to another what he ought not to get.

This leads to aristocracy in various forms, to the government of all by means of a part and for the sake of a part. In this state of things political power must be in few hands; property in few hands; wisdom in few heads; goodness in few hearts, and religion in few souls. I mean the religion which leads a man to respect himself and his fellow men; to be earnest, and to trust in the infinite God; to demand his rights of other men and to give their rights to them.

Neither the democratic nor the despotic idea is fully made real anywhere in the world. There is no perfect democracy, nor perfect aristocracy. There are democrats in every actual aristocracy; despots in every actual democracy. But in the Northern States the democratic idea prevails extensively and chiefly, and we have made attempts at establishing a democratic government. In the Southern States the despotic idea prevails extensively and chiefly, and they have made attempts to establish an aristocratic government. In an aristocracy there are two classes: the people to be governed, and the governing class, the nobility which is to govern. This nobility may be movable, and depend on wealth; or immovable, and depend on birth. In the Southern States the nobility is immovable, and depends on color.

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In 1840, in the North there were ten million free men, and in the South five million free men and three million slaves. Three eighths of the population have no human rights at all—privileges as cattle, not rights as men. There the slave is protected by law, as your horse and your ox, but has no more human rights.

Here, now, is the great cause of the difference in the condition of the North and South; of the difference in the material results, represented by towns and villages, by farms and factories, ships and shops. Here is the cause of the difference in schools, colleges, churches, and in the literature; the cause of the difference in men. The South, with its despotic idea, dishonors labor, but wishes to compromise between its idleness and its appetite, and so kidnaps men to do its work. The North, with its democratic idea, honors labor; does not compromise between its idleness and its appetite, but lays its bones to the work to satisfy its appetite; instead of kidnapping a man who can run away, it kidnaps the elements, subdues them to its command, and makes them do its work. It does not kidnap a freeman, but catches the winds, and chains them to its will. It lays hands on fire and water, and breeds a new giant, which "courses land and ocean without rest," or serves while it stands and waits, driving the mills of the land. It kidnaps the Connecticut and the Merrimac; does not send slave-ships to Africa, but engineers to New Hampshire; and it requires no fugitive slave law to keep the earth and sea from escaping, or the rivers of New England from running up hill.

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This is not quite all! I have just now tried to hint at the causes of the difference in the condition of the people, North and South. Now let me show the cause of the agitation and alarm. We begin with a sentiment; that spreads to an idea; the idea grows to an act, to an institution; then it has done its work.

Men seek to spread their sentiments and ideas. The democratic idea tries to spread; the despotic idea tries to spread. For a long time the nation held these two ideas in its bosom, not fully conscious of either of them. Both came here in a state of infancy, so to say, with our fathers; the democratic idea very dimly understood; the despotic idea not fully carried out, yet it did a great mischief in the State and church. In the Declaration of Independence, writ by a young man, only the democratic idea appears, and that idea never got so distinctly stated before. But mark you, and see the confusion in men's minds. That democratic idea was thus distinctly stated by a man who was a slaveholder almost all his life; and unless public rumor has been unusually false, he has left some of his own offspring under the influence of the despotic and not the democratic idea; slaves and not free men.

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In the Constitution of the United States these two ideas appear. It was thought for a long time they were not incompatible; it was thought the great American party might recognize both, and a compromise was made between the two. It was thought each might go about its own work and let the other alone; that the hawk and the hen might dwell happily together in the same coop, each lay her own eggs and rear her own brood, and neither put a claw upon the other.

In the mean time each founded institutions after its kind; in the Northern States, democratic institutions; in the Southern, aristocratic. What once lay latent in the mind of the nation has now become patent. The thinking part of the nation sees the difference between the two. Some men

are beginning to see that the two are completely incompatible, and cannot be good friends. Others are asking us to shut our eyes and not see it, and they think that so long as our eyes are shut, all things will go on peacefully. Such is the wisdom of the ostrich.

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At first the trouble coming from this source was a very little cloud, far away on the horizon, not bigger than a man's hand. It seemed so in 1804, when the brave senator from Massachusetts, a Hartford Convention Federalist, a name that calls the blood to some rather pale cheeks now-a-days, proposed to alter the Constitution of the United States, and cut off the North from all responsibility for slavery. It was a little cloud not bigger than a man's hand; now it is a great cloud which covers the whole hemisphere of heaven, and threatens to shut out the day.

In the last session of Congress, ten months long, the great matter was the contest between the two ideas. All the newspapers rung with the battle. Even the pulpits now and then alluded to it; forgetting their decency, that they must preach "only religion," which has not the least to do with politics and the welfare of the State.

Each idea has its allies, and it is worth while to run our eye over the armies and see what they amount to. The idea of despotism has for its allies:

1. The slaveholders of the South with their dependents; and the servile class who take their ideas from the prominent men about them. This servile class is more numerous at the South than even at the North.

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2. It has almost all the distinguished politicians of the North and South; the distinguished great politicians in the Congress of the nation, and the distinguished little politicians in the Congresses of the several States.

3. It has likewise the greater portion of the wealthy and educated men in many large towns of the North; with their dependents and the servile men who take their opinions from the prominent class about them. And here, I am sorry to say, I must reckon the greater portion of the prominent and wealthy clergy, the clergy in the large cities. Once this class of men were masters of the rich and educated; and very terrible masters they were in Madrid and in Rome. Now their successors are doing penance for those old sins. "It is a long lane," they say, "which has no turn," and the clerical has had a very short and complete turn. When I say the majority of the clergy in prominent situations in the large cities, are to be numbered among the allies of the despotic idea, and are a part of the great pro-slavery army, I know there are some noble and honorable exceptions, men who do not fear the face of gold, but reverence the face of God.

Then on the side of the democratic idea there are:

1. The great mass of the people at the North; farmers, mechanics, and the humbler clergy. This does not appear so at first sight, because these men have not much confidence in themselves, and require to be shaken many times before they are thoroughly waked up.

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2. Beside that there are a few politicians at the North who are on this side; some distinguished ones in Congress, some less distinguished ones in the various legislatures of the North.

3. Next there are men, North and South, who look at the great causes of the welfare of nations, and make up their minds historically, from the facts of human history, against despotism. Then there are such as study the great principles of justice and truth, and judge from human nature, and decide against despotism. And then such as look at the law of God, and believe Christianity is sense and not nonsense; that Christianity is the ideal for earnest men, not a pretence for a frivolous hypocrite. Some of these men are at the South; the greater number are in the North; and here again you see the difference between the son of the Planter and the son of the Puritan.

Here are the allies, the threefold armies of Despotism on the one side, and of Democracy on the other.

Now it is not possible for these two ideas to continue to live in peace. For a long time each knew not the other, and they were quiet. The men who clearly knew the despotic idea, thought, in 1787, it would die "of a rapid consumption:" they said so; but the culture of cotton has healed its deadly wound, at least for the present. After the brief state of quiet, there came a state of armed neutrality. They were hostile, but under bonds to keep the peace. Each bit his thumb, but neither dared say he bit it at the other. Now the neutrality is over; attempts are made to compromise, to compose the difficulty. Various peace measures were introduced to the Senate last summer; but they all turned out war measures, every one of them. Now there is a trial of strength between the two. Which shall recede? which be extended? Freedom or Slavery? That is the question; refuse to look at it as we will,—refrain or refrain not from "political agitation," that is the question.

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In the last Congress it is plain the democratic idea was beaten. Congress said to California, "You may come in, and you need not keep slaves unless you please." It said, "You shall not bring slaves to Washington for sale, you may do that at Norfolk, Alexandria, and Georgetown, it is just as well, and this 'will pacify the North.'" Utah and New Mexico were left open to slavery, and fifty thousand or seventy thousand square miles and ten million dollars were given to Texas lest she should "dissolve the Union,"—without money or men! To crown all, the Fugitive Slave Bill became a law.

I think it is very plain that the democratic idea was defeated, and it is easy to see why. The three powers which are the allies of the despotic idea, were ready, and could act in concert—the Southern slaveholders, the leading politicians, the rich and educated men of the Northern cities, with their appendages and servile adherents. But since then, the conduct of the people in the North, and especially in this State, shows that the nation has not gone that way yet. I think the nation never will; that the idea of freedom will never be turned back in this blessed North. I feel sure it will at last overcome the idea of slavery.

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I come to this conclusion, firstly, from the character of the tribe: this Anglo-Norman-Saxon tribe loves law, deliberation, order, method; it is the most methodical race that ever lived. But it loves liberty, and while it loves law, it loves law chiefly because it keeps liberty; and without that it would trample law under foot.

See the conduct of England. She spent one hundred millions of dollars in the attempt to wipe slavery from the West Indies. She keeps a fleet on the coast of Africa to put down the slave-trade there—where we also have, I think, a sloop-of-war. She has just concluded a treaty with Brazil for the suppression of the slave-trade in that country, one of her greatest achievements in that work for many years.

See how the sons of the Puritans, as soon as they came to a consciousness of what the despotic idea was, took their charters and wiped slavery clean out, first from Massachusetts, and then from the other States, one after another. See how every Northern State, in revising its Constitution, or in making a new one, declares all men are created equal, that all have the right to life, liberty, and the pursuit of happiness.

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Then the religion of the North demands the same thing. Professors may try to prove that the Old Testament establishes slavery; that the New Testament justifies the existence of slavery; that Paul's epistle to Philemon was nothing more than another fugitive slave law, that Paul himself sent back a runaway; but it does not touch the religion of the North. We know better. We say if the Old Testament does that and the New Testament, so much the worse for them both. We say, "Let us look and see if Paul was so benighted," and we can judge for ourselves that the professor was mistaken more than the apostle.

Again, the spirit of the age, which is the public opinion of the nations, is against slavery. It was broken down in England, France, Italy, and Spain; it cannot stand long against civilization and good sense; against the political economy and the religious economy of the civilized world. The genius of freedom stands there, year out, year in, and hurls firebrands into the owl's nest of the prince of darkness, continually,—and is all this with no effect?

Besides that, it is against the law of God. That guides this universe, treating with even-handed justice the great geographical parties, Austrian, Roman, British, or American, with the same justice wherewith it dispenses its blessings to the little local factions that divide the village for a day, marshalling mankind forward in its mighty progress towards wisdom, freedom, goodness towards men, and piety towards God.

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Of the final issue I have no doubt; but no man can tell what shall come to pass in the mean time. We see that political parties in the State are snapped asunder: whether the national party shall not be broken up, no man can say. In 1750, on the 28th day of November, no man in Old England or New England could tell what 1780 would bring forth. No man, North or South, can tell to-day what 1880 will bring to pass. He must be a bold man who declares to the nation that no new political machinery shall be introduced, in the next thirty years, to our national mill. We know not what a day shall bring forth, but we know that God is on the side of right and justice, and that they will prevail so long as God is God.

Now, then, to let alone details, and generalize into one all the causes of our condition, this is the result: We have found welfare just so far as we have followed the democratic idea, and enacted justice into law. We have lost welfare just so far as we have followed the despotic idea, and made iniquity into a statute. So far as we have reaffirmed the ordinance of nature and reenacted the will of God, we have succeeded. So far as we have refused to do that, we have failed. Of old it was written, "Righteousness exalteth a nation, but sin is a reproach to any people."

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And now a word of our dangers. There seems no danger from abroad; from any foreign State, unless we begin the quarrel; none from famine. The real danger, in one word, is this—That we shall try to enact injustice into a law, and with the force of the nation to make iniquity obeyed.

See some of the special forms of injustice which threaten us, or are already here. I shall put them into the form of ideas.

1. One, common among politicians is, that the State is for a portion of the people, not the whole. Thus it has been declared that the Constitution of the United States did not recognize the three million slaves as citizens, or extend to them any right which it guarantees to other men. It would be a sad thing for the State to declare there was a single child in the whole land to whom it owed no protection. What, then, if it attempts to take three millions from under its shield? In obedience

to this false idea, the counsel has been given, that we must abstain from all "Political agitation" of the most important matter before the people. We must leave that to our masters, for the State is for them, it is not for you and me. They must say whether we shall "agitate" and "discuss" these things or not. The politicians are our masters, and may lay their fingers on our lips when they will.

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2. The next false idea is,—That government is chiefly for the protection of property. This has long been the idea on which some men legislated, but on the 19th day of this month, the distinguished Secretary of State, in a speech at New York, used these words: "The great object of government is the protection of property at home and respect and renown abroad." You see what the policy must be where the government is for the protection of the hat, and only takes care of the head so far as it serves to wear a hat. Here the man is the accident, and the dollar is the substance for which the man is to be protected. I think a notion very much like this prevails extensively in the great cities of America, North and South. I think the chief politicians of the two parties are agreed in this—That government is for the protection of property, and every thing else is subsidiary. With many persons politics are a part of their business; the state-house and the custom-house are only valued for their relation to trade. This idea is fatal to a good government.

Think of this, that "The great object of government is the protection of property." Tell that to Samuel Adams, and John Hancock, and Washington, and the older Winthrops, and the Bradfords and Carvers! Why! it seems as if the buried majesty of Massachusetts would start out of the ground, and with its Bible in its hand say—This is false!

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3. The third false idea is this—That you are morally bound to obey the statute, let it be never so plainly wrong and opposed to your conscience. This is the most dangerous of all the false ideas yet named. Ambitious men, in an act of passion, make iniquity into a law, and then demand that you and I, in our act of prayer, shall submit to it and make it our daily life; that we shall not try to repeal and discuss and agitate it! This false idea lies at the basis of every despot's throne, the idea that men can make right wrong, and wrong right. It has come to be taught in New England, to be taught in our churches—though seldom there, to their honor be it spoken, except in the churches of commerce in large towns—that if wrong is law, you and I must do what it demands, though conscience declares it is treason against man and treason against God. The worst doctrines of Hobbes and Filmer are thus revived.

I have sometimes been amazed at the talk of men who call on us to keep the fugitive slave law, one of the most odious laws in a world of odious laws—a law not fit to be made or kept. I have been amazed that they should dare to tell us the law of God, writ on the heavens and our hearts, never demanded we should disobey the laws of men! Well, suppose it were so. Then it was old Daniel's duty at Darius's command to give up his prayer; but he prayed three times a day, with his windows up. Then it was John's and Peter's duty to forbear to preach of Christianity; but they said, "Whether it be right in the sight of God to hearken unto you more than unto God, judge ye." Then it was the duty of Amram and Jochebed to take up their new-born Moses and cast him into the Nile, for the law of king Pharaoh, commanding it, was "constitutional," and "political agitation" was discountenanced as much in Goshen as in Boston. But Daniel did not obey; John and Peter did not fail to preach Christianity; and Amram and Jochebed refused "passive obedience" to the king's decree! I think it will take a strong man all this winter to reverse the judgment which the world has passed on these three cases. But it is "innocent" to try.

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However, there is another ancient case, mentioned in the Bible, in which the laws commanded one thing and conscience just the opposite. Here is the record of the law:—"Now both the chief priests and the Pharisees had given a commandment, that if any one knew where he [Jesus] were, he should show it, that they might take him." Of course, it became the official and legal business of each disciple who knew where Christ was, to make it known to the authorities. No doubt James and John could leave all and follow him, with others of the people who knew not the law of Moses, and were accursed; nay the women, Martha and Mary, could minister unto him of their substance, could wash his feet with tears, and wipe them with the hairs of their head. They did it gladly, of their own free will, and took pleasure therein, I make no doubt. There was no merit in that—"Any man can perform an agreeable duty." But there was found one disciple who could "perform a disagreeable duty." He went, perhaps "with alacrity," and betrayed his Saviour to the marshal of the district of Jerusalem, who was called a centurion. Had he no affection for Jesus? No doubt; but he could conquer his prejudices, while Mary and John could not.

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Judas Iscariot has rather a bad name in the Christian world: he is called "The son of perdition," in the New Testament, and his conduct is reckoned a "transgression;" nay, it is said the devil "entered into him," to cause this hideous sin. But all this it seems was a mistake; certainly, if we are to believe our "republican" lawyers and statesmen, Iscariot only fulfilled his "constitutional obligations." It was only "on that point," of betraying his Saviour, that the constitutional law required him to have any thing to do with Jesus. He took his "thirty pieces of silver"—about fifteen dollars; a yankee is to do it for ten, having fewer prejudices to conquer—it was his legal fee, for value received. True, the Christians thought it was "the wages of iniquity," and even the Pharisees—who commonly made the commandment of God of none effect by their traditions—dared not defile the temple with this "price of blood;" but it was honest money. It was as honest a fee as any American commissioner or deputy will ever get for a similar service. How mistaken we are! Judas Iscariot is not a traitor; he was a great patriot; he conquered his "prejudices," performed "a disagreeable duty" as an office of "high morals and high principle;" he kept the "law" and the "Constitution," and did all he could to "save the Union;" nay, he was a saint, "not a whit behind the very chiefest apostles." "The law of God never commands us to disobey the law of

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man." *Sancte Iscariote ora pro nobis.*

It is a little strange to hear this talk in Boston, and hear the doctrine of passive obedience to a law which sets Christianity at defiance, taught here in the face of the Adamses, and Hancock, and Washington! It is amazing to hear this talk, respecting such a law, amongst merchants. Do they keep the usury laws? I never heard of but one money-lender who kept them,^[18] and he has been a long time dead, and I think he left no kith nor kin! The temperance law,—is that kept? The fifteen gallon law,—were men so very passive in their obedience to that, that they could not even "agitare?" yet it violated no law of God—was not unchristian. When the government interferes with the rumsellers' property, the law must be trod under foot; but when the law insists that a man shall be made a slave, I must give up conscience in my act of prayer, and stoop to the vile law men have made in their act of passion!

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It is curious to hear men talk of law and order in Boston, when the other day one or two hundred smooth-faced boys, and youths beardless as girls, could disturb a meeting of three or four thousand men, for two hours long; and the chief of the police, and the mayor of the city stood and looked on, when a single word from their lips might have stilled the tumult and given honest men a hearing.^[19]

Talk of keeping the fugitive slave law! Come, come, we know better. Men in New England know better than this. We know that we ought not to keep a wicked law, and that it must not be kept when the law of God forbids!

But the effect of a law which men cannot keep without violating conscience, is always demoralizing. There are men who know no higher law than the statute of the State. When good men cannot keep a law that is base, some bad ones will say, "Let us keep no law at all,"—then where does the blame lie? On him that enacts the outrageous law.

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The idea that a statute of man frees us from obligation to the law of God, is a dreadful thing. When that becomes the deliberate conviction of the great mass of the people, North or South, then I shall despair of human nature; then I shall despair of justice, and despair of God. But this time will never come.

One of the most awful spectacles I ever saw, was this: A vast multitude attempting, at an orator's suggestion, to howl down the "Higher law," and when he said, "Will you have this to rule over you?" they answered, "Never!" and treated the "Higher law" to a laugh and a howl! It was done in Faneuil Hall,^[20] under the eyes of the three Adamses, Hancock, and Washington; and the howl rung round the venerable arches of that hall! I could not but ask, "Why do the heathen rage, and the people imagine a vain thing? the rulers of the earth set themselves, and kings take counsel against the Lord and say, 'Let us break his bands asunder, and cast off his yoke from us.'" Then I could not but remember that it was written, "He that sitteth in the heavens shall laugh; the Lord shall have them in derision. He taketh up the isles as a very little thing, and the inhabitants of the earth are as grasshoppers before Him." Howl down the law of God at a magistrate's command! Do this in Boston! Let us remember this—but with charity.

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Men say there is danger of disunion, of our losing fealty for the Constitution. I do not believe it yet! Suppose it be so. The Constitution is the machinery of the national mill; and suppose we agree to take it out and put in new; we might get worse, very true, but we might get better. There have been some modern improvements; we might introduce them to the State as well as the mill. But I do not believe there is this danger. I do not believe the people of Massachusetts think so. I think they are strongly attached to the Union yet, and if they thought "the Union was in peril—this day," and every thing the nation prizes was likely to be destroyed, we should not have had a meeting of a few thousands in Faneuil Hall, but the people would have filled up the city of Worcester with a hundred thousand men, if need be; and they would have come with the cartridge-box at their side, and the firelock on their shoulder. That is the way the people of Massachusetts would assemble if they thought there was real danger.

I do not believe the South will withdraw from the Union, with five million free men, and three million slaves. I think Massachusetts would be no loser, I think the North would be no loser; but I doubt if the North will yet allow them to go if so disposed. Do you think the South is so mad as to wish it?

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But I think I know of one cause which may dissolve the Union—one which ought to dissolve it, if put in action: that is, a serious attempt to execute the fugitive slave law, here and in all the North. I mean an attempt to recover and take back all the fugitive slaves in the North, and to punish, with fine and imprisonment, all who aid or conceal them. The South has browbeat us again and again. She has smitten us on the one cheek with "Protection," and we have turned the other, kissing the rod; she has smitten that with "Free trade." She has imprisoned our citizens; driven off, with scorn and loathing, our officers sent to ask constitutional justice. She has spit upon us. Let her come to take back the fugitives—and, trust me, she "will wake up the lion."

In my humble opinion, this law is a wedge—sharp at one end, but wide at the other—put in between the lower planks of our Ship of State. If it be driven home, we go to pieces. But I have no thought that that will be done quite yet. I believe the great politicians, who threatened to drive it through the gaping seams of our argosy, will think twice before they strike again. Nay, that they will soon be very glad to bury the wedge "Where the tide ebbs and flows four times a day." I do not expect this of their courage, but of their fears; not of their justice—I am too old for that—but of their concern for property, which it is the "great object of government" to protect.

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I know how some men talk in public, and how they act at home. I heard a man the other day, at Faneuil Hall, declare the law must be kept, and denounce, not very gently, all who preached or prayed against it, as enemies of "all law." But that was all talk, for this very man, on that very day, had violated the law; had furnished the golden wheels on which fugitives rode out of the reach of the arms which the marshal would have been sorry to lift. I could tell things more surprising—but it is not wise just now!^[21]

I do not believe there is more than one of the New England men who publicly helped the law into being, but would violate its provisions; conceal a fugitive; share his loaf with a runaway; furnish him golden wings to fly with. Nay, I think it would be difficult to find a magistrate in New England, willing to take the public odium of doing the official duty.^[22] I believe it is not possible to find a regular jury, who will punish a man for harboring a slave, for helping his escape, or fine a marshal or commissioner for being a little slow to catch a slave.^[23] Men will talk loud in public meetings, but they have some conscience after all, at home. And though they howl down the "Higher law" in a crowd, yet conscience will make cowards of them all, when they come to lay hands on a Christian man, more innocent than they, and send him into slavery forever! One of the commissioners of Boston talked loud and long, last Tuesday, in favor of keeping the law. When he read his litany against the law of God, and asked if men would keep the "Higher law," and got "Never" as the welcome, and amen for response—it seemed as if the law might be kept, at least by that commissioner, and such as gave the responses to his creed. But slave-hunting Mr. Hughes, who came here for two of our fellow-worshippers,^[24] in his Georgia newspaper, tells a different story. Here it is, from the "Georgia Telegraph," of last Friday. "I called at eleven o'clock at night, at his [the commissioner's] residence, and stated to him my business, and asked him for a warrant, saying that if I could get a warrant, I could have the negroes [William and Ellen Craft] arrested. He said the law did not authorize a warrant to be issued: that it was my duty to go and arrest the negro without a warrant, and bring him before him!" This is more than I expected. "Is Saul among the prophets?" The men who tell us that the law must be kept, God willing, or against His will—there are Puritan fathers behind them also; Bibles in their houses; a Christ crucified, whom they think of; and a God even in their world, who slumbers not, neither is weary, and is as little a respecter of parchments as of persons! They know there is a people, as well as politicians, a posterity not yet assembled, and they would not like to have certain words writ on their tombstone. "Traitor to the rights of mankind," is no pleasant epitaph. They, too, remember there is a day after to-day; aye, a forever; and, "Inasmuch as ye have not done it unto one of the least of these my brethren, ye have not done it unto me," is a sentence they would not like to hear at the day of judgment.^[25]

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Much danger is feared from the "political agitation" of this matter. Great principles have never been discussed without great passions, and will not be, for some time, I suppose. But men fear to have this despotic idea become a subject of discussion. Last spring, Mr. Webster said here in Boston, "We shall not see the legislation of the country proceed in the old harmonious way, until the discussion in Congress and out of Congress, upon the subject [of slavery] shall be in some manner suppressed. Take that truth home with you!" We have lately been told that political agitation on the subject must be stopped. So it seems this law, like that which Daniel would not keep, is one that may not be changed, and must not be talked of.

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Now there are three modes in which attempts may be made to stop the agitation.

1. By sending

"—troops, with guns and banners,
Cut short our speeches and our necks,
And break our heads to mend our manners."

That is the Austrian way, which has not yet been tried here, and will not be.

2. By sending lecturers throughout the land, to stir up the people to be quiet, and agitate them till they are still; to make them sign the pledge of total abstinence from the discussion of this subject. That is not likely to effect the object.

3. For the friends of silence to keep their own counsel—and this seems as little likely to be tried, as the others to succeed.

Strange is it to ask us to forbear to talk on a subject which involves the welfare of twenty million men! As well ask a man in a fever not to be heated, and a consumptive person not to cough, to pine away and turn pale. Miserable counsellors are ye all, who give such advice. But we have seen lately the lion of the democrats, and the lamb of the whigs, lie down together, joined by this opinion, so gentle and so loving, all at once, that a little child could lead them, and so "fulfil the sure prophetic word." Yes, we have seen the Herod of one party, and the Pilate of the other, made friends for the sake of crucifying the freedom of mankind.

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But there is one way in which, I would modestly hint, that we might stop all this talk "in Congress and out of Congress," that is, to "discuss" the matter till we had got at the truth, and the whole truth; then to "agitate" politically, till we had enacted justice into law, and carried it out all over the North, and all over the South. After that there would be no more discussion about the fugitive slave bill, than about the "Boston port bill;" no more agitation about American slavery, than there is about the condition of the people of Babylon before the flood. I think there is no other way in which we are likely to get rid of this discussion.

Such is our condition, such its causes, such our dangers. Now, for the lesson, look a moment elsewhere. Look at continental Europe, at Rome, Austria, Prussia, and the German States—at France. How uncertain is every government! France—the stablest of them all! Remember the revolution which two years ago shook those States so terribly, when all the royalty of France was wheeled out of Paris in a street cab. Why are those States so tottering? Whence those revolutions? They tried to make iniquity their law, and would not give over the attempt! Why are the armies of France five hundred thousand strong, though the nation is at peace with all the world? Because they tried to make injustice law! Why do the Austrian and German monarchs fear an earthquake of the people? Because they tread the people down with wicked laws! Whence came the crushing debts of France, Austria, England? From the same cause: from the injustice of men who made mischief by law!

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It is not for men long to hinder the march of human freedom. I have no fear for that, ultimately,—none at all, simply for this reason, that I believe in the Infinite God. You may make your statutes; an appeal always lies to the higher law, and decisions adverse to that get set aside in the ages. Your statutes cannot hold Him. You may gather all the dried grass and all the straw in both continents; you may braid it into ropes to bind down the sea; while it is calm, you may laugh, and say, "Lo, I have chained the ocean!" and howl down the law of Him who holds the universe as a rosebud in his hand—its every ocean but a drop of dew. "How the waters suppress their agitation," you may say. But when the winds blow their trumpets, the sea rises in its strength, and snaps asunder the bonds that had confined his mighty limbs, and the world is littered with the idle hay! Stop the human race in its development and march to freedom? As well might the boys of Boston, some lustrous night, mounting the steeples of this town, call on the stars to stay their course! Gently, but irresistibly, the Greater and the Lesser Bear move round the pole; Orion, in his mighty mail, comes up the sky; the Bull, the Ram, the Heavenly Twins, the Crab, the Lion, the Maid, the Scales, and all that shining company, pursue their march all night, and the new day discovers the idle urchins in their lofty places, all tired, and sleepy, and ashamed.

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It is not possible to suppress the idea of freedom, or forever hold down its institutions. But it is possible to destroy a State; a political party with geographical bounds may easily be rent asunder. It is not impossible to shiver this American Union. But how? What clove asunder the great British party, one nation once in America and England? Did not our fathers love their father-land? Aye. They called it home, and were loyal with abundant fealty; there was no lack of piety for home. It was the attempt to make old English injustice New England law! Who did it,—the British people? Never. Their hand did no such sacrilege! It was the merchants of London, with the "Navigation Act;" the politicians of Westminster with the "Stamp Act;" the Tories of America, who did not die without issue, that for office and its gold would keep a king's unjust commands. It was they, who drove our fathers into disunion against their will. Is here no lesson? We love law, all of us love it; but a true man loves it only as the Safeguard of the Rights of Man. If it destroy these rights, he spurns it with his feet. Is here no lesson? Look further then.

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Do you know how empires find their end? Yes, the great States eat up the little. As with fish, so with nations. Aye, but how do the great States come to an end? By their own injustice, and no other cause. They would make unrighteousness their law, and God wills not that it be so. Thus they fall; thus they die. Look at these ancient States, the queenliest queens of earth. There is Rome, the widow of two civilizations,—the Pagan and the Catholic. They both had her, and unto both she bore daughters and fair sons. But, the Niobe of Nations, she boasted that her children were holier and more fair than all the pure ideas of justice, truth, and love, the offspring of the eternal God. And now she sits there, transformed into stone, amid the ruins of her children's bones. At midnight I have heard the owl hoot in the coliseum and the forum, giving voice to desolation; and at midday I have seen the fox in the palace where Augustus gathered the wealth, the wit, the beauty and the wisdom of a conquered world; and the fox and the owl interpreted to me the voice of many ages, which came to tell this age, that though hand join in hand, the wicked shall not prosper.

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Come with me, my friends, a moment more, pass over this Golgotha of human history, treading reverent as you go, for our feet are on our mothers' grave, and our shoes defile our fathers' hallowed bones. Let us not talk of them; go further on, look and pass by. Come with me into the Inferno of the nations, with such poor guidance as my lamp can lend. Let us disquiet and bring up the awful shadows of empires buried long ago, and learn a lesson from the tomb.

Come, old Assyria, with the Ninevite dove upon thy emerald crown! What laid thee low? "I fell by my own injustice. Thereby Nineveh and Babylon came, with me, also, to the ground."

Oh queenly Persia, flame of the nations, wherefore art thou so fallen, who trodest the people under thee, bridgedst the Hellespont with ships, and pouredst thy temple-wasting millions on the western world? "Because I trod the people under me, and bridged the Hellespont with ships, and poured my temple-wasting millions on the western world. I fell by my own misdeeds!"

Thou muselike, Grecian queen, fairest of all thy classic sisterhood of States, enchanting yet the world with thy sweet witchery, speaking in art, and most seductive song, why liest thou there with beauteous yet dishonored brow, reposing on thy broken harp? "I scorned the law of God; banished and poisoned wisest, justest men; I loved the loveliness of flesh, embalmed it in the Parian stone; I loved the loveliness of thought, and treasured that in more than Parian speech. But the beauty of justice, the loveliness of love, I trod them down to earth! Lo, therefore have I

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become as those Barbarian States—as one of them!"

Oh manly and majestic Rome, thy sevenfold mural crown, all broken at thy feet, why art thou here? It was not injustice brought thee low; for thy great book of law is prefaced with these words, justice is the unchanging, everlasting will to give each man his right! "It was not the saint's ideal: it was the hypocrite's pretence! I made iniquity my law. I trod the nations under me. Their wealth gilded my palaces,—where thou mayst see the fox and hear the owl,—it fed my courtiers and my courtezans. Wicked men were my cabinet counsellors, the flatterer breathed his poison in my ear. Millions of bondmen wet the soil with tears and blood. Do you not hear it crying yet to God? Lo here have I my recompense, tormented with such downfall as you see! Go back and tell the new-born child, who sitteth on the Alleghanies, laying his either hand upon a tributary sea, a crown of thirty stars about his youthful brow—tell him that there are rights which States must keep, or they shall suffer wrongs! Tell him there is a God who keeps the black man and the white, and hurls to earth the loftiest realm that breaks His just, eternal law! Warn the young Empire that he come not down dim and dishonored to my shameful tomb! Tell him that justice is the unchanging, everlasting will to give each man his right. I knew it, broke it, and am lost. Bid him to know it, keep it, and be safe!"

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"God save the Commonwealth!" proclaims the Governor. God will do his part,—doubt not of that. But you and I must help Him save the State. What can we do? Next Sunday I will ask you for your charity; to-day I ask a greater gift, more than the abundance of the rich, or the poor widow's long remembered mite. I ask you for your justice. Give that to your native land. Do you not love your country? I know you do. Here are our homes and the graves of our fathers; the bones of our mothers are under the sod. The memory of past deeds is fresh with us; many a farmer's and mechanic's son inherits from his sires some cup of manna gathered in the wilderness, and kept in memory of our exodus; some stones from the Jordan, which our fathers passed over sorely bested and hunted after; some Aaron's rod, green and blossoming with fragrant memories of the day of small things when the Lord led us—and all these attach us to our land, our native land. We love the great ideas of the North, the institutions which they founded, the righteous laws, the schools, the churches too—do we not love all these? Aye. I know well you do. Then by all these, and more than all, by the dear love of God, let us swear that we will keep the justice of the Eternal Law. Then are we all safe. We know not what a day may bring forth, but we know that Eternity will bring everlasting peace. High in the heavens, the pole-star of the world, shines Justice; placed within us, as our guide thereto, is Conscience. Let us be faithful to that

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"Which though it trembles as it lowly lies,
Points to the light that changes not in heaven."

FOOTNOTES:

- [18] The late Mr. John Parker.
- [19] This took place at a meeting in Faneuil Hall to welcome Mr. George Thompson.
- [20] At the "Union meeting" two days before the delivery of this sermon.
- [21] Nor even yet. November 24, 1851.
- [22] Subsequent events have shown the folly of this statement. Clergymen, it is said, are wont to err, by overrating the moral principle of men. See the next sermon.
- [23] Recent experiments fortunately confirm this, and, spite of all the unjust efforts to pack a jury, none has yet been found to punish a man for such a "Crime."
- [24] Mr. William Craft, and Mrs. Ellen Craft.
- [25] This also appears to have been a mistake. Still I let the passage stand, though it is apparently not at all true.

VI.

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THE CHIEF SINS OF THE PEOPLE.—A SERMON DELIVERED AT THE MELODEON, BOSTON, ON FAST DAY, APRIL 10, 1851.

My Friends,—This is a day of Public Humiliation and Prayer. We have one every year. It is commonly in the city churches only a farce, because there is no special occasion for it, and the general need is not felt. But such is the state of things in the Union at this moment, and particularly in Boston, that, if it were not a custom, it would be a good thing, even if it were for the first time in the history of our country, to have such a day for Humiliation and Prayer, that we consider the state of the nation, and look at our conduct in reference to the great principles of religion, and see how we stand before God; for these are times that try men's souls.

Last Sunday, I purposely disappointed you, and turned off from what was nearest to your heart and was nearest to mine,—a subject that would have been easy to preach on without any preparation. Then I asked you to go to the Fountain of all strength, and there prepare yourselves for the evils that we know not of. To-day, the Governor has asked us to come together, and consider, in the spirit of Christianity, the public sins of the community, to contemplate the value of our institutions, and to ask the blessing of God on the poor, the afflicted, and the oppressed. I am glad of this occasion; and I will improve it, and ask your attention to a sermon of The Chief Sins of this People.

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I have said that these are times that try men's souls. This is such an occasion as never came before, and, I trust, never will again. I have much to say to you, much more than I intend to say to-day, much more than there are hours enough in this day to speak. Many things I shall pass by. I shall detain you to-day somewhat longer than is my wont; but do not fear, I will look out for your attention. I simply ask you to be calm, to be composed, and to hear with silence what I have to say.

To understand these things, we must begin somewhat far off.

The purpose of human life is to form a manly character, to get the best development of body and of spirit,—of mind, conscience, heart, soul. This is the end: all else is the means. Accordingly, that is not the most successful life in which a man gets the most pleasure, the most money or ease, the most power of place, honor, and fame; but that in which a man gets the most manhood, performs the greatest amount of human duty, enjoys the greatest amount of human right, and acquires the greatest amount of manly character. It is of no importance whether he win this by wearing a hod upon his shoulders, or a crown upon his head. It is the character, and not the crown, I value. The crown perishes with the head that wore it; but the character lives with the immortal man who achieved it; and it is of no consequence whether that immortal man goes up to God from a throne or from a gallows.

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Every man has some one preponderating object in life,—an object that he aims at and holds supreme. Perhaps he does not know it. But he thinks of this in his day-dreams, and his dreams by night. It colors his waking hours, and is with him in his sleep. Sometimes it is sensual pleasure that he wants; sometimes money; sometimes office, fame, social distinction; sometimes it is the quiet of a happy home, with wife and children, all comfortable and blessed; sometimes it is excellence in a special science or art, or department of literature; sometimes it is a special form of philanthropy; and sometimes it is the attainment of great, manly character.

This supreme object of desire is sometimes different at different times in a man's life, but in general is mainly the same all through. For "The child is father of the man," and his days bound each to each, if not by natural piety, then by unnatural profaneness. This desire may act with different intensity in the active and passive periods, in manhood and in age. It is somewhat modified by the season of passion, and by the season of ambition.

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If this object of special desire be worthy, so is the character in general; if base, so is the man. For this special desire becomes the master-motive in the man; and, if strong, establishes a unity in his consciousness, and calls out certain passions, appetites, powers of mind and conscience, heart and soul; and, in a long life, the man creates himself anew in the image of his ideal desire. This desire, good or bad, which sways the man, is writ on his character, and thence copied into the countenance; and lust or love, frivolity or science, interest or principle, mammon or God, is writ on the man. Still this unity is seldom whole and complete. With most men there are exceptional times, when they turn off a little from their great general pursuit. Simeon the Stylite comes down from his pillar-top, and chaffers in the market-place with common folks. Jeffries is even just once or twice in his life, and Wilkes is honorable two or three times. Even when the chief desire is a high and holy one, I should not expect a man to go through life without ever committing an error or a sin. When I was a youngster, just let loose from the theological school, I thought differently; but at this day, when I have felt the passions of life, and been stirred by the ambitions of life, I know it must be expected that a man will stumble now and then. I make allowances for that in myself, as I do in others. These are the exceptional periods in a man's life,—the eddies in the stream. The stream runs down hill all the time, though the eddy may for a time apparently run up.

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Now, as with men, so it is with nations. The purpose of national life is to bring forth and bring up manly men, who do the most of human duty, have the most of human rights, and enjoy the most of human welfare. So that is not the most successful nation which fills the largest space, which occupies the longest time, which produces the most cattle, corn, cotton, or cloth, but that which produces the most men. And, in reference to men, you must count not numbers barely, but character quite as much. That is not the most successful nation which has an exceptional class of men, highly cultured, well-bodied, well-minded, well-born, well-bred, at the one end of society; and at the other a mighty multitude, an instastial class, poor, ill-born, ill-bred, ill-bodied, and ill-minded too, as in England; but that is the most successful nation which has the whole body of its people well-born, well-bred, well-bodied, and well-minded too; and those are the best institutions which accomplish this best; those worst, which accomplish it least. The government, the society, the school, or the church, which does this work, is a good government, society, school, or church; that which does it not, is good for nothing.

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As with men, so with nations. Each has a certain object of chief desire, which object prevails over others. The nation is not conscious of it,—less so, indeed, than the individual; but, silently, it governs the nation's life. Sometimes this chief desire is the aggrandizement of the central power,

—the monarchy: it was so once in France; but, God be praised! is not so now. Then devotion to the king's person was held as the greatest national excellence, and disrespect for the king was treason, the greatest national crime. The people must not dare to whisper against their king. Sometimes it is the desire to build up an aristocracy. It was once so in Venice. It may be an aristocracy of priests, of soldiers, of nobles, or an aristocracy of merchants. Sometimes it is to build up a middle class of gentry, as in Basel and Berne. It may be a military desire, as in ancient Rome; it may be ecclesiastical ambition, as in modern Rome; or commercial ambition, as in London and many other places.

The chief object of desire is not always the same in the course of a nation's history. A nation now greatens the centripetal power, strengthening the king and weakening the people; now it greatens the centrifugal power, weakening the king and strengthening the people. But, commonly, you see some one desire runs through all the nation's history, only modified by its youth, or manhood, or old age, and by circumstances which react upon the nation as the nation acts upon them.

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This chief object of desire may be permanent, and so govern the whole nation for all its history. Or it may be, on the other hand, a transient desire, which is to govern it for a time. In either case, it will appear prominently in the controlling classes; either in the classes which control all through, or in such as last only for a time. Thus the military desire appeared chiefly in the patricians of old Rome, and not much in the plebeians; the commercial ambition appeared in the nobles of Venice; the ecclesiastical in the priests of modern Rome, where the people care little for the church, though quite as much perhaps as it deserves.

As the chief desire of the individual calls out appetites and passions, which are the machinery of that desire, and reconstructs the man in its image; so the desire of a nation, transient or permanent, becoming the master-motive of the people, calls out certain classes of men, who become its exponents, its machinery, and they make the constitution, institutions, and laws to correspond thereto.

As with one man, so with the millions, there may be fluctuations of purpose for a time. I cannot expect that one man, or many men, will always pursue an object without at some time violating fundamental principles. I might have thought so once. But as I live longer, and see the passion and the ambition of men, see the force of circumstances, I know better. No ship sails across the ocean with a straight course, without changing a sail: it frequently leaves its direct line, now "standing" this way, now that; and the course is a very crooked one, although, as a whole, it is towards the mark.

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America is a young nation, composite, not yet unified; and it is, therefore, not quite so easy to say what is the chief desire of the people; but, if I understand American history, this desire is the Love of Individual Liberty. Nothing has been so marked in our history as this. We are consciously, in part, yet still more unconsciously, aiming at democracy,—at a government of all the people, by all the people, and for the sake of all the people. Of course that must be a government by the higher law of God, by the Eternal Justice to which you and I and all of us owe reverence. We all love freedom for ourselves; one day we shall love it for every man,—for the tawny Indian and the sable Negro, as much as for you and me. This love of freedom has appeared in the ideas of New England,—and New England was once America; it was once the soul, although not the body of America. It appeared in its political action and its ecclesiastical action, in the State and in the church, and in all the little towns. In general, every change in the constitution of a free State makes it more democratic; every change in local law is for democracy, not against it. We have broken with the old feudal tradition,—broken forever with that. I think this love of individual liberty is the specific desire of the people. If we are proud of any thing, it is of our free institutions. I know there are men who are prouder of wealth than of any thing else: by and by I shall have a word to say of them. But in Massachusetts, New England, in the North, if we should appeal to the great body of the people, and "poll the house," and ask of all what they were proudest of, they would not say, of our cattle, or cotton, or corn, or cloth; but it is of our freedom, of our men and women. Leaving out of the calculation the abounding class, which is corrupt everywhere, and the perishing class, which is the vassal as it is the creature of the abounding class, and as corrupt and selfish here as everywhere, we shall find that seven-eighths of the people of New England are eminently desirous of this one thing. This desire will carry the day in any fifty years to come, as it has done in two hundred and fifty years past. The great political names of our history are all on its side: Washington, the Adamses—both of them, God bless them!—Jefferson, Madison, Jackson, these were all friends of liberty. I know the exceptions in the history of some of these men, and do not deny them. Other American names, dear to the people, are of the same stamp. The national literature, so far as we have any national literature, is democratic. I know there is what passes for American literature, because it grows on American soil, but which is just as far from being indigenous to America as the orange is from being indigenous to Cape Cod. This literature is a poor, miserable imitation of the feudal literature of old Europe. Perhaps it is now the prominent literature of the time. One day America will take it and cast it out from her. The true American literature is very poor, is very weak, is almost miserable now; but it has one redeeming quality,—it is true to freedom, it is true to democracy.

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In the Revolution this desire of the nation was prominent, and came to consciousness. It was the desire of the most eminent champions of liberty. At one time in the history of the nation, the platform of speakers was in advance of the floor that was covered by the people at large, because at that time the speakers became conscious of the idea which possessed the hearts of the people. That is the reason why John Hancock, the two Adamses, and Jefferson, came into great

prominence before the people. They were more the people than the people themselves; more democratic than the democrats. I know, and I think it must be quite plain in our history, that this has been the chief desire of the people. If so, it determines our political destination.

However, with nations as with men, there are exceptional desires; one of which, with the American nation at present, is the desire for wealth. Just now, that is the most obvious and preponderate desire in the consciousness of the people. It has increased surprisingly in fifty years. It is the special, the chief desire of the controlling class. By the controlling class, I mean what are commonly called "our first men." I admit exceptions, and state the general rule. With them every thing gives way to money, and money gives way to nothing, neither to man nor to God.

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See some proofs of this. There are two ways of getting money; one is by trade, the other is by political office. The pursuit of money, in one or the other of these ways, is the only business reckoned entirely "commendable" and "respectable." There are other callings which are very noble in themselves, and deemed so by mankind; but here they are not thought "commendable" and "respectable," and accordingly you very seldom see young men, born in what is called "the most respectable class of society," engaged in any thing except the pursuit of money by trade or by office. There are exceptions; but the sons of "respectable men," so called, seldom engage in the pursuit of any thing but money by trade or office. This is the chief desire of a majority of the young men of talent, ambition, and education. Even in colleges more respect is paid to money than to genius. The purse is put before the pen. In the churches, wealth is deemed better than goodness or piety. It names towns and colleges; and he is thought the greatest benefactor of a university who endows it with money, not with mind. In giving name to a street in Boston, you call the wealthy end after a rich man, and only the poor end after a man that was good and famous. Money controls the churches. It draws veils of cotton over the pulpit window, to color "the light that cometh from above." As yet the churches are not named after men whose only virtue is metallic, but the recognized pillars of the churches are all pillars of gold. Festus does not tremble before Paul, but Paul before Festus. The pulpit looks down to the pews for its gospel, not up to the eternal God. Is there a rich pro-slavery man in the parish? The minister does not dare read a petition from an oppressed slave asking God that his "unalienable rights" be given him. He does not dare to ask alms for a fugitive. St. Peter is the old patron saint of the Holy Catholic Church. St. Hunker is the new patron saint of the churches of commerce, Catholic and Protestant.

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Money controls the law as well as the gospel. The son of a great man and noble is forgotten if the father dies poor; but the mantle of the rich man falls on the son's shoulders. If the son be only half so manly as his sire, and twice as rich, he is sure to be doubly honored. Money supplies defects of character, defects of culture. It is deemed better than education, talent, genius, and character, all put together. Was it not written two thousand years ago in the Proverbs, it "answereth all things?" Look round and see. It does not matter how you get or keep it. "The end justifies the means." Edmund Burke, or somebody else, said "Something must be pardoned to the spirit of liberty." Now it is "Something must be pardoned" to the love of money, nothing "to the spirit of liberty." We find that rich men will move out of town on the last day of April, to avoid taxation on the first day of May. That is nothing. It is very "respectable," very "honorable," indeed! I do not believe that there is any master-carpenter or master-blacksmith in Boston who would not be ashamed to do so. But men of the controlling classes do not hesitate! No matter how you get money. You may rent houses for rum-shops and for brothels; you may make rum, import rum, sell rum, to the ruin of the thousands whom you thereby bring down to the kennel and the almshouse and the jail. If you get money by that, no matter: it is "clean money," however dirtily got.

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A merchant can send his ships to sea, and in the slave-trade acquire gold, and live here in Boston, New York, or Philadelphia; and his gold will be good sterling gold, no matter how he got it! In political office, if you are a Senator from California or Oregon, you may draw "constructive mileage," and pay yourself two or three thousand dollars for a journey never made from home, and two or three thousand more back to your home. So you filch thousands of dollars out of the public purse, and you are the "Honorable Senator" just as before. You have got the money, no matter how. You may be a Senator from Massachusetts, and you may take the "trust fund," offered you by the manufacturers of cotton, and be bound as their "retained attorney," by your "retaining fee," and you are still "the Honorable Senator from Massachusetts," not hurt one jot in the eyes of the controlling classes. If you are Secretary of State, you may take forty or fifty thousand dollars from State Street and Wall Street, and suffer no discredit at all. At one end of the Union they will deny the fact as "too atrocious to be believed" at this end they admit it, and say it was "honorable in the people to give it," and "honorable in the Secretary to take it."

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"Alas! the small discredit of a bribe
Scarce hurts the master, but undoes the scribe."

It would sound a little strange to some people, if we should find that the judges of a court had received forty or fifty thousand dollars from men who were plaintiffs in that Court. You and I would remember that a gift blindeth the eyes of the prudent, how much more of the profligate! But it would be "honorable" in the plaintiffs to give it; "honorable" in the judges to take it!

Hitherto I have called your attention to the proofs of the preponderance of money. I will now point you to signs, which are not exactly proofs, of this immediate worship of money. See these signs in Boston.

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When the Old South Church was built, when Christ's Church in Salem Street, when King's Chapel, when Brattle Square Church, they were respectively the costliest buildings in town. They were symbols of religion, as churches always are; symbols of the popular esteem for religion. Out of the poverty of the people, great sums of money were given for these "Houses of God." They said, like David of old, It is a shame that we dwell in a palace of cedars, and the Ark of the Most High remains under the curtains of a tent. How is it now? A crockery shop overlooks the roof-tree of the church where once the eloquence of a Channing enchanted to heaven the worldly hearts of worldly men. Now a hotel looks down on the church which was once all radiant with the sweet piety of a Buckminster. A haberdasher's warehouse overtops the church of the Blessed Trinity; the roof of the shop is almost as tall as the very tower of the church. These things are only symbols. Let us compare Boston, in this respect, with any European city that you can name; let us compare it with gay and frivolous Vienna, the gayest and most frivolous city of all Europe, not setting Paris aside. For though the surface of life in Paris sparkles and glitters all over with radiant and iridescent and dazzling bubbles, empty and ephemeral, yet underneath there flows a stream which comes from the great fountain of nature, and tends on to the ocean of human welfare. No city is more full of deep thought and earnest life. But in Vienna it is not so. Yet even there, above the magnificence of the Herrengasse, above the proud mansions of the Esterhazys and the Schwarzenbergs and the Lichtensteins, above the costly elegance of the imperial palace, St. Stephen's Church lifts its tall spire, and points to God all day long and all the night, a still and silent emblem of a power higher than any mandate of the Kings of earth; ay, to the Infinite God. Men look up to its cross overtowering the frivolous city, and take a lesson! Here, Trade looks down to find the church.

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I am glad that the churches are lower than the shops. I have said it many times, and I say it now. I am glad they are less magnificent than our banks and hotels. I am glad that haberdashers' shops look down on them. Let the outward show correspond to the inward fact. If I am pinched and withered by disease, I will not disguise it from you by wrappages of cloth; but I will let you see that I am shrunken and shrivelled to the bone. If the pulpit is no nearer heaven than the tavern-bar, let that fact appear. If the desk in the counting-room is to give law to the desk in the church, do not commit the hypocrisy of putting the pulpit-desk above the counting-room. Let us see where we are.

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The consequence of such causes as are symbolized by these facts must needs appear in our civilization. Men tell us there is no law higher than mercantile! Do you wonder at it? It was said in deeds before words; the architecture of Boston told it before the politicians. Money is the god of our idolatry. Let the fact appear in his temples. Money is master now, all must give way to it,—that to nothing: the church, the State, the law, is not for man, but money.

Let the son of a distinguished man beat a watchman, knowing him to be such, and be brought before a Justice (it would be "levying war" if a mulatto had done so to the marshal); he is bailed off for two hundred dollars. But let a black man have in his pockets a weapon, which the Constitution and laws of Massachusetts provide that any man may have if he please, he is brought to trial and bound over for—two hundred dollars, think you? No! but for six hundred dollars! three times as much as is required of the son of the Secretary of State for assaulting a magistrate!^[26]

The Secretary of State publicly declared, a short time since, that "The great object of government is the protection of property at home, and respect and renown abroad." I thank him for teaching us that word! That is the actual principle of the American government.

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In all countries of the world, struggles take place for human rights. But in all countries there is a class who desire a privilege for themselves adverse to the rights of mankind: they are commonly richer and abler-minded than the majority of men; they can act in concert. Between them and mankind there is a struggle. The quarrel takes various forms. The contest has been going on for a long time in Europe. There, it is between the aristocracy of birth, and the aristocracy of wealth; for there it is not money, but birth, that makes noble. In this struggle the aristocracy of birth is gradually giving way to the aristocracy of gold. A long and brilliant rent-roll makes up for a short and obscure pedigree.

In that great movement for human freedom which has lasted a thousand years, the city has generally represented Right in its conflict with Might. So, in the middle ages, the city, the home of the trader, of the mechanic, of the intelligent man, was democratic. There freedom got organized in guilds of craftsmen. But the country was the home of the noble and his vassals, the haughty, the ignorant, and the servile. Then the country was aristocratic. It was so in the great struggles between the king and the people in England and France, in Italy and Holland.

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In America there is no nobility of birth—it was the people that came over, not monarchy, not aristocracy; they did not emigrate. The son of Guy Fawkes and the son of Charlemagne are on the same level. I know in Boston some of the descendants of Henri Quatre, the greatest king of France. I know also descendants of Thomas Wentworth, "the great Earl of Strafford;" and yet they are now obscure and humble men, although of famous birth. I do not say it should not be so; but such is the fact. Here the controversy is not between distinguished birth and money; it is between money on the one hand, and men on the other; between capital and labor; between usurped privilege and natural right. Here, the cities, as the seat of wealth, are aristocratic; the

country, as the seat of labor, is democratic. We may see this in Boston. Almost all the journals in the city are opposed to a government of all the people, by all the people, for all the people. Take an example from the free soil movement, which, so far as it goes, is democratic. I am told that of the twenty-one journals in Massachusetts that call themselves "democratic," eighteen favor the free soil movement, more or less; and that the three which do not are all in the cities. The country favors the temperance movement, one of the most democratic of all; for rum is to the aristocracy of gold, what the sword once was to the aristocracy of blood; the castles of the baron, and the rum-shops of the capitalist, are alike fortresses adverse to the welfare of mankind. The temperance movement finds little favor in the cities.

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In the country he who works with manly hands is held in esteem; in the city, in contempt. Here laboring men have no political influence, and little confidence in themselves. They have been accustomed to do as they were told,—to do as their "masters" bid.

I call a man a Tory who, for himself or for others, seeks a privilege adverse to the rights of mankind; who puts the accidents of men before the substance of manhood. I may safely say the cities, in the main, are Tory towns; that Boston, in this sense, is a Tory town. They are so, just as in the middle ages the cities were on the other side. This is unavoidable in our form of civilization just now. Accordingly, in all the great cities of the North, slavery is in the ascendant: but, as soon as we get off the pavement, we come upon different ideas; freedom culminates and rises to the meridian.

In America the controlling class in general are superior to the majority in money, in consequent social standing, in energy, in practical political skill, and in intellectual development; in virtue of these qualities, they are the controlling class. But in general they are inferior to the majority of men in justice, in general humanity, and in religion,—in piety and goodness. Respectability is put before Right; Law before Justice; Money before God. With them religion is compliance with a public hearsay and public custom; it is all of religion, but piety and goodness; its chief sacrament is bodily presence in a meeting-house; its only sacrifice, a pew-tax. I know there are exceptions, and honor them all the more for being so very exceptional: they are only enough to show the rule.

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In the main, this controlling class governs the land by two instruments: the first is the Public Law; the next is Public Opinion. The law is what was once public opinion, or thought to be; is fixed, written, and supposed to be understood by somebody. Public opinion is not written, and not fixed; but the opinion of the controlling class overrides and interprets the law,—bids or forbids its execution. Public opinion can make or unmake a law; interpret as it chooses, and enforce or forbid its execution as it pleases.

Such being the case, and such being the chief transient national desire just now, the controlling class consider the State as a machine to help them make money. A great politician, it is said, once laid down this rule,—"Take care of the rich, and the rich will take care of the poor." Perhaps he did not say that, though he did say that "The great object of government is the protection of property at home, and respect and renown abroad." Such being the case, laws are made accordingly, and institutions are modified accordingly. Let me give an example. In all the towns of New England, town-money is raised by taxes on all the people, and on all the property. The rich man is taxed according to his riches, and the poor man according to his poverty. But the national money is raised by taxation not in proportion to a man's wealth. A bachelor in New England, with a million dollars, pays a much smaller national tax than a carpenter who has no money at all, but only ten children, the poor man's blessing. The mechanic, with a family of twelve, pays more taxes than the Southern planter owning a tract of land as wide as the town of Worcester, with fifteen hundred slaves to till it. This, I say, is not an accident. It is the work of politicians, who know what they are about, and think a blunder is worse than a sin; and, sin as they may, they do not commit such blunders as that.

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This controlling class, with their dependents, their vassals, lay and clerical—and they have lay as well as clerical vassals, and more numerous, if less subservient—keep up the institution of slavery. Two hundred years ago, that was the worst institution of Europe. Our fathers, breaking with feudal institutions in general, did not break with this: they brought it over here. But when the nation, aroused for its hour of trial, rose up to its great Act of Prayer, and prayed the Declaration of Independence, all the nation said "Amen" to the great American idea therein set forth. Every Northern State reaffirms the doctrine that "All men are created equal, and endowed by their Creator with unalienable rights, the right to life, liberty, and the pursuit of happiness." But in spite of this, and of the consciousness that it is true, while the Northern States have cast out this institution, the Southern States have kept it. The nation has adopted, extended, and fostered it. This has been done, notwithstanding the expectation of the people in 1787 that it would soon end. It has been done against the design of the Constitution, which was "to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty;" against the idea of America, that "All men have an equal and unalienable right to life, liberty, and the pursuit of happiness;" against all religion, all humanity, all right, ay, and against the conscience of a majority of the people.

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Well, a law was passed last September, that would have been atrocious two hundred years ago: you all know it. I have no words to describe it by. For the last two hundred years, the English

race has not invented an adjective adequate to describe it. The English language is used up and broken down by any attempt to describe it. That law was not the desire of the people; and, could the nation have been polled North and South, three fourths would have said "No!" to the passage of that law. It was not passed to obtain the value of the slaves escaped, for in seven months twenty slaves have not been returned! It was not a measure looking to legal results, but it was a political measure, looking to political results: what those results will be we shall see in due time.

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In America the controlling class is divided into two great parties: one is the Slave Power in the States of the South; the other is the Money Power in the cities of the North. There are exceptional men in both divisions—men that own slaves, and yet love freedom and hate slavery. There are rich men in Northern cities who do the same; all honor to them. But in general it is not so; nay, it is quite otherwise. They are hostile to the great idea of America. Let me speak with the nicety of theological speech. These two divisions are two "Persons" in one "Power;" there is only one "Nature" in both, one "Will." If not the same nature, it is a like nature: Homoi-ousia, if not Homo-ousia! The Fugitive Slave Law was the act of the two "Persons," representing the same "Nature," and the same "Will." It was the result of a union of the Slave Power of the South with the Money Power of the North: the Philistines and the Hebrews ploughed with the same heifer.

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There is sometimes an excuse or a palliation for a wicked deed. There was something like one for the "Gag Law," the "Alien and Sedition Law," although there is no valid excuse for either of these laws, none to screen their author from deserved reproach. There is no excuse for the Fugitive Slave Law; there was no occasion for it.

You all know how it was brought about; you remember the speech of Mr. Webster on the 7th of March, 1850, a day set apart for the blessed Martyrs, Saints Perpetua and Felicitas. We all know who was the author of that law. It is Mr. Webster's Fugitive Slave Law! It was his "thunder," unquestioned and unquestionable. You know what a rapid change was wrought in the public opinion of the controlling classes, soon after its passage. First the leading whigs went over. I will not say they changed their principles, God knows, not I, what principles they have, I will only say they altered their "resolutions," and ate their own words. True, the whigs have not all gone over. There are a few who still cling to the old Whig-tree, after it has been shaken and shaken, and thrashed and thrashed, and brushed and brushed, by politicians, as apple-trees in autumn. There are still a few little apples left, small and withered no doubt, and not daring to show their dishonored heads just now, but still containing some precious seeds that may do service by and by. Whig journal after journal went over; politician after politician "caved in" and collapsed. At the sounding of the rams' horns of slavery, how quick the Whig Jericho went down! Its fortresses of paper resolutions rolled up and blew away. Of course, men changed only after "logical conviction." Of course, nobody expected a "reward" for the change, at least only in the world to come. Were they not all Christians? True, on the 17th of June last, seventy-five years after the battle of Bunker Hill, Mr. Webster said in the Senate, that if the North should vote for the Fugitive Slave Bill, a Tariff was expected. But that was of no moment, no more than worldly riches to "the elect." Of course, a man has a right to change his opinions every ten minutes, if he has a good and sufficient reason. Of course, these men expected no offices under this or any future President! But presently the Fugitive Slave Law became a Whig doctrine, a test of party fidelity and fitness for office!

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You all remember the "Union" meeting in Boston. On that occasion, democrats "of the worst kind" suddenly became "respectable." The very democratic prince of devils was thought to be as good a "gentleman" as any in the city.

It was curious to see the effect of the Fugitive Slave Law on the democratic party. Democrat after democrat "caved in;" journal after journal went over; horse, foot, and dragoons, they went over. The Democratic party North, and American Slavery South, have long been accustomed to accommodate themselves with the same nag after the old fashion of "ride and tye." In the cities, democrats went over in tribes; entire Democratic Zabulons and Nephthalims, whole Galilees of Democratic Gentiles, all at once saw great Whig light; and to them that sat in the shadow of Freedom, Slavery sprung up.

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That portion of the Whig party which did not submit, became as meek, ay, became meeker even than the beast which the old prophet in the fable is alleged to have ridden; for, though beaten again and again,—because alarmed at seeing the angel of Freedom that bars the way before the great Whig Balaam, who has been bidden by his master to go forth and curse the people of the Lord,—it dares not open its mouth and say, "What have I done unto thee, that thou hast smitten me these three times?"

But when such a law is hostile to the feelings of a majority of the people, to their conscience and their religion, how shall we get the law executed? That is a hard matter. In Russia and in Austria it would be very easy. Russia has an army five hundred or eight hundred thousand strong; and that army is ready. But here there is no such army. True, the President asked Congress to give him greater power, and the answer came from the Slave party South, not from the Money party North, "No! you have more now than you know how to use." Failing in this attempt, what was to

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be done that the law might be executed? Two things must be done: A false idea must persuade the people to allow it to be done; Base men must be found to do it. A word upon each point.

I. The false idea is set on foot, that the people are morally bound to obey any law which is made until it is repealed. General Haynau wrote a letter, not long ago, to the subalterns in the Austrian army, and thus quoth he: "You are bound to obey the law. It is none of your business whether the law is constitutional or not; that is our affair." So went it with our officers here. We are told that there is "no such thing as a higher law," "no rule of conduct better than that enacted by the law of the land." Conscience is only to tell you to keep the statutes. Religion consists in "fearing God and serving the king." You are told that religion bids you to "fear God and keep the commandments," no matter what these commandments may be. No matter whether it be King Ahab, or King Peter the Cruel: you are told,— "Mr. Republican, what right have you to question the constitutionality or justice of any thing? Your business is to keep the law." Religion is a very excellent thing, quotes Mr. Webster, except when it interferes in politics; then it makes men mad.

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It is instructive to see the different relations which religion has sustained to law, at different periods of the world's history. At some other time I may dwell more at length upon this; now I will say but one word. At the beginning, religion takes precedence of law. Before there is any human government, man bows himself to the Source of law, and accepts his rule of conduct from his God. By and by, some more definite rule is needed, and wise men make human laws; but they pretend to derive these from a divine source. All the primitive lawgivers, Moses, Minos, Zaleucus, Numa, and the rest, speak in the name of God. For a long time, law comes up to religion for aid and counsel. At length law and religion, both imperfect, are well established in society, religion being the elder sister; both act as guardians of mankind. Institution after institution rises up, all of them baptized by religion and confirmed by law, taking the sacrament from the hands of each. At length it comes to pass that law seeks to turn religion out of doors. Politicians, intoxicated with ambition, giddy with power, and sometimes also drunk with strong drink, make a statute which outrages all the dictates of humanity, and then insist that it is the duty of sober men to renounce religion for the sake of keeping the wicked statute of the politicians. All tyrants have done so!

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In the North, the majority of men think that the law of man is subordinate to religion—the statutes of man beneath the law of God; that as ethics, personal morals, are amenable to conscience, so politics, national morals, are amenable to the same conscience; and that religion has much to do with national as with individual life. Depend upon it, that idea is the safeguard of the State and of the law. It will preserve it, purify it, and keep it; but it will scourge every wicked law out of the temple of justice with iron whips, if need be. Depend upon it, when we lose our hold of that idea, all hope of order is gone. But there is no danger; we are pretty well persuaded, that the law of God is a little greater than the statute of an accidental president unintentionally chosen for four years. When we think otherwise, we may count our case hopeless, and give up all.

But with the controlling class of men it is not so. They tell us that we must keep any law, constitutional or not, legal or not, just or unjust: first, that we must submit passively, and let the government execute it; next, we must actively obey it, and with alacrity when called upon to execute it ourselves. This doctrine is the theory advanced in most of the newspapers of Boston. It is preached in some of the pulpits, though, thank God! not in all.

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This doctrine appears in the charge of the Judge of the Circuit Court to the grand jury.^[27] I believe that judge to be a good and excellent and honorable man; I never heard a word to the contrary, and I am glad to think that it is so.^[28] I have to deal only with his opinions; not with his theoretic doctrines of law, of which latter I profess to know nothing; but with the theoretic doctrines of morality he lays down. Of morality I do profess to know something.

He says some excellent things in his charge, which I am glad were said. He is modest in some places, and moderate in others. He does not think that a dozen black men taking a fugitive out of court are guilty of "levying war," and therefore should be hanged, drawn, and quartered, if you can catch them. All honor to his justice. He does not say, as the Secretary of State, that we must suppress discussion and stop agitation. He says we may agitate as much as we have a mind to; may not only speak against a law, but may declaim against it, which is to speak strongly. I thank the judge for this respect for the Constitution. But with regard to the higher and lower law, he has some peculiar opinions. He supposes a case: that the people ask him, "Which shall we obey, the law of man or the law of God?" He says, "I answer, obey both. The incompatibility which the question assumes does not exist."

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So, then, here is a great general rule, that between the "law of man" and the "will of God" there is no incompatibility, and we must "obey both." Now let us see how this rule will work.

If I am rightly informed, King Ahab made a law that all the Hebrews should serve Baal, and it was the will of God that they should serve the Lord.—According to this rule of the judge, they must "obey both." But if they served Baal, they could not serve the Lord. In such a case, "what is to be done?"—We are told that Elijah gathered the prophets together; "and he came unto all the people, and said, How long halt ye? If the Lord be God, follow him; but if Baal, then follow him." Our modern prophet says, "Obey both. The incompatibility which the question assumes does not exist." Such is the difference between Judge Elijah and Judge Peleg.

Let us see how this rule will work in other cases; how you can make a compromise between two opposite doctrines. The king of Egypt commanded the Hebrew nurses, "When you do the office of a midwife to the Hebrew women, if it be a son ye shall kill him." I suppose it is plain to the Judge of the Circuit Court that this kind of murder, killing the new-born infants, is against "the will of God;" but it is a matter of record that it was according to "the law of man." Suppose the Hebrew nurses had come to ask Judge Sprague for his advice. He must have said, "Obey both!" His rule is a universal one.

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Another decree was once made as it is said, in the Old Testament, that no man should ask any petition of any God for thirty days, save of the king, on penalty of being cast into the den of lions. Suppose Daniel—I mean the old Daniel, the prophet—should have asked him, What is to be done? Should he pray to Darius or pray to God? "Obey both!" would be the answer. But he cannot, for he is forbid to pray to God. We know what Daniel did do.

The elders and scribes of Jerusalem commanded the Christians not to speak or to teach at all in the name of Jesus; but Peter and John asked those functionaries, "Whether it be right in the sight of God to hearken unto you more than unto God, judge ye." Our judge must have said, There is no "incompatibility;" "obey both!" What "a comfortable Scripture" this would have been to poor John Bunyan! What a great ethical doctrine to St. Paul! He did not know such Christianity as that. Before this time a certain man had said, "No man can serve two masters." But there was one person who made the attempt, and he also is eminent in history. Here was "the will of God," to do to others as you would have others do to you: "Love thy neighbor as thyself." Here is the record of "the law of man:" "Now both the chief priests and the Pharisees had given a commandment, that, if any man knew where he [Jesus] were, he should show it that they might take him." Judas, it seems, determined to "obey both,"—"the law of man" and "the will of God."—So he sat with Jesus at the Last Supper, dipped his hand in the same dish, and took a morsel from the hand of Christ, given him in token of love. All this he did to obey "the will of God." Then he went and informed the Commissioner or Marshal where Jesus was. This he did to obey "the law of man." Then he came back, and found Christ,—the agony all over, the bloody sweat wiped off from his brow, presently to bleed again,—the Angel of Strength there with him to comfort him. He was arousing his sleeping disciples for the last time, and was telling them, "Pray, lest ye enter into temptation."—Judas came and gave him a kiss. To the eleven it seemed the friendly kiss, obeying "the will of God." To the Marshal it also seemed a friendly kiss,—obeying "the law of man." So, in the same act, he obeys "the law of God" and "the will of man," and there is no "incompatibility!"

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Of old it was said, "Thou canst not serve God and mammon." He that said it, has been thought to know something of morals,—something of religion.

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Till the fugitive slave law was passed, we did not know what a great saint Iscariot was. I think there ought to be a chapel for him, and a day set apart in the calendar. Let him have his chapel in the navy-yard at Washington. He has got a priest there already. And for a day in the calendar—set apart for all time the seventh of March!

Let us look at some other things in that Judge's address to the grand jury. "Unjust and oppressive laws may indeed be passed by human government. But if infinite and inscrutable Wisdom permits political society ... to establish such laws, may not the same Wisdom permit and require individuals ... to obey them?" Ask the prophets in such a case, if they would have felt themselves permitted and required to obey them! Ask the men who were tortured, not accepting deliverance, that they might obtain a better resurrection; who had trial of cruel mockings and scourgings, yea, moreover of bonds and imprisonment; who were stoned and sawn asunder; who were slain with the sword; who wandered about in sheep-skins and goat-skins, destitute, afflicted, and tormented, of whom the world was not worthy! Ask the apostles, who thanked God they were counted worthy to suffer shame in the name of Christ! Ask Paul, who was eight times publicly beaten, thrice shipwrecked; and in perils of waters, of robbers, of the heathen, of false brethren—that worst of all peril! Nay, ask Christ; let the Crucified reply,—whether, when a wicked law is made, and we are commanded to keep it, God means we should! Ask the men who, with their ocean-wearied feet, consecrated the rock of Plymouth forever! Ask the patriots of the Revolution! What do they say? I will not give the answer. Even the martyred Jesuits say No. Who is it that says Yes? Judas and the Judge. Let them go—each "to his own place." Let me say no more of them.

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This attempt to keep the people down by false doctrine, is no new thing. But to say that there is no law higher than what the State can make, is practical atheism. It is not a denial of God in his person; that is only speculative atheism. It is a denial of the functions and attributes of God; that is real atheism. If there is no God to make a law for me, then there is no God for me.

The law of the land is so sacred, it must override the law of God, must it? Let us see if all the laws of the United States are kept everywhere. Let a black man go to South Carolina in a ship, and we shall see. Let the British minister complain that South Carolina puts British subjects in jail, for the color of their skin. Mr. Secretary Clayton tells him, We cannot execute the laws of the United States in South Carolina. Why not? Because the people of South Carolina will not allow it!

Are the laws of Massachusetts kept in Boston, then? The usury law says, Thou shalt not take more than six per cent. on thy money. Is that kept? There are thirty-four millions of banking capital in Massachusetts, and I think that every dollar of this capital has broken this law within the past twelve months; and yet no complaint has been made. There are three or four hundred brothels in this city of Boston, and ten or twelve hundred shops for the sale of rum. All of them are illegal: some are as well known to the police as is this house; indeed, a great deal more

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frequented by some of them, than any house of God. Does anybody disturb them? No! I have a letter from an alderman who furnishes me with facts of this nature, who says, that "Some of the low places are prosecuted, some broken up." Last Saturday night, the very men who guarded Mr. Sims, I am told, were playing cards in his prison-house, contrary to the laws of Massachusetts. In Court Square, in front of the court-house, is a rum-shop, one of the most frequented in the city, open at all hours of the day, and, for aught I know, of the night too. I never passed when its "fire was quenched," and its "worm" dead. Is its owner prosecuted? How many laws of Massachusetts have been violated this very week, in this very city, by the slave-hunters here, by the very officers of the State? What is the meaning of this? Every law which favors the accumulation of money, must be kept; but those which prohibit the unjust accumulation of money by certain classes—they need not be kept.^[29]

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No doubt it would be a great pity to have the city government careful to keep the laws of the city,—to suppress rum-shops, and save the citizens from the almshouse, the jail, and the gallows. Such laws may be executed at Truro and Wellfleet; but it is quite needless for the officers of "The Athens of America," to attend to the temperance laws.^[30]—What a pity for the magistrates of Boston to heed the laws of the State! No; it is the fugitive slave law that they must keep.

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II. A great deal of pains has been taken to impress the people with their "moral duty to obey the fugitive slave law." To carry it out, government needs base men; and that, my brothers, is a crop which never fails. Rye and wheat may get blasted many times in the course of years; the potato may rot; apples and peaches fail. But base men never fail. Put up your black pirate-flag in the market-place, offer "money and office," and they will come as other carrion-vultures to their prey. The olive, the fig, and the orange are limited in their range; even Indian corn and oats will not grow everywhere; but base men are indigenous all the world over, between the tropics, and under a polar sky. No bad scheme ever failed for lack of bad men to carry it out. Do you want to kill Baptists and Quakers in Boston? There are the men for you. To hang "witches" at Salem? There are hangmen in plenty on Gallows Hill. Would James the Second butcher his subjects? He found his "human" tools ready. Would Elizabeth murder the Puritans and Catholics? There was no lack of ruffians. Would bloody Mary burn the Protestants? There were more executioners than victims. Would the Spanish Inquisition torture and put to death the men for whom Christ died? She found priests and "gentlemen," ready for their office. Would Nero murder the Christians, and make a spectacle of their sufferings? Rome is full of scoundrels to do the deed, and teems with spectators rushing to the amphitheatre at the cry of "Christians to the Lions!" all finding a holiday in their brothers' agony. Would the high-priests crucify the Son of man? They found a commissioner to issue the mandate, a marshal to enforce it, a commissioner to try him by illegal process,—for the process against Christ was almost as unconstitutional as that against Sims,—they found a commissioner ready to condemn Christ, against his own conscience, soldiers ready to crucify him. Ay! and there was a Peter to deny him, and a Judas to betray, and now there is a judge with his legal ethics, to justify the betrayal! I promised not to speak of Judas or the judge again, but they will come up before me! It is true, that, if in Boston, some judicial monster should wish to seethe a man in a pot of scalding water, he would find another John Boilman in Boston, as Judge Jeffries found one in England, in 1686.

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The churches of New England, and the North, have had their trials. In my time they have been tried in various ways. The temperance reformation tried them. They have had perils on account of slavery. The Mexican war tried them; the fugitive slave law has put them to the rack. But, never in my day, have the churches been so sorely tried, nor done so well as now. The very letter of the New Testament on the one side, and of the Old Testament on the other, both condemned the law; the spirit of them both was against all slavery.

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There are two great sects in Christendom,—the churches of Christianity, and the churches of commerce. The churches of Christianity always do well: they think that religion is love to God, and love to man. But the churches of commerce, which know no higher law, what should they do? Some of the ministers of the churches of commerce were wholly silent. Why so? The poor ministers were very modest all at once. Now, modesty is a commendable virtue; but see how it works. Here is a man who has given his mind ten, twenty, or thirty years to the study of theology, and knows every Hebrew particle of the Old Testament, and every Greek particle of the New Testament, as well as he knows the Lord's Prayer; every great work on the subject of Christianity, from Nicodemus down to Norton. Let him come out and say that the Old Testament was written like other books; let him say that the miracles of the Old and New Testament are like the miracles of the Popish legends; then, ministers in their pulpits, who never studied theology or philosophy, or pretended to study, only to know, the historical development of religion in the world,—they will come down instantly upon our poor man, call his doctrines "false," and call him an "infidel," an "atheist." But let a rich parishioner, or a majority of the rich parishioners, be in favor of the fugitive slave law, and all at once the minister is very modest indeed. He says to his people, by silence or by speech, "I do not understand these things; but you, my people, who all your lives are engaged in making money and nothing else, and worship mammon and nothing else, you understand them a great deal better than I do. My modesty forbids me to speak. Let us pray!"^[31]

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Some ministers have been silent; others have spoken out in favor of the lower law, and in derision of the higher law. Here is a famous minister, the very chief of his denomination, reported

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in the newspapers to have said that he would surrender his own mother to slavery rather than have the Union dissolved! I believe him this time. A few years ago, that minister printed, in the organ of his sect, that the existence of God was "not a certainty!" He did not mean to say that he doubted or disbelieved it, only that it was "not a certainty!" I should suppose that he had gone further in that direction, and thought the non-existence of God was "a certainty." But he is not quite original in this proposed sacrifice. He has been preceded and outbid by a Spanish Catholic. Here is the story in Señor de Castro's History of the Spanish Protestants, written this very year. I can tell the story shorter than it is there related. In 1581, there lived a man in Valladolid, who had two Protestant daughters, being himself a Catholic. The Inquisition was in full blast, and its fiery furnace heated seven times hotter than before. This man, according to the commandment of the priests and Pope, complained to the inquisitors against his daughters, who were summoned to appear before them. They were tried, and condemned to be burned alive, at his suggestion. He furnished the accusation, brought forward the evidence, and was the only witness in the case. That was not all. After this condemnation, he went round his own estates, and from selected trees cut down morsels of wood, and carried them to the city to use in burning his own daughters. He was allowed to do this, and of course the priest commended him for his piety and love of God! Thus, in 1581, in Valladolid, a father at noon-day, with wood from his own estate, on his own complaint and evidence, with his own hands, burned his two daughters alive; and the Catholic Church said, Well done! Now, in my opinion, the Hidalgo of Valladolid a little surpasses the Unitarian Doctor of Divinity. I do not know what "recompense of reward" the Spanish Hidalgo got for his deed; but the American divine, for his offer, has been put into "one of the priests' offices, that he might eat a piece of bread." He has been appointed, as the newspapers say, a Chaplain of the Navy at Washington. Verily he has his reward.

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But there have been found men in Boston to go a little further. Last Thanksgiving Day, I said it would be difficult to find a magistrate in Boston to take the odium of sending a fugitive back to slavery. I believed, after all, men had some conscience, although they talked about its being a duty to deliver up a man to bondage. Pardon me, my country, that I rated you too high! Pardon me, town of Boston, that I thought your citizens all men! Pardon me, lawyers, that I thought you had been all born of mothers! Pardon me, ruffians, who kill for hire! I thought you had some animal mercy left, even in your bosom! Pardon me, United States' commissioners, marshals, and the like, I thought you all had some shame! Pardon me, my hearers, for such mistakes. One commissioner was found to furnish the warrant! Pardon me, I did not know he was a commissioner; if I had, I never would have said it!

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Spirits of tyrants, I look down to you! Shade of Cain, you great first murderer, forgive me that I forgot your power, and did not remember that you were parent of so long a line! And you, my brethren, if hereafter I tell you that there is any limit of meanness or wickedness which a Yankee will not jump over, distrust me, and remind me of this day, and I will take it back!

Let us look at the public conduct of any commissioner who will send an innocent man from Boston into slavery. I would speak of all men charitably; for I know how easy it is to err, yea, to sin. I can look charitably on thieves, prowling about in darkness; on rumsellers, whom poverty compels to crime; on harlots, who do the deed of shame that holy woman's soul abhors and revolts at; I can pity the pirate, who scours the seas doing his fiendish crimes—he is tempted, made desperate by a gradual training in wickedness. The man, born at the South, owning slaves, who goes to Africa and sells adulterated rum in exchange for men to retail at Cuba,—I cannot understand the consciousness of such a man; yet I can admit that by birth and by breeding he has become so imbruted, he knows no better. Nay, even that he may perhaps justify his conduct to himself. I say I think his sin is not so dreadful as that of a commissioner in Boston who sends a man into slavery. A man commits a murder, inflamed by jealousy, goaded by desire of great gain, excited by fear, stung by malice, or poisoned by revenge, and it is a horrid thing. But to send a man into slavery is worse than to murder him. I should rather be slain than enslaved. To do this, inflamed by no jealousy, goaded by no desire of great gain,—only ten dollars!—excited by no fear, stung by no special malice, poisoned by no revenge,—I cannot comprehend that in any man, not even in a hyena. Beasts that raven for blood do not kill for killing's sake, but to feed their flesh. Forgive me, O ye wolves and hyenas! that I bring you into such company. I can only understand it in a devil!

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When a man bred in Massachusetts, whose Constitution declares that "All men are born free and equal;" within sight of Faneuil Hall, with all its sacred memories; within two hours of Plymouth Rock; within a single hour of Concord and Lexington; in sight of Bunker Hill,—when he will do such a deed, it seems to me that there is no life of crime long enough to prepare a man for such a pitch of depravity; I should think he must have been begotten in sin, and conceived in iniquity, and been born "with a dog's head on his shoulders;" that the concentration of the villany of whole generations of scoundrels would hardly be enough to fit a man for a deed like this!

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You know the story of Thomas Sims. He crept on board a Boston vessel at Savannah. Perhaps he had heard of Boston, nay, even of Faneuil Hall, of the old Cradle of Liberty, and thought this was a Christian town, at least human, and hoped here to enjoy the liberty of a man. When the ship arrived here, the first words he spoke were, "Are we up there?" He was seized by a man who at the court-house boasted of his cruelty towards him, who held him by the hair, and kept him down, seeking to kidnap and carry him back into slavery. He escaped!

But a few weeks pass by: the man-stealers are here; the commissioner issues his warrant; the marshals serve it in the night. Last Thursday night,—when odious beasts of prey, that dare not face the light of heaven, prowl through the woods,—those ruffians of the law seized on their

brother-man. They lie to the bystanders, and seize him on a false pretence. There is their victim—they hold him fast. His faithless knife breaks in his hand; his coat is rent to pieces. He is the slave of Boston.^[32] Can you understand his feelings? Let us pass by that. His "trial!" Shall I speak of that? He has been five days on trial for more than life, and has not seen a judge! A jury? No,—only a commissioner! O justice! O republican America! Is this the liberty of Massachusetts?

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Where shall I find a parallel with men who will do such a deed,—do it in Boston? I will open the tombs, and bring up most hideous tyrants from the dead. Come, brood of monsters, let me bring you up from the deep damnation of the graves wherein your hated memories continue for all time their never-ending rot. Come, birds of evil omen! come, ravens, vultures, carrion-crows, and see the spectacle! come, see the meeting of congenial souls! I will disturb, disquiet, and bring up the greatest monsters of the human race! Tremble not, women; tremble not, children; tremble not, men! They are all dead! They cannot harm you now! Fear the living, not the dead.

Come hither, Herod the wicked. Thou that didst seek after that young child's life, and destroyedst the Innocents! Let me look on thy face! No; go! Thou wert a heathen! Go, lie with the Innocents thou hast massacred. Thou art too good for this company!

Come, Nero! Thou awful Roman Emperor! Come up! No; thou wast drunk with power! schooled in Roman depravity. Thou hadst, besides, the example of thy fancied gods! Go, wait another day. I will seek a worse man.

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Come hither, St. Dominic! come, Torquemada!—Fathers of the Inquisition! Merciless monsters, seek your equal here! No; pass by! You are no companions for such men as these! You were the servants of atheistic popes, of cruel kings. Go to, and get you gone. Another time I may have work for you,—not now; lie there and persevere to rot. You are not yet quite wicked and corrupt enough for this comparison. Go, get ye gone, lest the sun turn back at sight of ye!

Come up, thou heap of wickedness, George Jeffries!—thy hands deep purple with the blood of thy murdered fellow men! Ah, I know thee! awful and accursed shade! Two hundred years after thy death, men hate thee still, not without cause! Let me look upon thee! I know thy history. Pause and be still, while I tell it to these men.

Brothers, George Jeffries "began in the sedition line." "There was no act, however bad, that he would not resort to to get on." "He was of a bold aspect, and cared not for the countenance of any man." "He became the avowed, unblushing slave of the court, and the bitter persecutor and unappeasable enemy of the principles he had before supported." He "was universally insolent and over-bearing." "As a judge, he did not consider the decencies of his post, nor did he so much as affect to be impartial, as became a judge." His face and voice were always unamiable. "All tenderness for the feelings of others, all self-respect were obliterated from his mind." He had "a delight in misery, merely as misery," and "that temper which tyrants require in their worst instruments." "He made haste to sell his forehead of brass and his tongue of venom to the court." He had "more impudence than ten carted street-walkers;" and was appropriately set to a work "which could be trusted to no man who revered law, or who was sensible of shame." He was a "Commissioner" in 1685. You know of the "Bloody assizes" which he held, and how he sent to execution three hundred and twenty persons in a single circuit. "The whole country was strewed with the heads and limbs of his victims." Yet a man wrote that "A little more hemp might have been usefully employed." He was the worst of the English judges. "There was no measure, however illegal, to the execution of which he did not devotedly and recklessly abandon himself." "During the Stuart reigns, England was cursed by a succession of ruffians in ermine, who, for the sake of court favor, wrested the principles of law, the precepts of religion, and the duties of humanity; but they were all greatly outstripped by Jeffries." Such is his history.

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Come, shade of a judicial butcher! Two hundred years thy name has been pilloried in face of the world, and thy memory gibbeted before mankind! Let us see how thou wilt compare with those who kidnap men in Boston! Go seek companionship with them! Go claim thy kindred, if such they be! Go tell them that the memory of the wicked shall rot,—that there is a God; an Eternity; ay! and a Judgment too! where the slave may appeal against him that made him a slave, to Him that made him a man.

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What! Dost thou shudder? Thou turn back? These not thy kindred! Why dost thou turn pale, as when the crowd clutched at thy life in London Street? It is true, George Jeffries, and these are not thy kin. Forgive me that I should send thee on such an errand, or bid thee seek companionship with such—with Boston hunters of the slave! Thou wert not base enough! It was a great bribe that tempted thee! Again I say, pardon me for sending thee to keep company with such men! Thou only struckst at men accused of crime; not at men accused only of their birth! Thou wouldst not send a man into bondage for two pounds! I will not rank thee with men who, in Boston, for ten dollars, would enslave a negro now! Rest still, Herod! Be quiet, Nero! Sleep, St. Dominic, and sleep, O Torquemada! in your fiery jail! Sleep, Jeffries, underneath "the altar of the church" which seeks with Christian charity to hide your hated bones.

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"But," asks a looker-on, "What is all this for?" Oh! to save the Union. "A precious Union which needs a saving such as this! And who are to rend the Union asunder?" Why, men that hate slavery and love freedom for all mankind. "Is this the way to make them love the Union and slavery, and hate freedom for all mankind?" We know none better. "What sort of a measure is this fugitive slave law?" Oh! it is a "peace measure." Don't you see how well it works? how quiet the city? in the country not a mouse stirring? There will not be a word against the peace measure in all New England on this Fast Day. Blessed are the peace-makers, saith Lord! "But you have great

warrant for such deeds?" Oh yes, the best in the world,—the example of Washington. He also "saved the Union." "So men blaspheme."

Let me tell you a little of that great man. Shortly after the passage of the law of 1793, a favorite female slave of Washington's wife ran away from the President of the new republic, and went into New Hampshire. She lived at Portsmouth. Washington wrote to Mr. Whipple, a United States' marshal, I think, or, at any rate, an officer of the United States, saying that he should like to have the woman sent back to him, if it could be done without tumult, and without shocking the principles and the feelings of the people. He added that the slave was a favorite of his wife. Mr. Whipple wrote back, and said,—It cannot be done without tumult, nor without shocking the principles and feelings of the people. Washington said no more! The woman died at a great age, a few years ago, at Portsmouth. That was the example of Washington,—the man who at his death freed his slaves! Would to God he had done it before! But they that come at the eleventh hour shall never be cast out from my charity.

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See what is the consequence of this measure! See what has been the condition of Boston for the past week! Read the mingled truth and lies in the newspapers; look at men's faces in the street; listen to their talk; see the court-house in chains; see one hundred policemen on guard, and three companies of military picketed in Faneuil Hall; behold the people shut out from the courts—I will not say of justice! See the officers of Massachusetts made slave-hunters—against the law; constitutional rights struck down—against the law; sheriffs refusing to serve writs—against the law; see the great civil rights our fathers gained five hundred years ago, the trial by jury, by our "peers," by the "law of the land," all cloven down; the writ of "personal replevin" made null—no sheriff daring to execute a law made to suit such a case as this, made but eight years ago! Where is your high Sheriff? Where is your Governor? See the judges of Massachusetts bend beneath that chain; see them bow down, one by one, and kneel, and creep, and cringe, and crouch, and crawl, under the chain! Note the symbol! That was the chain on the neck of the Commonwealth, visible on the necks of the judges as they entered the Bastile of Boston,—the Barracoon of Boston! A few years ago, they used to tell us, "Slavery is an abstraction;" "we at the North have nothing to do with it," Now liberty is only an abstraction! Here is a note just handed me in the pulpit:—

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"Marshal Tukey told me this morning, that his orders were *not merely to keep the peace*, but to *assist the United States' marshal in detaining and transporting the slave*; that he *knew he was violating the State law, as well as I did*; but it was not his responsibility, but that of the Mayor and Aldermen. I thought you might like to know this."

Well, my brethren, I know Boston has seen sad days before now. When the stamp act came here in our fathers' time, it was a sad day; they tolled the bells all over town, and Mayhew wished "they were cut off that trouble you." It was a sad day when the tea came here, although, when it went down the stream, all the hills of New England laughed. And it was a sadder day still, the 17th of June, 1775, when our fathers fought and bled on yonder hill, all red from battle at Concord and Lexington, and poured sheeted death into the ranks of their enemies, while the inhabitants of this town lifted up their hands, but could not go to assist their brethren in the field; and when, to crown all their sadness, they saw four hundred of the houses of their sister town go up in flames to heaven, and could not lend a helping hand! A sadder day when they fired one hundred guns in Boston for the passage of the fugitive slave law. It was the saddest day of all, when a man was kidnapped in Boston by the men of Boston, and your court-house hung with chains.

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It was not from the tyrants of the other side of the world that this trouble came!

If you could have seen what I have this morning, at sunrise, one hundred of the police of this city, contrary to the laws of the State, drilling with drawn swords, to learn to guard a man whilst he should be carried into bondage! And who do you suppose was at their head? A man bearing an honorable name—Samuel Adams! Tell it not in Massachusetts; let not your children hear of this, lest they curse the mothers that bore them. It is well that we should have a day of fasting and humiliation and prayer, when such things are done here.

Well, my brethren, these are only the beginning of sorrows. There will be other victims yet; this will not settle the question. What shall we do? I think I am a calm man and a cool man, and I have a word or two to say as to what we shall do. Never obey the law. Keep the law of God. Next I say, resist not evil with evil; resist not now with violence. Why do I say this? Will you tell me that I am a coward? Perhaps I am; at least I am not afraid to be called one. Why do I say, then, do not now resist with violence? Because it is not time just yet; it would not succeed. If I had the eloquence that I sometimes dream of, which goes into a crowd of men, and gathers it in its mighty arm, and sways them as the pendent boughs of yonder elm shall be shaken by the summer breeze next June, I would not give that counsel. I would call on men, and lift up my voice like a trumpet through the whole land, until I had gathered millions out of the North and the South, and they should crush slavery forever, as the ox crushes the spider underneath his feet. But such eloquence is given to no man. It was not given to the ancient Greek who "shook the arsenal and fulminated over Greece." He that so often held the nobles and the mob of Rome within his hand, had it not. He that spoke as never man spake, and who has since gathered two hundred millions to his name, had it not. No man has it. The ablest must wait for time! It is idle to resist here and

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now. It is not the hour. If in 1765 they had attempted to carry out the Revolution by force, they would have failed. Had it failed, we had not been here to-day. There would have been no little monument at Lexington "sacred to liberty and the rights of mankind," honoring the men who "fell in the cause of God and their country." No little monument at Concord; nor that tall pile of eloquent stone at Bunker Hill, to proclaim that "Resistance to tyrants is obedience to God." Success is due to the discretion, heroism, calmness, and forbearance of our fathers: let us wait our time. It will come—perhaps will need no sacrifice of blood.

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Resist, then, by peaceful means; not with evil, but with good. Hold the men infamous that execute this law; give them your pity, but never give them your trust, not till they repent. Then swiftly forgive. Agitate, discuss, petition, and elect to office men whom you can trust; not men who never show their face in the day of darkness and of peril. Choose men that are men.

I suppose that this man will be carried back to slavery. The law of the United States has been cloven down; the law of Massachusetts cloven down. If we have done all that we can we must leave the result to God. It is something that a man can only be kidnapped in Boston by riding over the law, and can only be tried in a court-house surrounded by chains, when the crouching judges crawl under the iron of slavery to enter their house of bondage; that even on Fast Day it is guarded by one hundred police, and three companies of military are picketed in Faneuil Hall—the "Sims Brigade!"^[33]

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The Christians saw Christ crucified, and looked on from afar; sad, but impotent. The Christians at Rome saw their brethren martyred, and could not help them: they were too weak. But the blood of martyrs is the seed of the church. To-day is St. Bademus' Day: three hundred and seventy-six years after Christ, that precious saint was slain because he would not keep the commandment of the king. By crucified redeemers shall mankind be saved. If we cannot prevent crucifixion, let us wait for the redemption.

Shall I ask you to despair of human liberty and rights? I believe that money is to triumph for the present. We see it does in Boston, Philadelphia, New York, and Washington: see this in the defence of bribery; in the chains of the court-house; in the judges' pliant necks; in the swords of the police to-day; see it in the threats of the press to withdraw the trade of Boston from towns that favor the unalienable rights of man!

Will the Union hold out? I know not that. But, if men continue to enforce the fugitive slave law, I do not know how soon it will end; I do not care how soon the Union goes to pieces. I believe in Justice and the Law of God; that ultimately the right will prevail. Wrong will prevail for a time, and attract admiration. I have seen in a haberdasher's shop-window the figure of a wooden woman showily arrayed, turning round on a pivot, and attracting the gaze of all the passers-by; but ere long it is forgotten. So it will be with this transient love of slavery in Boston; but the love of right will last as long as the granite in New Hampshire hills. I will not tell you to despair of freedom because politicians are false; they are often so. Despair of freedom for the black man! No, never. Not till heaven shakes down its stars; nay, not till the heart of man ceases to yearn for liberty; not till the eternal God is hurled from his throne, and a devil takes his place! All the arts of wicked men shall not prevail against the Father; nay, at last, not against the Son.

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The very scenes we have witnessed here,—the Court-House in chains,—the Laws of Massachusetts despised,—the Commonwealth disgraced,—these speak to the people with an eloquence beyond all power of human speech. Here is great argument for our cause. This work begets new foes to every form of wrong. There is a day after to-day,—an eternity after to-morrow. Let us be courageous and active, but cool and tranquil, and full of hope.

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These are the beginning of sorrows; we shall have others, and trials. Continued material prosperity is commonly bad for a man, always for a nation. I think the time is coming when there will be a terrible contest between liberty and slavery. Now is the time to spread ideas, not to bear arms. I know which will triumph: the present love of thralldom is only an eddy in the great river of the nation's life; by and by it will pass down the stream and be forgot. Liberty will spread with us, as the spring over the New England hills. One spot will blossom, and then another, until at last the spring has covered the whole land, and every mountain rejoices in its verdant splendor.

O Boston! thou wert once the prayer and pride of all New England men, and holy hands were laid in baptism on thy baby brow! Thou art dishonored now; thou hast taken to thy arms the enemies of men. Thou hast betrayed the slave; thy brother's blood cries out against thee from the ground. Thou art a stealer of mankind. In thy borders, for long years, the Cradle of Liberty has been placed. The golden serpent of commerce has twined its snaky folds about it all, and fascinated into sleep the child. Tread lightly, soldiers: he yet may wake. Yes, in his time this child shall wake, and Boston shall scourge out the memory of the men who have trodden her laws under foot, violated the dearest instincts of her heart, and profaned her religion. I appeal from Boston, swollen with wealth, drunk with passion, and mad against freedom—to Boston in her calm and sober hour.

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O Massachusetts, noble State, the mother that bore us all; parent of goodly institutions and of noble men, whose great ideas have blessed the land!—how art thou denied, dishonored, and brought low! One of thine own hired servants has wrought this deed of shame, and rent the bosom which took him as an adopted son. Shall it be always thus? I conjure thee by all thy battle-fields,—by the remembrance of the great men born of thee, who battled for the right, thy Franklin, Hancock, the Adamses—three in a single name,—by thine ideas and thy love of God,—to forbid forever all such deeds as this, and wipe away thy deep disgrace.

America, thou youngest born of all God's family of States! thou art a giant in thy youth, laying thine either hand upon thine either sea; the lakes behind thee, and the Mexique bay before. Hast thou too forgot thy mission here, proud only of thy wide-spread soil, thy cattle, corn, thy cotton, and thy cloth? Wilt thou welcome the Hungarian hero, and yet hold slaves, and hunt poor negroes through thy land? Thou art the ally of the despot, thyself out-heathening the heathen Turk. Yea, every Christian king may taunt thee with thy slaves. Dost thou forget thine own great men,—thy Washington, thy Jefferson? forget thine own proud words prayed forth to God in thy great act of prayer? Is it to protect thy wealth alone that thou hast formed a State? and shall thy wealth be slaves? No, thou art mad. It shall not be. One day thou wilt heed the lessons of the past, practise thy prayer, wilt turn to God, and rend out of thy book the hated page where Slavery is writ. Thy sons who led thee astray in thy madness, where shall they appear?

And thou our God, the Father of us all, Father and Mother too, Parent of freemen, Parent also of the slave, look down upon us in our sad estate. Look down upon thy saints, and bless them; yea, bless thy sinners too; save from the wicked heart. Bless this town by thy chastisement; this State by thine afflictions; this nation by thy rod. Teach us to resist evil and with good, till we break the fetters from every foot, the chains from every hand, and let the oppressed go free. So let thy kingdom come; so may thy will be done on earth as it is in heaven.

FOOTNOTES:

- [26] The above paragraph refers to cases which had then recently occurred, and were known to everybody.
- [27] Mr. Peleg Sprague.
- [28] The above paragraph was written in April, 1851, and was only historical, not also prophetic.
- [29] It was well known that the laws of Massachusetts were violated, but no prosecution of the offenders was ever begun. The committee to whom the matter was referred, thought that the Supreme Court of Massachusetts was not to be trusted to vindicate the laws of the State, against kidnapers in Boston.
- [30] In November, 1851, the City Marshal reports to the Board of Aldermen, the following facts:—There are fifteen hundred places in Boston, where intoxicating drinks are sold, in violation of the laws of Massachusetts.

Kept by Americans,	490
Kept by foreigners,	1010
Open on Sunday,	979
Groceries that keep intoxicating drink,	469
Other places,	1031

All the "First class hotels," except four, have open bars, for the sale of intoxicating drink. The government of Boston, which violated the laws of Massachusetts, to kidnap a man, and deliver him to his tormentors, asks the city marshal to give such information as is calculated to check the progress of crime and intemperance. He reports—"Execute the laws!" In 1851, Boston has the honor of kidnapping one of her inhabitants, and sending him to slavery, and of supporting fifteen hundred rum-shops, in continual violation of the laws of Massachusetts.

- [31] While these volumes are getting printed, one of the sectarian newspapers of Boston publishes the following paragraph:—

"The English railways are all in use on the Sabbath, and all evidently under a curse. Their stock is ruinously low. Three hundred and fifty millions of dollars have been embarked in these enterprises, and the average dividends which they pay is but three per cent. And more than this, a large number of fatal accidents have occurred of late. While we regret that the business men of England, who control these lines, have not wisdom enough to see the folly of making haste to be rich, in defiance of the ordinances of God, we rejoice that so many of the railroad operators in this country, rest on the Sabbath day, according to the commandment." See note [B]** on p. 267.

- [32] The tattered garment is still kept as a melancholy monument of the civilization of Boston in the middle of the nineteenth century.
- [33] Mr. Sims was sent off to bondage in the barque Acorn by the city authorities of Boston. I believe he is the first man ever returned as a fugitive slave from Massachusetts by the form of law since the adoption of the Constitution. Arrived at Savannah, he was immediately conducted to prison. His mother and other relatives were not allowed to see him. He was cruelly and repeatedly scourged. Meantime the citizens of Boston, who had aided in kidnapping him, and had accompanied him to Savannah, were publicly feasted by the inhabitants of Georgia. The present fate of Mr. Sims is unknown to me.

Nov. 27th, 1851.

THE THREE CHIEF SAFEGUARDS OF SOCIETY.—CONSIDERED IN A SERMON AT THE MELODEON, ON SUNDAY, JULY 6, 1851.

PROVERBS XIV. 34.

Righteousness exalteth a Nation.

This is the first Sunday after the anniversary of the national birth-day. It seems proper, on this occasion, to go beyond matters merely personal, and affecting us only as individuals. I will speak of the duties of man in a wider sphere; of political affairs. So I ask your attention to a Sermon of the Safeguards of Society. I choose this subject, because some men profess a fear that American society is in danger, and because some persons are busily teaching doctrines which seem hostile to the very design of society itself. I shall not speak of politics as economy, but as morality, and look at the affairs of State from a religious point of view.

We are often told, that human society is of divine appointment,—society meaning the mass of men living together in a certain fellowship. If this means that man is by nature a social being, and in their progressive development men must unite and form societies, then, it is true, society is of divine appointment. But so is a farm; for man is by nature and position an agricultural being, and in their progressive development men make farms and practise agriculture. Agriculture is as necessary as society.—But it does not follow from this, that the Egyptian, the Flemish, or the American mode of agriculture is of divine appointment, and men bound by God to practise that, or to limit themselves thereto; and it no more follows that the Egyptian, the Flemish, or the American mode of society is of divine appointment, and men bound by God to limit themselves to it. It would be thought ridiculous to claim divinity for Dutch farming, or any other special mode of farming; but it is just as ridiculous to claim divinity for Dutch society, or any other society. The farm and the society are alike and equally the work of men.

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Then we are often told, that human government is of divine appointment, and men morally bound to submit to it,—government being used as a collective term to include the political, ecclesiastical, and social establishments of a people, and the officers who administer them. If this means, that, at a certain stage of man's progressive political development, it is necessary to have certain political, ecclesiastical, and social establishments, such as a monarchy or an aristocracy, with persons to administer them, then it is true, and government is of divine appointment.—But the fence of a farm is just as necessary to agriculture, at a certain stage of agricultural development, as government to society. However, it does not follow from this, that a stone-wall or a rail-fence is of divine appointment; and it no more follows that a monarchy or an aristocracy is of divine appointment. It would be thought ridiculous for a farmer to claim divinity for his fence; it is just as absurd for a politician to claim it for his government. Both are alike and equally the work of men.

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Again it is said that human statutes are of divine appointment, and therefore binding on the conscience of men. If this means, that, at a certain stage of social and political development, men must form certain rules for social and political conduct, then it is true, and human statutes are of divine appointment. But rules for agricultural conduct are just as necessary for the farm and the garden as political rules for society and the State, and so equally divine.—But it does not follow from this, that the agricultural rules for the farm and the garden laid down by Columella the Roman, or Cobbett the Briton, are of divine appointment; and it no more follows that the political rules for society and the State laid down by the men of New England or the men of New Holland,—by men "fore-ordained" at birth to be lawgivers, or by men "elected" in manhood to make laws,—are of divine appointment. It would be thought ridiculous for a British farmer to claim divinity for Tusser's "Five Hundred Points of Good Husbandry;" but it is just as absurd for a British politician to claim divinity for the British Constitution, or the statutes of the realm. Rules for farming the land and rules for farming the people are alike and equally the work of men.

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Still further, it is said that human officers to execute the statutes, administer the government, and sustain society, are also of divine appointment; and hence we are morally bound to employ, honor, and obey them. If this means, that at a certain stage of man's social, political, and legal development, it is necessary to have certain persons whose official business it shall be to execute those statutes, then it is true, and human officers are of divine appointment. But it is just as necessary to have certain persons, whose official business it shall be to execute the rules for farming the land; and so the agricultural officers are just as much of divine appointment as the political. But it does not follow that ploughman Keith and reaper Gibson are such by the grace of God, and therefore we are morally bound to employ, honor, and obey them; and it no more follows that King Ferdinand or President Fillmore are such by the grace of God, and we morally bound to employ, honor, and obey them. It would be thought ridiculous for Keith and Gibson to claim divinity for their function of ploughman or reaper; but it is equally absurd for Fillmore and Ferdinand to claim divinity for their function of president or king. The farm-office and the state-office are alike and equally the work of men.

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Yet it is often taught that society, government, statutes, and officers are peculiarly and especially of divine appointment, in a very different sense from that mentioned just now; and therefore you and I are morally bound to respect all the four. We are told this by men who would be astonished

if any one should claim divine appointment for farm-fences, rules of husbandry, for ploughmen and reapers.—This is sometimes done by persons who know no better.

In conformity with that fourfold claim of divinity for things of human appointment, we are told that the great safeguard of man's social welfare is this,—Entire subordination of the individual to the community, subordination in mind and conscience, heart and soul; entire submission to the government; entire obedience to the statute; entire respect for the officer; in short, the surrender of the individual to the State, of his mind to the public opinion, of his conscience to the public statute, of his religion to some bench of attorneys, and his will to the magistrate. This fourfold subordination of the individual is demanded, no matter what the community, the government, the statutes, or the officers may be.—Let us look a little more narrowly into this matter, and see what is the purpose, the end, and aim of individual human life, and of social human life; then we may be the better able to determine what are the safeguards thereof.

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What is man here on earth to accomplish? He is to unfold and perfect himself, as far as possible, in body and spirit; to attain the full measure of his corporeal and spiritual powers, his intellectual, moral, affectional, and religious powers; to develop the individual into a complete man. That, I take it, is the purpose, the end, the scope, and final cause of individual life on earth. Accordingly, that is the best form of individual life which does this most completely; that worst which does it least. He is the most fortunate man who gets the greatest development of his body and his spirit in all their several and appropriate functions: all else is means thereto, and this the end thereof. Ease, wealth, honor, fame, power, and all the outward things men wish for, and all such things as are valuable, are means to this end, no more. Wise men do not account him lucky who comes into the world born to riches, distinction, thrones of power; but him who goes out of it wise, just, good, and holy.

Accordingly, all else is to be subordinated to the attainment of this purpose; this to nothing. But what faculties of the individual are to rule and take precedence? The highest over the lowest; the lasting over the transient; the eternal over the perishing. I will wound my hand to save my head, subordinating the less to the greater. Not barely to live, but to live nobly, is my purpose. I will wound or sacrifice my body to save the integrity of my spirit, to defend the rights of my mind, of my conscience, of my affections, of my religious faculty—my soul. Conscience, when awakened, commands this. Prophets of the Old Testament, and apostles of the New Testament, martyrs of all the churches under heaven, are historical witnesses to this instinct of human nature. Millions of soldiers have been found ready to sacrifice the life of their body to the integrity of their spirit: they would die, but not run.

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Man is social by nature: gregarious by instinct, he is social with self-conscious will. To develop the individual into the perfect man, men must mix and mingle. Society is the condition of individual development. Moses or Newton, living all alone, would not have attained the human dignity of a clown or a savage; they would never have mastered articulate speech: the gregarious elephant, the lonely eagle, would surpass these men, born to the mightiest genius. Society, companionship of men, is both a necessity and a comfort, a good in itself, a means to other good.

As the great purpose of human life is to develop the individual into the complete and perfect man in body and spirit, so the purpose of society is to help furnish the means thereto; to defend each, and furnish him an opportunity and all possible help to become a complete and perfect man. Individuals are the monads, the primitive atoms, of which society is composed: its power, its perfection, depend primarily on the power and perfection of the individuals, as much so as the weight of a pendulum or of Mount Sheehallin depends on the primitive atoms thereof. Destroy the individuality of those atoms, human or material,—all is gone. To mar the atom is to mar the mass. To preserve itself, therefore, society is to preserve the individuality of the individual.

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Such is its general purpose: this involves several particulars. One is purely negative in its form,—To prevent men from hurting one another. In early ages, that was the chief business of society which men had become conscious of. Society was recognized as an instrument to help accomplish two things: first, to defend itself against other societies or collections of men, and so preserve the integrity of the mass. This was done by means of armies, forts, fleets, and all the artillery of war. The next thing was, within itself, to defend the many feeble from the few that are strong, or the few strong from the many weak; to preserve the integrity of the individuals, the atoms which compose the mass. This was done by statutes of prohibition, declaring, "Thou shalt not." This defence from foreign or domestic harm involves two things: first, the protection of the person, the substance of the community or the individual; and, next, the protection of the property, the accident of the social or individual person. All this may be comprised in one term as the negative function of society, appearing in two modes, as it protects from foreign or domestic hurt. This function is performed consciously: one community says to other communities, "You shall not hurt me," and to its own members, "You must not hurt one another," and knows what it is about in so doing. Some of the nations of Europe have scarcely got beyond this; their government seems to acknowledge no function but this negative one.

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Then comes the positive function of society. That is, To furnish opportunities for the mass, as such, to develop itself; and the individual, as such, to develop himself, individually and socially, and exercise all his faculties in his own way; subject only to this rule, that he hurts nobody else. See how this is done abroad between society and society. This community agrees with others,

that they, mutually, shall not only not injure each other, but positively help one another. "Protect my citizens by your statutes, whilst in your land; and I will do the same with yours," says Belgium to France. That is agreed upon. "Let my ships into your harbors," says England, "come whence they may, and with what they may bring; and I will do the same by yours." America says, "Agreed;" and it is so to the good of both. Thus each Christian nation secures for itself opportunities for development in all other Christian countries, and so helps the person, and also his property. This is done by treaties; and each nation has its ministers and consuls to lie abroad, and help accomplish this work. This is the foreign part of the positive function of society, and is destined to a great expansion in times to come.

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See how it is done at home, and the whole furnishes positive helps to the special parts. Society establishes almshouses, hospitals, schools, colleges, churches, and post-offices; coins money as a standard measure of all values; builds roads of earth, of water, or of iron; carries letters; surveys the land; prints books telling of its minerals, plants, and living things that swim or creep or fly or walk; puts light-houses along the coast, and breakwaters to protect a port. Thus society furnishes its members a positive help for the mind, body, and estate; helps the individual become a complete and perfect man, by affording him facilities for the development of his substance, and the possession of his accidents. This is the domestic part of the positive function of society. Some men, as the socialists in France, wish to extend it much further, making the government patriarchal to bless,—not, as of old, despotic to curse. This also is done with a distinct self-consciousness of the immediate end and the means thereto.

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But the greater part of this positive work is done with no such distinct consciousness thereof: it is brought about by the men living together; is done, not by government, but by society. The presence of numbers increases the intellectual temperature, so to say, and quickens the social pulse. Machines are invented, science extended, new truths in morals and religion are found out, literature and art create new loveliness, and men become greater and more noble, while society takes no heed; and so all are helped. The government often only checks this work.

By most subtle contrivances, though not of you and me, a provision is made for the great. Without willing it, we prepare a cradle for every giant, ready to receive him soon as he is born. A young woman has a rare genius for music; no legal and constitutional provision has been made for her, society having no instinctive and prophetic consciousness of such an advent; but men with music in their souls, and spell-bound by their ears, are drawn together, and encourage her sweet soul into all the wildest, sweetest, and most bewildering witchery of song. If some lad of marvellous genius is born in the woods, men seek him out, and train him up with the accumulated wisdom of ten thousand years, that this newest diamond from the mine of God may be appropriately set. So it is with a thousand other things; and thus society calls out the dainties of the cook, the machine of the inventor, the orator's persuasive power, the profound thought of the thinker, the poet's vision and his faculty divine, the piety of the highest saint God sends. Thus, spite of all the Herods in Jerusalem, a crown is got ready for him that is born King of the world; wise men are always waiting for the star which goes before the new-born Son of God; and, though that star stand still over a stable, they are ready on the spot with their myrrh, their frankincense, and their gold. Society has its shepherds watching their flock, and its angels to proclaim the glad tidings of great joy to all mankind.

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While society, in its positive function, thus helps the strong, it provides also for the weak, and gives them the benefit of the strong man's protection: thus the individuality of the ablest and the most feeble is defended at the same time. This is done in part by private charity; in part also by the organized public charity. The sick, the poor, the crazy, the lame, the blind, the deaf, are sacredly cared for. Even the fool is not left in his folly, but the wisdom of society watches over his impotent and wretched brain. Thus the two extremes of the human race are provided for: the man of vast genius and a tough body gets his culture and his place; and from his station in the senate, the pulpit, or the closet, sends out his thunder, his lightning, or his sunshine over all the land, to save the people and to bless; while the lame man, the lunatic woman, the blind boy, the poor and sickly little girl, born with the scrofulous worm feeding on her cheek,—all have the benefit of the manifold power of society. The talent of a Webster, the genius of an Emerson, the frailty of an unacknowledged child left on the doorstep at night, to die next month in the almshouse, all have their place in the large cradle of society, whose coverlet wraps them all,—the senator, the poet, and the fool. Attend a meeting of the alumni of Harvard College, of the heads of the railroads or factories of New England, a convention of merchants, naturalists, metaphysicians, of the senate of the nation, you see how society gives place and protection to the best heads in the State. Then go to some house of industry, and see the defence afforded for the worst; you see what a wonderful contrivance society itself is. I say a contrivance, yet it is not the contrivance chiefly of Solon or Charlemagne, but of Almighty God; a contrivance for three things,—To prevent men from hurting one another in person or property; to give the strong and the weak the advantage of living together; and thus to enable each to have a fair chance for the development of his person and the acquisition of property. The mechanism of society, with its statal and dynamical laws, is the most marvellous phenomenon in the universe. Thereby we are continually building wiser than we know, or rather the providence of the Father builds by us, as by the coral insect of Pacific Seas, foundations for continents which we dream not of.

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These three things are the general end of society, and indispensable to the purpose of life. To attain them, there must be a certain amount of individual variety of action, a certain amount of

social unity of action; and the two must be to a certain degree balanced into equilibrium. The larger the amount of individual variety and social unity of action, the more complete the equilibrium of the two, the more completely is the purpose of individual and social life accomplished and attained: the atom is not sacrificed to the mass, nor the mass to the atom; the individual gains from being a citizen, the citizen from his individuality; all are the better for each, and each for all.

To accomplish this purpose, men devise certain establishments,—institutions, constitutions, statutes—human machinery for attaining the divine end in the individual and the social form. But here is the condition of existence which all these establishments must conform to. Every thing in nature has a certain constant mode of action: this, we call a law of nature. The laws of nature are universal, unchangeable, and perfect as God, whose mind they in part express. To succeed in any thing, we must find out and keep the natural laws relating thereto. There are such laws for the individual,—constant modes of action which belong to human nature, writ therein by God. My mind and conscience are the faculties by which I learn these laws. Conscience perceives by instinct; mind sees afterwards by experiment. There are also such laws for society, constant modes of action, which belong to human nature in its social form. They are also written in the nature of man. The mind and conscience of the individuals who make up the society are the faculties by which these laws likewise are found out. These laws, constant modes of individual or social action, are the sole and exclusive basis of human establishments which help attain the end of individual and social life. What conforms to these natural rights is called right; what conforms not, is wrong. A mill-dam or a monument must conform to the statical laws of matter, or not serve the purpose it was meant for; a mill or a steam-engine must conform to the dynamical laws of matter, or it is also useless. So all the social establishments of mankind, designed to further the positive or negative functions of society, must conform to the laws of human nature, or they will fail to achieve the purposes of individual and social life.

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As I come to individual self-consciousness, I give utterance to these natural laws, or my notion of them, in certain rules of conduct which I make for myself. I say, "This will I do, for it is right; that will I not do, for it is wrong." These are my personal resolutions, personal statutes. I make them in my high act of prayer, and in my common life seek to conform thereto. When I rise higher, in another act of prayer which has a greater experience for its basis and so represents more life, I shall revise the old rules of conduct, and make new ones that are better. The rules of conduct derive all their objective and real value from their conformity with the law of God writ in my nature; all their subjective and apparent value, from their conformity to my notions of the law of God. The only thing which makes it right, and an individual moral duty for me to keep my resolutions, is, that they themselves are right, or I believe them so. Now, as I see they are wrong, or think I see it, I shall revise or change them for better. Accordingly, I revise them many times in my life: now by a gradual change, the process of peaceful development; now by a sudden change, under conviction of sin, in penitence for the past, and great concern of mind for the future, by the process of personal revolution. But these rules of conduct are always provisional,—my ladder for climbing up to the purposes of individual life. I will throw them away as soon as I can get better. They are amenable subjectively to my notion of right, and objectively to right itself,—to conscience and to God.

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As the individuals, all, the majority, or some controlling men, come to social self-consciousness, they express these natural laws, or their notion thereof, in certain rules of social conduct. They say, "This shall all men do, for it is right; that shall no man do, for it is wrong." The nation makes its social resolutions, social statutes, in its act of prayer; for legislation is to the State what prayer is to the man,—often an act of penitence, of sorrow, of fear, and yet of faith, hope, and love. When it rises higher, it revises and makes better rules of conduct: they derive all their objective and real value from their conformity with the law of God; all their subjective and apparent value, from their conformity with the nation's notion thereof. The only thing which makes it right, and a social moral duty for society, or any of its members, to keep these social statutes, is that they are right, or thought so. In the progress of society, its rules of conduct get revised a good many times: now it is done by gradual, peaceful development; now by sudden and stormy revolutions, when society is penitent for the sin of the past, and in great anxiety and concern of mind through fear of the future. These social statutes are only provisional, to help men climb up to the purpose of social life. They are all amenable subjectively to the notion of right; objectively to right itself,—to the conscience of the individuals and to God.

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Then society appoints officers whose special conventional function is to see to the execution of these social rules of conduct. They are legally amenable to the rules of conduct they are to carry out; socially amenable to the community that appoints them; individually amenable to their own conscience and to God.

To sum up all this in one formula: Officers are conventionally amenable to society; society, with its officers and its rules of conduct, amenable to the purpose of society; the design of individual life, to the individuals that compose it; individuals, with their rules of conduct, amenable each to his own conscience; and all to the law of the universe, to the Eternal Right, which represents the conscience of God. So far as society is right, government right, statutes right, officers right, all may justly demand obedience from each: for though society, government, statutes, and officers are mere human affairs, as much so as farms, fences, top-dressing, and reapers, and are as provisional as they; yet Right is divine, is of God, not merely provisional and for to-day, but absolute and for eternity. So, then, the moral duty to respect the government, to keep the statutes, to obey the officers, is all resolvable into the moral duty of respecting the integrity of my

own nature, of keeping the eternal law of nature, of obeying God. If government, statutes, officers, command me to do right, I must do it, not because commanded, but because it is right; if they command me to do wrong, I must refuse, not because commanded, but because it is wrong. There is a constitution of the universe: to keep that is to preserve the union between man and man, between man and God. To do right is to keep this constitution: that is loyalty to God. To keep my notion of it is loyalty to my own soul. To be false to my notion thereof is treason against my own nature; to be false to that constitution is treason against God. The constitution of the universe is not amenable to men: that is the law of God, the higher law, the constant mode of action of the infinite Father of all. In that He lives and moves, and has His being.

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It is now easy to see what are the Safeguards of society, the things which promote the end and aim of society,—the development of the body and spirit of all men after their law,—and thus help attain the purpose of individual life. I will mention three of these safeguards, in the order of their importance.

First of all, is Righteousness in the People: a religious determination to keep the law of God at all hazards; a sacred and inflexible reverence for right; a determined habit of fidelity each to his own conscience. This, of course, implies a hatred of wrong; a religious and determined habit of disobeying and resisting every thing which contradicts the law of God, of disobeying what is false to this and our conscience. There is no safeguard for society without this. It is to man what impenetrability, with the other primary qualities, is to matter. All must begin with the integral atoms, with the individual mind and conscience; all be tried by that test, personal integrity, at last. What is false to myself I must never do,—at no time, for no consideration, in nowise. This is the doctrine of the higher law; the doctrine of allegiance to God; a doctrine which appears in every form of religion ever taught in the world; a doctrine admitted by the greatest writers on the foundation of human law, from Cicero to Lord Brougham. Even Bentham comes back to this. I know it is now-a-days taught in the United States, that, if any statute is made after the customary legal form, it is morally binding on all men, no matter what the statute may be; that a command to kidnap a black man and sell him into slavery, is as much morally binding as a command for a man to protect his own wife and child. A people that will practically submit to such a doctrine is not worthy of liberty, and deserves nothing but law, oppressive law, tyrannical law; and will soon get what it deserves. If a people has this notion, that they are morally bound to obey any statute legally made, though it conflict with public morals, with private conscience, and with the law of God, then there is no hope of such a people; and the sooner a tyrant whips them into their shameful grave, the better for the world. Trust me, to such a people the tyrant will soon come. Where the carcass is thither will the vultures be gathered together. Let no man put asunder the carrion and the crow. So much for the first and indispensable safeguard.

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The next is derivative therefrom, Righteousness in the Establishments of the People. Under this name I include three things, namely, institutions, constitutions, and statutes. Institutions are certain modes of operation, certain social, ecclesiastical, or political contrivances for doing certain things. Thus an agricultural club is a social institution to help farming; a private school is a social institution for educating its pupils; a church is an ecclesiastical institution for the promotion of religion; an aristocracy is a political institution for governing all the people by means of a few, and for the sake of a few; a congress of senators and representatives is a legislative institution for making statutes; a jury of twelve men is a judicial institution to help execute the statutes; universal suffrage is a democratic institution for ruling the State.

Constitutions are fundamental rules of conduct for the nation, made by the highest human authority in the land, and only changeable thereby, determining what institutions shall be allowed, how administered, by whom and in what manner statutes shall be made.

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Statutes are particular rules of conduct to regulate the action of man with man, of individuals with the State, and of the State with individuals.

Statutes are amenable to the constitutions; the constitutions to the institutions; they to the people; all subjectively to the conscience of the individual, and objectively to the conscience of God.

Establishments are the machinery which a people contrives wherewith to carry out its ideas of the right or the expedient. In the present state of mankind, they are indispensable to accomplish the purpose of individual life. There are indeed a few men who for their good conduct, after they are mature, require no human laws whatever. They regulate themselves by their idea of right, by their love of truth, of justice, of man and God. They see the law of God so clear that they need no prohibitive statutes to restrain them from wrong. They will not lie nor steal, though no statutes forbid, and all other men both lie and steal; not if the statutes command falsehood and theft. These men are saints. The wealth of Athens could not make Aristides unjust. Were all men like Jesus of Nazareth, statutes forbidding wrong would be as needless as sails to a shark, a balloon to a swallow, or a railroad to the lightning of heaven. This is always a small class of men, but one that continually increases. We all look to the time when this will include all men. No man expects to find law books and courts in the kingdom of heaven.

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Then there is a class, who need these statutes as a well-known rule of conduct to encourage them to do right, by the assurance that all other men will likewise be made to do so, even if not willing. They see the law of God less clear and strong, and need human helps to keep it. This class comprises the majority of mankind. The court-house helps them, though they never use it; the jail helps them, though never in it. These are common men. They are very sober in Connecticut; not very sober in California.

Then there is a third class who will do wrong, unless they are kept from it by punishment or the fear thereof. They do not see the law of God, or will not keep it if they do. The court-house helps them; so does the jail, keeping them from actual crime while there, deterring while out of it. Take away the outward restraints, their seeming virtue falls to pieces like a barrel without its hoops. These are knaves. I think this class of men will continually diminish with the advance of mankind; that the saints will grow common, and the knaves get scarce. Good establishments promote this end; those of New England, especially the schools, help forward this good work, to convert the knaves to common men, to transfigure the common men to saints. Bad establishments, like many in Austria, Ireland, and South Carolina, produce the opposite effect: they hinder the development of what is high and noble in man, and call out what is mean and low; for human laws are often instruments to debauch a nation.

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If a nation desires to keep the law of God, good establishments will help the work; if it have none such, it must make them before it can be at peace. They are as needful as coats and gowns for the body. Sometimes the consciousness of the people is far in advance of its establishments, and there must be a revolution to restore the equilibrium. It is so at Rome, in Austria and Prussia. All these countries are on the brink of revolution, and are only kept down by the bayonet. It was so here seventy-five years ago, and our fathers went through fire and blood to get the establishments they desired. They took of the righteousness in the people, and made therefrom institutions, constitutions, and statutes. So much for the second and derivative safeguard.

The third is Righteousness in the Public Officers, good men to administer the establishments, manage the institutions, expound and enforce the constitutions and execute the statutes, and so represent the righteousness of the people. In the hands of such men as see the purpose of social and individual life, and feel their duty to keep the integrity of their conscience and obey the law of God, even bad establishments are made to work well, and serve the purpose of human life; because the man puts out the evil of the institution, constitution, or statute, and puts his own righteousness in its place. There was once a judge in New England who sometimes had to administer bad laws. In these cases, he told the jury, "Such is the law, common or enacted; such are the precedents; such the opinions of Judge This and Judge That; but justice demands another thing. I am bound by my oath as judge to expound to you the law as it is; you are bound by oath as jurors to do justice under it; that is your official business here to-day." Such a man works well with poor tools; with good ones he would work much better. By the action of such men, aided by public opinion which they now follow and now direct, without any change of legislation, there is a continual progress of justice in the establishments of a nation. Bad statutes are dropped or corrected, constitutions silently ameliorated, all institutions made better. Thus wicked laws become obsolete. There is a law in England compelling all men to attend church. Nobody enforces it.

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Put a bad man to administer the establishments, one who does not aim at the purpose of society, nor feel bound to keep the higher law of God, the best institutions, constitutions, statutes, become ineffectual, because the man puts out the good thereof, and puts in his own evil. The best establishments will be perverted to the worst of purposes. Rome had all the machinery of a commonwealth; with Cæsar at the head it became a despotism. In 1798, France had the establishments of a republic; with Napoleon for first consul, you know what it became: it soon was made an empire, and the Constitution was trodden under foot. In 1851, France has the institutions of a democracy; with Louis Napoleon as chief, you see what is the worth of the provisions for public justice. What was the Constitution of England good for under the thumb of Charles I. and James II.? What was the value of the common law, of the trial by jury, of Magna Charta, "such a fellow as will have no sovereign," with a George Jeffries for Judge, a James II. for king, and such juries as corrupt sheriffs brought together? They were only a mockery. What were the charters of New England against a wicked king and a corrupt cabinet? Connecticut went out of the court and into the Charter Oak for self-preservation. What were all the institutions of Christianity when Alexander VI. dishonored the seat even of the Pope?

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Put a saint, who feels his duty to keep the law of God, in office, even bad rules will work well. But put a man who recognizes no law of God, not into a jail, but in a great office; give him courts and courtiers, fleets and armies, nay, only newspapers and "union committees" to serve him, you see what will be done. The resolute determination of the people to obey the law of God, the righteousness of their establishments, will be of small avail, frustrated by the wickedness of the men in power. The English Parliament once sent a fleet to aid the Huguenots at Rochelle. King Charles I. gave the admiral secret orders to surrender his ships to the enemy he was sent to oppose! The purpose of all human life may be as foully betrayed by wicked men in a high place. In a monarchy, the king is answerable for it with his neck; in a republic there is the same danger; but, where all seems to proceed from the people, it may be more difficult to do justice to a wicked officer. So much for the third safeguard, also derivative from the first.

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To make a good house, you want good materials,—solid stone, sound bricks, sound timber; a good plan, and also good builders. So, as safeguards of society, to achieve its purpose, you want good material,—a righteous people who will be faithful to their own conscience, and obey God and reverence the law of nature; a good plan,—righteous establishments, institutions, constitutions, statutes conformable to the laws of God; and you want good builders,—righteous officers to represent the eternal justice of the Father. You want this threefold righteousness.

How are we provided with these three safeguards just now? Have we this Righteousness in the People?—which is the first thing. Perhaps there is no nation with a higher reverence for justice, and more desire to keep the law of God; at least we have been told so, often enough. I think the nation never had more of it than now; never so much. But here are whole classes of men who practically seem to have no reverence for God's law; who declare there is no such thing; whose conduct is most shamefully unrighteous in all political matters. They seek to make us believe there is no law above the caprice of man. Of such I will speak by and by. [Pg 319]

It is plain there is not righteousness enough in the people to hinder us from doing what we know is contrary to the law of God. Thus, we keep one sixth part of the people in a state of slavery. This we do in violation of our own axiom, declared to be self-evident, that all men are created equal, endowed by their Creator with the unalienable right to life, liberty, and the pursuit of happiness. We have here three millions of slaves: if things go on as now, there will be twelve millions before the century ends. We need not say we cannot help it. Slavery in America is as much our work as democracy, as free schools, as the Protestant form of religion. At the Declaration, we might have made the slaves free; at the time of the Confederation; at the formation of the Constitution. But no! there was not righteousness enough in the people to resist the temptation of eating the bread which others earn. American slavery has always been completely in the power of the American people. We may abolish it any time we will. We might have restricted it to the old States, which had it before, and so have kept it out of Kentucky, Tennessee, Louisiana, Mississippi, Alabama, Florida, and all that mighty realm west of the great river. No! we took pains to extend it there. We fought with Mexico to carry slavery into the "Halls of the Montezumas," whence a half-barbarous people drove it away. We long to seize on Cuba, and yet other lands, to plant there our "American institution." We are indignant when Austria unjustly seizes an American in Hungary, and hales him to prison; but have nothing to say when slave States systematically confine the colored freemen of the North, or when Georgia offers a large reward for the head of a citizen of Boston. We talk of the "pauper labor of Europe." It is pauper labor, very much of it. I burn with indignation at the men who keep it so. But it is not slave labor. Paupers spin cotton at Manchester, and at Glasgow, say the whigs. Who raises cotton at South Carolina and Mississippi? The spoil of the slave is in our houses. We are a republic, but the only nation of the Christian world whose fields are tilled by chattel slaves. To such a degree has covetousness blinded the eyes of the whole nation. In saying all this, I will not say that we are less righteous than other nations. No other people has had the same temptation. It has been too great for America. Slavery is loved as well in Boston as in New Orleans. The love of liberty is strong with us; but it is liberty for ourselves we love, not for our brother man whom we can oppress and enthrall. This vice is not confined to the South. I look on some of the clergymen of the North as only chaplains of the slave-driver. [Pg 320]

Look at the next safeguard of society. Setting aside the institution of slavery, and the statutes relating thereto, I think we have the most righteous Establishments in the world. By no means perfect, they produce the greatest variety of action in the individuals, the greatest unity of action in society, and afford an opportunity to achieve the purpose of social and individual life. Here is the great institution of democracy, the government of all, by all, and for all, resting on the American idea, that all men have natural rights which only the possessor can alienate; that all are equal in their rights; that it is the business of government to preserve them all for each man. Under this great institution of a free State, there naturally come the church, the school, the press,—all free. In politics, and all depending thereon, we are coming to recognize this principle, that restraint is only to be exercised for the good of all, the restrainer and the restrained.

Let me single out two excellent institutions, not wholly American,—The contrivance for making laws, and that for executing them. To make laws, the people choose the best men they can find and confide in, and set them to this work. They aim to take all the good of past times, of the present times, and add to it their private contribution of justice. Each State Legislature is a little political academy for the advancement of jural science and art. They get the wisest and most humane men to aid them. Then after much elaboration the law is made. If it works well in one State it is soon tried in others; if not, it is repealed and ceases to be. The experience of mankind has discovered no better way than this of popular legislation, for organizing the ideal justice of the people into permanent forms. If there is a man of moral and political genius in the community, he can easily be made available to the public. The experiment of popular legislation has been eminently successful in America. [Pg 322]

Then, still further, we have Officers chosen by the people for a limited time, to enforce the laws when made,—the Executive; others to expound them,—the Judiciary. It is the official business of certain officers to punish the man who violates the laws. In due and prescribed form, they arrest the man charged with the offence. Now, two things are desirable: one to protect society, in all its members, from injury by any one acting against its just laws; the other is, to protect the man complained of from being hurt by government when there is no law against him, or when he has [Pg 323]

not done the deed alleged, or from an unjust punishment, even if it be legal. In despotic countries, little is thought of this latter; and it goes hard with a man whom the government complains of, even if there is no positive statute against the crime charged on him, or when he is innocent of the deed alleged. Nothing can screen him from the lawful punishment, though that be never so unjust. The statute and its administration are a rule without mercy. But in liberal governments a contrivance has been devised to accomplish both these purposes,—the just desire of society to execute its laws; the just desire of the individual to have justice done. That is the trial by a jury of twelve men, not officers of the government, but men taken for this purpose alone from the bosom of the community, with all their human sympathies and sense of responsibility to God about them. The jury are to answer in one word "Guilty" or "Not guilty." But it is plain they are to determine three things: first, Did the prisoner do the deed alleged, and as alleged? next, if so, Is there a legal and constitutional statute forbidding it, and decreeing punishment therefor? and then, if so, Shall the prisoner for that deed suffer the punishment denounced by that law?^[34]

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Human statutes partake of human imperfections. See the checks against sudden, passionate, or unjust legislation. We choose legislators, and divide them into two branches, a Senate and a House of Representatives, each to aid and check the other. If a bill pass one house, and seem unjust to the other, it is set aside. If both approve of it, a third person has still a qualified negative; and, if it seems unjust to him, he sets it aside. If it passes this threefold ordeal, it becomes a statute of the land. See the checks in the execution of the laws which relate to offences. Before they can be brought against any man, in any matter beyond a trifle, a jury of his peers indict him for the offence. Then, before he can be punished, twelve men of his peers must say with one accord, "You shall inflict the penalties of the statute upon this man."

This trial by jury has long been regarded as one of the most important of the secondary safeguards of society. It has served to defend the community against bad citizens, and the citizens against an evil establishment,—bad institutions, bad constitutions, bad statutes; against evil officers, bad rulers, bad judges, bad sheriffs. If the community has much to fear from bad citizens, here is the offensive armor, and the jury do not bear the sword in vain. If its citizens have much to fear from a wicked government, oppressive, grasping, tyrannical, desirous of pretending law where there is none, declaring "ship-money" and other enormities constitutional, or pressing a legal statute beyond justice, making it treason to tell of the wickedness of officers,—here is the defensive armor, and the jury do not bear in vain the shield of the citizen. Sometimes the citizens have more to fear from the government than from all other foes. Louis XIV. was a great robber, and plundered and murdered more of his subjects than all the other alleged felons in the sixteen millions of Frenchmen. The honest burghers of Paris had more to fear from the monarch in the Tuileries than from the murderer in the Faubourg St. Antoine, or the cut-purse in the Rue St. Jacob. Charles I. was a more dangerous enemy to our fathers in England and America than all the other thieves and murderers in the realm. What were all the Indians in New England, for peril to its Christian citizens, compared to Charles II. and his wicked brother? What was a foot-pad to Henry VIII.? He plundered a province, while the robber only picked a pocket.

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The trial by jury has done manly service. It was one of the first bulwarks of human society, then barbarous and feeble, thrown up by the Germanic tribe which loved order, but loved justice too. It is a line of circumvallation against the loose, unorganized wickedness of the private ruffian; a line of contravallation also against the organized wickedness of the public government. It began before there were any regular courts or written laws; and, ever since, it has done great service when corrupt men in high places called a little offence "treason"; when corrupt judges sought to crush down the people underneath oppressive laws to advance themselves; and when corrupt witnesses were ready to "enlarge" their testimony so as to "dispatch" the men accused; yea, to swear black was black, and then, when the case seemed to require it, swear white was black. Any man who reads the history of England under the worst of kings, the worst of ministers, the worst of judges, and with the worst of witnesses, and compares it with other nations, will see the value of the trial by jury as a safeguard of the people. The bloody Mary had to punish the jurors for their verdict of acquittal, before she could accomplish her purposes of shame. George III., wishing to collect a revenue in the American colonies, without their consent or any constitutional law, found the jury an obstacle he could not pass over. Attorneys might try John Hancock for smuggling in his "sloop Liberty:" no jury would convict. The tea, a vehicle of unjust taxation, went floating out of Boston Bay in a most illegal style. No attempt was made to try the offenders; the magistrates knew there was a jury who would not convict men for resisting a wicked law. Men must be taken "over seas for trial" by a jury of their enemies, before the wicked laws of a wicked ministry could be brought upon the heads of the resolute men of America.

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It is of great importance to keep this institution pure; to preserve its spirit, with such expansion as the advance of mankind requires. Otherwise, the laws may be good, the constitutions good, institutions good, the disposition of the people good; but, with a wicked minister in the cabinet, a wicked judge on the bench, a wicked attorney at the bar, and a wicked witness to forswear himself on the stand,—and all these can easily be had; you can purchase your wicked witnesses; nay, sometimes one will volunteer and "enlarge his testimony,"—a man's life and liberty are not safe for a moment. The administration may grasp any man at will. The minister represents the government; the judge, the attorney, all represent the government. It has often happened that all these had something to gain by punishing unjustly some noble man who opposed their tyranny, and they used their official power to pervert justice and ruin the State, that they might exalt themselves. The jury does not represent the government, but "the country;" that is, the justice, the humanity, the mercy of mankind. This is its great value.

Have we the third safeguard, Righteous Officers? I believe no nation ever started with nobler officers than we chose at first. But I think there has been some little change from Washington down through the Tylers and the Polks to the present administration. John Adams, in coming to the presidency, found his son in a high office, and asked his predecessor if it were fit for the President to retain his own son in office. Washington replied, It would be wrong for you to appoint him; but I hope he will not be discharged from office, and so the country be deprived of his valuable services, merely "because he is your son!" What a satire is this on the conduct of men in power at this day! We have had three "second General Washingtons" in the presidential chair since 1829; two new ones are now getting ready, "standing like greyhounds in the slips, straining upon the start," for that bad eminence. These three past and two future "Washingtons" have never displayed any very remarkable family likeness to the original—who left no descendant—in this particular.^[35] I pass over the general conduct of our executive and judicial officers, which does not seem to differ much from that of similar functionaries in England, in France, in Italy, Austria, Turkey, and Spain. But I must speak of some special things in the conduct of some of these persons,—things which ought to be looked at on such a day as this, and in the light of religion. Attempts have lately been made in this city to destroy the juror's power to protect the citizen from the injustice of government,—attempts to break down this safeguard of individual liberty. We have seen a judge charge the grand jury, that, in case of conflict between the law of God and the statutes made by men, the people must "obey both." Then we have seen an attempt made by the government to get a partial jury, who should not represent the country, but should have prejudices against the prisoner at the bar. We have seen a man selected as foreman of the jury who had previously, and before witnesses, declared that all the persons engaged in the case which was to come before him, "ought to be hung." We have seen a man expelled from the jury, after he had taken the juror's oath, because he declared that he had "a general sympathy with the down-trodden and oppressed here and everywhere," and so did not seem likely to "dispatch" the prisoner, as the government desired. This is not all: the judge questions the jurors before their oath, and refuses to allow any one to be impanelled who doubts the constitutionality of the fugitive slave law. Even this is not the end: he charges the jury thus selected, packed, picked, and winnowed, that they are to take the law as he lays it down; that they are only judges of the fact, he exclusively of the law; and, if they find that the prisoner did the deed alleged, then they must return him "Guilty" of the offence charged.

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I am no lawyer: I shall not speak here with reference to usages and precedents of the past, only with an eye to the consequences for the future. If the court can thus select a jury to suit itself, mere creatures of its own, what is the use of a jury to try the fact? See the consequences of this decision, that no man shall serve as juror who doubts the constitutionality of a law, and that the jurors are not judges of the law itself, as well as the fact. Let me suppose some cases which may happen. The Constitution of the United States provides that Congress shall not prohibit the free exercise of religion. Suppose that Congress should pass a law to punish any man with death who should pray to the "Father, Son, and Holy Ghost." The government wishes to punish an obnoxious orthodox minister for violating this "form of law." It is clearly unjust; but the judge charges the grand jury they are to "obey both" the laws of God and the statutes of men. The grand jury indict the man. He is brought for trial. The law is obviously unconstitutional; but the judge expels from the jury all who think the law is unconstitutional. He selects the personal enemies of the accused, and finds twelve men foolish enough or wicked enough to believe it is constitutional to do what the Constitution declares must not be done; and then proceeds to trial, selecting for foreman the man who has said, "All men that thus pray ought to be hung!" What is the value of your Constitution? The jury might convict, the judge sentence, the President issue his warrant, and the man be hanged in twenty-four hours, for doing a deed which the Constitution itself allows, and Christendom daily practises, and the convictions of two hundred million men require!

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It is alleged the jury must not judge of the law, but only of the fact. See the consequences of this principle in several cases. The Secretary of State has declared the rescuing of Shadrach was "treason," and, of course, punishable with death. Suppose the court had charged the jury, that to rescue a man out of the hands of an incompetent officer—an offence which in Boston has sometimes been punished with a fine of five dollars—was "levying war" against the United States, and they were only to find if the prisoner did the deed; and, if so, return a verdict of guilty. Suppose the jury are wicked enough to accept his charge, where is the protection of the citizen? The government may say, to smuggle goods into Boston harbor is "levying war" and hang a man for treason who brings on shore an ounce of camphor in his pocket without paying duties! Is not the jury, in such a case, to judge what the law makes treason?—to decide for itself?

There was once a law making it felony without benefit of clergy to read the Bible in the English language. Suppose the government, wishing to make away with an obnoxious man, should get him indicted next term for this offence, and the judge should declare that the old law is still in force. Is the jury not to judge whether we live under the bloody Mary, or the constitution of Massachusetts?—whether what was once law is so now? If not, then the laws of King Darius or King Pharaoh may be revived whenever Judge Hategood sees fit, and Faithful must hang for it.^[36]

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Suppose the judge makes a law himself, declaring that, if any one speaks against the justice of the court, he shall be whipped with forty stripes save one, and gets a man indicted under it and brought to trial—is the jury not to judge if there be such a law? Then we might as well give up all legislation, and leave all to the "discretion of the court."

A judge of the United States Court was once displaced on account of mental imbecility. Was

Judge Simpleton to determine what was law, what not, for a jury of intelligent men?

Another judge, not long ago, in Boston, in his place in court, gave an opinion in a most important affair, and was drunk when he gave it. I do not mean he was horizontally drunk, but only so that his friends feared "he would break down in court, and expose himself." Was the opinion of a drunken judge to be taken for law by sober men?

Suppose the judge is not a simpleton nor a drunkard, but is only an ordinary lawyer and a political partisan, and appointed to his office because he is a fawning sycophant, and will interpret the law to suit the ambition of the government—a thing that has happened in this city. Is he to lay down the law for the jurors who aim only to live in honorable morality, to hurt no one, and give every man his due?

Suppose the attorneys at the bar know the law better than the attorney on the bench,—a thing that daily happens,—are not the jurors to decide for themselves?

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I have chosen fictitious cases to try the principle. Extreme cases make shipwreck of a wicked law, but are favoring winds to bring every just statute into its happy harbor at the last. Will you say we are not likely to suffer from such usurpation? You know what we have suffered within three months past. God only knows what is to come. But no man is ever to seek for a stick if he wishes to beat a dog, or for a cross if he would murder his Saviour. The only way to preserve liberty is by eternal vigilance: we must be jealous of every president, every minister, every judge, every officer, from a king to the meanest commissioner he appoints to kidnap men. You have seen the attempts made to sap and undermine one of the most valuable safeguards of our social welfare,—seen that it excited very little attention; and I wish to warn you of the danger of a false principle. I have waited for this day to speak on this theme. Executive tyranny, with soldiers at its command, must needs be open in its deeds of shame. It may waste the money of the public which cleaves to the suspected hands of its officers: it is not so easy to get the necks of those it hates; for we have no star-chamber of democracy, and here the executive has not many soldiers at command, must ask before it can get them. It did ask, and got "No" for answer. Legislative tyranny must needs be public, and is easily seen. But judicial tyranny is secret, subtle, unseen in its action; and all experience shows it is one of the most dangerous forms of tyranny. A corrupt judge poisons the wells of human society.^[37] Scroggs and Jeffries are names deservedly hated by mankind, and there are some American names likely to be added to them. The traditionary respect entertained here for an office which has been graced by some of the noblest men in the land, doubles our danger.

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But an attack is made on another safeguard of society, yet more important. We have been told that there is no law higher than a human statute, no law of God above an act of the American Congress. You know how this doctrine of the supremacy of the lower law has been taught in the high places of the State, in the high places of the church, and in the low places of the public press. You know with what sneers men have been assailed who appealed to conscience, to religion, and said, "The law of God is supreme; above all the enactments of mortal men." You have been witness to attempts to howl down the justice of the Almighty. We have had declamation and preaching against the law of God. It is said the French Assembly, some fifty or sixty years ago, voted that there should be no public worship of God; that there was no God to worship; but it was left for politicians and preachers of America, in our time, to declare that there is no law above the caprice of mortal men. Did the French "philosophers" decree speculative atheism? the American "wise men" put it in practice. They deny the function of God. "He has nothing to do with mankind." This doctrine is one of the foulest ever taught, and tends directly to debauch the conscience of the people. What if there were no law higher than an act of Parliament? what would become of the Parliament itself? There is such a thing conceivable as personal, speculative atheism. I think it is a very rare thing. I have never known an atheist: for, with all about us speaking of God; all within us speaking of him; every telescope revealing the infinite Mind in nebulæ resolved to groups of systems of suns; every microscope revealing the infinite Father, yea, Mother of the world, in a drop of water, a grain of perishing wood, or an atom of stone; every little pendulum revealing his unchanging law on a small scale; and this whole group of solar systems, in its slow and solemn swing through heavenly space, disclosing the same law on a scale which only genius at first can comprehend,—it is not easy to arrive at personal, speculative atheism. It would be a dreadful thing, the stark denial of a God. To say there is no infinite Mind in finite matter, no order in the universe, in providence only a fate, no God for all, no Father for any, only an inextinguishable nothing that fills the desert and illimitable ether of space and time, the whence and whither of all that are,—such a belief is conceivable; but I do not believe that there is a single atheist living on the whole round world. There is no general danger of personal, speculative atheism. When M. Lalande declared that he saw no God through his telescope, though he meant not to deny the real God of nature, the world rang with indignation at an astronomer undevout and mad. But practical, political atheism has become a common thing in America, in New England. This is not a denial of the essence of God and his being, but of his function as Supreme Ruler of the church, of the State, of the people, of the universe. Of that there is danger. The devil of ambition tempts the great man to it; the devil of covetousness, the little man. Both strike hands, and say, "There is no higher law;" and low men lift up their mean foreheads in the pulpits of America and say, "It is the voice of a God, and not of a man. There is no higher law." The greatest understanding of this land, with haughty scorn, has lately said, "The North Mountain is very high; the Blue Ridge, higher still; the Alleghanies higher than either; and yet this 'higher law' ranges further than an eagle's flight above the highest peaks of the Alleghanies."^[38] The impious taunt was received with "laughter" by men who have long

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acted on the maxim that there is no law of God, and whose State is impoverished by the attempt to tread His law under foot. I know men in America have looked so long at political economy that they have forgotten political morality, and seem to think politics only national housekeeping, and he the best ruler who buys cheapest and sells dearest. But I confess I am amazed when statesmen forget the lessons of those great men that have gone before us, and built up the social state, whose "deep foundations have been laid with prayer." What! is there no law above the North Mountain; above the Blue Ridge; higher than the Alleghanies? Why, the old Hebrew poet told us of One "which removeth the mountains, and they know not; which overturneth them in his anger; which alone spreadeth out the heavens, and treadeth upon the waves of the sea. Lo! he goeth by me, and I see him not; he passeth on also, but I perceive him not." Yes, there is One—his law "an eagle's flight above the Alleghanies"—who humbleth himself to behold the things that are in heaven, whose strong hand setteth fast the mountains; yea, One who hath weighed the mountains in scales; before whom all nations are as a very little thing. Yes, Father in heaven! before the mountains were brought forth, or ever thou hadst formed the earth and the world, even from everlasting to everlasting, thou art God. Yea, thou hast been our dwelling-place in all generations. Thy name alone is excellent; thy glory above the earth and heaven!

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No higher law for States than the poor statutes they enact!

"Among the assemblies of the great
A greater Ruler takes his seat;
The God of heaven as Judge surveys
These 'gods of earth' and all their ways:—
'Why will you frame oppressive laws?
Or why support the unrighteous cause?
When will you once defend the poor,
That foes may vex the saints no more?'
They know not, Lord, nor will they know;
Dark are the ways in which they go;
Their name of 'earthly gods' is vain,
For they shall fall and die like men."

It would be a great calamity for this nation to lose all of its mighty riches, and have nothing left but the soil we stand on. But, in seven or eight generations, it would all be restored again; for all the wealth of America has been won in less time. We are not two hundred and fifty years from Jamestown and Plymouth. It would be a great misfortune to lose all the foremost families of the nation. But England lost hers in the War of the Roses; France, in her Revolution. Nature bore great men anew, and fresh families sprung up as noble as the old. But, if this generation in America could believe that there was no law of God for you and me to keep,—say the acts of Congress what they might say,—no law to tame the ambition of men of mountain greatness, and curb the eagle's flight of human tyranny, that would be a calamity which the nation would never recover from. No! then religion would die out; affection fall dead; conscience would perish; intellect give up the ghost, and be no more. No law higher than human will! No watchmaker can make a long pendulum vibrate so quick as a short. In this very body there is that law. I wake and watch and will; my private caprice turns my hand, now here, now there. But who controls my breath? Who bids this heart beat all day long, and all the night, sleep I or wake? Whose subtle law holds together these particles of flesh, of blood, and bone in marvellous vitality? Who gives this eye its power to see, and opens wide the portal of the ear? and who enchants, with most mysterious life, this wondrous commonwealth of dust I call myself? It is the same Hand whose law is "higher than the Blue Ridge," an "eagle's flight above the Alleghanies." Who rules the State, and, out of a few stragglers that fled here to New England for conscience sake, built up this mighty, wealthy State? Was it Carver and Winthrop who did all this; Standish and Saltonstall? Was it the cunning craftiness of mightiest men that consciously, well knowing what they did, laid the foundations of our New England State and our New England Church? Why, the boys at school know better. It was the eternal God whose higher law the Pilgrim and the Puritan essayed to keep, not knowing whereunto the thing would grow. Shall the fool say in his heart there is no God? He cannot make a hair grow on his head but by the eternal law of his Father in heaven. Will the politician say there is no law of God for States? Ask the sorrowing world; let Austria and Hungary make reply. Nay, ask the Southern States of America to show us their rapid increase in riches, in civilization; to show us their schools and their scholars, their literature, their science, and their art! No law of God for States! It is writ on the iron leaf of destiny, "Righteousness exalteth a nation, but sin is a curse to any people." Let the wicked hand of the South join with the Northern wicked hand, iniquity shall not prosper. But the eye of the wicked shall fail; they shall not escape; their hope shall be as giving up the ghost, because their tongue and their doings are against the Lord, to provoke the eyes of his glory. Their root shall be as rottenness, and their blossom shall go up as dust, if they cast away the law of the Lord, and despise the word of the Holy One.

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In America the people are strongly attached to the institutions, constitutions, and statutes of the land. On the whole, they are just establishments. If not, we made them ourselves, and can make them better when we will. The execution of laws is also popular. Nowhere in the world is there a people so orderly, so much attached to law, as the people of these Northern States. But one law is an exception. The people of the North hate the fugitive slave law, as they have never hated any law since the stamp act. I know there are men in the Northern States who like it,—who would have invented slavery, had it not existed long before. But the mass of the Northern people hate this law, because it is hostile to the purpose of all just human law, hostile to the purpose of

society, hostile to the purpose of individual life; because it is hostile to the law of God,—bids the wrong, forbids the right. We disobey that, for the same reason that we keep other laws: because we reverence the law of God. Why should we keep that odious law which makes us hated wherever justice is loved? Because we must sometimes do a disagreeable deed to accomplish an agreeable purpose? The purpose of that law is to enable three hundred thousand slaveholders to retake on our soil the men they once stole on other soil! Most of the city churches of the North seem to think that is a good thing. Very well: is it worth while for fifteen million freemen to transgress the plainest of natural laws, the most obvious instincts of the human heart, and the plainest duties of Christianity, for that purpose? The price to pay is the religious integrity of fifteen million men; the thing to buy is a privilege for three hundred thousand slaveholders to use the North as a hunting-field whereon to kidnap men at our cost. Judge you of that bargain.

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But I must end this long discourse. The other day I spoke of the vices of passion: great and terrible evils they wrought. They were as nothing to the vices of calculation. Passion was the flesh, ambition the devil. There are vices of democracy, vices of radicalism; very great vices they are too. You may read of them in Hume and Alison. They are painted black as night and bloody as battle in tory journals of England, and the more vulgar tory journals of America. Democracy wrought terrible evils in Britain in Cromwell's time; in France at her Revolution. But to the vices, the crimes, the sins of aristocracy, of conservatism,—they are what the fleeting lust of the youth is to the cool, hard, calculating, and indomitable ambition of the grown man. Radicalism pillaged Governor Hutchinson's house, threw some tea into the ocean; conservatism set up its stamp act, and drove America into revolution. Radicalism helped Shadrach out of court; conservatism enacted the fugitive slave bill. Radicalism sets up a republic that is red for six months; conservatism sets up a red monarchy covered with blood for hundreds of years. Judge you from which we have the most to fear.

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Such are the safeguards of society; such our condition. What shall we do? Nobody would dare pretend to build a church except on righteousness; that is, the rock of ages. Can you build a state on any other foundation—that house upon the sand? What should you think of a minister of the church who got his deacons together, and made a creed, and said, "There is no higher law; no law of God. You, laymen, must take our word for your guidance, and do just as we bid you, and violate the plainest commands of conscience?" What would be atheism in a minister of the church,—is that patriotism in a minister of the state? A bad law is a most powerful instrument to demoralize and debauch the people. If it is a law of their own making, it is all the worse. There is no real and manly welfare for a man, without a sense of religious obligation to God; none in a family, none in a church, none in a state. We want righteousness in the people, in their establishments, in their officers. I adjure you to reverence a government that is right, statutes that are right, officers that are right; but to disobey every thing that is wrong. I entreat you by your love for your country, by the memory of your fathers, by your reverence for Jesus Christ, yea, by the deep and holy love of God which Jesus taught, and you now feel.

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FOOTNOTES:

[34] See note on Function of the Jury, above, p. 165.

[35] In these times of political corruption, when a postmaster in a country village is turned out of office for voting for a representative to Congress who exposed the wickedness of a prominent member of the cabinet, it is pleasant to read such letters as those of Washington to Benjamin Lincoln, March 11, 1789, and to Bushrod Washington, July 27, 1789, in Sparks's Writings of Washington, vol. ix. p. 477, *et seq.*, and x. p. 73, *et seq.*

[36] In the Pilgrim's Progress, Bunyan gives a case which it is probable was fictitious only in the names of the parties. Faithful was indicted before Lord Hategood for a capital offence. Mr. Envy testified. Then the judge asked him, Hast thou any more to say? Envy replied: "My Lord, I could say much more, only I would not be tedious to the court. Yet, if need be, when the other gentlemen have given in their evidence, rather than any thing should be wanting that will dispatch him, I will enlarge my testimony against him."

Lord Hategood stated the law—there were three statutes against the prisoner: 1. The act of King Pharaoh, in 1 Exodus 22; 2. That of King Nebuchadnezzar in 3 Daniel 6; and 3. That of King Darius in 6 Daniel 7. The jury took "the law from the ruling of the court," and, having been carefully packed, to judge from the names, and all just men expelled from their number, they readily found such a verdict as the government had previously determined upon.

The same thing, *mutatis mutandis*, has been attempted in America, in Boston, and we may fear that in some instances it will succeed.

[37] Since the first publication of this sermon we have seen eight-and-thirty men indicted for treason under the fugitive slave law, because they resisted the attempt to kidnap one of their number, and killed one of the kidnapers. This indictment was found at the instigation of an officer of the government, who adds new infamy to the name of the great first murderer.

VIII.

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**THE POSITION AND DUTIES OF THE AMERICAN SCHOLAR.—AN
ADDRESS DELIVERED AT WATERVILLE, AUGUST 8, 1849.**

Men of a superior culture get it at the cost of the whole community, and therefore, at first owe for their education. They must pay back an equivalent, or else remain debtors to mankind, debtors forever; that is, beggars or thieves, such being the only class that are thus perpetually in debt and a burden to the race.

It is true that every man, the rudest Prussian boor, as well as Von Humboldt, is indebted to mankind for his culture, to their past history and their existing institutions, to their daily toil. Taking the whole culture into the account, the debt bears about the same ratio to the receipt in all men. I speak not of genius, the inborn faculty which costs mankind nothing, only of the education thereof, which the man obtains. The Irishman who can only handle his spade, wear his garments, talk his wild brogue, and bid his beads, has four or five hundred generations of ancestors behind him, and is as long descended, and from as old a stock, as the accomplished patrician scholar at Oxford and Berlin. The Irishman depends on them all, and on the present generation for his culture. But he has obtained his development with no special outlay and cost of the human race. In getting that rude culture, he has appropriated nothing to himself which is taken from another man's share. He has paid as he went along, so he owes nothing in particular for his education; and mankind has no claim on him as for value received. But the Oxford graduate has been a long time at school and college; not earning, but learning; living therefore at the cost of mankind, with an obligation and an implied promise to pay back when he comes of age and takes possession of his educated faculties. He therefore has not only the general debt which he shares with all men, but an obligation quite special and peculiar for his support while at study.

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This rule is general, and applies to the class of educated men with some apparent exceptions, and a very few real ones. Some men are born of poor but strong-bodied parents, and endowed with great abilities; they inherit nothing except their share of the general civilization of mankind, and the onward impulse which that has given. These men devote themselves to study; and having behind them an ancestry of broad-shouldered, hard-handed, stalwart, temperate men, and deep-bosomed, red-armed and industrious mothers, they are able to do the work of two or three men at the time. Such men work while they study; they teach while they learn; they hew their own way through the wood by superior strength and skill born in their bones, with an axe themselves have chipped out from the stone, or forged of metal, or paid for with the result of their first hewings. They are specially indebted to nobody for their culture. They pay as they go, owing the academic ferryman nothing for setting them over into the elysium of the scholar.

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Only few men ever make this heroic and crucial experiment. None but poor men's sons essay the trial. Nothing but poverty has whips sharp enough to sting indolent men, even of genius, to such exertion of the manly part. But even this proud race often runs into another debt: they run up long scores with the body, which must one day be paid "with aching head and squeamish heart-burnings." The credit on account of the hardy fathers, is not without limit. It is soon exhausted; especially in a land where the atmosphere, the institutions, and the youth of the people all excite to premature and excessive prodigality of effort. The body takes a mortgage on the spendthrift spirit, demands certain regular periodic payments, and will one day foreclose for breach of condition, impede the spirit's action in the premises, putting a very disagreeable keeper there, and finally expel the prodigal mortgagor. So it often happens, that a man, who in his youth scorned a pecuniary debt to mankind, and would receive no favor even to buy culture with, has yet, unconsciously and against his will, contracted debts which trouble him in manhood, and impede his action all his life; with swollen feet and blear eyes famous Griesbach pays for the austere heroism of his penurious and needy youth. The rosy bud of genius, on the poor man's tree, too often opens into a lean and ghastly flower. Could not Burns tell us this?

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With the rare exceptions just hinted at, any man of a superior culture owes for it when obtained. Sometimes the debt is obvious: a farmer with small means and a large family sends the most hopeful of his sons to college. Look at the cost of the boy's culture. His hands are kept from work that his mind may be free. He fares on daintier food, wears more and more costly garments. Other members of the family must feed and clothe him, earn his tuition-fees, buy his books, pay for his fuel and room-rent. For this the father rises earlier than of old, yoking the oxen a great while before day of a winter's morning, and toils till long after dark of a winter's night, enduring cold and hardship. For this the mother stints her frugal fare, her humble dress; for this the brothers must forego sleep and pastime, must toil harder, late and early both; for this the sisters must seek new modes of profitable work, must wear their old finery long after it is finery no more. The spare wealth of the family, stinted to spare it, is spent on this one youth. From the father to the daughters, all lay their bones to extraordinary work for him; the whole family is pinched in body that this one youth may go brave and full. Even the family horse pays his tax to raise the education fee.

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Men see the hopeful scholar, graceful and accomplished, receiving his academic honors, but they see not the hard-featured father standing unheeded in the aisle, nor the older sister in an obscure corner of the gallery, who had toiled in the factory for the favored brother, tending his vineyard, her own not kept, who had perhaps learned the letters of Greek to hear him recite the grammar at home. Father and sister know not a word of the language in which his diploma is writ and delivered. At what cost of the family tree is this one flower produced? How many leaves, possible blossoms, yea, possible branches have been absorbed to create this one flower, which shall perpetuate the kind, after being beautiful and fragrant in its own season? Yet, while these leaves are growing for the blossom's sake, and the life of the tree is directed thither with special and urgent emphasis, the difference between branch and blossom, leaf and petal, is getting more and more. By and by the two cannot comprehend each other; the acorn has forgotten the leaf which reared it, and thinks itself of another kin. Grotius, who speaks a host of languages, talking with the learned of all countries, and of every age, has forgot his mother tongue, and speech is at an end with her that bore him. The son, accomplished with many a science, many an art, ceases to understand the simple consciousness of his father and mother. They are proud of him—that he has outgrown them; he is ashamed of them when they visit him amid his scholarly company. To them he is a philosopher; they only clowns in his eyes. He learns to neglect, perhaps to despise them, and forgets his obligation and his debt. Yet by their rudeness is it that he is refined. His science and literary skill are purchased by their ignorance and uncouthness of manner and of speech. Had the educational cost been equally divided, all had still continued on a level; he had known no Latin, but the whole family might have spoken good English. For all the difference which education has made betwixt him and his kinsfolk he is a debtor.

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In New England you sometimes see extremes of social condition brought together. The blue-frocked father, well advanced, but hale as an October morning, jostles into Boston in a milk-cart, his red-cheeked grand-daughter beside him, also coming for some useful daily work, while the youngest son, cultured at the cost of that grand-daughter's sire and by that father's toil, is already a famous man; perhaps also a proud one, eloquent at the bar, or powerful in the pulpit, or mighty in the senate. The family was not rich enough to educate all the children after this costly sort; one becomes famous, the rest are neglected, obscure, and perhaps ignorant; the cultivated son has little sympathy with them. So the men that built up the cathedrals of Strasbourg and Milan slept in mean hutches of mud and straw, dirty, cold, and wet; the finished tower looks proudly down upon the lowly thatch, all heedless of the cost at which itself arose.

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It is plain that this man owes for his education; it is plain whom he owes. But all men of a superior culture, though born to wealth, get their education in the same way, only there is this additional mischief to complicate the matter: the burden of self-denial is not borne by the man's own family, but by other fathers and mothers, other brothers and sisters. They also pay the cost of his culture, bear the burden for no special end, and have no personal or family joy in the success; they do not even know the scholar they help to train. They who hewed the topstone of society are far away when it is hoisted up with shouting. Most of the youths now-a-days trained at Harvard College are the sons of rich men, yet they also, not less, are educated at the public charge; beneficiaries not of the "Hopkins' Fund," but of the whole community. Society is not yet rich enough to afford so generous a culture to all who ask, who deserve, or who would pay for it a hundred-fold. The accomplished man who sits in his well-endowed scholarship at Oxford, or rejoices to be "Master of Trinity," though he have the estate of the Westminsters and Sutherlands behind him, is still the beneficiary of the public, and owes for his schooling.

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In the general way among the industrious classes of New England, a boy earns his living after he is twelve years old. If he gets the superior education of the scholar solely by the pecuniary aid of his father or others, when he is twenty-five and enters on his profession, law, medicine, or divinity, politics, school-keeping, or trade, he has not earned his Latin grammar; has rendered no appreciable service to mankind; others have worked that he might study, and taught that he might learn. He has not paid the first cent towards his own schooling; he is indebted for it to the whole community. The ox-driver in the fields, the pavior in the city streets, the laborer on the railroad, the lumberer in the woods, the girl in the factory, each has a claim on him. If he despises these persons, or cuts himself off from sympathy with them; if he refuses to perform his function for them after they have done their possible to fit him for it; he is not only the perpetual and ungrateful debtor, but is more guilty than the poor man's son who forgets the family that sent him to college: for that family consciously and willingly made the sacrifice, and got some satisfaction for it in the visible success of their scheme, nay, are sometimes proud of the pride which scorns them, while with the mass of men thus slighted there is no return for their sacrifice. They did their part, faithfully did it; their beneficiary forgets his function.

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The democratic party in New England does not much favor the higher seminaries of education. There has long been a suspicion against them in the mass of the community, and among the friends of the public education of the people a serious distrust. This is the philosophy of that discontent: public money spent on the higher seminaries is so much taken from the humbler schools, so much taken from the colleges of all for the college of the few; men educated at such cost have not adequately repaid the public for the sacrifice made on their account; men of superior education have not been eminently the friends of mankind, they do not eminently represent Truth, Justice, Philanthropy, and Piety; they do not point men to lofty human life, and go thitherward in advance of mankind; their superior education has narrowed their sympathies, instead of widening; they use their opportunities against mankind, and not in its behalf; think, write, legislate, and live not for the interest of mankind, but only for a class; instead of eminent wisdom, justice, piety, they have eminent cunning, selfishness, and want of faith. These charges

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are matters of allegation; judge you if they be not also matters of fact.

Now there is a common feeling amongst men that the scholar is their debtor, and, in virtue of this, that they have a right to various services from him. No honest man asks the aid of a farmer or a blacksmith without intending to repay him in money; no assembly of mechanics would ask another to come two hundred miles and give them a month's work, or a day's work. Yet they will ask a scholar to do so. What gratuitous services are demanded of the physician, of the minister, of the man of science and letters in general! No poor man in Boston but thinks he has a good claim on any doctor; no culprit in danger of liberty or life but will ask the services of a lawyer, wholly without recompense, to plead his cause. The poorest and most neglected class of men look on every good clergyman as their missionary and minister and friend; the better educated and more powerful he is, the juster and greater do they feel their claim on him. A pirate in jail may command the services of any Christian minister in the land. Most of the high achievements in science, letters and art, have had no apparent pay. The pay came beforehand: in general and from God, in the greater ability, "the vision and the faculty divine," but in particular also and from men, in the opportunity afforded them by others for the use and culture thereof. Divinely and humanly they are well paid. Men feel that they have this right to the services of the scholar, in part because they dimly know that his superior education is purchased at the general cost. Hence, too, they are proud of the few able and accomplished men, feeling that all have a certain property therein, as having contributed their mite to the accumulation, by their divine nature related to the men of genius, by their human toil partners in the acquirements of the scholar. This feeling is not confined to men who intellectually can appreciate intellectual excellence. The little parish in the mountains, and the great parish in the city, are alike proud of the able-headed and accomplished scholar, who ministers to them; though neither the poor clowns of the village nor the wealthy clowns of the metropolis could enter into his consciousness and understand his favorite pursuits or loftiest thought. Both would think it insulting to pay such a man in full proportion to his work or their receipt. Nobody offers a salary to the House of Lords: their lordship is their pay, and they must give back, in the form of justice and sound government, an equivalent for all they take in high social rank. They must pay for their nobility by being noble lords.

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How shall the scholar pay for his education? He is to give a service for the service received. Thus the miller and the farmer pay one another, each paying with service in his own kind. The scholar cannot pay back bread for bread, and cloth for cloth. He must pay in the scholar's kind, not the woodman's or the weaver's. He is to represent the higher modes of human consciousness; his culture and opportunities of position fit him for that. So he is not merely to go through the routine of his profession, as minister, doctor, lawyer, merchant, schoolmaster, politician, or maker of almanacs, and for his own advantage; he is also to represent truth, justice, beauty, philanthropy, and religion—the highest facts of human experience; he must be common, but not vulgar, and, as a star, must dwell apart from the vulgarity of the selfish and the low. He may win money without doing this, get fame and power, and thereby seem to pay mankind for their advance to him, while he rides upon their neck; but as he has not paid back the scholar's cost and in the scholar's way, he is a debtor still, and owes for his past culture and present position.

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Such is the position of the scholar everywhere, and such his consequent obligation. But in America there are some circumstances which make the position and the duty still more important. Beside the natural aristocracy of genius, talent, and educated skill, in most countries there is also a conventional and permanent nobility based on royal or patrician descent and immovable aristocracy. Its members monopolize the high places of society, and if not strong by nature are so by position. Those men check the natural power of the class of scholars. The descendant of some famous chief of old time, takes rank before the Bacons, the Shakspeares, and the Miltons of new families, born yesterday, to-day gladdened and gladdening with the joy of their genius, usurps their place, and for a time "shoves away the worthy bidden guest" from the honors of the public board. Here there is no such class: a man born at all is well born; with a great nature, nobly born; the career opens to all that can run, to all men that wish to try; our aristocracy is movable, and the scholar has scope and verge enough.

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Germany has the largest class of scholars; men of talent, sometimes of genius, of great working power, exceedingly well furnished for their work, with a knowledge of the past and the present. On the whole, they seem to have a greater power of thought than the scholars of any other land. They live in a country where intellectual worth is rated at its highest value. As England is the paradise of the patrician and the millionaire, so is Germany for the man of thought; Goethe and Schiller, and the Humboldts took precedence of the mere conventional aristocracy. The empire of money is for England; that of mind is for Germany. But there the scholar is positively hindered in his function by the power of the government, which allows freedom of thought, and by education tends to promote it, yet not its correlative freedom of speech, and still less the consequent of that—freedom of act. Revelations of new thought are indeed looked for, and encouraged in certain forms, but the corresponding revolution of old things is forbidden. An idea must remain an idea; the government will not allow it to become a deed, an institution, an idea organized in men. The children of the mind must be exposed to die, or, if left alive, their feet are cramped, so that they

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cannot go alone; useless, joyless, and unwed, they remain in their father's house. The government seeks to establish national unity of action, by the sacrifice of individual variety of action, personal freedom; every man must be a soldier and a Christian, wearing the livery of the government on the body and in the soul, and going through the spiritual exercises of the church, as through the manual exercise of the camp. In a nation so enlightened, personal freedom cannot be wholly sacrificed, so thought is left free, but speech restricted by censorship—speech with the human mouth or the iron lips of the press. Now, as of old, is there a controversy between the temporal and the spiritual powers, about the investiture of the children of the soul.

Then, on the other side, the scholar is negatively impeded by the comparative ignorance of the people, by their consequent lack of administrative power and self-help, and their distrust of themselves. There a great illumination has gone on in the upper heavens of the learned, meteors coruscating into extraordinary glory; it has hardly dawned on the low valleys of the common people. If it shines there at all, it is but as the Northern Aurora with a little crackling noise, lending a feeble and uncertain light, not enough to walk with, and no warmth at all; a light which disturbs the dip and alters the variation of the old historical compass, bewilders the eye, hides the stars, and yet is not bright enough to walk by without stumbling. There is a learned class, very learned and very large, with whom the scholar thinks, and for whom he writes, most uncouthly, in the language only of the schools, and, if not kept in awe by the government, they are contented that a thought should remain always a thought; while in their own heart they disdain all authority but that of truth, justice, and love, they leave the people subject to no rule but the priest, the magistrate, and old custom, which usurp the place of reason, conscience, and the affections. There is a very enlightened pulpit, and a very dull audience. In America, it is said, for every dough-faced representative there is a dough-faced constituency, but in Germany there is not an intelligent people for each intelligent scholar. So on condition a great thought be true and revolutionary, it is hard to get it made a thing. Ideas go into a nunnery, not a family. Phidias must keep his awful Jove only in his head; there is no marble to carve it on. Eichhorn and Strauss, and Kant and Hegel, with all their pother among the learned, have kept no boor from the communion-table, nor made him discontented with the despotism of the State. They wrote for scholars, perhaps for gentlemen, for the enlightened, not for the great mass of the people, in whom they had no confidence. There is no class of hucksters of thought, who retail philosophy to the million. The million have as yet no appetite for it. So the German scholar is hindered from his function on either hand by the power of the government, or the ignorance of the people. He talks to scholars and not men; his great ideas are often as idle as shells in a lady's cabinet.

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In America all is quite different. There are no royal or patrician patrons, no plebeian clients in literature, no immovable aristocracy to withstand or even retard the new genius, talent, or skill of the scholar. There is no class organized, accredited and confided in, to resist a new idea; only the unorganized inertia of mankind retards the circulation of thought and the march of men. Our historical men do not found historical families; our famous names of to-day are all new names in the State. American aristocracy is bottomed on money which no unnatural laws make steadfast and immovable. To exclude a scholar from the company of rich men, is not to exclude him from an audience that will welcome and appreciate.

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Then the government does not interfere to prohibit the free exercise of thought. Speaking is free, preaching free, printing free. No administration in America could put down a newspaper or suppress the discussion of an unwelcome theme. The attempt would be folly and madness. There is no "tonnage and poundage" on thought. It is seldom that lawless violence usurps the place of despotic government. The chief opponent of the new philosophy is the old philosophy. The old has only the advantage of a few years; the advantage of possession of the ground. It has no weapons of defence which the new has not for attack. What hinders the growth of the new democracy of to-day?—only the old democracy of yesterday, once green, and then full blown, but now going to seed. Everywhere else walled gardens have been built for it to go quietly to seed in, and men appointed, in God's name or the States', to exterminate as a weed every new plant of democratic thought which may spring up and suck the soil or keep off the sun, so that the old may quietly occupy the ground, and undisturbed continue to decay and contaminate the air. Here it has nothing but its own stalk to hold up its head, and is armed with only such spines as it has grown out of its own substance.

Here the only power which continually impedes the progress of mankind, and is conservative in the bad sense, is Wealth, which represents life lived, not now a-living, and labor accumulated, not now a-doing. Thus the obstacle to free trade is not the notion that our meat must be home-grown and our coat home-spun, but the money invested in manufactures. Slavery is sustained by no prestige of antiquity, no abstract fondness for a patriarchal institution, no special zeal for "Christianity" which the churches often tell us demands it, but solely because the Americans have invested some twelve hundred millions of dollars in the bodies and souls of their countrymen, and fear they shall lose their capital. Whitney's gin for separating the cotton from its blue seed, making its culture and the labor of the slave profitable, did more to perpetuate slavery than all the "Compromises of the Constitution." The last argument in its favor is always this: It brings money, and we would not lose our investment. Weapon a man with iron he will stand and fight; with gold, he will shrink and run. The class of capitalists are always cowardly; here they are the only cowardly class that has much political or social influence. Here gold is the imperial metal; nothing but wealth is consecrated for life: the tonsure gets covered up or grown over; vows of celibacy are no more binding than dicers' oaths; allegiance to the State is as transferable as a cent, and may be alienated by going over the border; church-communion may be changed or neglected; as men will, they sign off from Church and State; only the dollar holds its own

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continually, and is the same under all administrations, "safe from the bar, the pulpit and the throne." Obstinate money continues in office spite of the proscriptive policy of Polk and Taylor; the laws may change, South Carolina move out of the nation, the Constitution be broken, the Union dissolved, still money holds its own. That is the only peculiar weapon which the old has wherewith to repel the new.

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Here, too, the scholar has as much freedom as he will take; himself alone stands in his own light, nothing else between him and the infinite majesty of Truth. He is free to think, to speak, to print his word and organize his thought. No class of men monopolize public attention or high place. He comes up to the Genius of America, and she asks: "What would you have, my little man?" "More liberty," lisps he. "Just as much as you can carry," is the answer. "Pay for it and take it, as much as you like, there it is." "But it is guarded!" "Only by gilded flies in the daytime; they look like hornets, but can only buzz, not bite with their beak, nor sting with their tail. At night it is defended by daws and beetles, noisy but harmless. Here is marble, my son, not classic and famous as yet, but good as the Parian stone; quarry as much as you will, enough for a nymph or a temple. Say your wisest and do your best thing; nobody will hurt you!"

Not much more is the scholar impeded by the ignorance of the people, not at all in respect to the substance of his thought. There is no danger that he will shoot over the heads of the people by thinking too high for the multitude. We have many authors below the market; scarce one above it. The people are continually looking for something better than our authors give. No American author has yet been too high for the comprehension of the people, and compelled to leave his writings "to posterity after some centuries shall have passed by." If he has thought with the thinkers and has something to say, and can speak it in plain speech, he is sure to be widely understood. There is no learned class to whom he may talk Latin or Sanscrit, and who will understand him if he write as ill as Immanuel Kant; there is not a large class to buy costly editions of ancient classics, however beautiful, or magnificent works on India, Egypt, Mexico—the class of scholars is too poor for that, the rich men have not the taste for such beauty—but there is an intelligent class of men who will hear a man if he has what is worth listening to and says it plain. It will be understood and appreciated, and soon reduced to practice. Let him think as much in advance of men as he will, as far removed from the popular opinion as he may, if he arrives at a great truth he is sure of an audience, not an audience of fellow-scholars, as in Germany, but of fellow-men; not of the children of distinguished or rich men—rather of the young parents of such, an audience of earnest, practical people, who, if his thought be a truth, will soon make it a thing. They will appreciate the substance of his thought, though not the artistic form which clothes it.

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This peculiar relation of the man of genius to the people comes from American institutions. Here the greatest man stands nearest to the people, and without a mediator speaks to them face to face. This is a new thing: in the classic nations oratory was for the people, so was the drama, and the ballad; that was all their literature. But this came to the people only in cities: the tongue travels slow and addresses only the ear, while swiftly hurries on the printed word and speaks at once to a million eyes. Thucydides and Tacitus wrote for a few; Virgil sang the labors of the shepherd in old Ascræan verse, but only to the wealthy wits of Rome. "I hate the impious crowd and stave them off," was the scholar's maxim then. All writing was for the few. The best English literature of the sixteenth and seventeenth and eighteenth centuries is amenable to the same criticism, except the dramatic and the religious. It is so with all the permanent literature of Europe of that time. The same must be said even of much of the religious literature of the scholars then. The writings of Taylor, of Barrow, and South, of Bossuet, Massillon and Bourdaloue, clergymen though they were, speaking with a religious and therefore a universal aim, always presuppose a narrow audience of men of nice culture. So they drew their figures from the schoolmen, from the Greek anthology, from heathen classics and the Christian Fathers. Their illustrations were embellishments to the scholar, but only palpable darkness to the people. This fact of writing for a few nice judges was of great advantage to the form of the literature thus produced, but a disadvantage to the substance thereof, a misfortune to the scholar himself, for it belittled his sympathies and kept him within a narrow range. Even the religious literature of the men just named betrays a lack of freedom, a thinking for the learned and not for mankind; it has breathed the air of the cloister, not the sky, and is tainted with academic and monastic diseases. So the best of it is over-sentimental, timid, and does not point to hardy, manly life. Only Luther and Latimer preached to the million hearts of their contemporaries. The dramatic literature, on the other hand, was for box, pit and gallery; hence the width of poetry in its great masters; hence many of its faults of form; and hence the wild and wanton luxuriance of beauty which flowers out all over the marvellous field of art where Shakspeare walked and sung. In the pulpit, excellence was painted as a priest, or monk, or nun, loving nothing but God; on the stage, as a soldier, magistrate, a gentleman or simpleman, a wife and mother, loving also child and friend. Only the literature of the player and the singer of ballads was for the people.

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Here all is changed, every thing that is written is for the hands of the million. In three months Mr. Macaulay has more readers in America than Thucydides and Tacitus in twelve centuries. Literature, which was once the sacrament of the few, only a shew-bread to the people, is now the daily meat of the multitude. The best works get reprinted with great speed; the highest poetry is soon in all the newspapers. Authors know this, and write accordingly. It is only scientific works which ask for a special public. But even science, the proudest of the day, must come down from the clouds of the academy, lay off its scholastic garb, and appear before the eyes of the multitude in common work-day clothes. To large and mainly unlearned audiences Agassiz and Walker set forth the highest teachings of physics and metaphysics, not sparing difficult things, but putting them in plain speech. Emerson takes his majestic intuitions of truth and justice, which transcend

the experience of the ages, and expounds them to the mechanics' apprentices, to the factory girls at Lowell and Chicopee, and to the merchants' clerks at Boston. The more original the speaker, and the more profound, the better is he relished; the beauty of the form is not appreciated, but the original substance welcomed into new life over the bench, the loom, and even the desk of the counting-house. Of a deep man the people ask clearness also, thinking he does not see a thing wholly till he sees it plain.

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From this new relation of the scholar to the people, and the direct intimacy of his intercourse with men, there comes a new modification of his duty: he is to represent the higher facts of human consciousness to the people, and express them in the speech of the people; to think with the sage and saint, but talk with common men. It is easy to discourse with scholars, and in the old academic carriage drive through the broad gateway of the cultivated class; but here the man of genius is to take the new thought on his shoulders and climb up the stiff, steep hill, and find his way where the wild asses quench their thirst, and the untamed eagle builds his nest. Hence our American scholar must cultivate the dialectics of speech as well as thought. Power of speech without thought, a long tongue in an empty head, calls the people together once or twice, but soon its only echo is from an audience of empty pews. Thought without power of speech finds little welcome here; there are not scholars enough to keep it in countenance. This popularity of intelligence gives a great advantage to the man of letters, who is also a man. He can occupy the whole space between the extremes of mankind; can be at once philosopher in his thought and people in his speech, deliver his word without an interpreter to mediate, and, like King Mithridates in the story, talk with the fourscore nations of his camp each in his own tongue.

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Further still, there are some peculiarities of the American mind, in which we differ from our English brothers. They are more inclined to the matter of fact, and appeal to history; we, to the matter of ideas, and having no national history but of a revolution, may appeal at once to human nature. So while they are more historical, fond of names and precedents, enamoured of limited facts and coy towards abstract and universal ideas, with the maxim, "Stand by the fixed," we are more metaphysical, ideal, do not think a thing right because actual, nor impossible because it has never been. The Americans are more metaphysical than the English; have departed more from the old sensational philosophy, have welcomed more warmly the transcendental philosophy of Germany and France. The Declaration of Independence and all the State Constitutions of the North begin with a universal and abstract idea. Even preaching is abstract and of ideas. Calvinism bears metaphysical fruit in New England.

This fact modifies still more the function of the duty of the scholar. It determines him to ideas, to facts for the ideas they cover, not so much to the past as the future, to the past only that he may guide the present and construct the future. He is to take his run in the past to acquire the momentum of history, his stand in the present and leap into the future.

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In this manner the position and duty of the scholar in America are modified and made peculiar; and thus is the mode determined for him, in which to pay for his education in the manner most profitable to the public that has been at the cost of his training.

There is a test by which we measure the force of a horse or a steam-engine: the raising of so many pounds through so many feet in a given time. The test of the scholar's power is his ability to raise men in their development.

In America there are three chief modes of acting upon the public, omitting others of small account. The first is the power which comes of National Wealth; the next, that of Political Station; the third, power of Spiritual Wealth, so to say, eminent wisdom, justice, love, piety, the power of sentiments and ideas, and the faculty of communicating them to other men, and organizing them therein. For the sake of shortness, let each mode of power be symbolized by its instrument, and we have the power of the Purse, of the Office, and the Pen.

The Purse represents the favorite mode of power with us. This is natural in our present stage of national existence and human development; it is likely to continue for a long time. In all civilized countries which have outgrown the period when the sword was the favorite emblem, the Purse represents the favorite mode of power with the mass of men; but here it is so with the men of superior education. This power is not wholly personal, but extra-personal, and the man's centre of gravity lies out of himself, less or more; somewhere between the man and his last cent, the distance being greater or less as the man is less or greater than the estate. This is wielded chiefly by men of little education, except the practical culture which they have gained in the process of accumulation. Their riches they get purposely, their training by the way and accidentally. It is a singular misfortune of the country, that, while the majority of the people are better cultivated and more enlightened than any other population in the world, the greater part of the wealth of the nation is owned by men of less education and consequently of less enlightenment than the rich men of any leading nation in Europe. In England and France the wealth of this generation is chiefly inherited, and has generally fallen to men carefully trained, with minds disciplined by academic culture. Here wealth is new, and mainly in the hands of men who have scrambled for it adroitly and with vigor. They have energy, vigor, forecast, and a certain generosity, but as a class, are narrow, vulgar, and conceited. Nine tenths of the property of the people is owned by one tenth of the persons, and these capitalists are men of little culture, little moral elevation. This is an accident of our position unavoidable, perhaps transient; but it is certainly a misfortune that the great estates of the country, and the social and political power of such wealth, should be mainly in the hands of such men. The melancholy result appears in many a disastrous shape: in the tone of the pulpit, of the press, and of the national politics; much of the vulgarity of the nation

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is to be ascribed to this fact, that wealth belongs to men who know nothing better.

The Office represents the next most popular mode of power. This also is extra-personal, the man's centre of gravity is out of himself, somewhere between him and the lowest man in the State; the distance depending on the proportion of manhood in him and the multitude, if the office is much greater than the man, then the officer's centre of gravity is further removed from his person. This is sought for by the ablest and best educated men in the land. But there is a large class of educated persons who do not aspire to it from lack of ability, for in our form of government it commonly takes some saliency of character to win the high places of office and use respectably this mode of power, while it demands no great or lofty talents to accumulate the largest fortune in America. It is true the whirlwind of an election, by the pressure of votes, may, now and then, take a very heavy body up to a great height. Yet it does not keep him from growing giddy and ridiculous while there, and after a few years lets him fall again into complete insignificance, whence no Hercules can ever lift him up. A corrupt administration may do the same, but with the same result. This consideration keeps many educated men from the political arena; others are unwilling to endure the unsavory atmosphere of politics, and take part in a scramble so vulgar; but still a large portion of the educated and scholarly talent of the nation goes to that work.

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The power of the Pen is wholly personal. It is the appropriate instrument of the scholar, but it is least of all desired and sought for. The rich man sends his sons to trade, to make too much of inheritance yet more by fresh acquisitions of superfluity. He does not send them to literature, art or science. You find the scholar slipping in to other modes of action, not the merchants and politicians migrating into this. He longs to act by the gravity of his money or station, not draw merely by his head. The Office carries the day before the Pen; the Purse takes precedence of both. Educated men do not so much seek places that demand great powers, as those which bring much gold. Self-denial for money or office is common, for scholarship rare and unpopular. To act by money, not mind, is the ill-concealed ambition of many a well-bred man; the desire of this colors his day-dream, which is less of wisdom and more of wealth, or of political station; so a first-rate clergyman desires to be razed to a second-rate politician, and some "tall admiral" of a politician consents to be cut down and turned into a mere sloop of trade. The representative in Congress becomes a president of an insurance office or a bank, or the agent of a cotton mill; the judge deserts his station on the bench and presides over a railroad; the governor or senator wants a place in the post-office; the historian longs for a "chance in the custom-house." The Pen stoops to the Office, that to the Purse. The scholar would rather make a fortune by a balsam of wild cherry than write Hamlet or Paradise Lost for nothing; rather than help mankind by making a Paradise Regained. The well-endowed minister thinks how much more money he might have made had he speculated in stocks and not theology, and mourns that the kingdom of heaven does not pay in this present life fourfold. The professor of Greek is sorry he was not a surveyor and superintendent of a railroad, he should have so much more money; that is what he has learned from Plato and Diogenes. We estimate the skill of an artist like that of a peddler, not by the pictures he has made, but by the money. There is a mercantile way of determining literary merit not by the author's books, but by his balance with the publisher. No church is yet called after a man who is merely rich, something in the New Testament might hinder that; but the ministers estimate their brother minister by the greatness of his position, not of his character; not by his piety and goodness, not even by his reason and understanding, the culture he has attained thereby, and the use he makes thereof, but by the wealth of his church and the largeness of his salary; so that he is not thought the fortunate and great minister who has a large outgo of spiritual riches, rebukes the sins of the nation and turns many to righteousness, but he who has a large material income, ministers, though poorly, to rich men, and is richly paid for that function. The well-paid clergymen of a city tell the professor of theology that he must teach "such doctrines as the merchants approve," or they will not give money to the college, and he, it, and "the cause of the Lord" will all come to the ground at the same time and in kindred confusion. So blind Money would put out the heavenly eyes of Science, and lead her also to his own ditch. It must not be forgotten that there are men in the midst of us, rich, respectable and highly honored with social rank and political power, who practically and in strict conformity with their theory, honor Judas, who made money by his treachery, far more than Jesus who laid down his life for men, whose money is deemed better than manhood. It must indeed be so. Any outrage that is profitable to the controlling portion of society is sure to be welcome to the leaders of the State, and is soon pronounced divine by the leaders of the church.

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It would seem as if the Pen ought to represent the favorite mode of power at a college; but even there the waters of Pactolus are thought fairer than the Castalian, Heliconian spring, or "Siloa's brook that flowed fast by the oracle of God." The college is named after the men of wealth, not genius. How few professorships in America bear the names of men of science or letters, and not of mere rich men! Which is thought the greatest benefactor of a college, he who endows it with money or with mind? Even there it is the Purse, not the Pen that is the symbol of honor, and the University is "up for California," not Parnassus.

Even in politics the Purse turns the scale. Let a party wrestle never so hard it cannot throw the dollar. Money controls and commands talent, not talent money. The successful shopkeeper frowns on and browbeats the accomplished politician, who has too much justice for the wharf and the board of brokers; he notices that the rich men avert their eye, or keep their beaver down, trembles and is sad, fearing that his daughter will never find a fitting spouse. The Purse buys up able men of superior education, corrupts and keeps them as its retained attorneys, in congress or the church, not as counsel but advocate, bribed to make the worse appear the better reason, and

so help money to control the State and wield its power against the interest of mankind. This is perfectly well known; but no politician or minister, bribed to silence or to speech, ever loses his respectability because he is bought by respectable men,—if he get his pay. In all countries but this the Office is before the Purse; here the State is chiefly an accessory of the Exchange, and our politics only mercantile. This appears sometimes against our will, in symbols not meant to tell the tale. Thus in the House of Representatives in Massachusetts, a codfish stares the speaker in the face—not a very intellectual looking fish. When it was put there it was a symbol of the riches of the State, and so of the Commonwealth. With singular and unconscious satire it tells the legislature to have an eye "to the main chance," and, but for its fidelity to its highest instincts and its obstinate silence, might be a symbol good enough for the place.

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Now after the Office and the Purse have taken their votaries from the educated class, the ablest men are certainly not left behind. Three roads open before our young Hercules as he leaves college, having respectively as finger-post, the Pen, the Office, and the Purse. Few follow the road of Letters. This need not be much complained of; nay it might be rejoiced in, if the Purse and the Office in their modes of power did represent the higher consciousness of mankind. But no one contends it is so.

Still there are men who devote themselves to some literary callings which have no connection with political office, and which are not pursued for the sake of great wealth. Such men produce the greater part of the permanent literature of the country. They are eminently scholars; permanent scholars who act by their scholar-craft, not by the state-craft of the politician, or the purse-craft of the capitalist. How are these men paying their debt and performing their function? The answer must be found in the science and the literature of the land.

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American Science is something of which we may well be proud. Mr. Liebig in Germany has found it necessary to defend himself from the charge of following science for the loaves and fishes thereof, and he declares that he espoused Chemistry not for her wealthy dower, not even for the services her possible children might render to mankind, but solely for her own sweet sake. Amongst the English race, on both sides of the ocean, science is loved rather for the fruit than the blossom; its service to the body is thought of more value than its service to the mind. A man's respectability would be in danger, in America, if he loved any science better than the money or fame it might bring. It is characteristic of us that a scholar should write for reputation and gold. Here, as elsewhere, the unprofitable parts of science fall to the lot of poor men. When the rich man's son has the natural calling that way, public opinion would dissuade him from the study of nature. The greatest scientific attainments do not give a man so high social consideration as a political office or a successful speculation—unless it be the science which makes money. Scientific schools we call after merely rich men, not men of wealthy minds. It is true we name streets and squares, towns and counties after Franklin, but it is because he keeps the lightning from factories, churches, and barns; tells us not "to give too much for the whistle," and teaches "the way to make money plenty in every man's pocket." We should not name them after Cuvier and La Place.

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Notwithstanding this, the scientific scholars of America, both the home-born and the adopted sons, have manfully paid for their culture, and done honor to the land. This is true of men in all departments of science,—from that which searches the deeps of the sky to that which explores the shallows of the sea. Individuals, States, and the nation have all done themselves honor by the scientific researches and discoveries that have been made. The outlay of money and of genius for things which only pay the head and not the mouth of man, is beautiful and a little surprising in such a utilitarian land as this. Time would fail me to attend to particular cases.

Look at the Literature of America. Reserving the exceptional portion thereof to be examined in a moment, let us study the instancial portion of it, American Literature as a whole. This may be distributed into two main divisions: First comes the Permanent Literature, consisting of works not designed merely for a single and transient occasion, but elaborately wrought for a general purpose. This is literature proper. Next follows the Transient Literature, which is brought out for a particular occasion, and designed to serve a special purpose. Let us look at each.

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The Permanent Literature of America is poor and meagre; it does not bear the mark of manly hands, of original, creative minds. Most of it is rather milk for babes than meat for men, though much of it is neither fresh meat nor new milk, but the old dish often served up before. In respect to its form, this portion of our literature is an imitation. That is natural enough, considering the youth of the country. Every nation, like every man, even one born to genius, begins by imitation. Raphael, with servile pencil, followed his masters in his youth, but at length his artistic eye attracted new-born angels from the calm stillness of their upper heaven, and with liberal, free hand, with masterly and original touch, the painter of the newness amazed the world.

The early Christian literature is an imitation of the Hebrew or the classic type: even after centuries had passed by, Sidonius, though a bishop of the church, and destined to become a saint, uses the old heathen imagery, referring to Triptolemus as a model for Christian work, and talks about Triton and Galatea, to the Christian Queen of the Goths. Saint Ambrose is a notorious imitator of pagan Cicero. The Christians were all anointed with Jewish nard; and the sour grapes they ate in sacrament have set on edge their children's teeth till now. The modern nations of Europe began their literature by the driest copies of Livy and Virgil. The Germans have the most original literature of the last hundred years. But till the middle of the past century their permanent literature was chiefly in Latin and French, with as little originality as our own. The real poetic life of the nation found vent in other forms. It is natural therefore, and according to

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the course of history, that we should begin in this way. The best political institutions of England are cherished here, so her best literature, and it is not surprising that we are content with this rich inheritance of artistic toil. In many things we are independent, but in much that relates to the higher works of man, we are still colonies of England. This appears not only in the vulgar fondness for English fashions, manners and the like, which is chiefly an affectation, but in the servile style with which we copy the great or little models of English literature. Sometimes this is done consciously, oftener without knowing it.

But the substance of our permanent literature is as faulty as its form. It does not bear marks of a new, free, vigorous mind at work, looking at things from the American point of view, and though it put its thought in antique forms, yet thinking originally and for itself. It represents the average thought of respectable men, directed to some particular subject, and their average morality. It represents nothing more; how could it while the ablest men have gone off to politics or trade? It is such literature as almost anybody might get up if you would give him a little time to make the preliminary studies. There is little in it that is national; little individual and of the writer's own mind; it is ground out in the public literary mill. It has no noble sentiments, no great ideas, nothing which makes you burn; nothing which makes you much worse or much better. You may feed on this literature all your days, and whatsoever you may gain in girth, you shall not take in thought enough to add half an inch to your stature.

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Out of every hundred American literary works printed since the century began, about eighty will be of this character. Compare the four most conspicuous periodicals of America with the four great quarterlies of England, and you see how inferior our literature is to theirs—in all things, in form and in substance too. The European has the freedom of a well-bred man—it appears in the movement of his thought, his use of words, in the easy grace of his sentences, and the general manner of his work; the American has the stiffness and limitations of a big, raw boy in the presence of his schoolmaster. They are proud of being English, and so have a certain lofty nationality which appears in their thought and the form thereof, even in the freedom to use and invent new words. Our authors of this class seem ashamed that they are Americans, and accordingly are timid, ungraceful and weak. They dare not be original when they could. Hence this sort of literature is dull. A man of the average mind and conscience, heart and soul, studies a particular subject a short time—for this is the land of brief processes—and writes a book thereof, or thereon; a critic of the same average makes his special study of the book, not its theme, "reviews" the work; is as ready, and able to pass judgment on Bowditch's translation of La Place in ten days after its appearance as ten years, and distributes praise and blame, not according to the author's knowledge, but the critic's ignorant caprice, and then average men read the book and the critique with no immoderate joy or unmeasured grief. They learn some new facts, no new ideas, and get no lofty impulse. The book was written without inspiration, without philosophy, and is read with small profit. Yet it is curious to observe the praise which such men receive, how soon they are raised to the House of Lords in English literature. I have known three American Sir Walter Scotts, half a dozen Addisons, one or two Macaulays, a historian that was Hume and Gibbon both in one; several Burnses, and Miltons by the quantity, not "mute," the more is the pity, but "inglorious" enough; nay, even vain-glorious at the praise which some penny-a-liner, or dollar-a-pager foolishly gave their cheap extemporary stuff. In sacred literature it is the same: in a single winter at Boston we had two American Saint Johns, in full blast for several months. Though no Felix trembles, there are now extant in the United States not less than six American Saint Pauls, in no manner of peril except the most dangerous—of idle praise.

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A living, natural, and full-grown literature contains two elements. One is of mankind in general; that is human and universal. The other is of the tribe in special, and of the writer in particular. This is national and even personal: you see the idiosyncrasy of the nation and the individual author in the work. The universal human substance accepts the author's form, and the public wine of mankind runs into the private bottle of the author. Thus the Hebrew literature of the Old Testament is fresh and original in substance and in form; the two elements are plain enough, the universal and the particular. The staple of the Psalms of David is human, of mankind, it is trust in God; but the twist, the die, the texture, the pattern, all that is Hebrew—of the tribe, and personal—of David, shepherd, warrior, poet, king. You see the pastoral hill-sides of Judea in his holy hymns; nay, "Uriah's beauteous wife" now and then sidles in to his sweetest psalm. The Old Testament books smell of Palestine, of its air and its soil. The Rose of Sharon has Hebrew earth about its roots. The geography of the Holy Land, its fauna and its flora both, even its wind and sky, its early and its latter rain, all appear in the literature of historian and bard. It is so in the Iliad. You see how the sea looked from Homer's point of view, and know how he felt the west wind, cold and raw. The human element has an Ionian form and a Homeric hue. The ballads of the people in Scotland and England are national in the same way; the staple of human life is wrought into the Scottish form. Before the Germans had any permanent national literature of this character, their fertile mind found vent in legends, popular stories, now the admiration of the learned. These had at home the German dress, but as the stories travelled into other lands, they kept their human flesh and blood, but took a different garb and acquired a different complexion from every country which they visited, and, like the streams of their native Swabia, took the color of the soil they travelled through.

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The permanent and instancial literature of America is not national in this sense. It has little that is American; it might as well be written by some book-wright in Leipsic or London, and then imported. The individuality of the nation is not there, except in the cheap, gaudy binding of the work. The nationality of America is only stamped on the lids, and vulgarly blazoned on the back.

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Is the book a History? it is written with no such freedom as you should expect of a writer, looking at the breadth of the world from the lofty stand-point of America. There is no new philosophy of history in it. You would not think it was written in a democracy that keeps the peace without armies or a national jail. Mr. Macaulay writes the history of England as none but a North-Briton could do. Astonishingly well-read, equipped with literary skill at least equal to the masterly art of Voltaire, mapping out his subject like an engineer, and adorning it like a painter, you yet see, all along, that the author is a Scotchman and a whig. Nobody else could have written so. It is of Mr. Macaulay. But our American writer thinks about matters just as everybody else does; that is, he does not think at all, but only writes what he reads, and then, like the good-natured bear in the nursery story, "thinks he has been thinking." It is no such thing, he has been writing the common opinion of common men, to get the applause of men as common as himself.

Is the book of Poetry? the substance is chiefly old, the form old, the allusions are old. It is poetry of society, not of nature. You meet in it the same everlasting mythology, the same geography, botany, zoölogy, the same symbols; a new figure of speech suggested by the sight of nature, not the reading of books, you could no more find than a fresh shad in the Dead Sea. You take at random eight or ten "American poets" of this stamp, you see at once what was the favorite author with each new bard; you often see what particular work of Shelley, or Tennyson, or Milton, or George Herbert, or, if the man has culture enough, of Goethe, or Uhland, Jean Paul, or Schiller, suggested the "American Original." His inspiration comes from literature, not from the great universe of nature or of human life. You see that this writer has read Percy's Reliques, and the German Wunderhorn; but you would not know that he wrote in a republic—in a land full of new life, with great rivers and tall mountains, with maple and oak trees that turn red in the autumn, amongst a people who hold town-meetings, have free schools for everybody, read newspapers voraciously, who have lightning rods on their steeples, ride in railroads, are daguerreotyped by the sun, and who talk by lightning from Halifax to New Orleans, who listen to the whippoorwill and the bobolink, who believe in Slavery and the Declaration of Independence, in the devil and the five points of Calvinism. You would not know where our poet lived, or that he lived anywhere. Reading the Iliad, you doubt that Homer was born blind; but our bard seems to have been deaf also, and for expressing what was national in his time, might likewise have been dumb.

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Is it a volume of Sermons? they might have been written at Edinburgh, Madrid, or Constantinople as well as in New England; as well preached to the "Homo Sapiens" of Linnæus, or the Man in the Moon, as to the special audience that heard, or heard them not, but only paid for having the things preached. There is nothing individual about them; the author seems as impersonal as Spinoza's conception of God. The sermons are like an almanac calculated for the meridian of no place in particular, for no time in special. There is no allusion to any thing American. The author never mentions a river this side of the Jordan; knows no mountain but Lebanon, Zion, and Carmel, and would think it profane to talk of the Alleghanies and the Mississippi, of Monadnock and the Androscoggin. He mentions Babylon and Jerusalem, not New York and Baltimore; you would never dream that he lived in a church without a bishop, and a state without a king, in a democratic nation that held three million slaves, with ministers chosen by the people. He is surrounded, clouded over, and hid by the traditions of the "ages of faith" behind him. He never thanks God for the dew and snow, only for "the early and the latter rain" of a classic sacred land; a temperance man, he blesses God for the wine because the great Psalmist did so thousands of years ago. He speaks of the olive and the fig-tree which he never saw, not of the apple-tree and the peach before his eyes all day long, their fruit the joy of his children's heart. If you guessed at his time and place, you would think he lived, not under General Taylor, but under King Ahab, or Jeroboam; that his audience rode on camels or in chariots, not in steam-cars; that they fought with bows and arrows against the children of Moab; that their favorite sin was the worship of some graven image, and that they made their children pass through the fire unto Moloch, not through the counting-house unto Mammon. You would not know whether the preacher was married or a bachelor, rich or poor, saint or sinner; you would probably conclude he was not much of a saint, nor even much of a sinner.

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The authors of this portion of our literature seem ashamed of America. One day she will take her revenge. They are the parasites of letters, and live on what other men have made classic. They would study the Holy Land, Greece, Etruria, Egypt, Nineveh, spots made famous by great and holy men, and let the native races of America fade out, taking no pains to study the monuments which so swiftly pass away from our own continent. It is curious that most of the accounts of the Indians of North America come from men not natives here, from French and Germans; and characteristic that we should send an expedition to the Dead Sea, while wide tracts of this continent lie all untouched by the white man's foot; and, also, that while we make such generous and noble efforts to christianize and bless the red, yellow, and black heathens at the world's end, we should leave the American Indian and Negro to die in savage darkness, the South making it penal to teach a black man to write or read.

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Yet, there is one portion of our permanent literature, if literature it may be called, which is wholly indigenous and original. The lives of the early martyrs and confessors are purely Christian, so are the legends of saints and other pious men: there was nothing like this in the Hebrew or heathen literature; cause and occasion were alike wanting for it. So we have one series of literary productions that could be written by none but Americans, and only here: I mean the Lives of Fugitive Slaves. But as these are not the work of the men of superior culture, they hardly help to pay the scholar's debt. Yet all the original romance of America is in them, not in the white man's novel.

Next is the Transient Literature, composed chiefly of speeches, orations, state papers, political and other occasional pamphlets, business reports, articles in the journals, and other productions designed to serve some present purpose. These are commonly the work of educated men, though not of such as make literature a profession. Taking this department as a whole, it differs much from the permanent literature; here is freshness of thought and newness of form. If American books are mainly an imitation of old models, it would be difficult to find the prototype of some American speeches. They "would have made Quintilian stare and gasp." Take the State Papers of the American government during the administration of Mr. Polk, the speeches made in Congress at the same time, the State Papers of the several States—you have a much better and more favorable idea of the vigor and originality of the American mind, than you would get from all the bound books printed in that period. The diplomatic writings of American politicians compare favorably with those of any nation in the world. In eloquence no modern nation is before us, perhaps none is our equal. Here you see the inborn strength and manly vigor of the American mind. You meet the same spirit which fells the forest, girdles the land with railroads, annexes Texas and covets Cuba, Nicaragua, all the world. You see that the authors of this literature are workers also. Others have read of wild beasts; here are the men that have seen the wolf.

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A portion of this literature represents the past, and has the vices already named. It comes from human history and not human nature; as you read it, you think of the inertia and the cowardliness of mankind; nothing is progressive, nothing noble, generous or just, only respectable. The past is preferred before the present; money is put before men, a vested right before a natural right. Such literature appears in all countries. The ally of despotism, and the foe of mankind, it is yet a legitimate exponent of a large class of men. The leading journals of America, political and commercial, or literary, are poor and feeble; our reviews of books afford matter for grave consideration. You would often suppose them written by the same hand which manufactures the advertisements of the grand caravan, or some patent medicine; or when unfavorable, by some of the men who write defamatory articles on the eve of an election.

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But a large part of this transient literature is very different in its character. Its authors have broken with the traditions of the past; they have new ideas, and plans for putting them in execution; they are full of hope; are national to the extreme, bragging and defiant. They put the majority before institutions; the rights of the majority before the privilege of a few; they represent the onward tendency and material prophecy of the nation. The new activity of the American mind here expresses its purpose and its prayer. Here is strength, hope, confidence, even audacity; all is American. But the great idea of the Absolute Right does not appear, all is more national than human; and in what concerns the nation, it is not justice, the point where all interests are balanced, and the welfare of each harmonizes with that of all, which is sought; but the "greatest good of the greatest number;" that is, only a privilege had at the cost of the smaller number. Here is little respect for universal humanity; little for the Eternal Laws of God which override all the traditions and contrivances of men; more reverence for a statute, or constitution, which is indeed the fundamental law of the political State, but is often only an attempt to compromise between the fleeting passions of the day and the Immutable Morality of God. Amid all the public documents of the nation and the several States, in the speeches and writings of favorite men, who represent and so control the public mind, for fifty years, there is little that "stirs the feelings infinite" within you; much to make us more American, not more manly. There is more head than heart; native intellect enough; culture that is competent, but little conscience, or real religion. How many newspapers, how many politicians in the land go at all beyond the whig idea of protecting the property now accumulated, or the democratic idea of ensuring the greatest material good of the greatest number? Where are we to look for the representative of justice, of the unalienable rights of all the people and all the nations? In the triple host of article-makers, speech-makers, lay and clerical, and makers of laws, you find but few who can be trusted to stand up for the unalienable rights of men; who will never write, speak, nor vote in the interests of a party, but always in the interest of mankind, and will represent the justice of God in the forum of the world.

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This literature, like the other, fails of the high end of writing and of speech: with more vigor, more freedom, more breadth of vision, and an intense nationality, the authors thereof are just as far from representing the higher consciousness of mankind, just as vulgar as the tame and well-licked writers of the permanent literature. Here are the men who have cut their own way through the woods, men with more than the average intelligence, daring and strength, but with less than the average justice which is honesty in the abstract, less than the average honesty which is justice concentrated upon small particulars.

Examine both these portions of American literature, the permanent and the fleeting—you see their educated authors are no higher than the rest of men. They are the slaves of public opinion, as much as the gossip in her little village. It may not be the public opinion of a coterie of crones, but of a great party; that makes little odds, they are worshippers of the same rank, idolaters of the same wealth; the gossiping granny shows her littleness the size of life, while their deformity is magnified by the solar microscope of high office. Many a popular man exhibits his pigmy soul to the multitude of a whole continent, idly mistaking it for greatness. They are swayed by vulgar passions, seek vulgar ends, address vulgar motives, use vulgar means; they may command by their strength, they cannot refine by their beauty or instruct by their guidance, and still less inspire by any eminence of manhood which they were born to or have won. They build on the surface-sand for to-day, not on the rock of ages forever. With so little conscience, they heed not

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the solemn voice of history, and respect no more the prophetic instincts of mankind.

To most men the approbation of their fellows, is one of the most desirable things. This approbation appears in the various forms of admiration, respect, esteem, confidence, veneration and love. The great man obtains this after a time, and in its highest forms, without seeking it, simply by faithfulness to his nature. He gets it, by rising and doing his work, in the course of nature, as easily and as irresistibly as the sun gathers to the clouds the evaporation of land and sea, and like the sun to shed it down in blessings on mankind. Little men seek this, consciously or not knowing it, by stooping, cringing, flattering the pride, the passion, or the prejudice of others. So they get the approbation of men, but never of Man. Sometimes this is sought for by the attainment of some accidental quality, which low-minded men hold in more honor than the genius of sage or poet, or the brave manhood of some great hero of the soul. In England though money is power, it is patrician birth which is nobility, and valued most; and there, accordingly, birth takes precedence of all, of genius and even of gold. Men seek the companionship or the patronage of titled lords, and social rank depends upon nobility of blood. The few bishops in the upper house do more to give conventional respectability to the clerical profession there, than all the solid intellect of Hooker, Barrow, and of South, the varied and exact learning of philosophic Cudworth, the eloquence and affluent piety of Taylor, and Butler's vast and manly mind. In America social rank depends substantially on wealth, an accident as much as noble birth, but movable. Here gold takes precedence of all,—of genius, and even of noble birth.

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"Though your sire
Had royal blood within him, and though you
Possess the intellect of angels too,
'Tis all in vain;—the world will ne'er inquire
On such a score:—Why should it take the pains?
'Tis easier to weigh purses, sure, than brains."

Wealth is sought, not merely as a means of power but of nobility. When obtained, it has the power of nobility: so poor men of superior intellect and education, powerful by nature, not by position, fear to disturb the opinion of wealthy men, to instruct their ignorance or rebuke their sin. Hence the aristocracy of wealth, illiterate and vulgar, goes unrebuked, and debases the natural aristocracy of mind and culture which bows down to it. The artist prostitutes his pencil and his skill, and takes his law of beauty from the fat clown, whose barns and pigs and wife he paints for daily bread. The preacher does the same; and though the stench of the rum-shop infests the pulpit, and death hews down the leaders of his flock, the preacher must cry "Peace, peace," or else be still, for rum is power! But this power of wealth has its antagonistic force—the power of numbers. Much depends on the dollar. Nine tenths of the property is owned by one tenth of all these men—but much also on the votes of the million. The few are strong by money, the many by their votes. Each is worshipped by its votaries, and its approbation sought. He that can get the men controls the money too. So while one portion of educated men bows to the rich, and consecrates their passion and their prejudice, another portion bows, equally prostrate, to the passions of the multitude of men. The many and the rich have each a public opinion of their own, and both are tyrants. Here the tyranny of public opinion is not absolutely greater than in England, Germany or France, but is far greater in comparison with other modes of oppression. It seems inherent in a republic; it is not in a republic of noble men. But here this sirocco blows flat to the ground full many an aspiring blade. Wealth can establish banks, or factories; votes can lift the meanest man into the highest political place, can dignify any passion with the name and force of human law; so it is thought by the worshippers of both, seeking the approbation of the two, that public opinion can make truth of lies, and right even out of foulest wrong. Politicians begin to say, There is no law of God above the ephemeral laws of men.

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There are few American works of literature which appeal to what is best in men; few that one could wish should go abroad and live. America has grown beyond hope in population, the free and bond, in riches, in land, in public material prosperity, but in a literature that represents the higher elements of manliness far less than wise men thought. They looked for the fresh new child; it is born with wrinkles and dreadfully like his grandmother, only looking older and more effete. Our muse does not come down from an American Parnassus, with a new heaven in her eye, men not daring to look on the face of anointed beauty, coming to tell of noble thought, to kindle godlike feelings with her celestial spark, and stir mankind to noble deeds. She finds Parnassus steep and high and hard to climb; the air austere and cold, the light severe, too stern for her effeminate nerves. So she has a little dwelling in the flat and close-pent town, hard by the public street; breathes its B[oe]lotian breath; walks with the money-lenders at high change; has her account at the bank, her pew in the most fashionable church and least austere; she gets approving nods in the street, flattery in the penny-prints, sweetmeats and sparkling wine in the proper places. What were the inspirations of all God's truth to her? He "taunts the lofty land with little men."

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There still remains the Exceptional Literature; some of it is only fugitive, some meant for permanent duration. Here is a new and different spirit: a respect for human nature above human history, for man above all the accidents of man, for God above all the alleged accidents of God; a veneration for the eternal laws which He only makes and man but finds; a law before all statutes, above all constitutions, and holier than all the writings of human hands. Here you find most fully

the sentiments and ideas of America, not such as rule the nation now, but which, unconsciously to the people, have caused the noble deeds of our history, and now prophesy a splendid future for this young giant here. These sentiments and ideas are brought to consciousness in this literature. Here a precedent is not a limitation; a fact of history does not eclipse an idea of nature; an investment is not thought more sacred than a right. Here is more hope than memory; little deference to wealth and rank, but a constant aspiration for truth, justice, love and piety; little fear of the public opinion of the many or the few, rather a scorn thereof, almost a defiance of it. It appears in books, in pamphlets, in journals, and in sermons, sorely scant in quantity as yet. New and fresh, it is often greatly deficient in form; rough, rude and uncouth, it yet has in it a soul that will live. Its authors are often men of a wide and fine culture, though mainly tending to underrate the past achievements of mankind. They have little reverence for great names. They value the Greek and Hebrew mind for no more than it is worth. With them a wrong is no more respected because well descended, and supported by all the riches, all the votes; a right, not less a right because unjustly kept out of its own. These men are American all through; so intensely national, that they do not fear to tell the nation of the wrong it does.

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The form of this literature is American. It is indigenous to our soil, and could come up in no other land. It is unlike the classic literature of any other nation. It is American as the Bible is Hebrew, and the Odyssey is Greek. It is wild and fantastic, like all fresh original literature at first. You see in it the image of republican institutions—the free school, free state, free church; it reflects the countenance of free men. So the letters of old France, of modern England, of Italy and Spain reflect the monarchic, oligarchic, and ecclesiastic institutions of those lands. Here appears the civilization of the nineteenth century, the treasures of human toil for many a thousand years. More than that, you see the result of a fresh contact with nature, and original intuitions of divine things. Acknowledging inspiration of old, these writers of the newness believe in it now not less, not miraculous, but normal. Here is humanity that overleaps the bounds of class and of nation, and sees a brother in the beggar, pirate, slave, one family of men variously dressed in cuticles of white or yellow, black or red. Here, too, is a new loveliness, somewhat akin to the savage beauty of our own wild woods, seen in their glorious splendor an hour before autumnal suns go down and leave a trail of glory lingering in the sky. Here, too, is a piety somewhat heedless of scriptures, liturgies, and forms, and creeds; it finds its law written in nature, its glorious everlasting Gospel in the soul of man; careless of circumcision and baptismal rites, it finds the world a temple, and rejoices everywhere to hold communion with the Infinite Father of us all, and keep a sacrament in daily life, conscious of immortality, and feeding continually on angel's bread.

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The writers of this new literature are full of faults; yet they are often strong, though more by their direction than by native force of mind; more, by their intuitions of the first good, first perfect and first fair, than through their historical knowledge or dialectic power. Their ship sails swift, not because it is sharper built, or carries broader sails than other craft, but because it steers where the current of the ocean coincides with the current of the sky, and so is borne along by nature's wind and nature's wave. Uninvited, its ideas steal into parlor and pulpit, its kingdom coming within men and without observation. The shoemaker feels it as he toils in his narrow shop; it cheers the maiden weaving in the mill, whose wheels the Merrimac is made to turn; the young man at college bids it welcome to his ingenuous soul. So at the breath of spring new life starts up in every plant; the sloping hills are green with corn, and sunny banks are blue and fragrant with the wealth of violets, which only slept till the enchanter came. The sentiments of this literature burn in the bosom of holy-hearted girls, of matrons and of men. Ever and anon its great ideas are heard even in Congress, and in the speech of old and young, which comes tingling into most unwilling ears.

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This literature has a work to do, and is about its work. Let the old man crow loud as he may, the young one will crow another strain, for it is written of God, that our march is continually onward, and age shall advance over age forever and forever.

Already America has a few fair specimens from this new field to show. Is the work History? The author writes from the stand-point of American democracy; I mean philanthropy, the celestial democracy, not the satanic; writes with a sense of justice and in the interest of men; writes to tell a nation's purpose in its deeds, and so reveal the universal law of God, which overrules the affairs of States as of a single man. You wonder that history was not before so writ that its facts told the nation's ideas, and its labors were lessons, and so its hard-won life became philosophy.

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Is it poetry the man writes? It is not poetry like the old. The poet has seen nature with his own eyes, heard her with his own mortal, bodily ears, and felt her presence, not vicariously through Milton, Uhland, Ariosto, but personally, her heart against his heart. He sings of what he knows, sees, feels, not merely of what he reads in others' song. Common things are not therefore unclean. In plain New England life he finds his poetry, as magnets iron in the blacksmith's dust, and as the bee finds dew-bright cups of honey in the common woods and common weeds. It is not for him to rave of Parnassus, while he knows it not, for the Soul of Song has a seat upon Monadnock, Wachusett, or Katahdin, quite as high. So Scottish Burns was overtaken by the muse of poetry, who met him on his own bleak hills, and showed him beauty in the daisy and the thistle, and the tiny mouse, till to his eye the hills ran o'er with loveliness, and Caledonia became a classic land.

Is it religion the author treats of? It is not worship by fear, but through absolute faith, a never-ending love; for it is not worship of a howling and imperfect God, grim, jealous and revengeful, loving but a few, and them not well, but of the Infinite Father of all mankind, whose universal providence will sure achieve the highest good of all that are.

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These men are few; in no land are they numerous, or were or will be. There were few Hebrew Prophets, but a tribe of priests; there are but few mighty bards that hover o'er the world; but here and there a sage, looking deep and living high, who feels the heart of things, and utters oracles which pass for proverbs, psalms and prayers, and stimulate a world of men. They draw the nations, as conjoining moon and sun draw waters shore-ward from the ocean-springs; and as electrifying heat they elevate the life of men. Under their influence you cannot be as before. They stimulate the sound, and intoxicate the silly, but in the heart of noble youths their idea becomes a fact, and their prayer a daily life.

Scholars of such a stamp are few and rare, not without great faults. For every one of them there will be many imitators, as for each lion a hundred lion-flies, thinking their buzz as valiant as his roar, and wondering the forest does not quake thereat, and while they feed on him fancy they suck the breasts of heaven.

Such is the Scholars' position in America: such their duty, and such the way in which they pay the debt they owe. Will men of superior culture not all act by scholar-craft and by the Pen? It were a pity if they did. If a man work nobly, the Office is as worthy, and the Purse as blessed in its work. The Pen is power; the Office is power; the Purse is power; and if the purse and office be nobly held, then in a high mode the cultivated man pays for his bringing up, and honors with wide sympathies the mass of men who give him chance to ride and rule. If not; if these be meanly held, for self and not for man, then the scholar is a debtor and a traitor too.

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The scholar never had so fair a chance before; here is the noblest opportunity for one that wields the Pen; it is mightier than the Sword, the Office, or the Purse. All things concede at last to Beauty, Justice, Truth and Love, and these he is to represent. He has what freedom he will pay for and take. Let him talk never so heroic, he will find fit audience, nor will it long be few. Men will rise up and welcome his quickening words as vernal grass at the first rains of spring. A great nation which cannot live by bread alone, asks for the bread of life; while the State is young, a single great and noble man can deeply influence the nation's mind. There are great wrongs which demand redress; the present men who represent the Office and the Purse will not end these wrongs. They linger for the Pen, with magic touch to abolish and destroy this ancient serpent-brood. Shall it be only rude men and unlettered who confront the dragons of our time which prowl about the folds by day and night, while the scholar, the appointed guardian of mankind, but "sports with Amaryllis in the shade, or with the tangles of Neæra's hair?" The nation asks of her scholar better things than ancient letters ever brought; asks his wonders for the million, not the few alone. Great sentiments burn now in half-unconscious hearts, and great ideas kindle their glories round the heads of men. Unconscious electricity, Truth and Right, flashes out of the earth, out of the air. It is for the scholar to attract this ground-lightning and this lightning of the sky, condense it into useful thunder to destroy the wrong, then spread it forth a beauteous and a cheering light, shedding sweet influence and kindling life anew. A few great men of other times tell us what may be now.

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Nothing will be done without toil—talent is only power of work, and genius greater power for higher forms of work—nothing without self-denial; nothing great and good save by putting your idea before yourself, and counting it dearer than your flesh and blood. Let it hide you, not your obesity conceal the truth God gave you to reveal. The quality of intellectual work is more than the quantity. Out of the cloudy world Homer has drawn a spark that lasts three thousand years. "One, but a lion," should be the scholar's maxim; let him do many things for daily need; one great thing for the eternal beauty of his art. A single poem of Dante, a book for the bosom, lives through the ages, surrounding its author with the glory of genius in the night of time. One Sermon on the Mount, compact of truths brought down from God, all molten by such pious trust in Him, will stir men's hearts by myriads, while words dilute with other words are a shame to the speaker, and a dishonor to men who have ears to hear.

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It is a great charity to give beauty to mankind; part of the scholar's function. How we honor such as create mere sensuous loveliness! Mozart carves it on the unseen air; Phidias sculptures it out from the marble stone; Raphael fixes ideal angels, maidens, matrons, men, and his triple God upon the canvas, and the lofty Angelo, with more than Amphionic skill, bids the hills rise into a temple which constrains the crowd to pray. Look, see how grateful man repays these architects of beauty with never-ending fame! Such as create a more than sensuous loveliness, the Homers, Miltons, Shakspeares, who sing of man in never-dying and creative song—see what honors we have in store for such; what honor given for what service paid! But there is a beauty higher than that of art, above philosophy and merely intellectual grace: I mean the loveliness of noble life; that is a beauty in the sight of man and God. This is a new country, the great ideas of a noble man are easily spread abroad; soon they will appear in the life of the people, and be a blessing in our future history to ages yet unborn. A few great souls can correct the licentiousness of the American press, which is now but the type of covetousness and low ambition; correct the mean economy of the State, and amend the vulgarity of the American church, now the poor prostitute of every wealthy sin.

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Oh ingenuous young maid or man, if such you are,—if not, then let me dream you such; seek you this beauty, complete perfection of a man, and having this, go hold the Purse, the Office, or the Pen, as suits you best; but out of that life, writing, voting, acting, living in all forms, you shall pay men back for your culture, and in the scholar's noble kind, and represent the higher facts of

human thought. Will men still say, "This Wrong is consecrated; it has stood for ages and shall stand for ever!" Tell them, "No. A wrong, though old as Sin, is not now sacred, nor shall it stand!" Will they say, "This Right can never be; that excellence is lovely but impossible!" Show them the fact, who will not hear the speech; the deed goes where the word fails, and life enchants where rhetoric cannot persuade.

Past ages offer their instruction, much warning and a little guidance, many a wreck along the shore of time, a beacon here and there. Far off in the dim distance, present as possibilities, not actual as yet, future generations, with broad and wishful eyes, look at the son of genius, talent, educated skill, and seem to say, "A word for us; it will not be forgot!" Truth and Beauty, God's twin daughters, eternal both, yet ever young, wait there to offer each faithful man a budding branch, in their hands budding, in his to blossom and mature its fruit, wherewith he sows the field of time, gladdening the millions yet to come.

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END OF VOL. III.

*** END OF THE PROJECT GUTENBERG EBOOK SPEECHES, ADDRESSES, AND OCCASIONAL SERMONS, VOLUME 3 (OF 3) ***

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