

in this crisis of our destiny to examine well the career and the final fate of kindred governments in the past.

The principles of self-government are of ancient origin. They were not created by the authors of the American constitution. . . . The sword has been thrown into the scales of justice, and there is not this hour a court between the two oceans left free to decide the laws as they have uniformly been decided in England and America for the last two hundred years. The very foundations of civilized jurisprudence have been torn away, and the whole edifice is in ruins. The Magna Charta is erased; the habeas corpus is dead; the very soul and spirit of liberty is extinguished in the forum of the judiciary. To this sacred sanctuary, more than to any other department of the government, the blessings of liberty were entrusted. But has the present administration made them secure? It is required to do so by the terms of the constitution. Let each mind give its own answer. Not one right which constitutes the freedom and safety of the citizen but what has been wickedly and wantonly violated. Prisons filled without indictment and without warrant; long and bitter punishment inflicted without trial or conviction; the whole jury system abolished by a stroke of the pen in the hand of the Executive, or his subordinates in crime; no witnesses brought to the face of the accused; no counsel permitted to appear in his behalf; his house broken open and his papers searched in the midst of his pallid and terrified wife and children; such are some of the evidences which exist on every hand that our free institutions are hastening to their overthrow. And not content with breaking down all the ancient safeguards of liberty, new and malignant measures of legislation have been continually devised by a slavish Congress by which to more effectually reach, and torture, and

grind the citizen. The most innocent conduct, a harmless word, a simple look has been enacted into guilt. The hired hounds of arbitrary power find conspiracy and crime in the friendly greetings of neighbors on their farms. Speaking of the period of 1795 in England, that great modern philosopher, Henry Thomas Buckle, in his "History of Civilization," uses the following language, which I adopt as faithfully descriptive of the conduct of the party now in power, and of the times in which we live.

"Nothing, however, could stop the government in its headlong career. The ministers, secure of a majority in both Houses of Parliament, were able to carry their measures in defiance of the people, who opposed them by every mode short of actual violence. And as the object of these new laws was to check the spirit of inquiry and prevent reforms which the progress of society rendered indispensable, there were also brought into play other means subservient to the same end. It is no exaggeration to say that for some years England was ruled by a system of absolute terror. The ministers of the day, turning a struggle of party into a war of proscription, filled the prisons with their political opponents, and allowed them when in confinement to be treated with shameful severity. If a man was known to be a reformer he was constantly in danger of being arrested; and if he escaped that, he was watched at every turn, and his private letters were opened as they passed through the postoffice. In such cases no scruples were allowed. Even the confidence of domestic life was violated. No opponent of government was safe under his own roof against the tales of eavesdroppers and the gossip of servants. Discord was introduced into the bosom of families, and schisms caused between parents and their children. Not only were the most strenuous attempts made to silence the press, but the booksellers were so constantly prosecuted that they did not dare to publish a work if its author were obnoxious to the court. Indeed, whoever opposed the government was proclaimed an enemy to his country. Political associations and public meetings were

strictly forbidden. Every popular leader was in personal danger, and every popular assemblage was dispersed, either by threats or by military execution. That hateful machinery familiar to the worst days of the seventeenth century, was put into motion. Spies were paid; witnesses were suborned; juries were packed. The coffee-houses, the inns, and the clubs were filled with emissaries of the government, who reported the most hasty expressions of common conversation. If by these means no sort of evidence could be collected, there was another resource which was unsparingly used. For, the habeas corpus act being constantly suspended, the Crown had the power of imprisoning without inquiry and without limitation any person offensive to the ministry, but of whose crime no proof was attempted to be brought."

Sir, why are you, why am I out of the vaults of a dungeon, and standing on this floor to-day? Not because we are guilty of no offence; not because the broad shield of the law interposes its protection, but simply because the Executive has not yet seen fit and proper in the exercise of his absolute and unrestrained will to lay us in irons. This is the ultimate climax of despotic power. Each one of the twenty millions of people within the control of the United States holds his or her tenure to personal liberty—the right to walk the green earth, to breathe the air, and look at the sun—not by virtue of a free constitution, but dependent upon the clemency and pleasure of one man. May I not be arrested to-night? May not you or any one else to-morrow? Has it not been done in more than a thousand instances, and have not the courts, and the laws been powerless to save? While I am now speaking, may not some minion who licks the hand of power, and whom it would honor to call a slave, be preparing notes from which to testify against me before a military commission? Have we in the West forgotten Burnside, and the infamy of his reign in our midst? Will the inhabitants of the western circuit

in England ever forget the monster Jeffries and the murder of Alice Lisle? Will some poor, crawling, despised sycophant and tool of executive despotism dare to say that I shall not pronounce the name of Vallandigham? The scandal and stigma of his condemnation and banishment have filled the civilized world; and the Lethean and oblivious waves of a thousand years will not wash away the shame and reproach of that miserable scene from the American name. Some members on the other side of this chamber have attacked with fierce clamor the great American statesman and the Christian gentleman who suffers his exile in the cause of liberty on a foreign soil. So the basest cur that ever kennelled may bay, at the bidding of his master, the caged lion in the distance. Protract this iniquity, this crime, as long as you will, however, the judgment of history will at last overwhelm you with an insufferable odium, as certainly as the streams of truth emanate from beneath the great white throne of God. "Establish justice!" "Secure the blessings of liberty!" Oh! bitter mockery. Justice has been dethroned and the blessings of liberty annihilated. There is not one square mile of free soil in the American Republic. It is slave territory from the Aroostook to the Columbia. Every man in all that vast expanse may be reduced in an instant to hopeless bondage, every home may be broken open and pillaged, every dollar's worth of property may be swept into that yawning and bottomless gulf—the national treasury; and all under the sanction of the principles and practices daily exemplified by the administration which now hurls us on to ruin.

But the "domestic tranquillity," has it been insured? When the present party came into power the road to an honorable peace on the basis of the Union was still open. Before the inauguration of Mr. Lincoln his friends and supporters

held the issues of life and death, peace and war in their hands in this capitol. The records of the last session of the 36th Congress are immortal. They cannot perish; and as the woes and calamities of the people thicken and magnify by the frightful war in which we are engaged, they increase in value to posterity more rapidly than the leaves of the Sybilline book. The baleful brood of political destructionists who now unhappily possess the high seats of national authority did not then want public tranquillity. They invoked the storm which has since rained blood upon the land. They courted the whirlwind which has prostrated the progress of a century in ruins. They danced with a hellish glee around the bubbling cauldron of civil war and welcomed with ferocious joy every hurtful mischief which flickered in its lurid and infernal flames. Compromise, which has its origin in the love and mercy of God; which made peace and ratified the treaty on Calvary between heaven and the revolted and rebellious earth; which is the fundamental basis of all human association, and by which all governments the world ever knew have been created and upheld; compromise, which fools pronounce a treasonable word, and skillful knaves cover with reproach, because they are enriching themselves at the expense of the national sorrow and blood, was discarded by the North and accepted by the South when offered by Mr. Crittenden. By it domestic tranquillity could have been ensured. But an ulterior and destructive spirit ruled the hour and flooded the nation with misery. And since the breaking up of the fountains of the great deep who of this party have labored to tranquillize our disordered affairs? Who has endeavored, in the name of Christ and by the omnipotent power of the principles which he left his Father's throne to proclaim and for which he drank the wormwood and the gall on the cross, to

expel the cruel and ferocious demon of civil war that has howled so fiercely for the last three years among the tombs of our young and heroic dead? Not one, sir; not one. Wise and Christian measures, looking to reconciliation and peace and union, have been repeatedly spurned by the Executive and this legislative department which he holds in duress. At no distant day, when the horror of this war can no longer be borne, the various propositions which have been made and rejected in behalf of enlightened negotiation and a constitutional restoration will be gathered up and hurled at those in power as an accusation more appalling, an indictment more damning, than was ever levelled against a murderer upon his trial. Nor can they, in that hour of their fear and calamity at which the righteous world will laugh and mock, hide their guilty heads under the assertion that the South will not treat for peace; yes, peace which shall restore the Union under the constitution as it was written by the fathers, and as it has been interpreted by the supreme judicial tribunals. Why came that wasted figure, that gifted child of genius, the pure and elevated Stephens, of Georgia, from Richmond on his way to this capitol in the midsummer of 1863? Was it a trifling cause that moved him? All the world knows that his judgment and his heart clung fondly and to the last to the old government, in whose councils he had won so much honor. It is equally well known that he has never embraced the suicidal doctrine of State secession. The right of revolution is the ground upon which he stands. The malignant portion of the Southern press, too, such mischievous and damaging prints as the "Examiner and Inquirer" at Richmond, and the "Register" at Mobile, who continually cripple the interests and friends of humanity in this baleful contest, assailed Mr. Stephens for his attempt at negotiation, which they

averred would lead to reunion. Yet, with these things well known, and perhaps much more, which now slumbers in the secret drawers of the Executive, this great messenger of peace, this most acceptable mediator between an estranged and misled people, was denied a hearing — turned back in silence; and the festival of death commanded to proceed. The book of time in all its ample folds contains no more inhuman or revolting spectacle. Those who love war for the mere sake of war, when the same objects can be better attained by the gentle and holy influences of peace, are monsters of such frightful depravity that the blackest of those murdering ministers, “who in their sightless substance wait on nature’s mischief,” appear as angels of light and benevolence in the comparison.

Sir, I will not here pause to dwell in detail on the usages of civilized nations in conducting civilized warfare. But I challenge history, that “reverend chronicler of the grave,” whether in its sacred or profane records, to produce a parallel to the spirit and temper with which the party now in power has conducted the awful struggle in which we are engaged. Commence at the early daybreak of the world, traverse all time, and explore all space, grope your way among the vast hecatombs of all former wars, examine the gory stains of every battle plain, ransack the archives of kings, cabinets, and councils, and no instance, not one, can be found where a people claiming Christian civilization has waged a war of any kind against any foe in dumb, ferocious silence, without a word, a sign, or a look in behalf of a peaceful solution as long as we have now been engaged in this cruel conflict. “Blessed are the peace-makers,” was not spoken for the present administrators of American affairs. They spurn the examples and teachings of all Christian ages. . . .

Sir, what is this contest? On the part of those who have kept their allegiance, it is a struggle to maintain the boundaries of the Republic, and thus defeat the ruinous doctrine that a State has a right to secede. On the part of those in rebellion, it is an effort, in their estimation, to preserve the integrity of their local laws, their social institutions, the right to control their domestic affairs free from federal interference. With some, this attempt is made under a claim of the right of secession; others proclaim a revolution, which is the right of all people if grievances sufficient exist as a justification. But the people of the South are united in the objects at which they aim, and if they could be attained in the Union, and without war, would they not gladly embrace and accept them rather than continue in a state of endless hostility, which is destroying the very interests they seek to protect? Why, the gentleman from Ohio [Mr. Garfield] declared a few days ago on this floor, that if the privates of the opposing armies in the field were permitted to come together in peace, they would speedily remove all our troubles; and yet he spoke and voted in favor of taking from even the wives and children of the Southern masses, who he asserts, are thus willing to return to the Union, the last foot of soil, and the last crust of bread by which life is sustained. With such evidence then as this can we justify ourselves before God or man if we fail to respond to the action of the South in favor of negotiation, which promises in advance such happy results? Let all grievances, whether fancied or real, be considered by candid statesmanship. Let there be safe and unrepealable guarantees adopted against those that are found to be real; and those that are fancied will be easily explained away. Five enlightened commissioners from each section, imbued with the spirit of