

"JUSTICE HOLDING EVENLY  
HER SCALES"



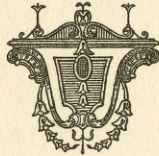
# An Address

BY

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## “When Time Shall Have Softened Passion and Prejudice”



“When Time shall have softened passion and prejudice, when Reason shall have stripped the mask from Misrepresentation, then Justice holding evenly her scales, much of past praise and censure will change places.”

These prophetic words were uttered well nigh fifty years ago by Jefferson Davis, First and only President of the Confederate States of America. That he could so speak, a bare score of years after his own cruel treatment at the hands of his conquerors is one of the marvels that great souls present, one of the precious things that such lives bestow on posterity.

When Time shall have softened Passion and Prejudice! Ah me! What a monster is Passion, distorting and rending! What a fiend is Prejudice! gnawing and destroying! Passion possesses men and makes them enemies, blinds and maddens, makes lunatics of otherwise sane beings. Prejudice pricks and overturns with the brain of the idiot. The lunacy of Passion is actively dangerous, the idiocy of Prejudice is subtly undermining.

Both Passion and Prejudice directed the North in its war on the South, blinded the Unionists to the principles of the Constitution as interpreted by Washington, Jefferson, Monroe, Madison, on through eleven administrations over a period of forty-eight years.

Let us take up our long range glasses, and look through the right end, not as though we feared to bring them in close *view* range, but with the certainty that all the history of our country gives evidence of the rights of states to govern their own affairs in all matters not expressly delegated to the national government by the states.

While we intend to follow the kindly injunction of Mr. Davis when we may in the ultimate estimate of men and measures, while we would decry the foolishness of the “Pro-

fessional Southerner", we must here and now be warned against the sin of sycophancy.

We of the South have striven through lean years and fat years since the great War Between the States to look kindly on all the land, to praise where we might the things of former foes, but let us not crook too much "the pregnant hinges of the knee". We allow ignorant persons to scatter statements and viewpoints which are in direct refutation of the honesty and high purpose of the men of the Confederate states, and with a success which we would do well to emulate in our own behalf. We alone are to blame for our lack of influence. Let us turn back the pages of our country's history, that we may see how we came into our inheritance of state sovereignty, by whom and on what ground effort was made to wrest it from us. Let us reason together in our own family, so calmly, so dispassionately that what we may say to each other may be used as properly, if not as convincingly with those who have not looked as we do upon the great questions that were involved in the use of the right of secession.

The nature of the Government of the United States and the character of the union which joined those states must be understood.

Only thus can the causes of the war of the sixties and definite fixation as to who and how the war began, be established. The Abolition of Slavery although an excitant, was not the basic principle, upon which was begun that strife between brothers which our Lanier calls "A strange enormous terrible flower that came to bloom in the early sixties."

The purpose of those who advocated secession was then as in other periods and in other sections of the country, not to defy the Constitution, not to destroy the Government, but to sustain both.

Said the son of Harriet Beecher Stowe of Massachusetts, "When the South drew the sword to defend the Doctrine of States' rights—it is perfectly evident that there was a great rebellion, but the Rebels were the men of the North and the men who defended the Constitution were the men of the South".

On the fourth of July 1776, was given to the world what was entitled, The Unanimous Declaration of the United States of America. This great document signed by authorized representatives of each of the thirteen colonies cites twenty-seven counts against the King of Great Britain. Among which

appears the following: "He has combined with others to subject us to a jurisdiction, foreign to our constitutions, and unacknowledged by our laws". And in the closing paragraph appears the following: "That these united colonies are and of a right ought to be free and independent states and as such should have full power to do all the acts and things which independent states may of a right do". In these phrases the use of the plural form foreshadows the sovereignty of the states and their determination not to recognize any national or centralized form of government as paramount.

Richard Henry Lee early in June of '76 moved not only that such declaration be made, but that a plan for confederation be transmitted to the colonies for consideration and approbation of each. Thereupon the Articles of Confederation were submitted to the states and their delegates assembled on the 15th day of November 1777. The first and second Articles of the Confederation read as follows:

"The style of this Confederacy shall be:

I. The United States of America."

II. Each State retains its sovereignty, freedom and independence and every jurisdiction and right not expressly delegated to the united states in Congress assembled."

It is worthy of note that the word *State* in Article II begins with a capital letter while the words *united states* in the same Article are in small letters.

In conducting the affairs of the country, there was felt a few years later, need of greater power on the part of the states in Congress assembled in order to regulate trade between the United States and foreign nations, between the States themselves and with the Indian tribes. Several efforts to call for special consideration of these points were made on the part of two, then four, and then nine of the States, but without arousing the needed interest in all of the original thirteen.

However, says Alexander Stephens, "All new truths are slow of development. Mankind, generally, at first sees new truths indistinctly. As the man we read of in scripture, who having been born blind, when his eyes were opened saw men as trees, walking."

Thus it will be seen, the proposed changes did not at first appear to be desirable, because the States were slow to take up any change that would advantage the general government. It is apparent every step of the way in our history, that the

States treasured above all, their rights as such, and that they had no leaning toward centralization of power from which the war of the revolution had freed them. However, when the need of change in the Constitution became more and more urgent, there invariably appeared in the call for the convention from the several States, stress upon the sovereignty of the States. In preliminary correspondence, the great leaders of the times, speak frequently of the accession or agreeing thereto of certain States in the new Confederacy and Washington expressed the hope, thereby implying the right, that they should not withdraw from the Union.

Finally, after long and prayerful consideration this newly promulgated constitution was agreed to by representatives of the twelve states leading off with the name of George Washington, President and Deputy from Virginia. That Washington should have deemed his signature as a deputy to be of equal value with his name as president is of thrilling import in this connection.

On March 4th, 1789, the government was re-organized. It consisted of eleven states, North Carolina and Rhode Island holding aloof and recognized as *sovereign* governments. Finally North Carolina was satisfied as to the safety of her state's rights and was one of twelve promulgating the revised government. But Rhode Island held out fourteen months longer, her governor writing: "We are now two distinct nations. You seceded *from us*." All the ratifying ordinances embodied intense emphasis on the sovereignty of the states voluntarily joined together for their common interests.

It is with no small satisfaction that I quote at this juncture, one of the most violent anti-South New England writers, James Russell Lowell in reply to a question from Guizot, French historian, as to how long he, Lowell, thought our republic would last. "This republic will endure so long as the ideas of the men who founded it continue dominant." That these ideas were of eternal truth is proven by the facts of history. Despite the efforts to choke the states, to prostrate them under the heel of despotism, a movement that began with the effort in 1789 for the enactment of the Alien and Sedition Acts was ably and effectively opposed through the Kentucky Resolutions written by Thomas Jefferson and the Virginia Resolutions written, reported and defended by James Madison. Both of these state papers defend the rights of the states to oppose legislation, which

would permit the Federal Government to infringe upon such rights, these Acts carrying just such dangerous matter.

In his Kentucky Resolutions, Mr. Jefferson says, "That to the compact of states each acceded as a state, each party having an equal right to judge for itself on points of difference."

In his report on the Virginia Resolutions, Mr. Madison says, "There can be no tribunal above the authorities of the states themselves as such."

Both regarded the Alien and Sedition Acts as subverting the general principles of the Government, giving power to the Federal Government no where delegated thereto, and stressed the cardinal point that the powers held by the states were not given to them by the general government, but rather that the powers of the general government were given by the states.

and

The Alien and Sedition Acts were accordingly defeated at the polls of the Ship of State moved on until she struck the reef of the Louisiana Purchase from the French Government, next the Acquisition of Florida from Spain and later the Annexation of the Republic of Texas.

In the winter of 1803 certain leaders of the Federalist party proposed the formation of the Northern Confederacy, because of their belief that preponderance of territory in the South would destroy the balance of influence.

In 1811 Massachusetts again declared that it was her duty to withdraw from the Union, peaceably if she could, but violently if she must. In 1815, a convention of New England statesmen met at Hartford, Connecticut planning to secede, but the war was soon terminated and these New England secessionists relapsed into a brief period of quiescence.

The Missouri Compromise of 1820 did not involve the question of the institution of slavery but merely whether slaves now in the country might be permitted in the new state, and whether Congress or Missouri possessed the power to decide. In the interest of peace between the sections, the South reluctantly agreed to the compromise which gave the national government control in this matter of property rights. A fatal error in that it condoned the infringement of the doctrine of States Rights, because the whole country recognized slaves as property.

In 1844, because of the application of Texas for admission, Massachusetts, just seventeen years before she be-

gan to arm her sons to prevent the South from secession, announced her intention that the annexation of Texas would drive her and other states into dissolution of the Union.

While the brilliant successes of the United States on land and on sea tended to a sense of solidarity and common pride in the Union, the greatest single factor toward its crystallization was the speech of Daniel Webster in the debate with Hayne, which closed with words that fired the land, "Liberty and union, now and forever, one and inseparable." Concerning this speech President Wilson said, "The North was again insisting upon a national government, while the South was still insisting upon the original understanding of the Constitution."

Then came the discussion of the limitations on African slavery that had been first established in the colonies by vessels plying between Massachusetts and Guinea in Africa, and the gradual sloughing off of this sore on to the more genial clime for the Blacks in the Southern States, where agricultural pursuits soon found them useful and necessary.

There was a definite trend in the South before 1830 to get rid of the incubus of slavery. In 1858, Lincoln said, "I do not blame the Southern people for not immediately abolishing slavery, I would not know myself how to do it." But apparently he learned from the exigencies of the case against the South at the bidding of political expediency how to go about the matter. On December 8, 1863, commenting upon his Emancipation Proclamation, President Lincoln said: "Of those who were slaves at the beginning of the rebellion, full one hundred thousand are now in the United States military service, thus giving the double advantage of taking so much labor from the insurgent cause and supplying the places which otherwise might be filled with so many white men."

Early in the preparations and activities leading up to the great World War there appeared a notable cartoon which depicted all the good impulses, all the forces that have grown out of the Ten Commandments as well as what Lanier calls the glorious liquid of the Eleventh, "Love God utterly and thy neighbor as thyself" cowed and abased before a giant figure, labelled Commerce.

History fails to furnish a single example of a war fought from any other motive, in the last analysis, than this spirit of greed and power. Lashing itself toward the crisis of 1861, the North claimed that in the accretion of territory

and property the preponderance of land and influence was piling up in the so called Southern States, and that this would prevent enactment of further tariff laws against that section, would enlist the greater number of people on that side. Although clear heads everywhere saw that the Constitution which recognized States Rights and limited the Federal powers prohibited interference with the South, those inimical continued to stab her and finally to hide the mailed fist under the guise of humanitarianism.

The Kansas-Nebraska Bill of 1858 gave to settlers the right to establish themselves in new territories taking with them their own institutions, and gave the local ruling in such matters to the first settlers who should be in control, thus establishing, what is known as Squatters' Sovereignty. Growing out of the subsequent dissension was the John Brown Raid in Virginia, a plot to kill and burn whose differed with him. (1859). Says Stephen Benet, "John Brown was a stone, eroded to a cutting edge by obstinacy, failure and cold prayers—and with a certain minor-prophet air, that fooled the world to thinking him great, when all he did consistently was fail".

Out of the party strife created through the warring of interests in Kansas was born the Republican Party representing the anti-South sentiment of the country. Through political trickery Abraham Lincoln was elected President of the United States, *without a single electoral vote from the South*, and by the vote of only *fifteen states* which had been guilty of repeated violations of the Constitution. This forced secession upon the South, but never a thought of war had she, never did she dream of coercion.

Even a casual study of the Constitution will show that states which wished to preserve the government by observing its stipulations were in the position of defenders of that instrument, while those which would coerce such defenders into submission to a centralized government were violating the laws of liberty at the expense of the Union.

With the broadest statesmanship, the highest ideals dominating its every move, the South undertook repeatedly to prevent a war. First, by the Crittenden Resolutions of December 1860, yielding all that the North demanded in regard to exclusion of slavery from the territories. But Mr. Lincoln objected to its acceptance and the Republicans voted with his view, that no compromises be made with the South.



The second effort at peace was through a conference called by Virginia which had not yet seceded, February 4, 1860. This too failed because of the uncompromising attitude of Lincoln and Secretary Chase. As soon as the Confederacy was organized, there were sent March 5, the day after Lincoln was inaugurated, commissioners from the newly established government seeking a peaceful solution of differences between the sections, the call having come from the state of Virginia, which still hoped for an amicable settlement of differences that would prevent disunion. Lincoln refused through his representative, ex-President Tyler to listen to the plea of Virginia and the Confederate government for peace, and gave no satisfactory reply.

At this juncture news was received of the firing on Fort Sumter. However, peace commissioners sent from the newly established government of seven states arrived at Washington the day after Mr. Lincoln was inaugurated. Their frankness and high motives were met with a duplicity and deceit which Alexander Stephens says was "without a parallel in modern times". While no adequate evidence of intent to cooperate was given, yet the Secretary of State, Mr. Seward, assured Justice Campbell that "Fort Sumter would not be fired on". Even while the fleet with reinforcements for Fort Sumter was on its way, Seward again wrote to the Confederate commissioners, "Faith as to Fort Sumter fully kept. Wait and see."

On learning of the perfidy of the United States government, President Davis ordered General Beauregard to demand of Major Anderson the surrender of the fort, and if he refused, to fire on the fort. The late James Callaway wrote concerning this, "Lincoln precipitated secession, as his Fort Sumter policy fired the first gun".

Virginia made her fourth effort for peace, but Lincoln had already inaugurated the war by four secret expeditions, three to Fort Sumter and one to Fort Pickens.

In the spring of 1864, again in December 1864, Mr. Davis sent commissioners to endeavor to make peace, but always these messengers were treated with marked lack of frankness and always they returned without any real developments along the desired lines. It is evident that peace could have been made from any of these opportunities had Mr. Lincoln so desired. The criminal action against the states, as such, in taking over the forts assumed that character, because of the violation of the right of eminent do-

main, that is, the right of a state to control and direct all forts, arsenals and military supplies within her borders. Mr. Lincoln in calling out troops, without the sanction of Congress, violated a fundamental law of the government and in so doing promptly allied the other Southern States with the Confederacy in defense of their rights.

It is not the purpose of this discourse to follow the varied fortunes of war other than to say that the tremendous enthusiasm which impelled the South to defend her homes and her principles, gave her many victories against terrible odds until she finally wore herself out by attrition of a small and ever smaller force against increasing numbers of fresh troops on the other side.

Repeated efforts for peace, fervent appeals for exchange of prisoners, efforts to have contraband lifted as regards medicines so that lives might be not sacrificed, met with deceit and contumely and even cruel hardness.

Down the four long years we go with the men in Gray and finally through carnage and suffering all ways lead to Appomattox. Brilliancy of our military leadership, confidence in the righteousness of our cause, kept us going for long, but we could not continue without men or food or ammunition.

Despite the facts here brought forward that prove the responsibility of Lincoln in all the policy which looked to the coercion of the Southern States, we hasten to say that the death of Mr. Lincoln was the direst blow the South received, because his death threw the government into the control of that abominable creature Thaddeus Stevens, and others equally determined to humiliate and to crush the Southern people. Let us pause here to express appreciation of the great work on the days of our real crucifixion, the period of the Reconstruction which is written with knowledge and force by a son of Indiana, Claude G. Bowers. The Tragic Era is a powerful arraignment of the post war policy of Stevens and Seward after Mr. Lincoln's assassination and is a fit complement to two great books: "The Rise and Fall of the Confederate Government" by Jefferson Davis and "The War Between the States" by the Vice-President of the Confederacy, the Great Little Commoner, Alexander Stephens.

Have you not observed the radiators of approaching automobiles, how they are incrustated with butterflies, coming with outspread wings of beauteous color against cold steel?

Thus was every effort at respecting the beauty of the law and the sacredness of the compact between the states treated by the merciless and mercenary forces of centralization.

But as the butterfly is the symbol of immortality, so, the principle of the rights of states survived the war between state sovereignty and nationalism.

While the war of coercion forced the states of the South to abandon the right of secession, it did not abrogate any other right.

Today the Doctrine of States' Rights is the cardinal principle of the Republic. It comes blooming across the Rockies, through the Middle West to the rugged coast of New England. Ocean to ocean crieth, "The Union is made of many states and the right of each to regulate its own affairs is neither dead nor sleeping."

From sea to sea, from the Great Lakes to the Gulf, this doctrine is stressed and in union with the national government forms a nation, unique and glorious,

"The land of the free and the home of the brave."

The rights of the states are not infringed by Government co-operating with them.

27 The great American voice loud and clear recently proclaimed by a majority of 10,000,000 its approval of an administration whose cardinal principle is government co-operation with its citizens.

Today it is the right, aye, the duty of each state to use every means in its power to scotch that crawling creeping thing, Communism. Communism which would destroy the last vestige of states' control over their affairs, which would require them to submit to those things that would yield all moral, mental and physical control to a centralized group. The blood of our Revolutionary and Confederate forefathers makes of us instruments to defend this nation from the insidious increase of a policy that poisons and imprisons the free spirit which is America's boast.

#### OUR LEADERS

It is with profound satisfaction and just pride that we now devote a few moments to the contemplation of our two great leaders during the days of the Confederate government. The one who headed the Civil Department and the Commanding General of our armies.

When the South chose as its Executive head the Honorable Jefferson Davis she saw him to be not only a loyal defender of states' sovereignty, but a devoted son of the whole nation. He had served the national government with honor as soldier, as Secretary of War, and in the Senate. To every duty he brought keen intelligence, high sense of moral values and unswerving faith in the rights of the state as well as the privileges of the Union.

As a soldier he rendered to the national government distinguished services in the Black Hawk War and in war with Mexico; at Monterey, at Buena Vista, and the City of Mexico. He did more for the government as Secretary of War under President Pierce than has been done by any other incumbent in that office.

In Congress he proposed and had passed many measures of value to the country.

His genius was peculiarly military. A graduate at West Point, he became imbued, as did other great soldiers with the doctrine of "Rawles on the Constitution," which teaches the right of secession from the Union on the part of any one of the sovereign states who were parties to the compact.

To the memory of Mr. Davis, descendants of men who believed with him in the sovereignty of the states, owe especial homage and of a very tender kind. From the time that he took the reins of office at Montgomery until his death he bore the cross of martyrdom. First, during his presidency, he must remain in the chair of state and see his military confreres off to the wars, although himself pre-eminently a soldier, by instinct, training and experience.

Military aura appeals to the whole world, spreads its beams into distant lands, and lingers with unabated insistence down the ages. We see the homage to our Lee and our Jackson grow with the years. The military tactics of these great captains continue to be the wonder and the example of all nations. But the courage and high resolve of Jefferson Davis, through bickerings within his official family and the deceit and cruelties of the foe are unequalled in any other man's experience. Consider if you will a man so born, so gifted, so educated, one to whom office was a sacred trust, one outstanding in the fields of oratory, statesmanship and literature, put under arrest as an escaping criminal, cast into a foul dungeon, manacled by a petty officer, the youthful Miles, (who was wholly responsible for this ignominy), kept under the eye of a sentinel every moment of the day

and night. And all this under the pretense that a man old and feeble physically and of unimpeachable honesty might attack his guards or effect an escape.

With these facts in mind are not the words with which we opened this discussion a marvellous picture of sublimity, Christ-like in quality and eternal in scope?

In addition to the truly great attributes of Mr. Davis, there was in him a tenderness toward children and an appreciation of womankind that give to him a sweetness and refinement which are best illustrated in the dedication of his great work, "The Rise and Fall of the Confederate Government".

"To the women of the Confederacy whose pious ministrations to our wounded soldiers soothed the last hours of those who died far from the objects of their tenderest love; whose domestic labors contributed much to supply the wants of our defenders in the field; whose zealous faith in our cause shone a guiding star undimmed by the darkest clouds of war; whose fortitude sustained them under all the privations to which they were subjected; whose annual tribute expresses their enduring grief, love and reverence for our sacred dead; and whose patriotism will teach their children the deeds of our Revolutionary sires," these pages are dedicated by their countryman, Jefferson Davis.

As a part of this monument we would give ourselves the privilege of paying a tribute to the great commander, Robert E. Lee.

Life cannot contain more of absolute pride and happiness than was packed into the few moments at St. Cyr, the military school of France, when the speaker was one of a group of Americans who attended the exercises on the occasion of the presentation to France of a bust of Lee in 1924.

Down the aisle of the chapel, 'neath banners tattered and stained, the company marched across stone floors, escorted by men in horizon blue. With eloquence on the part of donors and the French officers who received the gift, were heard the unqualified praises of Lee.

Under the flag of the Confederacy and the flag of our reunited nation, with the glories of France about him, to the thrill of the Marseillaise, the lilting strains of Dixie and

the stirring music of the Star Spangled Banner, we left the great Lee a symbol in marble of the righteousness of the Confederate cause.

Robert E. Lee evidenced the qualities of leadership in so marked a degree that the selective powers of both the Union and the Confederacy sought him as leader.

True to the courage of his emigre ancestor Richard Lee, loyal to the ideals of his ancestor Thomas Lee, first native-born Colonial Governor of Virginia, sure of the principles of the infant Republic, as taught by his father, Light Horse Harry Lee, Robert E. Lee elected to fight for the principles of state sovereignty.

Heir of all that was good from out a proud past, he brought this wealth of equipment to bear on all questions of conscience. When in the arbitrament of war, he surrendered to superior forces, he did not fold up his talents and put them away, he did not brood, nor cringe. But refusing large moneys for the use of his name and fame in business ventures, he assumed the duty of teaching young men, striving to guide a forlorn hope through the perilous straits of time, toward the glorious harbor of a new day.

When the monument to General Lee at Richmond was ready to be set up, old Traveller awaiting his rider, the figure of the great man was laid upon a specially built carriage to be taken to the spot for the mounting. Many horses with strong ropes were prepared to take the heavy statue to its permanent place overlooking the glories of Richmond. Suddenly there was a silent movement in the vast throng, with one mighty impulse there was a definite surge toward the recumbent statue. Firmly but gently the horses were unleashed from the harness, men ranged themselves in an unbroken line along the ropes, grasped them firmly and the caravan moved forward. Those who could not get near enough to put hand to rope followed but did not hinder. And when the statue was safely placed, and duly adjusted upon its horse, a mighty shout rent the air, men cried with joy, eyes looked with kindness into other eyes, and the great inspiration which had driven them in this love task, caused them further to cut the rope in many pieces, take it to their homes and count it among their treasures.

Not long since, it was the privilege of the speaker to visit many of the battlefields in Virginia and in Pennsylvania. Brave blood that dyed the soil still cries aloud against the cruel policy that forced this conflict.

At Gettysburg, heroic bronze figures of General Lee and of General Meade, mounted, face each other across a field that rolls gently between the two. Its grain and its flowers breathe of peace, its breezes waft a message of good will between the one time foes, its dells speak of many a noble deed done by one enemy for another in distress. The frightful carnage wrought on Pickett's men dashing into the fires of the hell of war, the stark tragedies of Devil's Den, and the heroic deeds of soldiers whether wearing blue or gray, whether stationed on Little Round Top or lunging into death from Seminary Ridge, all, all make the heart to cry aloud, "Why was this thing permitted? Why were not the efforts for peace met in the same spirit which prompted them?"

Whether at Bull Run or at Fredericksburg, whether in tears at Chancellorsville for the needless killing of Jackson, Lee's right arm, or in terror at Petersburg over the frightful tragedy of the Battle of the Crater, this same query rises to the lips.

Yet out of it all we have the joy of knowing that our cause was just, our men were brave, our methods were four-square, whether striving for peace through commissioners or by the arbitrament of war.

And now we pray that that day may be hastened,

"When Time shall have softened Passion and Prejudice, when Reason shall have stripped the mask from Misrepresentation," and North and South may see,

"Justice holding evenly her scales."

