

people, and in which for this reason these bodies are losing much of their importance even to the point that the governments in power may not be their legitimate expression, I do not know what will happen; but happen whatever may, I conclude these words satisfied in having spoken the truth, in having spoken it with loyalty, with noble intent, even though this truth may be heard with scorn on one hand and with displeasure on the other; on one hand and on the other there will come an occasion when this same truth will accredit itself; and come what will, I sit down, but partially satisfied, because while I firmly believe that I have complied with my duty, I cannot persuade myself that I have performed it with the effectiveness demanded by a matter so important.

DANIEL W. VOORHEES

DANIEL WOLSEY VOORHEES, American Democratic politician and lawyer, was born at Liberty, O., Sept. 26, 1827, and died at Washington, D. C., April 10, 1897. Educated at Indiana Asbury (now De Pauw) University, he studied law and after his admittance to the Bar in 1851 began practice at Covington, Ind. In 1856, he was an unsuccessful Democratic candidate for Congress, and in the following year removed to Terre Haute in the same State. From 1858 to 1861 he was United States district attorney, within that period defending John E. Cook, one of the associates of John Brown at Harper's Ferry, indicted for treason, murder, and inciting slaves to rebellion. His address to the court on the occasion gave him considerable reputation as an orator. He was a Democratic representative in Congress, 1861-65, and again, 1869-71. In 1877, he entered the national Senate and was reelected in 1885 and 1891. Soon after his appearance in the Senate he made an eloquent plea for the free coinage of silver and for the acceptance of greenbacks as full legal tender money. In 1893, however, he voted for the repeal of the silver purchase clause of "The Sherman Act." From 1880 to 1897 he was chairman of the joint select committee to provide additional accommodation for the library of Congress, and to his untiring efforts is due, in great measure, the erection of the present congressional library building. He was a strong partisan in his political views, and in allusion to his stature was sometimes styled "The tall Sycamore of the Wabash." His "Speeches" were issued in 1875; and "Forty Years of Oratory," published in 1898, contains his "Lectures, Addresses, and Speeches," with a brief sketch of his life and career.

DEFENCE OF JOHN E. COOK

DELIVERED AT CHARLESTOWN, VIRGINIA, NOVEMBER 8, 1859

WHO is John E. Cook?
 He has the right himself to be heard before you;
 but I will answer for him. Sprung from an ancestry of loyal attachment to the American government, he inherits no blood of tainted impurity. His grandfather an officer of the Revolution, by which your liberty, as well as mine was achieved, and his gray-haired father, who lived to

weep over him, a soldier of the war of 1812, he brings no dishonored lineage into your presence. If the blood which flows in his veins has been offered against your peace, the same blood in the veins of those from whose loins he sprang has been offered in fierce shock of battle and foreign invasion in behalf of the people of Virginia and the Union. Born of a parent stock occupying the middle walks of life, and possessed of all those tender and domestic virtues which escape the contamination of those vices that dwell on the frozen peaks, or in the dark and deep caverns of society, he would not have been here had precept and example been remembered in the prodigal wanderings of his short and checkered life.

Poor deluded boy! wayward, misled child! An evil star presided over thy natal hour and smote it with gloom. The hour in which thy mother bore thee and blessed thee as her blue-eyed babe upon her knee is to her now one of bitterness as she stands near the bank of the chill river of death and looks back on a name hitherto as unspotted and as pure as the unstained snow. May God stand by and sustain her, and preserve the mothers of Virginia from the waves of sorrow that now roll over her! . . .

In an evil hour—and may it be forever accursed!—John E. Cook met John Brown on the prostituted plains of Kansas. On that field of fanaticism, three years ago, this fair and gentle youth was thrown into contact with the pirate and robber of civil warfare.

To others whose sympathies he has enlisted I will leave the task of transmitting John Brown as a martyr and hero to posterity. In my eyes he stands the chief of criminals, the thief of property stolen—horses and slaves—from the citizens of Missouri, a falsifier here in this court, as I shall

yet show, and a murderer not only of your citizens, but of the young men who have already lost their lives in his bloody foray of your border. This is not pleasant to say, but it is the truth, and, as such, ought to be and shall be said. You have seen John Brown, the leader.

Now look on John Cook, the follower. He is in evidence before you. Never did I plead for a face that I was more willing to show. If evil is there, I have not seen it. If murder is there, I am to learn to mark the lines of the murderer anew. If the assassin is in that young face, then commend me to the look of an assassin. No, gentlemen, it is a face for a mother to love, and a sister to idolize, and in which the natural goodness of his heart pleads trumpet-tongued against the deep damnation that estranged him from home and its principles.

Let us look at the meeting of these two men. Place them side by side. Put the young face by the old face; the young head by the old head. We have seen somewhat of the history of the young man. Look now for a moment at the history of the old man.

He did not go to Kansas as a peaceable settler with his interests linked to the legitimate growth and prosperity of that ill-fated Territory. He went there in the language of one who has spoken for him since his confinement here, as the Moses of the slaves' deliverance. He went there to fulfil a dream, which had tortured his brain for thirty years, that he was to be the leader of a second exodus from bondage. He went there for war and not for peace. He went there to call around him the wayward and unstable elements of a society in which the bonds of order, law, and religion were loosened, and the angry demon of discord was unchained. Storm was his element by his own showing. He courted the

fierce tempest. He sowed the wind that he might reap the whirlwind. He invoked the lightning and gloried in its devastation. Sixty summers and winters had passed over his head, and planted the seeds of spring and gathered the harvests of autumn in the fields of his experience. He was the hero, too, of battles there. If laurels could be gained in such a fratricidal war as raged in Kansas, he had them on his brow.

Ossawatomie was given to him, and added to his name by the insanity of the crazy crew of the North as Napoleon conferred the names of battlefields on his favorite marshals. The action of Black Jack, too, gave him consideration, circumstance, and condition with philanthropists of bastard quality, carpet knight heroes in Boston, and servile followers of fanaticism throughout the country. His courage is now lauded to the skies by men who have none of it themselves. This virtue, I admit, he has — linked, however, with a thousand crimes. An iron will, with which to accomplish evil under the skilful guise of good, I also admit to be in his possession — rendering his influence over the young all the more despotic and dangerous.

Imagine, if you please, the bark on which this young man at the bar, and all his hopes were freighted, laid alongside of the old weather-beaten and murderous man-of-war whose character I have placed before you. The one was stern and bent upon a fatal voyage. Grim-visaged war, civil commotion, pillage and death, disunion and universal desolation thronged through the mind of John Brown. To him law was nothing, the Union was nothing, the peace and welfare of the country were nothing, the lives of the citizens of Virginia were nothing.

Though a red sea of blood rolled before him, yet he lifted

up his hand and cried Forward. Shall he now shrink from his prominence, and attempt to shrivel back to the grade of his recruits and subalterns? Shall he deny his bad pre-eminence, and say that he did not incite the revolt which has involved his followers in ruin? Shall he stand before this court and before the country, and deny that he was the master-spirit, and gathered together the young men who followed him to the death in this mad expedition?

No! his own hand signs himself "Commander-in-chief," and shows the proper distinction which should be made between himself and the men who, in an evil moment, obeyed his orders. Now turn to the contrast again and behold the prisoner. Young and new to the rough ways of life, his unsandalled foot, tender and unused to the journey before him, a waif on the ocean, at the mercy of the current which might assail him, and unfortunately endowed with that fearful gift which causes one to walk as in a dream through all the vicissitudes of a lifetime; severed and wandering from the sustaining and protecting ties of kindred, he gave, without knowing his destination or purpose, a pledge of military obedience to John Brown, "Commander-in-chief." . . .

John Brown was the despotic leader and John E. Cook was an ill-fated follower of an enterprise whose horror he now realizes and deplors. I defy the man, here or elsewhere, who has ever known John E. Cook, who has ever looked once fully into his face, and learned anything of his history, to lay his hand on his heart and say that he believes him guilty of the origin or the results of the outbreak at Harper's Ferry.

Here, then, are the two characters whom you are thinking to punish alike. Can it be that a jury of Christian men will

find no discrimination should be made between them? Are the tempter and the tempted the same in your eyes? Is the beguiled youth to die the same as the old offender who has pondered his crimes for thirty years? Are there no grades in your estimation of guilt? Is each one, without respect to age or circumstances, to be beaten with the same number of stripes?

Such is not the law, human or divine. We are all to be rewarded according to our works, whether in punishment for evil, or blessings for good that we have done. You are here to do justice, and if justice requires the same fate to befall Cook that befalls Brown, I know nothing of her rules, and do not care to learn. They are as widely asunder, in all that constitutes guilt, as the poles of the earth, and should be dealt with accordingly. It is in your power to do so, and by the principles by which you yourselves are willing to be judged hereafter, I implore you to do it!

Come with me, however, gentlemen, and let us approach the spot where the tragedy of the 17th of October occurred, and analyze the conduct of the prisoner there. It is not true that he came as a citizen to your State and gained a home in your midst to betray you. He was ordered to take his position at Harper's Ferry in advance of his party for the sole purpose of ascertaining whether Colonel Forbes, of New York, had divulged the plan. This order came from John Brown, the "Commander-in-chief," and was doubtless a matter of as much interest to others of prominent station as to himself.

Cook simply obeyed — no more. There is not a particle of evidence that he tampered with your slaves during his temporary residence. On the contrary, it is admitted on all hands that he did not. His position there is well defined.

Nor was he from under the cold, stern eye of his leader. From the top of the mountain his chief looked down upon him, and held him as within a charmed circle. Would Cook have lived a day had he tried to break the meshes which environed him?

Happy the hour in which he had made the attempt even had he perished, but in fixing the measure of his guilt, the circumstances by which he was surrounded must all be weighed. At every step we see him as the instrument in the hands of other men, and not as originating or advising anything. . . .

But it has been said that Cook left the scene at Harper's Ferry at an early hour to avoid the danger of the occasion, and thus broke faith with his comrades in wrong. Even this is wholly untrue. Again we find the faithful, obedient subaltern carrying out the orders of his chief, and when he had crossed the river and fulfilled the commands of Brown, he did what Brown's own son would not do — by returning and exposing himself to the fire of the soldiers and citizens for the relief of Brown and his party. We see much, alas! too much, to condemn in his conduct, but nothing to despise; we look in vain for an act that belongs to a base or malignant nature. Let the hand of chastisement fall gently on the errors of such as him, and reserve your heavy blows for such as commit crime from motives of depravity.

Up to this point I have followed the prisoner, and traced his immediate connection with this sad affair. You have everything before you. You have heard his own account of his strange and infatuated wanderings up and down the earth with John Brown and his coadjutors; how like a fiction it all seems, and yet how lamentably true; how unreal to minds like ours; how like the fever dream of a mind warped