

and disordered to the borders of insanity does the part which the prisoner has played seem to every practical judgment!

Is there nothing in it all that affords you the dearest privilege which man has on earth — the privilege of being merciful? Why, the very thief on the cross, for a single moment's repentance over his crimes, received absolute forgiveness, and was rewarded with paradise.

But, gentlemen, in estimating the magnitude of this young man's guilt, there is one fact which is proven in his behalf by the current history of the day which you cannot fail to consider. Shall John E. Cook perish, and the real criminals who for twenty years have taught the principles on which he acted, hear no voice from this spot? Shall no mark be placed on them? Shall this occasion pass away, and the prime felons who attacked your soil and murdered your citizens at Harper's Ferry escape? The indictment before us says that the prisoner was "seduced by the false and malignant counsels of other traitorous persons."

Never was a sentence written more just and true. "False and malignant counsels" have been dropping for years, as deadly and blighting as the poison of the Bohun upas tree, from the tongues of evil and traitorous persons in that section of the Union to which the prisoner belongs. They have seduced not only his mind, but many others, honest and misguided like him, to regard the crime at Harper's Ferry as no crime, your rights as unmitigated wrongs, and the constitution of the country as a league with hell and a covenant with death. On the skirts of the leaders of abolition fanaticism in the North is every drop of blood shed in the conflict at Harper's Ferry; on their souls rests the crime of murder for every life there lost; and all the waters of the ocean could not wash

the stains of slaughter from their treacherous and guilty hands.

A noted Boston abolitionist [Wendell Phillips], a few days ago, at Brooklyn, New York, in the presence of thousands, speaking of this tragic occurrence, says: "It is the natural result of anti-slavery teaching. For one, I accept it. I expected it." I, too, accept it in the same light, and so will the country. Those who taught, and not those who believed and acted, are the men of crime in the sight of God. And to guard other young men, so far as in my power, from the fatal snare which has been tightened around the hopes and destiny of John E. Cook, and to show who are fully responsible for his conduct, I intend to link with this trial the names of wiser and older men than he; and, if he is to be punished and consigned to a wretched doom, they shall stand beside him in the public stocks; they shall be pilloried forever in public shame as "the evil and traitorous persons who seduced him to his ruin by their false and malignant counsels."

The chief of these men, the leader of a great party, a senator of long standing, has announced to the country that there is a higher law than the constitution, which guarantees to each man the full exercise of his own inclination. The prisoner before you has simply acted on the law of Wm. H. Seward, and not the law of his fathers. He has followed the Mahomet of an incendiary faith.

Come forth, ye sages of abolitionism, who now cower and skulk under hasty denials of your complicity with the bloody result of your wicked and unholy doctrines, and take your places on the witness stand. Tell the world why this thing has happened. Tell this jury why they are trying John E. Cook for his life. You advised his conduct and taught him that he was doing right. You taught him a higher law and

then pointed out to him the field of action. Let facts be submitted. Mr. Seward, in speaking of slavery, says: "It can and must be abolished, and you and I must do it."

What worse did the prisoner attempt? Again, he said, upon this same subject, "Circumstances determine possibilities;" and doubtless the circumstance with which John Brown had connected his plans made them possible in his estimation, for it is in evidence before the country, unimpeached and uncontradicted, that the great senator of New York had the whole matter submitted to him, and only whispered back, in response, that he had better not have been told. He has boldly announced an irrepressible conflict between the free and slave States of this Union.

These seditious phrases, "higher law" and "irrepressible conflict," warrant and invite the construction which the prisoner and his young deluded companions placed upon them. Yet they are either in chains, with the frightful gibbet in full view, or sleep in dishonored graves, while the apostle and master-spirit of insurrection is loaded with honors, and fares sumptuously every day. Such is poor, short-handed justice in this world.

An old man, and for long years a member of the national Congress from Ohio, next shall testify here before you that he taught the prisoner the terrible error which now involves his life. Servile insurrection have forever been on the tongue and lips of Joshua R. Giddings. He says "that when the contest shall come, when the thunder shall roll and the lightning flash, and when the slaves shall rise in the South, in imitation of the horrid scenes of the West Indies, when the Southern man shall turn pale and tremble, when your dwellings shall smoke with the torch of the incendiary, and dismay sit on each countenance, he will hail it as the

approaching dawn of that political and moral millennium which he is well assured will come upon the world."

The atrocity of these sentiments chills the blood of honest patriots, and no part of the prisoner's conduct equals their bloody import. Shall the old leader escape and the young follower die? Shall the teacher, whose doctrines told the prisoner that what he did was right, go unscathed of the lightning which he has unchained? If so, Justice has fled from her temples on earth, and awaits us only on high to measure out what is right between man and man.

The men who have misled this boy to his ruin shall here receive my maledictions. They shrink back from him now in the hour of his calamity. They lift up their hands and say, Avaunt! to the bloody spectre which their infernal orgies have summoned up. You hear them all over the land ejaculating through false, pale, coward lips, "Thou canst not say I did it," when their hands are reeking with all the blood that has been shed and which yet awaits the extreme penalty of the law. False, fleeting, perjured traitors, false to friends as well as country, and perjured before the constitution of the Republic — ministers who profess to be of God who told this boy here to carry a Sharpe's rifle to Kansas instead of his mother's Bible — shall this jury, this court, and this country forget their guilt and their infamy because a victim to their precepts is yielding up his life before you?

May God forget me if I here, in the presence of this pale face, forget to denounce with the withering, blighting, blasting power of majestic truth, the tall and stately criminals of the Northern States of this Union.

The visionary mind of the prisoner heard from a member of congress from Massachusetts that a new constitution, a new Bible, and a new God were to be inaugurated and to

possess the country. They were to be new, because they were to be anti-slavery, for the old constitution, and the old Bible, and the God of our fathers, the ancient Lord God of Israel, the same yesterday, to-day, and forever, were not on the side of abolitionism.

Is there no mitigation for his doom in the fact that he took his life in his hand, and aimed at that which a coward taught him, but dared not himself attempt? Base, pusillanimous demagogues have led the prisoner to the bar, but while he suffers — if suffer he must — they, too, shall have their recreant limbs broken on the wheel.

I will not leave the soil of Virginia, I will not let this awful occasion pass into history, without giving a voice and an utterance to its true purport and meaning, without heaping upon its authors the load of execration which they are to bear henceforth and forever. Day after day and year after year has the baleful simoon of revolution, anarchy, discord, hostility to the South and her institutions, swept over that section of the country in which the lot of the prisoner has been cast. That he has been poisoned by its breath should not cut him off from human sympathy; rather should it render every heart-element toward him.

He never sought place or station, but sought merely to develop those doctrines which evil and traitorous persons have caused him to believe were true. Ministers, editors, and politicians — Beecher, Parker, Seward, Giddings, Sumner, Hale, and a host of lesser lights of each class — who in this court-room, who in this vast country, who in the wide world who shall read this trial believes them not guilty as charged in the indictment in all the counts to a deeper and far more fearful extent than John E. Cook. Midnight gloom is not more somber in contrast with the blazing light of the merid-

ian sun than is the guilt of such men in comparison with that which overwhelms the prisoner. They put in motion the maelstrom which has engulfed him. They started the torrent which has borne him over the precipice. They called forth from the caverns the tempest which wrecked him on a sunken reef.

Before God, and in the light of eternal truth, the disaster at Harper's Ferry is their act, and not his. May the ghost of each victim to their doctrines of disunion and abomination sit heavy on their guilty souls! May the fate of the prisoner, whatever it may be, disturb their slumbers and paralyze their arms when they are again raised against the peace of the country and the lives of its citizens!

I know by the gleam of each eye into which I look in this jury-box, that if these men could change places with young Cook, you would gladly say to him, "Go, erring and repentant youth, our vengeance shall fall on those who paid their money, urged on the attack, and guided the blow." Let me appeal to you, gentlemen of the jury, in the name of eternal truth and everlasting right, is nothing to be forgiven to youth, to inexperience, to a gentle, kind heart, to a wayward and peculiar though not vicious character, strangely apt to be led by present influences?

I have shown you what those influences, generally and specially, have been over the mind of the prisoner. I have shown you the malign influence of his direct leader. I have shown you, also, the "false and malignant counsels" in behalf of this sad enterprise, emanating from those in place, power, and position. It might have been your prodigal son borne away and seduced by such counsels, as well as my young client. Do with him as you would have your own child dealt by under like circumstances. He has been stolen

from the principles of his ancestors, and betrayed from the teachings of his kindred. If he was your own handsome child, repentant and confessing his wrong to his country, what would you wish a jury of strangers to do? That do yourselves.

By that rule guide your verdict; and the poor boon of mercy will not be cut off from him. He thought the country was about to be convulsed; that the slave was pining for an opportunity to rise against his master; that two thirds of the laboring population of the country, north and south, would flock to the standard of revolt; that a single day would bring ten, fifty — yea, a hundred thousand men — to arms in behalf of the insurrection of the slaves. This is in evidence.

Who are responsible for such terribly false views? and what kind of a visionary and dreaming mind is that which has so fatally entertained them? That the prisoner's mind is pliant to the impressions, whether for good or for evil, by which it is surrounded, let his first interview in his prison with Governor Willard, in the presence of your senator, Colonel Mason, bear witness. His error was placed before him. His wrong to his family and his country was drawn by a patriotic, and, at the same time, an affectionate hand. His natural being at once asserted its sway. The influence of good, and not of evil, once more controlled him as in the days of his childhood; and now here before you he has the merit at least of a loyal citizen, making all the atonement in his power for the wrong which he has committed. That he has told strictly the truth in his statement is proven by every word of evidence in this cause.

Gentlemen, you have this case. I surrender into your hands the issues of life and death. As long as you live, a more important case than this you will never be called to try.

Consider it, therefore, well in all its bearings. I have tried to show you those facts which go to palliate the conduct of the prisoner. Shall I go home and say that in justice you remembered not mercy to him? Leave the door of clemency open; do not shut it by a wholesale conviction. Remember that life is an awful and a sacred thing; remember that death is terrible — terrible at any time, and in any form.

“Come to the bridal chamber, Death!  
Come when the mother feels  
For the first time, her first-born's breath;  
Come when the blessed seals  
That close the pestilence are broke,  
And crowded cities wail its stroke;  
Come in consumption's ghastly form,  
The earthquake's shock, the ocean's storm;  
Come when the heart beats high and warm  
With banquet song, and dance, and wine,  
And thou art terrible. The groan,  
The knell, the pall, the bier,  
And all we know, or dream, or fear  
Of agony, are thine.”

But when to the frightful mien of the grim monster, when to the chill visage of the spirit of the glass and scythe, is added the hated, dreaded spectre of the gibbet, we turn shuddering from the accumulated horror. God spare this boy, and those who love him, from such a scene of woe.

I part from you now, and most likely forever. When we next meet — when I next look upon your faces and you on mine — it will be in that land and before that Tribunal where the only plea that will save you or me from a worse fate than awaits the prisoner, will be mercy. Charity is the paramount virtue; all else is as sounding brass and a tinkling cymbal. Charity suffereth long, and is kind. Forbid it not to come into your deliberation; and, when your last hour comes, the memory that you allowed it to plead for your erring brother, John E. Cook, will brighten your passage over the dark river, and rise by your side as an interceding angel in that day when

your trial as well as his shall be determined by a just but merciful God.

I thank the court and you, gentlemen, for your patient kindness, and I am done.

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#### ON THE WELFARE OF THE NATION

DELIVERED IN THE HOUSE OF REPRESENTATIVES, MARCH 9, 1864

**M**R. CHAIRMAN,—I arise to address the House to-day with feelings of profound depression and gloom. It is a melancholy spectacle to behold a free government die. The world it is true is filled with the evidences of decay. All nature speaks the voice of dissolution, and the highway of history and of life is strewn with the wrecks which time, the great despoiler, has made.

But hope of the future, bright visions of reviving glory are nowhere denied to the heart of man save as he gazes upon the downfall of legal liberty. He listens sorrowfully to the autumn winds as they sigh through dismantled forests, but he knows that their breath will be soft and vernal in the spring, and that the dead flowers and the withered foliage will blossom and bloom again. He sees the sky overcast with the angry frown of the tempest, but he knows that the sun will reappear, and the stars, the bright emblazonry of God, cannot perish.

Man himself, this strange connecting link between dust and deity, totters wearily onward under the weight of years and pain toward the gaping tomb, but now briefly his mind lingers around that dismal spot. It is filled with tears and grief, and the willow and the cypress gather around it with their loving, but mournful embrace.

And is this all? Not so. If a man die shall he not live again? Beyond the grave, in the distant Aiden, hope provides an elysium of the soul where the mortal assumes immortality and life becomes an endless splendor.

But where, sir, in all the dreary regions of the past, filled with convulsions, wars, and crimes, can you point your finger to the tomb of a free commonwealth on which the angel of resurrection has ever descended or from whose mouth the stone of despotism has ever been rolled away? Where, in what age and in what clime, have the ruins of constitutional freedom renewed their youth and regained their lost estate? By whose strong grip has the dead corpse of a republic once fallen ever been raised?

The merciful master who walked upon the waters and bade the winds be still left no ordained apostles with power to wrench apart the jaws of national death and release the victims of despotism. The wail of the heart-broken over the dead is not so sad to me as the realization of this fact.

But all history, with a loud unbroken voice, proclaims it, and the evidence of what the past has been is conclusive to my mind of what the future will be. Wherever in the wide domain of human conduct a people once possessed of liberty, with all power in their own hands, have surrendered these great gifts of God at the command of the usurper they have never afterwards proven themselves worthy to regain their forfeited treasures.

Sir, let history speak on this point. Bend your ear, and listen to the solemn warnings which distant ages perpetually utter in their uneasy slumbers. Four thousand years of human experience are open and present for the study of the American people. Standing as we do the last and greatest republic in the midst of the earth, it becomes us most deeply