

occasions, for more commanding motives to self-sacrifice than we have.

We must enter now the secret chambers of our own hearts. We must listen to all that God has taught us individually of his own astonishing mercy to us in Jesus Christ — of our utter need of it. For us Christians, Christ is Lazarus to the end of time, coming to us from the dead to warn us of our duty, receiving in the persons of his poor what we give as given to himself. Surely no social catastrophe, no unforeseen providence, no palpable miracle, could restrain us more effectually than his boundless, his patient, his unmerited love — than those divine words of his which faith, it seems to me, must trace over the door of every hospital: "Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me."

ROSCOE CONKLING



ROSCOE CONKLING, American republican statesman and jurist, was born at Albany, N. Y., Oct. 30, 1829, and died at New York, April 18, 1888. The son of a congressman, and minister (1852) to Mexico, he was educated at New York, and after pursuing the study of law at Utica, N. Y., was admitted to the Oneida County Bar in 1850. Here he soon became conspicuous for his abilities, and was especially noted for his successful management of criminal cases. He took an active interest in politics and was mayor of Utica in 1858. In 1859, he entered Congress as a Republican representative and after the outbreak of the Civil War stoutly upheld the Union cause. He failed of reelection in 1862, and practiced his profession in Utica until in 1864 he was again returned to Congress. In 1867, he was elected to the United States Senate. He took a leading part in the debate on reconstruction measures, opposing the policy of President Johnson with vigor, and deplored the failure of the impeachment proceedings against him. He was a zealous supporter of the administrations of President Grant, over which he exerted considerable influence in certain directions, and in 1880 zealously championed the nomination of Grant for a third term, but was finally persuaded to acquiesce in the nomination of Garfield. Soon after Garfield's inauguration, Conkling and his colleague Platt withdrew from the Senate on account of the President's assumption of the control of official appointments in New York, which the Senate confirmed. This rebuff closed Conkling's political career and returning to New York city he spent his last years in the exercise of his profession. In 1882, he declined the offer of a seat on the Supreme Bench of the United States as associate-justice, tendered him by President Arthur, and refusing all inducements to return to public life remained unreconciled till his death. Among his noted speeches are the oration in the Senate in 1867 on the proposed impeachment of Henry Smythe, and a brief speech at the Cincinnati convention of 1880 nominating Grant for a third term in the Presidency. Conkling was a man of fine powers, but hot-headed, autocratic, and self-willed.

SUMMING-UP IN THE HADDOCK COURT-MARTIAL¹

DELIVERED AUGUST, 1865

MAY IT PLEASE THE COURT,— Happily for the honor of the military profession, and for the fair fame of our land, prosecutions such as this have, until of late, been unknown in our history. In olden time, and

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in later time, a commission in the army was a certificate of character and a passport everywhere. But the Rebellion, now ended, seems to have been appointed to illustrate, in manifold ways, the shame not less than the glory of humanity. A vessel tossed and groaning in a gale, a crew heroically manful, and a myriad of sharks following the ship — such is a faithful emblem of our condition during the mighty convulsion which has just subsided.

The nation was in the last peril of existence. The continent quaked under the tramp of an uncounted host, eager, from general to private, to suffer all, and dare all, for the salvation of the government of their fathers. But with them came knaves, titled and even shoulder-strapped, a darkening cloud of vampires, gorging themselves upon the heart's blood of their country. Shoddy contractors, bounty gamblers and base adventurers found their way even into the army, in order that they might the better, under patriotic pretensions, make to themselves gain of the woes of the community.

And accordingly spectacles like this trial have come to be familiar to the public eye. Officers are put to the bar of justice for crimes deserving rank among the baser felonies. Whether such instances shall continue, depends largely upon the result of exposures of which this trial is a somewhat conspicuous one. It is the peculiar privilege of the army that its honor is confided to its own keeping solely.

Infractions of its integrity are triable before soldiers alone, and thus the officers of the army become the guardians and avengers of its purity and honor. Such a prerogative is the property of no other profession, and it imposes responsibilities in the ratio of its exclusiveness. In one sense, this trial relates to the *morale* of the army. In another and a broader sense, it relates to the universal interest of the whole public. The

war has ushered in an epoch of heroes and thieves. A carnival of venality has raged, until business connected with the government has become one grand masquerade of fraud.

Courts of every grade are kept open. The national jurisprudence, civil and military, is administered in splendid expense and with superfluous appointment. Petty offenders and common culprits are the vermin destroyed by the great machinery of justice, while right is humbled and baffled, if not abashed, in the presence of criminals too great to be punished.

A prolific cause of this is the free-masonry of profitable crime. Accusations, such as you sit to try, usually involve, as they do in this case, the impunity of many men. The prosecution must encounter, as it has done here, classes and combinations; and the result of pursuing offenders of such a grade, with the shrewdness, the money, the facilities they possess, is certain to be abortive unless special and exceptional effort is employed. Therefore, special and exceptional effort should be made. Whenever an instance occurs of guilt, traceable to one in an official station of power and sacredness, its exposure and punishment is a triumph of right, which should be emphasized by every salutary lesson which the fact can be made to enforce.

Such is, fortunately, the opinion of the government. Such is the undoubting faith of him selected to conduct this prosecution.

The arraignment of the accused proceeds upon the distinct avowal that it is not only justifiable and right, but the solemn duty of the government to ferret out those iniquities which have marred the sublimest moral spectacle of all time. The prosecution illustrates the principle that no partisanship of the criminal toward the administration, that no chagrin which

may be felt by the government at the exposure of the fact that unfit men have been selected for high places, that nothing whatever shall stand in the way of the detection and punishment of crime.

But because vigilance has been employed in uncovering fraud and wrong, the managers of the defence have seen fit to decorate me, and even the government, with their censure. A labored effort is made to confound vigilance with persecution and injustice, and the resort which has been had to the evidence of a person involved in the misconduct of the accused is made this occasion of censorious complaint. The counsel forget that this trial will stand alone among military trials in the liberties and advantages accorded to the defence. A court composed of those who could have no bias against the accused was appointed at a place selected from regard to his interest, and thronged with the creatures of his official favor; three counsel were admitted, and have been allowed to argue, to examine, and to manage with unrestrained freedom; the chief witness for the defence has been suffered, before being called himself to hear all the testimony of opposing witnesses upon the very points upon which a witness should most be tested; a copy of the record has been furnished the accused from day to day; an extraordinary number of witnesses have been asked for, and not a witness, however obvious his uselessness, has been refused; and at length, having assented to reading the record from the shorthand notes, until three weeks of extended record had accumulated, the accused was indulged in an objection, the effect of which was, after the case for the prosecution was fully disclosed, to give to the defence six weeks to prepare to meet it; and during this long interval, the accused has had the range of the country.

In all this lenity of the court the judge-advocate has fully

concurring, but he protests against the attempt now to manufacture anything from the case with which to deck, in specious disguises, the plea of "malice" and "persecution," that oldest and most threadbare resort of guilt. The true and only question is, What is established by the evidence? and to that inquiry immediate attention is invited. . . .

The case is one requiring of the prosecution the clearest and most convincing evidence. Proof should always be strong and satisfactory in the same degree in which the guilt it indicates is enormous. The accused is peculiarly entitled to the benefit of this principle of reason and of law. The crimes imputed to him are both atrocious and detestable, and a great presumption of innocence belongs to him as an officer and a man.

If guilty, his offence is nothing less than basely intriguing against the army, in the most critical period of its fate, and wielding the powers of a great official station against the life of the Republic itself. Is the accusation less heinous than this?

It is charged that when the army, thinned by battles and hardships, stood waiting for re-enforcements before closing with the enemy in the last grapple for the mastery; when exhaustion and divided sentiment in the loyal States told but too plainly that victory lost for a season would be lost forever; when a call for three hundred thousand more men had been made, and the destiny of the cause hung upon the response — that then, while standing in double trust as a soldier and as a high civil officer, the accused, for a consideration, thwarted the efforts to succor his comrades in the field, first by conniving at worthless enlistments, and second, by allowing recruits to be robbed, knowing that desertions and demoralization must follow.

But yet more sinister acts are laid at his door. It is alleged against him that he conspired to take to himself the moneys by which the army and the government subsisted, and to add exactions to taxes, making them too grievous to be borne, and this at a time when pecuniary disorders were about to solve disastrously the whole problem of the war. The range of such perfidy is bounded only by its power of mischief, and perhaps no man in the nation, save only the provost-marshal-general himself, held greater sway for good or evil in the special field of alleged malfeasance than he who presided with autocratic discretion over one third of the State of New York. . . .

This trial and its result may be looked at by those who come after us as a straw denoting currents in the decadence or the regeneration of public morals. Should it be ever so recurred to, each one who has acted his part in it decently and in order may rest assured that it will be well with him. One humble part has been, we are told, acted zealously — that part is mine. Is it true that I have been diligent in laying bare these iniquities? Give me a certificate of my zeal, that I may leave it as a legacy to my children; and bid them say of me, "He did his utmost to gibbet at the cross-roads of public justice all those who, when war had drenched the land with blood and covered it with mourning, parted the garment of their country among them, and cast lots upon the vesture of the government, even while they held positions of emolument and trust."

SPEECH NOMINATING GRANT¹

DELIVERED JUNE 5, 1860

IN obedience to instructions I should never dare to disregard — expressing, also, my own firm convictions — I rise to propose a nomination with which the country and the Republican party can grandly win. The election before us is to be the Austerlitz of American politics. It will decide, for many years, whether the country shall be Republican or Cossack. The supreme need of the hour is not a candidate who can carry Michigan. All Republican candidates can do that. The need is not of a candidate who is popular in the Territories, because they have no vote. The need is of a candidate who can carry doubtful States. Not the doubtful States of the north alone, but doubtful States of the South, which we have heard, if I understand it aright, ought to take little or no part here, because the South has nothing to give, but everything to receive.

No, gentlemen, the need that presses upon the conscience of this convention is of a candidate who can carry doubtful States both north and south. And believing that he, more surely than any other man, can carry New York against any opponent, and can carry not only the North, but several States of the South, New York is for Ulysses S. Grant. Never defeated in peace or in war, his name is the most illustrious borne by living man.

His services attest his greatness, and the country — nay, the world — knows them by heart. His fame was earned