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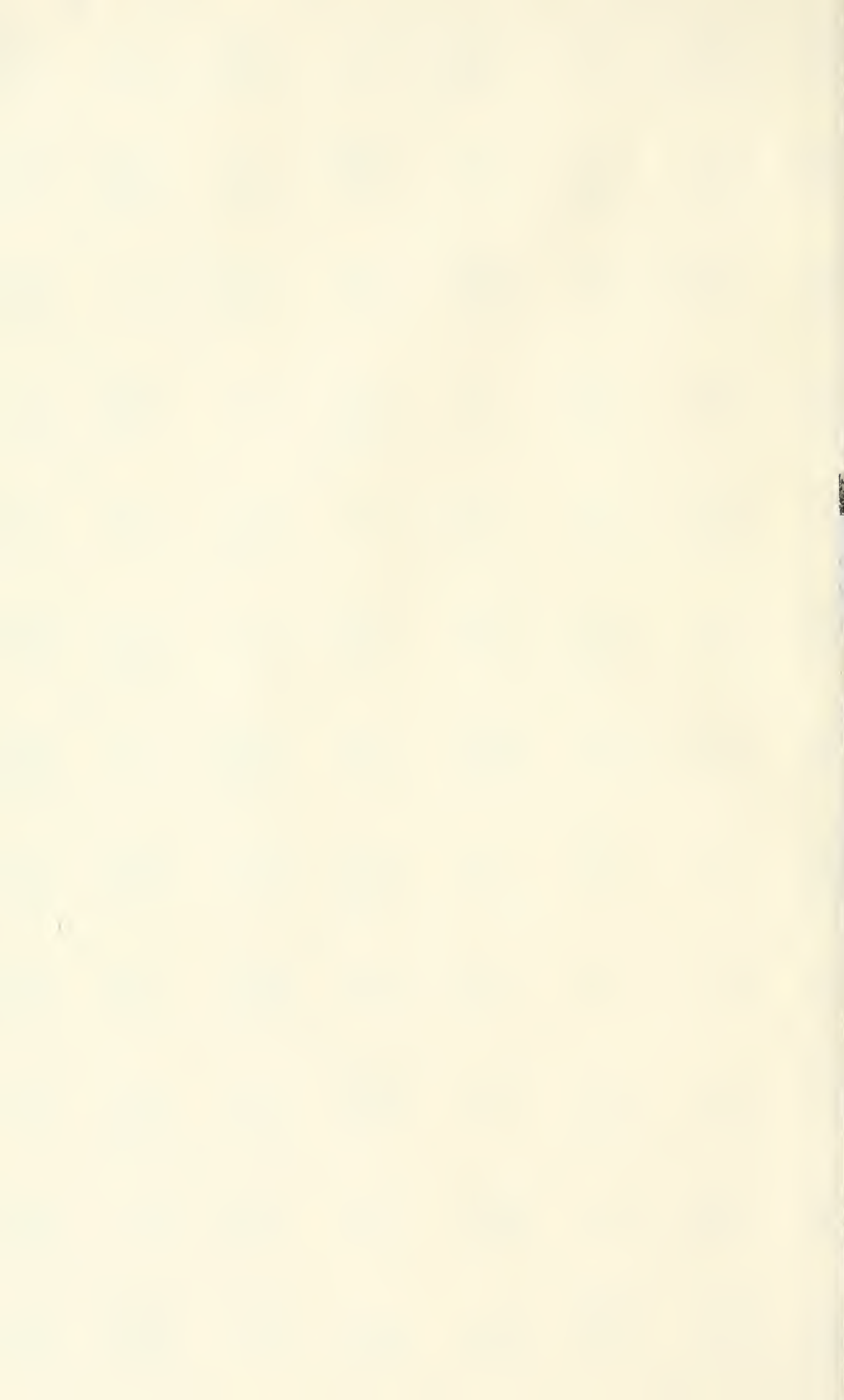


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SPEECH OF MR. GILMER,
OF GUILFORD,

25.10

In the Senate of North Carolina, December, 1850.

ON UNION AND SECESSION.

Mr. GILMER said:—He desired to discuss these questions, not as a Whig or a Democrat, but as a North Carolinian—as one whose feelings were with the South, and whose interests were there, but who banishing for the moment all party considerations and all sectional prejudices, would anxiously consider how the honor and the safety of the South might be secured, and if it could be done consistently with these, the Union be preserved. He wished to see erected a platform on which all true sons of N. Carolina could stand—to have embodied in resolutions or otherwise a sentiment which would strike a responsive chord in the breast of every patriot, and enable the State to present an even and steady front, in a crisis so delicate and so trying. It could not be doubted that North Carolina intended to be true to herself; she only desired to be correctly informed of the posture of affairs, to know the extent of her grievances and the dangers which beset her, and the surest, safest and most honorable mode of escape. In determining this momentous question, at a period so critical and exciting, heated passions and party prejudices should be banished from the Council Board; and opinions, purposes and determinations expressed in language becoming the gravity of the occasion and characteristic of the people for whom the representatives assume to speak.

He thought unanimity of sentiment all important, and to secure this he would willingly vote for the resolutions of any other gentleman which might meet with general approbation and best express the popular voice, although those introduced by himself defined his views and the position which he preferred to occupy.

He respected the views and the motives of other gentlemen, wished to hear the opinions of all, and would even make sacrifices and yield his own predilections in favor of harmony and concert of action.

We should not, continued Mr. G., assume a position which we cannot maintain; we should not nor will I consent, to go farther by resolutions than we can expect or ask the people to go in action. But before he advanced farther in the discussion he wished to make one personal allusion; and to request Senators not to judge of his feelings towards those from whom he differed, by the manner in which he might express himself in debate, and to be assured that whatever might be his warmth and zeal in urging his own opinions, he entertained for those to whom he might allude, and especially for the learned Senator from Pasquotank and Perquimans, (Mr. Shepard,) the most kindly feelings, and a respect commensurate with his many excellent qualities as a man and public spirited citizen.

He believed that Senator would respect his motives when he expressed himself freely frankly and boldly; and the Senator has declared that he has no respect for him "who withholds his real opinion from fear."

The picture which that senator had drawn of the condition of the Southern States, at some future day, was well calculated to excite in Southern men the most serious reflections. The past proves that the ratio of increase of the Blacks in the Slave States is greater than that of the Whites, and if we are to judge the future by the past, it is to be expected that, in the course of years, the Slaves in number will be much larger than owners, the disproportion between the two races, year after year becoming greater.

Mr. G. said he could look into the future, and see probable difficulties such as had been indicated by the Senator. He believed from the signs of the times that, while the Southern States remained in the Union, they had little to encourage them to look for Slave territory beyond the State of Texas. H.

assented to the probability that the lines by which slavery is to be circumscribed, are already fixed.—But suppose the South had obtained an extension of the Missouri compromise line to the Pacific, (and he regretted that such was not the case,) and the whole of California, New Mexico and Utah had, by agreement, been assigned to the slave States, would not the same difficulties, which have been so graphically depicted, occur in the end, if the institution of slavery is maintained? The horrors and dangers anticipated would only be deferred. He feared there was something in the prospect of the future, connected with this delicate subject, which Southern men could not contemplate with emotions of unmixed pleasure.

He feared that in process of time if slave labor should be applied to agricultural pursuits and found useful only in cultivating the soil, as heretofore practised in the South, the value of that species of property, the greater portion of Southern wealth, would inevitably depreciate in value, much to the injury of the States where it is employed.

Mr. G. said he saw the free States increasing more rapidly than the slave—he could see the power and influence of the free States growing rapidly, and that he could not shut his eyes to the possibility that in the future, they may have the power and disposition too, to amend the Constitution, so as to place the institution of slavery under the control of Congress. He could not say there was nothing in these anticipations, but he could not agree with the Senator that by remaining in the Union, the value of slave property was to be destroyed at so early a day as that fixed by him. A view of the immense territory within the States already secured to slavery, would seem to present a reasonable ground with men less timid, to expect better things.

But, said Mr. G., as the Senator from Pasquotank has given such a frightful picture of our future history, *if we remained in the Union*, he would have been pleased, had he shown us the other side; and pointed out in what particulars the situation and prospects of the slave States are to be benefited by *seceding and going out of the Union*, if the compromise acts as a whole, are observed by the free States.—Grant that more area is essential to the slave States in order to preserve our institution of slavery he could not see that the chances for new fields (more slave territory) were much lessened by being *out of the Union* instead of *in*. Disunion would not impede the growth of the free States in numbers, power and wealth—it would not incline them to a more favorable regard for the interests of the South, nor would it be likely to secure, in a greater

degree, the respect of the world for an institution against which fanatics and white laborers are every where united.

The Senator has failed to shew how disunion will effect this state of things, and he has also failed even to indicate the manner in which secession, *Constitutional Secession*, would enable us to purchase, or acquire, in other ways, an enlarged area for the profitable use of slaves. Supposing secession constitutional and peaceable—supposing the laws which organized and keep in motion this political frame work, provided for the natural, peaceable and safe disruption of its parts—(a rather anomalous supposition this would be in physics, though all things are possible in politics when properly understood and judiciously expounded)—supposing that after the South had launched upon this career, without opposition or bloodshed, she had crossed securely all the bars, harmonized all jarring elements at home, founded a government to suit all the slave States, to please all the slave States, and to guard with equal care the interests of all the slave States—supposing that this beautiful picture, this Utopian project, which has been conceived in certain quarters without any purpose “to deceive the people, and to carry out selfish and sinister purposes,” could in the miraculous dispensations of Providence, and by the still more miraculous agency of political resolutions, be fully realized—what is the back ground to the picture? How far will its borders extend?—Where are its borders? Why is the picture, at this most interesting point, so suddenly terminated, like a crack story in a Magazine, with the pregnant, but unsatisfactory sentence, *to be continued?* Continued where, when, how? *That* chapter, in this political romance, is not to be disclosed, I suppose, until the first has been read and realized.

He would not say that those who framed this interesting and original melo-drama had been too imaginative, had “listened with credulity to the whispers of fancy and pursued with eagerness the phantoms of hope”—but he would assert that those who should undertake to act it out seriously might possibly find it a laughable farce or a most dreary tragedy.

High authority informs us that “the ground of a certain rich man brought forth plentifully.

And he thought within himself, saying, what shall I do because I have no room where to bestow my fruits. And he said, this will I do, I will pull down my barns and build greater, and there will I bestow all my fruits and my goods.

And will say to my soul, thou hast many goods laid up for many years, take thine ease, eat, drink, and be merry.

But God said unto him, *Thou fool, this night thy Soul shall be required of thee ; then whose shall those things be which thou hast provided ?*"

Mr. G. said he could see difficulties out of the Union as well as in it ; and the very subject under discussion forbids allusion to many considerations which inclined him to fear that even among those who now speak indifferently of that Union, and of the warnings of Washington, the announcement of its actual dissolution would come more like the alarm of "a fire bell in the night," than the "noise of music and dancing."

Mr. G. said he was no submissionist, in the sense in which that term was generally used—he was for submitting to tolerable and bearable evils—evils acknowledged on all sides to be now bearable, rather than to fly to others that he knew not of—rather than make one experiment now, attended with many possible calamities and to attain an undefined and at present undefinable good.

Still he would guard the future—he would look ahead at threatened dangers and to prepare to meet them—he would have Senators while they acted coolly and deliberately, to act resolutely and firmly, and above all things unitedly and with a certain, fixed and practical purpose.

They should suit their remedies exactly to the present stage of the disease, prescribe a remedy which the patient, the people, can and will take, and which is not intended to risk their salvation as an attempted cure for a future and merely possible evil. He wished to be understood ; he was for *any* remedy adequate to the disease of the times—that though the word *Union* had an influence over him, was entitled to his veneration and regard, still it had not so "steeped his senses in forgetfulness" as to cause him to neglect any duty he owed to his State, but he desired her to be right, and protected in her rights.

Mr. G. said he submitted to the Senator whether he had done justice to the views of Mr. Badger on the subject of allegiance. If he understands Mr. Badger, as insisting that on a case of extreme oppression or stern necessity, his allegiance would require him to take part with the General Government, he understands him differently from what he seems to have understood his own meaning to be. True, Mr. Badger claims the liberty of thinking and forming for himself an opinion whether this extreme case has come—and pray how are the true opinions of a majority of a State to be known correctly unless they are allowed first the liberty of thinking and then expressing their opinions ?

But Mr. Badger says, expressly, in that part of his speech quoted by the Senator, that cases of unmitigated oppression or of dangerous obstinate usurpations, constitute known and understood exceptions from the duty of submission to a Government, and justify the oppressed in falling back upon the natural rights of resistance and self preservation. The Senator says that the majority of the State have a right to determine when a case of stern necessity has come, the "*ultimo ratio*," and to force the minority into submission to their will treating all who resist as rebels and traitors.—These last words the Senator erased from his resolutions, because, as he said at the time, some of his friends thought they sounded harshly ; but he did not wish to be considered as disavowing the principle. Let this doctrine be tested. Suppose a State, by a majority of one, resolve to secede, and the minority, if allowed to think, equally honest in its convictions with the majority—according to this seceding doctrine of primary and secondary allegiance, this minority have to submit to what they may deem the oppression of the majority or be hanged as traitors. And if to escape this fate they make common cause with the majority and are defeated, this same hanging fate must be their doom. Would there be here no intolerable oppression ?—would there be any protection, any liberty, any rights to a minority of a State ? States in a minority—in fact a single State must have a reserved sovereign right under the Federal Government, peaceably to secede when threatened with danger ; and this is for the sake of liberty. Individuals in a minority in that State—one hundred thousand individuals *must* submit, at all hazards, and to whatever extremity, to the domineering will of one hundred thousand and one more, and this is also for the sake of liberty ! That is to say, one hundred thousand and one men, of whatever character, standing, age, nation, or principles, have a right in a State to hang the remaining one hundred thousand, whatever be their respectability and character, and then to secede from a Union in which twenty millions of souls are interested, exposing the whole of them to the hazards of a civil war, to protect the interest and secure the liberties of this one hundred thousand and one ! Whata beautiful system of Government ! How wise and wonderful and matchless its machinery.

This may be said to be an extreme case ; it illustrates the principle and is therefore apposite. In one word, minority States must have a right

to secede from a Government which the seceders say is a compact of States; minorities of individuals, in a Government of individuals, have not even the right, the old-fashioned, the inalienable right of revolution? Now how would this doctrine work out? One hundred thousand and one declare for secession; one hundred thousand citizens think such decision a violation of their allegiance. This minority has to be hung; and then begins a war of extermination which might not end favourably to the majority. But suppose it does; and the hundred thousand are to be hung; and then the General Government, holding to the same majority doctrine, catches and hangs the hundred thousand and one!

Mr. G. said he did not mean to ridicule or treat with levity the doctrines of the Senator from Pasquotank and Perquimans; he was tracing them to what he conceived to be their legitimate results and with as much fairness in his supposition as the Senator had used in handling the opinions of Mr. Badger. I have, said Mr. G. intimated that the Federal Government might not acknowledge the right of a State to secede from the Union to be a constitutional right or remedy; and it may be well to enquire whether such a doctrine has ever received the sanction of the authorized exponents of the Constitution of the United States, or was intended to be given by those who framed it. The Senators advocating secession, argues that from it, there is no danger of a violent dismemberment of the Confederacy; and it would seem from the tenor of his remarks, drawing a distinction between it and the natural right of resistance or rebellion, that he thinks a State may thus peaceably and constitutionally assume the position which it held prior to the formation of the Federal Union. He admits the absurdity of nullification, but argues that secession is a very different thing and cannot be confounded with it "except by individuals who are willing to deceive the people to aid their selfish and sinister purposes."

Let us see who these individuals are. I hold in my hand, Sir, a letter, portions of which I will read to the Senate:

In order to understand the true character of the constitution of the United States, the error, not uncommon, must be avoided, of viewing it through the medium, either of a consolidated government, or of a confederated government, whilst it is neither the one nor the other; but a mixture of both. And having, in no model, the similitudes and analogies applicable to other systems of government, it must, more than any other, be its own interpreter according to its text and the facts of the case.

From this it will be seen that the characteris-

tic peculiarities of the constitution are; 1, the mode of its formation; 2, the division of the supreme powers of government between the States in their united capacity, and the States in their individual capacities.

1. It was formed, not by the governments of the component States, as the federal government for which it was substituted was formed. Nor was it formed by a majority of the people of the United States, as a single community in the manner of a consolidated government.

"It was formed by the States, that is by the people in each of the States, acting in their highest sovereign capacity; and formed consequently by the same authority which formed the State Constitutions.

"Being thus derived from the same source as the constitutions of the States, it has, within each State, the same authority as the constitution of the State; and is as much a constitution, in the strict sense of the term, within its prescribed sphere, as the constitutions of the State are, within their respective spheres; but with this obvious and essential difference, that being a compact among the States in their highest sovereign capacity, and constituting the people thereof one people for certain purposes, it cannot be altered or annulled at the will of the States individually, as the constitution of a State may be at its individual will.

2. And that it divides the supreme powers of government, between the government of the United States, and the governments of the individual States, is stamped on the face of the instrument; the powers of war and of taxation, of commerce and of treaties, and other enumerated powers vested in the government of the United States, being of as high and sovereign a character, as any of the powers reserved to the State Governments.

Nor is the government of the United States created by the constitution, less a government, in the strict sense of the term, within the sphere of its powers, than the governments created by the constitutions of the States are, within their several spheres. It is like them organized into legislative, executive and judiciary departments. It operates like them, directly on persons and things. And, like them, it has at command a physical force for executing the powers committed to it. The concurrent operation in certain cases, is one of the features marking the peculiarity of the system. *

To have trusted to negotiation for adjusting disputes between the government of the United States and the State governments, as between independent and separate sovereignties, would have lost sight altogether of a constitution and government for the Union, and opened a direct road from a failure of that resort, to the ultima ratio between nations wholly independent of and alien to each other. If the idea had its origin in the process of adjustment, between separate branches of the same government, the analogy entirely fails. In the case of disputes between independent parts of the same government, neither party being able to consummate its will, nor the government to proceed

without a concurrence of the parts, necessity brings about an accommodation. In disputes between a State government, and the government of the United States, the case is practically as well as theoretically different; each party possessing all the departments of an organized government, legislative, executive and judiciary; and having each a physical force to support its pretensions. Although the issue of negotiation might sometimes avoid this extremity, how often would it happen among so many States, that an unaccommodating spirit in some would render that resource unavailing. A contrary supposition would not accord with a knowledge of human nature, or the evidence of our own political history.

"The constitution, not relying on any of the preceding modifications, for its safe and successful operation, has expressly declared, on the one hand, 1, 'That the constitution, and the laws made in pursuance thereof, and all treaties made under the authority of the United States, shall be the supreme law of the land; 2, that the judges of every State shall be bound thereby, any thing in the constitution and laws of any State to the contrary, notwithstanding; 3, that the judicial power of the United States shall extend to all cases in law and equity arising under the constitution, the laws of the United States, and treaties made under their authority,' &c.

"On the other hand, as a security of the rights and powers of the States, in individual capacities, against an undue preponderance of the powers granted to the government over them in their united capacity, the constitution has relied on, 1, the responsibility of the Senators and Representatives in the legislature of the United States to the legislatures and people of the States; 2, the responsibility of the President to the people of the United States; and 3, the liability of the executive and judicial functionaries of the United States to impeachment by the representatives of the people of the States, in one branch of the legislature of the United States, and trial by the representatives of the States, in the other branch; the State functionaries, legislative, executive and judicial being, at the same time, in their appointment and responsibility, altogether independent of the agency or authority of the United States. * *

Should the provisions of the constitution as here reviewed, be found not to secure the government and rights of the States against the usurpations and abuses on the part of the United States, the final resort, within the purview of the constitution lies in an amendment of the constitution, according to a process applicable by the States.

And in the event of the failure of every constitutional resort, and an accumulation of usurpations and abuses, rendering passive obedience and non-resistance a greater evil than resistance and revolution, there can remain but one resort, the last of all—an appeal from the cancelled obligations of the compact, to original rights and the law of self-preservation. This is the *ultima ratio* under all governments, whether consolidated, confederated

or a compound of both; and it cannot be doubted that a single member of the union, in the extremity supposed, but in that only, would have a right, as an extra and ultra-constitutional right, to make the appeal."

This letter, sir, was written in 1830 by James Madison; a gentleman who has been always regarded as one of the Fathers of the Federal Constitution, had much to do with the famous resolutions of '98 and '99 and was twice elected to the office of President of the United States, by the Republican party.

Andrew Jackson in his proclamation of the 11th of December, 1832, said:

This right to secede is deduced from the nature of the constitution, which they say is a compact between sovereign States who have preserved their whole sovereignty, and therefore are subject to no superior; that because they made the compact, they can break it, when in their opinion it has been departed from by the other States. Fallacious as this course of reasoning is, it enlists state pride, and finds advocates in the honest prejudices of those who have not studied the nature of our government sufficiently to see the radical error on which it rests.

The constitution of the United States, then, forms a government, not a league, and whether it be formed by compact between the States, or in any other manner, its character is the same. It is a government in which all the people are represented, which operates directly on the people individually, not upon the States—they retained all the power they did not grant. But each state having expressly parted with so many powers, as to constitute, jointly with the other States, a single nation, cannot, from that period, possess any right to secede, because such secession does not break a league, but destroys the unity of a nation, and any injury to that unity is not only a breach which would result from the contravention of a compact, but it is an offence against the whole Union. To say that any state may at pleasure secede from the Union, is to say that the United States are not a nation, because it would be a solecism to contend that any part of a nation, might dissolve its connexion with the other parts, to their injury or ruin, without committing any offence. Secession, like any other revolutionary act, may be morally justified by the extremity of oppression; but to call it a constitutional right, is confounding the meaning of terms, and can only be done through gross error, or to deceive those who are willing to assert a right, but would pause before they made a revolution, or incur the penalties consequent on a failure.

"Because the Union was formed by compact, it is said the parties to that compact may, when they feel themselves aggrieved, depart from it; but it is precisely because it is a compact, that they cannot. A compact is an agreement of binding obligation. It may, by its terms, have a sanction or penalty for its breach, or it may not. If it contains no sanc-

tion, it may be broken with no other consequence than moral guilt; if it have a sanction then the breach incurs the designated or implied penalty. A league between independent nations, generally, has no sanction other than a moral one; or it should contain a penalty, as there is no common superior it cannot be enforced. A Government on the contrary, always has a sanction express or implied, and in our case, it is both necessarily implied and expressly given.

"Men of the best intention and soundest views may differ in their construction of some parts of the constitution; but there are others on which dispassionate reflection can leave no doubt. Of this nature appears to be the assumed right of secession. It rests, as we have seen, on the alleged divided sovereignty of the states, and of their having formed, in this sovereign capacity, a compact, which is called the constitution, from which because they made it, they have the right to secede. Both of these positions are erroneous, and some of the arguments to prove them so have been anticipated.

"So obvious are the reasons which forbid this secession, that it is necessary only to allude to them. The union was formed for the benefit of all. It was produced by mutual sacrifices of interest and opinions. Can those sacrifices be recalled?—Can the states who magnanimously surrendered their title to the territories of the west, recall the grant? Will the inhabitants of the inland states agree to pry the duties that may be imposed without their assent by those on the Atlantic or the gulf, for their own benefit? Shall there be a free port in one state, and onerous duties in another? No one believes that any right exists in a single state to involve all the others in these and countless other evils, contrary to engagement solemnly made. Every one must see that the other states, in self-defence, must oppose it at all hazards. *

"I have no discretionary power on the subject—my duty is emphatically pronounced in the constitution. Those who told you that you might peaceably prevent their execution, deceived you—they could not have been deceived themselves. They know that a forcible opposition could alone prevent the execution of the laws, and they know that such opposition must be repelled. Their object is disunion: but be not deceived by names: disunion, by armed force, is *treason*."

Again, in his nullification message bearing date the 16th of January 1833, Gen Jackson said,

"By these various proceedings, therefore, the State of South Carolina has forced the general Government, unavoidably, to decide the new and dangerous alternative of permitting a state to obstruct the execution of the law within its limits, or seeing it attempt to execute a threat of withdrawing from the Union.—The portion of the people at present exercising the authority of the state solemnly assert their right to do either, and as solemnly announce their determination to do one or the other.

"In my opinion, both purposes are to be regarded as revolutionary in their character and tendency, and subversive of the supremacy of the laws and the integrity of the Union. The result of each is the same; since a state in which, by a usurpation of power, the constitutional authority of the federal government is openly defied and set aside, to be independent of the Union, is both necessarily implied and expressly given.

"The right of the people of a single state to absolve themselves at will, and without the consent of the other states, from their most solemn obligations, and hazard the liberties and happiness of the millions composing this Union, can not be acknowledged.—Such authority is believed to be utterly repugnant both to the principles upon which the general government is constituted, and to the objects which it was expressly formed to attain.

"Against all acts which may be alleged to transcend the constitutional power of government, or which may be inconvenient or oppressive in their operation, the constitution itself has prescribed the mode of redress. It is the acknowledged attribute of free institutions that, under them, the empire of reason and law is substituted for the power of the sword. To no other source can appeals for supposed wrongs be made, consistently with the obligations of South Carolina: to no other can such appeals be made with safety at any time, and to their decisions, when constitutionally pronounced, it becomes the duty, no less of the public authorities than of the people, in every case to yield a patriotic submission.

"That a state, or any other great portion of the people, suffering under long and intolerable oppressions, and having tried all constitutional remedies without the hope of redress, may have a natural right, when their happiness can be no otherwise secured, and when they can do so without greater injury to others, to absolve themselves from their obligations to the government, and appeal to the last resort, need not, on the present occasion, be denied.

"The existence of this right, however, must depend upon the causes which may justify its exercise. It is the *ultima ratio*, which presupposes that the proper appeals to all other means of redress have been made in good faith, and which can never be rightfully resorted to unless it be unavoidable. It is the right of mankind generally to secure, by all means in their power, the blessings of liberty and happiness; but when, for these purposes, any body of men have voluntarily associated themselves under a particular form of government, no portion of them can dissolve the association without acknowledging the correlative right in the remainder to decide whether that dissolution can be permitted consistently with the general happiness. In this view, it is a right dependent upon the power to enforce it. Such a right, though it may be admitted to pre-exist, and can not be wholly surrendered, is necessarily subjected to limitations in all free governments, and in compacts of all kinds, freely and voluntarily entered into, and in

which the interest and welfare of the individual become identified with those of the community of which he is a member. In compacts between individuals, however deeply they may affect their relations, these principles are acknowledged to create a sacred obligation; and in compacts of civil governments, involving the liberty and happiness of millions of mankind, the obligation cannot be less.

In his farewell address, to the people of the United States, issued in March 1837, Gen. Jackson repeated the same opinions; but I will not fatigue the Senate with additional authorities.

These opinions of Gen. Jackson were proclaimed after his second election to the presidency; but it is too much a matter of history that his popularity and influence still continued to increase until his name ultimately became enshrined in the hearts of a vast majority of the American people as that of a benefactor. He could even secure the election of his friend as his successor, a friend (Mr. Van Buren,) who admitted the power of Congress to abolish slavery in the District of Columbia, but who relied for success on a pledge "to follow in the foot-steps of his illustrious predecessor."

The very speech of Mr. Livingston portions of which the Senator from Pasquotank and Perquimans calls to his aid, of itself and more conclusively, answer his positions. Mr. Livingston points out the mode of seeking redress by an aggrieved state, the application to the Supreme Court, or if it decides with manifest injustice or cannot take jurisdiction, the various peaceable methods of pursuing a remedy in the Union until the necessity of the cases forces a State to withdraw, at its own risk, as a last resort, and an extreme remedy for intolerable oppression.

Mr. Shepard enquired if he understood the gentleman to say that the people of North Carolina as an organized Government, had no right to resist the General Government.

Mr. GILMER: They have; and in the extreme cases so clearly defined by Mr. Madison and Mr. Livingston, it is not only their *right*, but their *duty* to resist. But it must be at their own risk, and it will not be *secession* as a right guaranteed by the Constitution, it will be the exercise of a natural inherent inalienable right, the right of *revolution*.

Mr. G. said he regretted to see harsh language; language almost akin to vituperation, so freely used in the discussion of a question so grave, and interesting to all:—in the discussion of questions in regard to which the interests of all honest men were the same. The venerable Editors of the "Intelligencer" and the "Union" newspaper, published in Washington, and reflecting the views of two great political parties, were said to have been bought up by Government contracts. The words "rebels" and "traitors" are held in *terror* over the heads of those who doubt the propriety and the constitutionality of secession, or who deem it equivalent to nullification; and the minority report of the Committee on Negro Slavery fulminates its

thunders in the same direction but certainly with no "selfish or sinister purpose."

Is this the way to explain secession? Is this the way to defend it? Does it need such blustering? Is this the way to bring it to the comprehension of honest men, seeking truth and the honor of their country?

Do gentlemen expect, by the use of such harsh terms, aspersing, in advance of their conclusions the motives of honest men, to create that harmony of feeling and unity of action now so necessary at the South? Is every honest man, whatever be his position and past services, who dares to think for himself, to hesitate and doubt when bold and startling measures are suddenly sprung upon him, to be denounced and branded as a traitor and rebel? Even supposing those fiery leaders who jump at conclusions by intuition, and snuff the distant approach of tyranny in the tainted breeze, to be right, do they expect the masses, the slowly moving, ponderous and *pondering* masses to keep even pace with them? And if the masses, as the masses of honest men always do, move slowly and cautiously, will these Hotspurs, far in the van of their forces, be so indiscreet, so unwise, *incalculating to their own safety* as to turn and fire on their own men? Sir, these gentlemen look to events, to a crisis during which, if it should happen, the masses of the South will be animated with one instinct and one heart; and yet because these coming events which have cast their shadows arthwart their prophetic vision, are yet unseen by the people these people are to have dashed into their faces the *inspiring* charge of rebels and traitors! Sir, said Mr. G., I must confess, whatever be the consequences of such a confession, that the word *Union* has had some charms for me—and I will also be bold enough to express my regrets that an indiffer-
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rence or contempt for the Union should be deemed
just at this time, a becoming manifestation on the
part of the South. The threats or the menaces of
those who are considered the most sincere, are most
to be regarded; and certainly it would look strange
in us, not to say ludicrous, and might entitle us to
the charge of inconsiderable levity, to attempt to
manifest any such indifference at a crisis so awful
as the impending dissolution of our Federal Union,
and while the aged high-priests of Liberty, from
all sections and representing all interests, are stand-
ing in the Temple, with up-lifted hands, solemnly
invoking Heaven to seal their eyes in eternal night
before they witness a catastrophe so sad and
frightful!

Mr. G. said, if secession be a *constitutional* remedy against the oppressive encroachments of the General Government, and when a bare majority of the State determines upon it, all are at once absolved from their allegiance to the Union, and have a right to take arms in defence, then *all will be well*. In that case should our officers and soldiers, as well as those who send them into the field, in case of defeat, be brought into Court, the plea of secession *admitted*, acquits the defendants. This case never having been adjudicated, and the opin-

ion of Madison, Jackson, and others being so decidedly against the right of secession, he considered none obnoxious to the charge of "deceivers," or persons moved by "selfish and sinister purposes," who should doubt the security of that plea on demurrer filed.

Suppose it be conceded that secession, when determined on by a bare majority of a State, be a right reserved to each State in the confederacy, and North Carolina by a solemn resolution avow this right! If she takes this right to herself, as a peaceful and constitutional means of withdrawing from the Union, must she not give the same right to all her sisters? Suppose Vermont refuses to obey the fugitive slave law, and a bare majority opposed to this very fugitive slave law, secedes from the Union; in case a contest between Vermont and the General Government arises out of this question, the General Government on the one side using her army and naval forces to enforce the law and return to North Carolina her fugitive slaves, and Vermont resisting, on the ground that she had a right to secede, which would North Carolina help?

Admit this right of secession at the will of a majority in a State, and would not North Carolina be bound by her own doctrine, to take the side of her seceding sister Vermont, or remain neutral!—If she lent her forces to the General Government against Vermont, (and great would be her power to resist sinister and selfish motives not to do it) would she not be acting in the face of her own resolution?

The people of England have the power, if not the constitutional right, to cut off the head of their Queen, when in the opinion of a majority, the public good requires it—but is not this revolution? King Charles was beheaded, and King James abdicated the throne, and these incidents in those days were called revolutions. Our forefathers, at their own risk, absolved all allegiance to the British crown, and formed a Government for themselves, and this was called the Revolution. If this was the right, as the last resort, contended for, then there is no difference of opinion; but he desired gentlemen to say so, plainly—and he was ready to go as far as prudence and wisdom would permit, yea, as far as the next man, to maintain and defend the honor and interest of his beloved State. He was not disposed to lull the people to sleep, or to do or say anything, here or elsewhere, to induce them to repose

in false security. He was anxious to deal honestly with the people and not deceive them. He desired that they should see all, and act on safe and sure ground.

Mr. G. said he was willing to abide by the compromise, and hoped North Carolina and all the States would abide by it; but he was sincere in the opinion, that a repeal of the fugitive slave law, or material alteration in its provisions, would be an act of gross injustice and bad faith, well calculated to alarm the whole of the Slave States, destroy their confidence in the honesty and fair purposes of the people of the States concurring in such repeal or alteration, and produce such alienation and distrust, as would render the further maintenance of Union, very difficult, if not utterly impossible. This he desired the Assembly to say to the nonslaveholding States.

Should this law be repealed, he feared the dread alternative had come. He relied much on the influence of patriotic Union men at the North to avert it. He did not court, or wish to provoke it. But when the honor, welfare and happiness of North Carolina demanded resistance, he must have greatly degenerated from the spirit of his fathers, whose blood stained revolutionary soil, and whose bones lie mingled with the earth—once shaken by the charge of British squadrons; if he was not found side by side by the true friends of Southern freedom when that day of trial shall come. He did not wish to be forced by resolutions solemnly passed here by men under oath to support the Constitution of the Union, to say to his constituents, when called to the field of blood, "whip if you can, but if you are defeated, you are protected in Court by the plea of secession." He desired to be left free to exhort them to do all that their liberty and Southern honor demanded at their hands, and to rely for success on a just cause, their own strength, and the blessings of a wise and just Providence.

And in conclusion, he would be permitted to say that although he represented a county unjustly stigmatized, by reason of the peculiar opinions of a few, and in which North Carolina Militia lost character in the Revolution, (but not from Guilford men, who alone, says history, stood their ground, and died upon the ground.) there would be numbered in the last breach and final struggle for the right and privileges of our own beloved State, as many true men from Guilford, as from any sister County in this or any other State.







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