

PAPERS FROM THE SOCIETY

FOR THE

Diffusion of Political Knowledge.

THE TRUE CONDITIONS OF AMERICAN LOYALTY:

A SPEECH DELIVERED BY

GEORGE TICKNOR CURTIS,

BEFORE THE

DEMOCRATIC UNION ASSOCIATION,

MARCH 28TH, 1863.

PRESIDENT, PROF. S. F. B. MORSE,	} OFFICE OF THE SOCIETY, No. 13 PARK ROW, NEW-YORK. C. MASON, CoR. SEC'Y, To whom all communications may be addressed.
SECRETARY, WM. McMURRAY,	
TREASURER, LORING ANDREWS,	

READ—DISCUSS—DIFFUSE.

Resolved, That it be recommended to all citizens in the various cities, counties, and villages of this and other States, who approve of the objects expressed in this Constitution, that they organize auxiliary societies, and open communication with the New-York Society, for the purpose of procuring and circulating our papers.

LETTERS FROM THE EDITOR

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SPEECH OF GEORGE TICKNOR CURTIS.

MR. PRESIDENT AND GENTLEMEN OF THE
DEMOCRATIC ASSOCIATION :

Nothing but a sense of the duty which every man owes to society, according to the measure of his ability to serve it, would have induced me to address you in a time like this. It is a time of strange excitements and strange acts. No man who does not join in a wild, indiscriminating support of the measures and dogmas of a dominant party, can hope to escape detraction and obloquy. The utmost exertions are made to suppress ordinary freedom of speech; every device is employed to misrepresent, and every effort is made to misunderstand, the purposes of those who are in political opposition to the party in power. The vocabulary of political slang is exhausted to find terms of reproach and infamy, with which to stigmatize men whose motives have in their favor all the ordinary presumptions of purity, and whose arguments and opinions are at least entitled to a respectful hearing. This process, which has been going on for many months, with a violence unexampled even among a people whose political discussions are never marked by too much temperance, has culminated from time to time in outrages upon the rights of persons and property, and may do so again. It is no time when one would choose to utter opinions, without being impelled by a strong sense of duty.

But if we are not prepared to suffer for our convictions, they must be very feeble convictions. If we do not love our country and its institutions well enough to encounter all the hazards that may attend an honest effort to save them, our love must be cold indeed. Such, I am sure, is not your case, or my own. Meaning to utter here nothing but words of truth and soberness—the truth

as I hold it, in the soberness that becomes me—I accept all the responsibility to public opinion which may justly fall thereon.

I propose to speak to you to-night upon a subject which seems to me to be strangely misapprehended by many good men, and strangely perverted by many who are not good. I mean the subject of "LOYALTY." The word itself, at least in the sense in which it is used in those countries from which we have lately borrowed it, can scarcely be said to have an appropriate place in our political and social system. But it is a word, at present, in great use among us; and we must take it as we find it, and are bound to inquire what are the moral duties which its just and true signification embraces. This inquiry, and the certain consequences of accepting and following out the doctrines which are now forced upon us, will form the topics of my discourse.

The true conditions of American loyalty are not to be found in the passionate exactions of partisan leaders, or in the frantic declamations of the pulpit, the rostrum or the press. People who do not like my political opinions may hurl at me the epithet "disloyal;" but when they have thrown this missile, they have not taken a single step towards defining, to me or others, what the true conditions of loyalty are. It is important that this step should be taken; for whether we are to go on or to cease, in this course of idle and unmeaning abuse, it concerns us all to know what measure of public duty may rightfully be exacted of us. To know the height and depth of those great virtues which are comprehended in the term "patriotism"—to feel at once that they are seated in our affections and enthroned in our reason—is to "get wis-

dom and to get understanding," in the largest of earthly concerns.

The true conditions of American loyalty are to be found in the law of the land; in the institutions under which we live; in the duties flowing from the Constitution of our country; in the political system which we have inherited from our fathers, with all its manifold relations, through which we may trace the clear dividing-line that separates perfect from imperfect obligations.

The text of our fundamental law is the guide, and the sole guide, in all ethical inquiries into the duties of the citizen. To that source all must come, rulers and people alike; to that fountain all must resort. The vague and shifting standards that are drawn from supposed dangers to what is called "the national life," or which spring from the conflicting judgments of men respecting public necessities, can determine nothing. These things can furnish no rule. We must have a rule, for loyalty is a moral duty; and it must therefore be capable of definition. A people whose "national life" exists only by virtue of a written constitution, and who can have no necessities that lie out of or beyond that written necessity, can find no rule of loyalty in any of the necessities which their constitution of government does not cover. They may find grounds of expediency, in one or another supposed necessity for destroying their constitution; but it would be extremely absurd to say that this expediency could be made the object of their "loyalty." Let us go then to the fountain head—the source of all our national obligations.

The Constitution of the United States itself prescribes the full measure of our loyalty in these words:

"This Constitution and the laws of the United States *which shall be made in pursuance thereof*, and all treaties made or which shall be made, under the authority of the United States, shall be THE SUPREME LAW OF THE LAND."

Observe how precise as well as comprehensive this great rule of our duty is. It expresses without ambiguity the whole of our obligations towards the Federal Government. It makes a su-

preme law;—a law paramount to all other human laws—an obligation transcending all other political obligations. It leaves no room whatever for the intrusion of another or a rival claimant to our civil obedience. That claimant can neither be a person invested or uninvested with office, nor an idea of public necessity, nor an imaginary national life beyond or apart from the life created under the Constitution. The only possible claimant of our obedience is the LAW; for as that law is made supreme, all other demands or demandants upon our submission are of necessity excluded.

What then does this supreme law embrace? The text on which I am commenting itself furnishes the answer. "This Constitution," it says—what this *Constitution* contains, and the laws that *shall be made in conformity with it*.—*these* shall be the supreme law, rising in authority above all other laws. No public necessities, save as they are embodied in the Constitution; no "national life" save as it exists under the Constitution; no legislation that is not in accordance with the Constitution—is the supreme law; but what the Constitution ordains or authorizes, *that* is the public necessity, *that* is the national life, because it is the supreme civil obligation.

Such is the fundamental character of our political system; and so perfect is it in its consistency with itself and with the rights of all who are subject to it, that it contains a machinery by which the conformity of all acts of the Government with the principles of the Constitution may be peacefully tested, without forcible resistance. If the acts of the Government are complained of as unconstitutional, they may be brought to a judicial test, or the people may themselves pass upon them at the ballot-box, through the instrumentality of frequent elections.

Now when we look into the Constitution of our country to discover the full scope of the obligations which are embraced in the supreme law of the land, we find that it grants certain political powers and rights to the central or national government, and reserves

all other political powers and rights to the States or the people. Hence it is plain that the reserved rights of the States or the people are just as much a part of the supreme law of the land, just as much comprehended within the duty of our allegiance, just as much the rightful objects of our "loyalty," as the powers and rights vested in the national government. If the political existence created by the Constitution is the national life, called into being by the supreme law of the land—and he would be a bold and reckless sophist who should undertake to find that national life any where else—then the rights which the Constitution reserves to the States or the people are equally comprehended in that life, for they are equally declared to be parts of the supreme law of the land. For this reason, all idea of a supremacy of the national rights or powers or interests, when founded on something not embraced in the Constitution, is purely visionary. No duty of "loyalty" can possibly be predicated of any claim that is not founded in the supreme law of the land. When it is once ascertained what are the rights and powers vested in the national authorities by the Constitution, they are parts of the supreme law, and our "loyalty" is due to them. When we know what are the rights and powers reserved to the States or the people—and we know that they are the whole residue of all possible political rights and powers—they are equally the objects of our "loyalty," for the self-same reason, namely, they are parts of the supreme law of the land.

Again: the Constitution not only contains some political powers and rights granted to the Federal Government, and a reservation of all other political powers and rights to the States or the people, but it also embraces rights of person and property guaranteed to every citizen in his individual capacity; and these are equally made, not by implication but expressly, parts of the supreme law of the land, and are therefore equally the objects of our "loyalty." All pretence, therefore, of any paramount authority in the central government to override these personal rights of the citizen, or to claim

our "loyalty" in disregard of these co-ordinate parts of the supreme law, is a perversion of the very idea of American loyalty. As well might the citizen claim, because the Constitution has made his personal rights part of the supreme law, that therefore the loyalty of his neighbor is due to him alone, as the Government can claim that loyalty is due solely, or chiefly, or primarily, or ultimately to the functions which it is appointed to perform. The rights of the Government, the rights of the States, and the rights of individuals, all and equally, are comprehended in the supreme law of the land, and our loyalty is due to that law, to the whole and to every part of it, and public officers are in the same sense and for the same reason bound to obey every "jot and tittle" of it.

These positions are very plain and familiar truths; too familiar, perhaps, you will say, to require to be stated. But in these days, nothing that is true is too fundamental or too plain to be inculcated. The extravagant language and ideas that are current in the mouths of even sensible people, on this subject of loyalty, would have exceeded all capacity of belief in any other period than this. If one were to undertake to reduce this language and these ideas to something like a definite moral proposition, it would be found that the doctrine is something like this. In a time of war, when there are great public dangers, the rights of the States and of individuals must give way; and if those who administer the government are satisfied that public necessity requires them to use powers that transcend the limits of the Constitution, he who does not acquiesce in their judgment, or who questions their authority to do particular acts, is a "disloyal" citizen. This statement of the doctrine is the best that I know how to make; for I know not how else to interpret or to apply the denunciations which we find in the proceedings of public meetings, in the columns of party newspapers, and in the common speech and action of very many persons. I need only point to the utter prohibition that is attempted to be placed upon all discussion of any plan for bringing this dreadful civil war to a close, except-

ing by the particular method of fighting ; or to the manner in which the terms "traitor" and "secessionist" are hurled at all who question the policy and lawfulness of the methods pursued by the Government in the prosecution of the war. For myself, I do not profess to have a definite opinion, as yet, concerning several of the modes in which a peace might safely be sought. But I know not what right I have, legally or morally, to say that my neighbor shall not discuss such a question, or shall not act upon it at the polls, or shall be denounced as "disloyal," because his opinions on these subjects differ from mine. It is to me very plain, that this whole effort of a dominant party to control opinion, by such means, can, under such institutions as ours, lead to but one of two results—the establishment of a despotism of a very bad kind, or the overthrow of the political power of those who resort to such methods. Either the institutions of the country will perish, or the party which undertakes to repress all freedom of discussion will perish. I hope we shall make up our minds to destroy the party and save the institutions. But of this hereafter.

Let me return to this new doctrine of "loyalty," which requires us to acquiesce in silence in the judgment of public servants as to what the public necessities require, even to the extent of overlooking great infractions of the Constitution. This doctrine entirely ignores the purpose for which the Constitution imposed certain stringent limitations on the powers of the national government. In order to explain this, it will be necessary to descend from general reasoning to particular illustrations.

The Constitution, after conferring certain well-defined political powers upon the Federal Government, declares that all other political powers are reserved to the States or the people ; and it further secures to every citizen certain inalienable rights of person and property, which it recognizes as inherent in the citizen forever, beyond all possible control of that government. Now does any one suppose that this was done without a serious purpose ? Does any man imagine that it was done for what

is vulgarly called *buncombe* ? Do you believe that it was done with a mental reservation of the doctrine of public necessity, standing behind the Constitution and ready to strike it down from its supreme control over us and our affairs ? Let me suggest to you, my fellow-citizens, that you can not study the Constitution and the purposes of the great generation who made it, without seeing that the very object of all this careful provision for rights that were placed beyond the reach of the central government, was to exclude forever this doctrine of public necessity as a *measure of the powers* that were conferred upon that government. I use this language deliberately. I affirm that when the Constitution repeated the words of Magna Charta, not as a statute but as a fixed provision of fundamental law, and declared that "no person shall be deprived of life, liberty, or property without due process of law"—it meant to make a rule for all time and all circumstances, shutting the door forever against any supposed public necessity for violating the rights of the citizen.*

* It is in my opinion, a monstrous fallacy to suppose that the *implied authority* for suspending the privilege of the writ of *habeas corpus* warrants indefinitely the arrest and detention of *citizens* without judicial process. This implied authority was given in the original Constitution. But after the adoption of that instrument, the people came forward and annexed to it the prohibition of Magna Charta, making that provision part of the supreme law. The two clauses of the Constitution must therefore be so construed and applied as not to render nugatory the one last adopted, and so as to give effect to its stringent declarations. These clauses can be reconciled only by such a course of legislative and executive action, as will preserve the operation of both. If under peculiar circumstances of imminent danger the actual seizure is made without judicial process, the prisoner should immediately be charged with an offense by warrant ; and then the suspension of the privilege of the writ of *habeas corpus* may intervene, to prevent his discharge from the imprisonment for causes which would operate to discharge him if the writ were not suspended. This is the only course of legislation, in my opinion, that can be consistent with all the provisions of the Constitution. I do not see how it is possible to contend that a continual imprisonment, founded on mere executive seizure, can be *authorized* by taking away the privilege of the *habeas corpus*. If Magna Charta had not been interposed there might have been more ground for this pretension ; for then there would have been no necessity for process at any time.

In like manner I affirm that when the Constitution reserved to the States or the people all political powers not granted to the Federal Government, it meant to preclude every ground of necessity for the assumption by that government of the powers thus withheld.

In fact, the idea of a written constitution—a fixed and supreme law—is utterly irreconcilable with the theory that the administrators of such a government can resort to their own judgment of public necessity, and act contrary to that supreme law, and that good citizenship requires the people to acquiesce in that judgment. They who set up such a claim for our rulers claim for them an entirely irresponsible power. We are required, for example, to believe that what are called “arbitrary arrests” are necessary, but no one explains to us the grounds of that necessity. No account is rendered. We are to *assume* the existence of causes of justification, but no one tells us what those causes are. They may remain forever locked in the bosoms of those who do the acts of which we complain. Why should American citizens, filling high places of public trust, act upon such a principle as this? Can any thing be more degrading, more injurious to the public conscience of a people, than to form a habit of implicit belief in the existence of necessities which nobody explains, and of which nobody is required to give an account? You may hear a hundred men in a day, speaking of some particular case of this kind, profess its necessity; and not one man in the whole hundred can tell you what the necessity was.

My friends, these false theories of loyalty—for false I must deem them—are infusing into our national character a fatal poison. They are leading those who cherish them to impute factious and interested motives to all pure and manly efforts in defense of the principles of civil liberty. They who indulge in this dangerous work of deriding the defenders of constitutional rights, can have but a very inadequate conception of the convulsions that must precede the final loss of those rights. They take but a very superficial view of the depth of those feelings which lead men in all free

countries to resist every form of mere arbitrary power. They make no account of the principles implanted in our breasts, and cherished into dictates of nature by generations of training in the practice of liberty; those principles on which depends the primary office of an opposition in a free government, and by means of which all constitutional rulers are restrained from abuses of power. Impatient of those restraints, such persons rush to methods which can not be employed without undermining the foundations of liberty; and for a supposed temporary advantage barter away the strength and the supports, the vigor and the health of the body politic. This has been in all ages the downward course of nations, who have substituted for free institutions and systems of fundamental law a blind and unquestioning faith in public necessities, and have then welcomed some despotic power. Thus did the Roman Empire succeed the Republic, and thus we may be preparing ourselves for a like destiny. Let us be warned in time.

I have endeavored to state with due precision and fairness one very important part of the conditions of a true loyalty. But I should leave this subject in an imperfect state, if I omitted, on the other hand, to give equal prominence to certain principles of our political system which limit the mode in which States and individuals are to exercise their constitutional rights of opposition to the measures of the Federal Government. I have briefly adverted to this already; but a more extended statement of the principle is necessary.

I will assume then that a measure, having all the forms of law, is believed upon good grounds to be a violation of the constitutional rights of States and individuals. What is the rule of action under such circumstances? There is no difficulty whatever in finding the answer. By the establishment of a judicial system within the Federal Constitution, having ultimate cognizance of all cases arising under that Constitution, *one* mode is provided by which both States and individuals can ascertain whether their reserved rights are invaded by the Federal authorities.

This remedy is at all times open ; and there is no valid reason why a State should forcibly assert its constitutional rights, any more than that an individual should do the same thing. While a State remains a member of the Union, it is bound to vindicate its constitutional rights and powers in that mode which is consistent with the preservation of that Union ; and it can at any time, under any supposed violation of its rights or the rights of its people, make a case for judicial determination. Forcible resistance is open revolution ; and nothing but an intolerable oppression, cutting off all judicial remedy, can make revolution a necessity and a duty.

Again:—there is another equally good reason, which shows that no popular tumults, and no forcible resistance, are either legally or morally justifiable, while the ballot-box remains untouched. If the people of a State have reason to believe that measures of the Federal Government are subversive of the Constitution, it is their right and their duty to correct the evil by a change of their rulers. In cases of supposed extensive violations of the Constitution, to which the attention of the whole country is called, the remedy of elections is ordinarily sufficient to reverse, and is in our system held to reverse, erroneous constructions of that instrument, as well as errors of policy. The popular tribunal may not be quite so precise in its action as the judicial ; but there can be no mistaking the judgment of the people, when it is pronounced upon an issue clearly made with an Administration which is charged with infringing the Constitution.

These principles no one, I presume, will be inclined to dispute. But there is thrust in, to intercept their application to the present crisis in our affairs, a doctrine which I for one distinctly repudiate. That doctrine is, in substance, that *all* questioning of the measures of the Administration should be postponed while we are in a civil war ; that there should be but one party ; and that all should rally in an “*unconditional support* of the constituted authorities.” This dogma needs examination. If by an unconditional support of the

constituted authorities, it is intended to claim that we must all recognize the fact that we are engaged in a civil war, and that we must conduct it, while it lasts, *through* those authorities, and must hold no irregular intercourse with the public enemy, I readily accede to the proposition. But if it is meant that we are not to question the *methods* which the Administration pursue in the prosecution of the war ; that we have no rightful control over their *measures* ; or that we are to refrain from demanding a change of their *policy*—I reject the doctrine without the slightest hesitation. The very issue which you make with the Administration of itself refutes that doctrine. That issue is, that their course of action subverts the Constitution ; makes the war an attack upon the social system of the South ; and renders it impossible to succeed in that war, without destroying, for the South and for the North, the whole principle of State sovereignty on which the Union was necessarily founded as *one* of its corner-stones. It is in vain to say that the acts of the Administration, of which you complain, are *military* measures. In every civil war there are political considerations which must qualify the military action, or that action can result only in disaster. A government that undertakes to suppress a great revolt of powerful and organized communities, at the same time furnishing the strongest of moral motives for resistance, is in the same situation as he who fights his enemy with one hand and supplies him through the other with the munitions of war. In the present case we have made the conquest one of infinite difficulty, by first declaring that we waged the war solely for the supremacy of the Constitution, and then turning round and making the overthrow of the Constitution a too probable result of our success.

This result will not be confined to the condition of the revolted States, if the war continues to be prosecuted as it has been for the last six months. You can not acquiesce in the measures of the Administration, involving, as they do, the exercise of many powers that lie wholly outside of the Constitution,

without leaving this country hereafter to be ruled by powers that will rest upon nothing but what the judgment of a party, or a faction, or a clique, shall deem to be public necessities. In this aspect of our affairs I can not avoid a word of earnest appeal to all reflecting men, to consider what fate must attend the securities of property, as well as the rights of person, if we permit the Constitution to be lost.

There are five great securities of property, the continuance of which in this country is dependent on the preservation of the Constitution of the United States. Let me enumerate them. They are:

1. A uniform metallic currency, as the basis and standard of all values.

2. The power to establish a uniform system of bankruptcies, whenever the interests of commerce require it.

3. The inviolability of contracts by State Legislatures.

4. The provision which places property under the protection of the Constitution, as against Federal power, so that no man can be deprived of it without legal process.

5. The prohibition which restrains the Federal power of *eminent domain*, so that private property can not be taken for public use without just compensation.

Now no rational being can suppose that these guaranties can be extorted anew from that centralized despotism which is but too likely to be the only successor that the Constitution of the United States can ever have. I care not what ideas men may form of that "stronger government," which some allow themselves to wish for in the place of our present system. My reason and my instincts both teach me that that government will be an unchecked and uncontrolled despotism; and we need not look far for the signs of its approach. Consciously or unconsciously, there are many agencies at work to promote its advent; one of the most potent of them is the false doctrine of "loyalty," against which I contend, and another is the perilous idea that you can safely trifle with a fixed constitution. We have made such vast strides

towards a system entirely unknown to the Federal Constitution, that we can now see the nature of the only power that will ever replace it. When that power has fully come, the present securities of property will have been swept away with the securities of person. Both will disappear with the Federal Constitution; and we shall never extort them as concessions from the new power, or place them beyond reach, if we can extort them. There are no Barons on this our American earth to make a new *Magna Charta*; our race will never see another Runnymede; and *we* shall never see another Washington, another Madison, another Hamilton, another Jay, another Patrick Henry, another Samuel Adams. Even the States, with their separate constitutions, their bills of rights, and their present capacity to protect their people, will fall beneath the new and unchecked power to which the nation will surrender itself, when it cuts aloof from the Federal Constitution; and if they should not, every intelligent man, who has had much to do with accumulation, knows, or should know, that property, deprived of the supports which it derives from the Federal Constitutional system, can maintain but a feeble and precarious existence. We must remember that long, long centuries ago—in a state of society in one sense rude, but when the manly virtues of our ancestors gave them a historic splendor that we can only reflect, it providentially happened that the rights of property and the rights of person were indissolubly blended in one immortal maxim, that was laid, for all time, at the basis of the civilization of our race. Whatever may happen in other civilizations, or in other climes, Liberty and Property for us must flourish or perish TOGETHER.

My friends, it is time that the warfare upon opinion, and thought, and speech, should cease. It is time we had ascertained that our national difficulties can never be cured without the action of the people. It is time we had exploded the fallacy that patriotism and party are incompatible in any conceivable circumstances of our country. You, at any rate, let me hope, reject this dogma as

a delusion ; for in all the gloom of the present, in all the dark uncertainties of the future, I put my hopes in the great Democracy of the Union. I see nothing else to which we can look. I see you, it is true, occasionally distracted by the tactics of your opponents, occasionally disturbed by the indiscretion of friends. But I also see you animated by a patriotism which I fully believe will guide you aright, and which, in spite of all that men may say of you, commands my respect and confidence. Permit me then, with such freedom as may be taken by one who neither has nor seeks any special place in your organization, to offer you a word of friendly counsel.

What you need, as it seems to me, is to be fully impressed with a belief in your mission and in your capacity to fulfill it. That mission is to save the Constitution of the United States. By saving it, I mean of course that you are to save it for the whole Union, for the South and the North, for the East and the West, with every right which it protects completely reestablished. I can see no other mode of saving it ; for it is to my mind apparent, that a war prosecuted against the South for the acquisition of powers over their domestic institutions which the Constitution expressly withholds from the Federal Government, can result in nothing but the establishment of a system under which there can be no local rights of self-government left for any section or any State. This it is your mission to prevent. You can not prevent it, by uniting with those who proffer support of the war without the slightest protest against the unconstitutional policy with which it is prosecuted. In all the late popular proceedings looking to the establishment of what are styled "Loyal Leagues," I have not seen one word of indignant remonstrance against the unconstitutional measures of the Administration. You can not expect, and need not look for such remonstrance from assemblies largely composed of those who are the peculiar political supporters of the Administration, and who are more or less responsible for its measures. Public opinion, if it is to make itself *heard* and *felt* against all violations of the

Constitution, must make its utterances through the action and the voice of those who have never failed to protest against the policy that has created for us so much peril. If that public opinion fails to recognize this necessary channel of expression — if it yields itself to a fatal apathy, or *will* not see how it can at once save a Government and change an Administration — then all will be lost, and there will remain to us only the consolation that we have individually done our duty.

You are then, permit me to add, to seek by every constitutional and upright method, to obtain the control of all the organisms of government. If in the mean time you can not induce the present Executive of the United States to change his policy, then, remembering his position, possess your souls in patience until you can give him a constitutional successor. Let every thing be prepared with one fixed and unselfish purpose : namely, to make every successive election reverse the doctrines and dogmas and usurpations which you know you should condemn. By this course of action, instead of weakening, you will strengthen your Government ; for you will make it apparent to the whole world that the present arbitrary rule is to be succeeded by a period when the Constitution is once more, in all its beneficence and all its power, to be "THE SUPREME LAW OF THE LAND." Fail to do this, and the nation, losing heart and hope, will lose sight of the methods by which a constitutional succession can be preserved to a better day, and will yield itself to the despair which welcomes despotism, or to the rage which welcomes anarchy.

I know the difficulties of your position ; but you must not falter, and you must not admit that you can fail. High virtues are demanded of you. You must live down slander, you must despise obloquy, you must watch your own motives, you must chasten your own spirits, you must

— "stretch every nerve
And press with vigor on"

to the salvation of your country. You must win public confidence by your purity ; you must challenge public respect

by your intelligence. Above all, and before all, without one instant's hesitation, without pleading one solitary excuse, you must be true to the principles of civil liberty. You must learn that those principles are no chance production of the "piping times of peace," but that they are the rules which in all times of tranquillity and all times of commotion have been evolved out of the wisdom of ages, to save us from the mad thirst for arbitrary power that has again and again seized upon highly civilized nations, and destroyed the hopes of mankind.

Preparing yourselves in this way for the great task that is before you, you will be able to approach the difficult problem of this war with a firm and fearless step. You will see that this problem presents to you the alternatives of consenting to a dismemberment of the country, or of preventing that dismemberment by a reversal of the popular and governmental action which has made it so nearly an accomplished fact. You will soon hear it said, by those who have urged on the war upon this most disastrous policy, that it is too late now; that the breach can never be closed; that the South must be permitted to go in peace. Just here, then, precisely here, before all is given up to the control of the extremists North and South, you must interpose. You have a right to have other measures and other counsels tried. You are numerically a majority in at least four of the largest States in the Union. You may rightfully demand

that the Constitution, with all its guarantees, be tendered to the revolted States; and you may rightfully do all that can assure the people of the South of its protection, without calling upon your government to change its *military* attitude. I know well enough the insidious answer that is made to this suggestion; how confidently we are told that the South would reject your offer with scorn. But I tell you that history has never seen a case of war, foreign or civil, in which a nation could absolve itself from the moral responsibility of doing right, by asserting beforehand that it knew its adversary would do wrong. The elements of a moral judgment do not exist in advance of such an offer, either in the controversies of nations or in the controversies of individuals. Whatever others may think, or say, or do, you, I trust, will act upon a principle which I am persuaded rests upon a moral foundation that no sophistry and no casuistry can successfully assail. If, after such an offer, the war must still be carried on, no language can overstate the advantage that would be gained in the vigor of its prosecution.

And here, gentlemen, I close. One path of duty is clearly open before us. I can see no other now. Sufficient unto the day is the evil, sufficient unto the day is the duty thereof. He who does that one duty in a firm and humble faith in the providence of God, prepares himself for a clear perception of the next that may arise in the future.

