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THE POWER, DUTY, AND NECESSITY OF DESTROYING SLAVERY IN THE REBEL STATES.

SPEECH

OF

HON. ISAAC N. ARNOLD,

OF

ILLINOIS.

DELIVERED

IN THE HOUSE OF REPRESENTATIVES,

JANUARY 6, 1864.

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The House being in Committee of the Whole on the State of the Union, and having under consideration the President's proclamation, Mr. ARNOLD said:

MR. CHAIRMAN: In June, 1858, a comparatively unknown man uttered in the State House at Springfield, Illinois, a sentiment which is already historical. Its philosophy, its profound sagacity, its prophetic prescience, its unparalleled boldness and honesty, were characteristic of the man, who, then obscure, has become already, to-day, the foremost character in American history. The sentiment was this:

"A house divided against itself cannot stand. I believe that this Government cannot permanently exist half slave and half free. I do not expect the Union to be dissolved; I do not expect the house to fall; but I expect it will cease to be divided."

This, the first emphatic enunciation of the philosophical fact of the antagonism between liberty and slavery, the eternal and "irrepressible" conflict between them, electrified the country, and made Abraham Lincoln President of the United States.

The moment the fact is recognized that liberty and slavery are antagonistic, and that there can be no peace between them—that our country, all of it, must pass into the dark night of slavery, or all of it emerge into the clear light of freedom—all loyal, patriotic men become at once anti-slavery men, abolitionists.

Such I avow myself here, to-day, and I shall deem it a proud distinction if I can merit the name by aiding in bringing about the entire abolition of slavery in my suffering country.

And as, when in the palmy days of the Roman republic, the people came to feel, by an instinctive conviction, that Carthage must be destroyed that Rome might live, so, to-day, the American people feel that slavery must die that liberty and the Union may live. "*Delenda est Carthago*" became then the motto of every loyal, patriotic Roman. "Down with slavery" is becoming the motto of every loyal, patriotic American.

As Roman constancy, courage, and persistence finally triumphed over Carthage, so will American constancy, courage, and determination triumph over slavery.

When the Son of God proclaimed a common Father and the universal brotherhood of man, He enunciated the great moral principle which brought on the irrepressible conflict with slavery. It is difficult, it seems to me, for a man to recognize fully the truth of His teaching, in the light of this rebellion, without becoming an opponent of slavery. Just to the extent that Christianity prevails, slavery will disappear. The glorious light of Christianity must fade from the earth, or slavery cease. It is a relief of a barbarous and a savage age, and, thank God, it is melting rapidly away before the light of the nineteenth century.

THE PROGRESS OF LIBERTY.

It would be a most interesting task to retrace the footprints of liberty, amidst the dust and rubbish which have gathered over the history of the past; to follow the oftentimes obliterated pathway by which, since Christ's sermon on the mount, *freedom regulated by law* has been developed into its present majestic and grand proportions. I hesitate not to affirm that all that there is which is valuable in republican and free institutions has its foundation in the sublime morality and broad humanity of the Bible. The glorious theme of man's struggle through the ages, for liberty, is yet to be written. Historians have told us much of courts and camps, of the changes of dynasties, of battles by land and on the sea; but who among them has traced the history of man's progress, and his struggles, through the ages, for "life, liberty, and the pursuit of happiness?" This history, even as presented by that nation and race most interesting to us—the English—has yet to be fully written. The historian has yet to write who has gone back and recorded for us the dawn of freedom among the early Saxons, its memorable triumph on the field of Runnymede, its struggles through the reigns of the Henrys and the Edwards, its fierce and bloody contest with Charles the First, the Roundhead against the Cavalier; thence to the Petition of Right, pausing with sad steps at the grave of Hampden and the scaffolds of Russell and Algernon Sydney; thence to the revolution of 1688, the gradual but sure advance to the noble efforts of Fox and Erskine and Curran to secure freedom of speech, liberty of the press, and trial by jury, down to the crowning glory of the English constitution, when Lord Mansfield electrified the island of Great Britain by proclaiming in the case of the negro Somerset, "that slaves cannot breathe in England."

God speed the hour when the Chief Justice of our land may truthfully announce

the same fact. Then, and not till then, would I have crowned the dome of this Capitol with the statue of Liberty. The great English bard who expiated a life of follies by giving himself a martyr to Greece, has said :

" Freedom's battle, once begun,  
Bequeathed by bleeding sire to son,  
Though baffled oft, is ever won."

The historian who writes the story of man's progress from slavery and barbarism to Christian civilization and liberty, will find no more interesting page than that which is now being filled with the struggle in which we are engaged; none where the contest between liberty and slavery has been more clearly defined; none upon a grander theater; none where the combatants, by their numbers, genius, ability, and heroism, have given more dignity and sublimity to the contest.

#### WEAPONS OF FREEDOM.

When, in 1858, Abraham Lincoln uttered the philosophic truth that freedom and slavery could not permanently exist together—that our country would become all free or all slave—he did not anticipate any but a moral conflict. The weapons by which he expected freedom to triumph were the weapons of truth and free discussion. Free speech, a free press, reason, the schoolmaster, the sermon, the lecture, the printing-press, the telegraph, the ballot: these were the agencies, the weapons, by which the battle was to be fought. It was with the ballot, and not with bullets, the victory was expected to be won. The victory was won by these peaceful agencies in the election of Abraham Lincoln as President. Slavery, conscious that it could not stand free discussion, that it must be destroyed if free speech and a free press were tolerated, appealed from the ballot-box to the sword, and brought upon the country this terrible war.

#### SLAVERY MUST DIE BY THE LAWS OF WAR.

Slavery having plunged the nation into this war, it is fit that it should die by the laws of war. Slavery stands before the world to day guilty of all the calamities of our country. Every dollar expended, every suffering endured, every drop of blood spilled, every wound, and every death, on every battle-field and in every hospital, is the penalty we pay for the existence and toleration of American slavery.

It is to-day a rebel and a traitor. Let us declare it an *outlaw* under our Constitution and laws.

There has never been a day since our existence as a nation when slavery was loyal to the Constitution and the Union. Now an open enemy, striking at the heart of the Republic, it has always been a plotting, stealthy, secret traitor, undermining the Constitution, and sapping the foundations of our liberties.

#### INDICTMENT AGAINST SLAVERY.

The counts of the indictment against slavery, were I to recapitulate its outrages and its wrongs, from the organization of the Government down, would swell to volumes.

The effects of slavery in retarding our national growth and prosperity are apparent at a glance.

The finest portion of our country, with the richest soil, situated in the most genial climate, has been blighted by this curse. Watered by navigable streams, nearer to the sun, with every element of prosperity and wealth showered upon it, yet poor, sparsely settled, with neither thrift, nor comfort, nor commerce, nor manufactures, nor culture, nor art, nor intelligence; all because labor was not free. While sterile, rocky, cold, bleak, barren New England, under the influence of free labor, smiles with abundant harvests, every valley blooms like a garden, every hill shelters a thriving village; with every element of comfort, with a commerce whitening every sea, with skilled and intelligent labor which sends its manufactures to the uttermost parts of the earth. Why is this? Because liberty dwells among the mountains of New England, and slavery blackens and desolates the sunny plains of the South.

In the one you find the happy home, the school-house, the church, the lyceum, the newspaper, the railroad, the telegraph; and everywhere domestic comfort and domestic virtue, refinement, culture, the arts, taste, Christian civilization in its highest forms. In the other, you find the great plantation, the slave-pen, squalor, poverty, misery; in place of the school-house, the slave market, where children, boys and girls, are bought and sold; ignorance, brutality; without art, without literature, without inventions or labor-saving machinery; everywhere slavery operating as a moral blight, an intellectual extinguisher, reducing rapidly a once noble people into barbarism. Such are the results of slavery. These results as naturally follow free labor, and the degradation of labor, as that the summer produces fruit and the winter destroys it.

All history demonstrates that the feet that are fettered, and the hands that are manacled cannot contend with those that are free. The hand that is enslaved produces no work of merit. The brain that conceives and the hand that executes all great things must be free.

God has established the great law of compensation, that true national greatness can never grow up from wrong and wickedness, and we behold to-day in our country its most striking illustration.

All history teaches that ignorance, vice, pauperism, and barbarism are the natural and inevitable results of the degradation of labor. It is quite time to cut loose this millstone from about our necks.

#### SLAVERY BECAME MASTER OF OUR GOVERNMENT.

Slavery having, in an unfortunate moment been tolerated by the framers of our Constitution, under the mistaken belief that it would be but a temporary evil, soon aspired to and became the master of the Government. Having entrenched itself in the very citadel of political power, conscious of its inherent weakness, it demanded additional territory for its expansion, first Louisiana, then Florida, then Texas. These territories, vast enough for an empire, having been secured, slavery then demanded the repeal of the Missouri line that it might carry its curse North as well as South and West.

Why need I remind the people of the perfidious repeal of the Missouri compromise, showing the slaveholder's promise in this instance to be as sacred as a gambler's word or a secessionist's oath? The story of the sublime struggle in Kansas, between fraud and violence and outrage, on one side, and heroic firmness on the other, has not faded from the memory of the people. Her prairies, red with the blood of the martyrs to liberty, her valleys, black with the cinders of her burned and devastated towns and villages, attest alike the devotion of her people to liberty and the savage barbarity of her enemies. All honor to Kansas! She was, indeed, the rock against which the turbulent waves of violence rolled in vain. Single-handed she successfully resisted the slave power backed by the Federal Government.

Up to this period of the struggle, the career of the slaveholders in their lust of domination had met with no serious check. Slavery was absolute on the bench of the Supreme Court; it dictated in the national councils; it furnished the Presidents, or designated the most subservient tool it could purchase among its northern sycophants to occupy the Executive Mansion. It was a ruler in the Halls of Congress. The Army and the Navy, with West Point and the Naval School as its nurseries—the training from which yet lingers—were its right and left hand to carry out its purposes. The national treasure, collected in large proportion at the North, was expended mainly at the South and to fill the pockets of slaveholders. The qualifications for your representatives abroad were fealty to slavery. Every new Territory was filled with the minions of this slave power, and was as regularly trained up to the interests of slavery as the *protéges* of Jefferson Davis in military life were trained to his will.

#### QUESTIONS OF PEACE AND WAR, OF FOREIGN AND DOMESTIC POLICY, CONTROLLED AND SHAPED BY SLAVEHOLDERS.

The slaveholder held the purse and the sword; he was king at the White House, a ruler here in this Hall, a despot in the Senate, and everywhere a tyrant.

Such was the position of the slaveholder in 1858.

#### SLAVERY HAD REVOLUTIONIZED THE GOVERNMENT AND DESTROYED THE PRINCIPLES OF LIBERTY.

Meanwhile slavery had revolutionized the Government. The great principles of Magna Charta and the Declaration of Independence had ceased to have practical existence in a large part of the Union. Liberty of speech, freedom of the press, and trial by jury had, to a great extent, disappeared in the slave States. Indeed, that portion of the so-called Republic had ceased to be a government of law, and had become a government of a tyrannic, cruel oligarchy, more odious, despicable and cruel than any on earth. There was no redress for any outrage, however cruel, if perpetrated in behalf and at the behest of slavery. The vengeance of the slaveholder against the man who spoke or published in behalf of liberty was sharp, speedy, and unrelenting. The bowie-knife and the bludgeon, the halter, and even the stake, were the instruments of violence and torture resorted to by lynch judges who found any bold enough to question the divinity of the "peculiar institution." In the slave States of this Union an anti-slavery man had no rights which a slaveholder felt bound to respect. In those States the Constitution had disappeared. I say, then that slavery had established a revolution in the slave States, overturned a republican form of government and established a depotism in its place.

The degeneracy and barbarism produced by slavery are strikingly illustrated by Virginia. Before the rebellion a chief source of her wealth was in the cargoes and coffles of men, women, and children she raised and sent to the Gulf States for sale. Some years she exported her forty and fifty thousand; and this was done without a blush in the grand old Commonwealth of Virginia—the land of Washington, the mother of statesmen!

Let us pause a moment, Mr. Chairman, and contemplate the saddest spectacle of all this war—Virginia as she is to-day. She was worthy of her early pre-eminence. Her early history was brilliant indeed. Washington, Jefferson, Patrick Henry,

Madison, and Marshall, all men of whom any nation might be proud. There is something grand and majestic in the physical conformation of the old Commonwealth. With the Alleghanies and the Blue Ridge running through her entire extent, she seems fashioned for the abode of freemen. When we remember that her greatest writer penned the Declaration of Independence and the Ordinance of 1787, and that he declared that in a contest between her slaveholders and their slaves the Almighty had no attribute which would take sides with the master; and when we look upon her to-day, and see to what slavery has reduced the proud old Commonwealth, it is indeed the saddest spectacle of the war. She is being purged as with fire; she will pass through this agony, and come out of it restored, emancipated, disenthralled, and regenerated. Once more shall she be hailed as the mother of States—free States—and statesmen. Mount Vernon and Monticello will again become the Meccas of the American patriot. Through the dark clouds which now envelop her the bow of promise shall reappear; that bow shall rest upon liberty. When she shall have passed through this agony, and shall arise freed and regenerated, when her every petty tyrant shall have been dethroned, then will her stern old motto, "*Sic semper tyrannis*," have a new and glorious significance.

In view, then, of all the curses which slavery has inflicted upon the country, I impeach American slavery before the American people and their Congress, and demand whether it shall still live.

I charge slavery with treason and with murder; I charge it with the murder of every Union soldier who has been sacrificed since the rebels fired upon Fort Sumter; I charge it with the assassination of Ellsworth and Lyon and Baker and McCook, and the whole army of martyrs who have been perfidiously slain by slaveholders since they began the rebellion; I charge it with a conspiracy to undermine and subvert the liberties and Constitution of my country, to erect a despotism upon its ruins; I charge slavery with the death of all those who have fallen in this war. It has dug the half million of graves for patriots and rebels made by this war; and those who sleep there would, but for this cursed institution, to-day be living in peace and fraternity.

In the name, then, of these dead, in the name of the widows and orphans thus created, in the name of our country which it has desolated, in the name of the Constitution which it has sought to overthrow, I demand the abolition of American slavery.

#### YOU CAN HAVE NO PEACE WHILE SLAVERY EXISTS.

You can have no permanent peace while slavery lives. A truce you might have, possibly, until it could recover its power; but peace, never. Your contest with it is to the death. Your implacable enemy now reels and staggers. Strike the decisive blow. You could not if you would, and you ought not if you could, make terms of compromise with slavery. You have abolished it at this capital. You have forever prohibited it in all your Territories. Your Government has hung a man for participating in the slave trade. You have admitted West Virginia free. You have acknowledged the independence of Hayti. You have enlisted, and are enlisting, African soldiers; they have carried your banner bravely and triumphantly on many hard-fought fields. You have pledged your faith to them, to the world, and to God, that they shall be free. You have crowned the dome of your Capitol with liberty. At your call Missouri is throwing off the incubus of slavery. Maryland shouts back, through the ballot-box, her joyous answer that she, too, is to be free. Delaware, Tennessee, Arkansas, Texas, and Louisiana will not linger. Your President, in a proclamation of emancipation, which, while it has revolutionized the public sentiment and the action of Europe, has secured victory to our arms, has proclaimed liberty and emancipation throughout the territory in rebellion.

Here, then, we are on the eve of universal emancipation. We cannot go back, and we must not halt. Slavery must die. The sooner it dies, the sooner we shall have peace.

#### HOW SHALL SLAVERY BE EXTERMINATED?

First, I reply, in the border States, by the action of the States themselves. This action will be speedy and decisive.

Second. In all the territory in rebellion, slavery has been already substantially abolished by the proclamation of emancipation. Confirm by Congress this proclamation, prohibit the re-establishment, of slavery and abolish it in that part of the rebel States not included in the proclamation.

Third. Slavery being thus everywhere abolished, amend the Constitution, prohibiting its re-establishment or existence in every part of the United States.

Has Congress the power to confirm, sanction, and carry out the proclamation of emancipation, and prohibit slavery in all that portion of the United States designated therein?

#### WHAT POWER HAS CONGRESS OVER SLAVERY IN TIME OF WAR?

I claim that the Government has the power in time of war, as a war measure, to abolish slavery wherever and whenever it may be necessary to secure the success of the war.

It is a principle in the interpretation of statutes and constitutions, familiar to lawyers, that, to determine their meaning, you may look into and consider their preamble. This is, indeed, usually the *key* to the instrument. It states the object sought to be attained by the statute; and it would be strange, if the preamble recites that the Constitution was ordained to accomplish a certain specified purpose, if the power to accomplish that purpose is not found in the Constitution. Now, the preamble to the Constitution recites that the people, "in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty, &c., ordain and establish this Constitution," &c.

For the purpose of securing *these objects* a Government was established, clothed with powers adequate, as was supposed, to accomplish these purposes. Now, if a permanent and perfect union between free and slave States has been demonstrated to be impossible, may not the obstacle to such union be removed? If justice cannot be established while slavery exists, shall not slavery cease? Has Congress the constitutional power to insure domestic tranquility? I submit to the candid and thoughtful men of all parties whether, in the light of the history of the past, the endless controversies and dissensions, from the Missouri question down to the civil war in Kansas, the riots and outrages caused by slavery, culminating in this terrible rebellion and bloody war, whether domestic tranquility is attainable while slavery exists? If not, may not this domestic tranquility be insured by removing the disturbing cause? If, indeed, there is no medicine for this evil, if this vicious element may not be removed, then the founders of the Government established the Constitution to insure tranquility without the power to accomplish the object.

Among the enumerated objects of the Constitution was to provide for the public defense. Assuming the fact that slavery is a source of weakness and danger to us, and would afford aid and strength to a foreign or domestic enemy, can we provide for the common defense by removing the danger? If a city charter vested in the corporate body the power to provide for the common defense, and a magazine of powder should be established in a populous district, would any lawyer doubt the power of the corporation to cause its removal? If a dangerous and contagious disease should spring up, would the power to cause its removal be questioned? If a pestilence-breeding nuisance existed, could it be removed and its cause be prohibited?

Again, the Constitution was ordained to promote the general welfare, and to secure to us and to our posterity the blessings of liberty. Suppose experience has demonstrated that we cannot have prosperity, nor the blessings of liberty, without extirpating slavery. Suppose the census tables demonstrate that slavery is the great obstacle to our progress; that free labor will produce double that of slave labor; that with free labor you will have national prosperity, wealth, every element of greatness; that with freedom you will have education, arts, science, civilization, religion; while with slavery you have ignorance, brutality, vice, barbarism: can we, under a Constitution formed with the avowed object of promoting the general welfare, promote it by abolishing slavery? Suppose it to be demonstrated that liberty and slavery are incompatible, and that unless you destroy slavery, slavery will destroy freedom and republican government, can you secure the blessings of liberty to yourselves and your posterity by destroying liberty?

THE POWER TO GOVERN THAT PORTION OF THE UNION IN REBELLION MUST BE IN THE NATIONAL GOVERNMENT SO LONG AS REBELLION EXISTS.

There is to-day no government in that portion of the United States in rebellion, except the national Government. Until it is restored to the Union, the power to govern it must exist somewhere. Where is it? I say, in the President and in Congress.

That is a part of our country. The United States—the nation—has guaranteed to it a republican form of government. None exists there to-day. Jefferson Davis has established a despotism there: That despotism must be crushed, and a republican government established. Everything needful to that end the President and Congress may rightfully do. The power to establish all needful rules and regulations, and make all laws necessary to the restoration of a government republican in form, must exist in the national Government.

I do not choose to theorize about State suicide, nor whether the rebel States are in the condition, in every respect, of Territories. I call attention to the fact that there is no government in this rebel territory, except the despotism of Jefferson Davis. There is no State government there. There is no republican government there. The loyal citizens of that part of the Union call upon us to fulfill the constitutional guarantee of giving them a republican form of government.

Whatever it is necessary to do, to execute in their favor this constitutional guarantee, Congress and the President may rightfully do. The right to crush armed resistance to the Constitution and laws, and for Congress to make and the President to execute such laws as will result in the establishment of a republican government, is then clear. But this right to coerce into subjection, and govern until obedience and

loyalty shall resume their sway, all territory and States in rebellion, is not left to inference, nor is it dependent only on those parts of the Constitution to which attention has already been called. The Constitution also provides that "Congress shall have power to provide for the common defense and the general welfare."

Congress also has power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."

Now, the President is an officer of the United States, the Commander-in-Chief of its armies, and it is his duty to suppress rebellion, repel invasion, and maintain the Constitution everywhere in the Union, and carry out the guarantee to each State of a republican form of government; and this he is to do, when necessary, by force, by war, subject to the laws of war; and Congress has full power to make all laws necessary and proper to carry out, and into full execution, these war powers of the Government, including the well-established

#### BELLIGERENT RIGHT OF EMANCIPATING SLAVES.

If slavery is the corner-stone of the rebellion, can not that corner-stone be constitutionally knocked out? If slavery is the cause of the war, giving strength to our enemies; if it feeds and clothes their armies, and keeps them in the field, and enables them to keep up their power; and if the President, or Congress, or both acting together, by freeing them, can deprive the rebels of this power, and bring their freed slaves to our side, and thus provide for the common defense, and thus restore the Union and a republican government to the loyal men of the rebel States, is not the right to do this clear and indisputable? If we have not this right, then is the Government without the means of self-preservation.

The Constitution provides that "the United States shall guaranty to every State in this Union a republican form of government." Congress has the power to do everything necessary to make good that guarantee. If the emancipation of slaves in the rebel States will tend to the establishment of a republican form of government in the States in rebellion, who can deny the power to emancipate? The government, so called, existing *de facto*, in the States in rebellion, is in antagonism to the republican government the Constitution requires the nation to guaranty. It is the right and the duty of the Government to destroy that usurped and rebellious *de facto* government, and establish a republican government in its place. In accomplishing this, if slavery stands in the way, may it not be removed out of the way? Congress, under this constitutional provision, has the power, and it is its duty, to make war upon the anti-republican government now usurping power in the rebel States. It has all the power to make that war effective. Has the Government the right to make war, without the right to use the means to make the war effective? Can the Government declare war, and is this a mere barren right? No, this Government, having the right to carry on the war, possesses all the powers known to civilized nations to make war effective, and among these powers is the right to emancipate slaves.

I ask gentlemen this question. Jeff. Davis has made war upon our country, attempted to set up upon our soil a rebellious government, attacked our capital, and now holds a portion of these States under a despotic tyranny. In making war upon him to subdue him, to re-establish our authority, and fulfill the guarantee of a republican form of government, can our Government do all that one nation can do when at war with another under the rules of war? Surely this will not be denied. This brings us to the inquiry whether the emancipation of the slaves of the enemy is or is not a recognized mode of carrying on modern warfare. Let us see. The end we are seeking to accomplish is, to crush the rebellion. The abolition of slavery tends directly to the accomplishment of that end, and as effectually as to subdue the rebel armies in the field. Without their slaves the rebel armies could not long exist. Emancipation not only deprives the rebels of the means of supporting their armies, but it is the most efficient means of bringing the force and power of four millions of people to our side.

Now, the end we are seeking, to wit, the destruction of the rebel power, being legitimate, and "within the scope of the Constitution," to use the language of Chief Justice Marshall, all means which are appropriate and plainly adapted to the end, and which are not prohibited by the Constitution, are lawful. [4 Wheaton's Rep., 421.] I assert, without fear of contradiction, that the emancipation of the slaves of an enemy is a well-recognized belligerent right, and would not be questioned by any well-informed person if we were at war with Spain, Brazil, or any other nation holding slaves. Has not our Government the same belligerent rights against the infamous traitor Davis as it would have against a recognized nation? Are the rebels less public enemies because they are traitors also? Can we do that to a public enemy which we cannot do to a public enemy and a traitor? In the case of the Hiawatha, it has been distinctly decided by the Supreme Court that the



United States have all the belligerent rights against the rebels. If, then, the emancipation of slaves is a belligerent right, that right exists in the Government; it may be exercised by the President, as it has been by the proclamation of emancipation. It exists in Congress, to be exercised, if expedient, by emancipating slaves and prohibiting slavery in all the territory in rebellion. The right to emancipate slaves has been so generally recognized as a belligerent right that it will scarcely be questioned. This power was exercised by Great Britain in the revolutionary war, and in the war of 1812; and the right to exercise it was admitted by General Washington, and Mr. Jefferson, and not controverted by any.

Mr. Jefferson says Virginia lost thirty thousand slaves under Cornwallis, and if the slaves had been taken "to give them freedom it would have been right." The statement and argument of John Quincy Adams on this subject have never been successfully answered:

"I lay this down as the law of nations. I say that military authority takes, for the time, the place of all municipal institutions, and SLAVERY AMONG THE REST; and that, under that state of things, so far from its being true that the States where slavery exists have the exclusive management of the subject, not only the *President of the United States*, but the *Commander of the Army HAS POWER TO ORDER THE UNIVERSAL EMANCIPATION OF THE SLAVES.*" \* \* \* "From the instant that the slaveholding States become the theater of a war, *civil, servile, or foreign*, from that instant the war powers of Congress extend to interference with the institution of slavery, *in every way in which it can be interfered with*, from a claim of indemnity for slaves taken or destroyed, to the cession of states burdened with slavery to a foreign Power." \* \* \* "It is a war power. I say it is a war power; and when your country is actually in war, whether it be a war of invasion or a war of insurrection, Congress has power to carry on the war, and *must carry it on, according to the laws of war*; and by the laws of war an invaded country has all its laws and municipal institutions swept by the board, and *martial power takes the place of them*. When two hostile armies are set in martial array, the commanders of both armies have power to emancipate all the slaves in the invaded territory."

The great error in the public mind on this subject arises from applying the provisions designed to protect citizens in times of peace to traitors in time of war.

The provision that no person shall be deprived of life without due process of law does not make it illegal or unconstitutional to kill rebels on the field of battle, Neither do the provisions in regard to the security of property, or claim to service, make it unconstitutional, under the war power, to deprive rebels of their slaves. A claim to service for years, as an apprentice, is discharged by the apprentice's entering the Army. Congress may discharge from this service in order to raise troops. Congress may emancipate all slaves to raise troops. If it can discharge a claim to service for years under the war power, can it not discharge a claim for service for life? If the nation is entitled to the military service of all able-bodied men, including apprentices held to service for years, is it not entitled to the service of all black or white men held for life?

Can Congress, by law, discharge one and not the other?

As against the right to military service, is the claim of the master to the service of a slave better or more sacred than that of a master to the service of an apprentice, or of a father to the service of his child? The Government can take my son and your apprentice; can it not take your slave? In case of a foreign war, could not the Government conscript every able-bodied slave? Can it not do the same in a domestic war against traitors? Then it seems clear to demonstration that the Government may emancipate slaves.

The power, then, being clear, in the name of liberty and of justice and humanity, let it be exercised. Proclaim "liberty throughout the land to all the inhabitants thereof."

Let us build upon this rock, and the gates of hell shall not prevail against us.

I cannot close without offering my tribute of homage to that great man who has given to the institution of slavery the hardest blows it has ever received. Let Abraham Lincoln finish the great work he has begun.

The great objects of his life are to crush the rebellion and eradicate slavery. His ambition is to live on the page of history as the restorer of the Union, the emancipator of his country. For these great ends he has labored and toiled through difficulties and obstacles fully known only to himself and to God.

The year that has just closed will live as the year of the proclamation of emancipation. This act the President declared was sincerely believed to be an act of justice, warranted by the Constitution upon military necessity; and he invoked for it the considerate judgment of mankind and the gracious favor of Almighty God. It will mark an era in modern civilization as clearly as the Declaration of Independence, or the acquisition of Magna Charta. By history it will be regarded as a great act of humanity and justice. As a matter of State policy, its wisdom has already been vindicated. This proclamation, by presenting our national struggle as a clearly-defined contest between liberty and slavery, changed the attitude of Europe towards us. Under its influence and the victories achieved under its auspices, all fear of foreign intervention has disappeared. Since the day of its issue no more *Floridas* have sailed from British waters. England's broad arrow arrests the rebel rams being fitted out in her harbors. Louis Napoleon, following the example of

Great Britain arrests the rebel gunboats in the waters of France. Lord Lyons *now* rises with alacrity to warn Mr. Seward of a rebel plot in Canada.

With *liberty* and union thus written by the President's own hand upon our national banner we have had Gettysburg, Port Hudson, Vicksburg, Knoxville and Chattanooga.

It has been the fortune of the President to have his leading measures, however severely censured at the time of their adoption, always approved within a twelve-month afterwards. The emancipation proclamation and employment of negroes as soldiers are striking examples. Let those who deny his statesmanship, or who question his sagacity, note this fact. His magnanimity has no parallel. He has borne censure and denunciation for acts for which others were responsible, with a generosity which has extorted from his rivals the declaration, "Of all men, Mr. Lincoln is the most unselfish." The great fault of his administration, the too tardy removal of incompetent men, has arisen from a scrupulous care to be just.

I ask the ardent and impatient friends of freedom to put implicit faith in Abraham Lincoln. Remember he lives for the restoration of the Union and the abolition of slavery. If you deem him slow, or if you think he has made mistakes, remember how often time has vindicated his wisdom.

One of the most striking and gratifying vindications of the policy and character of President Lincoln is to be found in the reply of *Count Gasparin* and his associates to the letter of the National Loyal League of New York.

These distinguished statesmen and scholars, calm and truthful observers, in their letter exhibit by contrast the injustice which has been done the President by some of the zealous abolitionists of America. They say:

"We, gentlemen, are abolitionists; and we declare that we have never hoped nor wished for a more steady, rapid, and resolute progress. We have understood the difficulties which surrounded Mr. Lincoln. We have honored his scruples of conscience with regard to the Constitution of his country which stopped his path. We have admired the courageous good sense with which he moved straight on, the instant he could so do without danger to his cause or violation of the law."

At the same time they say with a perfect conviction, that the destruction of slavery is the salvation of our country.

"We hold it to be of the first importance that the cause of the war shall not survive the war; that your real enemy, slavery, shall not remain upon the field."

The masses of the people everywhere trust and love the President. They know his hands are clean and his breast is pure. The people know that the devil has no bribe big enough, no temptation of gold, or place, or power, which can seduce the honest heart of Abraham Lincoln. They know that while he is President there is no danger of a *coup d'état*. Let him exercise whatever extraordinary powers the public safety may require, the people instinctively feel that their liberties and laws are safe in his hands. They sleep soundly, with no disturbing apprehensions, while he holds the reins. Impetuous, eager, impatient men call him slow, over cautious, wanting in energy. Remember the times in which we live; remember the danger of reckless energy, of unscrupulous will and passion.

You have a Chief Magistrate of clean hands and pure heart; sagacious, firm, upright, and true. Somewhat rude and rough, it may be, but under this rough exterior you have the real and true hero. If he is a diamond in the rough, he is nevertheless real, with no false glitter or garish pretension. You have in him a man of that sobriety, of that self-command, of that freedom from passion, of that justice and truth, of that soundness of judgment and perfect rectitude of intention, that has had, in all these attributes, no parallel since the days of Washington.

Taking the last five eventful years, and Mr. Lincoln has exerted a greater influence upon the popular heart and in forming public opinion than any other man. If slavery now reels and staggers in its last struggles, it is from wounds self-inflicted, and the blows it has received at his hands. His speeches and writings, plain, homely, and unpolished as they sometimes are, have become the household words of the people, and crystallized into the overwhelming public sentiment which demands the extinction of slavery.

He is a radical—a radical from conviction, not from passion, or hatred, or revenge. In all great radical changes, in running round sharp curves is it not better to put on the brakes sometimes, rather than to run off the track and smash up the train?

There are always men who are loud, boisterous, furious, intolerant, proscriptive, and cruel, whose hearts are filled with hatred and malice, and who, to eradicate one evil, are willing to tear up the good which it has taken ages to secure. Such was not the example set by the greatest reformer and most radical teacher who ever appeared on earth, the Son of God. Mr. Lincoln's whole theory as a reformer is to do the greatest possible amount of good with the least possible evil. Were he more violent, more carelessly destructive, did he use more violent words, he might be perhaps more the popular idol, but less the statesman and the Christian. This great statesman, this simple, unpretending man, I believe to be the instrument raised up by God to work out the regeneration of the nation by the death of American slavery.