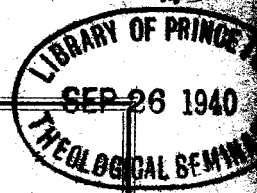
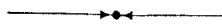


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THE HIGHER LAW.



A

S E R M O N,

PREACHED ON

T H A N K S G I V I N G D A Y,

November 27, 1851.

BY

LEONARD BACON,

Pastor of the First Church in New Haven.



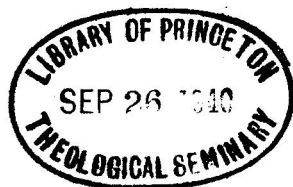
NEW HAVEN:

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Printer to Yale College.

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A

SERMON,

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THANKSGIVING DAY,

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S E R M O N .

PSALM lxxxii.—God standeth in the congregation of the mighty: he judgeth among the gods. How long will ye judge unjustly, and accept the persons of the wicked? Defend the poor and fatherless: do justice to the afflicted and needy. Deliver the poor and needy: rid them out of the hand of the wicked. They know not, neither will they understand; they walk on in darkness: all the foundations of the earth are out of course. I have said, Ye are gods: and all of you are children of the most High: But ye shall die like men, and fall like one of the princes. Arise, O God, judge the earth: for thou shalt inherit all nations.

PERHAPS nothing in the catalogue of the distinctive blessings conferred on us as a people, is adverted to more frequently, or with more of a natural and reasonable exultation, than the fact that we are under a strictly constitutional government. To this fact I would call your attention for a moment, before I proceed to the exposition of the text and to that particular application of it which I propose to make on the present occasion.

The old ideas of government—the only ideas with which the writers of the Bible were familiar—are in one view exceedingly simple. According to these ideas, the magistrate, placed by the will of God at the head of the body politic, is to administer justice very much at his own discretion, and under no formal responsibility other than his responsibility to God. He is to do no wrong himself, and is to punish the wrong doing of his subordinates and subjects. The laws by which he governs are either the laws which God has given, and which are therefore irrevocable and immutable; or they proceed from his own will, and are simply the announcement of his own ideas of right, and the rules which he lays down for himself and his subjects in the administration of justice. In that theory, the distinction and distribution of the various powers of government among various coördinate functionaries, legislative, judicial and executive, is a refinement quite unknown. Briefly then, the govern-

ment of a state by its chief magistrate, according to those ancient and simple views, is more like the government of a family by the father and natural head of the household, than like anything which we should recognize as a safe and well guarded government for a civil community. It is evident that in such a mode of government everything depends on the personal character of the chief ruler, his capacity and integrity; for checks and balances and popular responsibility, as methods of securing the public welfare, have not yet been thought of. Such a government is government at discretion—entirely arbitrary save as the will of the ruler may be guided by the principles of natural justice, or controlled by a revealed and acknowledged law of God.

A constitutional government, in the very earliest and rudest conception of it, is the opposite of this. It is a government in which law, as distinguished from the discretion of the magistrate, is supreme. It is a government in which there is some arrangement for making laws that shall bind not the subject only as a private member of society, but the magistrate himself in the performance of his magistracy. It is a government in which the magistrate, dispensing justice between man and man or between the individual and the public, has no power but what the law expressly gives him; and in which, therefore, no magistrate can set up his own will or his own convictions of abstract right, to contravene or supersede the law, without being guilty of a crime against the commonwealth.

This is the nature of our government in each particular state, and in the great Union of our states. And it is this feature of our government which, above all others, makes our government so rich a blessing. All our judges sitting in the place of justice, and all our executive officers, are merely servants of the law. They are none of them rulers, distributing justice at their own discretion, or according to their own private sense of what justice ought to be; as for any justice above or beyond what the law measures out, they are powerless—as completely without authority as the humblest private citizen. The whole function of the judge is, to discover and declare what the law is in its application to each particular case that comes before him. The whole function of the executive officer is, to see that what the law requires is done. The judge, for example, and the sheriff,

may firmly and religiously believe that the state has in no case any legitimate power over human life, and that the punishment of death inflicted even on a murderer instead of being really an act of justice, is itself only another murder perpetrated under the name and forms of justice. They may believe, as you know many good men do earnestly believe, though most mistakenly, that such is the express teaching of the Christian religion. But while the law stands as it now stands, the judge in the discharge of his office can do nothing else than to declare what the law is, and to pronounce upon the convicted murderer its dreadful sentence; nor can the sheriff, acting in that capacity, do anything less than to carry that sentence into execution in the prescribed manner and at the appointed hour. Be it that the law is unjust; if their consciences forbid them to participate in the administration of it, they have only to lay down their offices, for in no way can they remedy that injustice. If they who are merely the servants of the state, and who are entrusted only with the business of administering the law; usurp a power which has not been committed to them—if they presume to set aside the law and to administer in the place of it some other and better law which they deduce from the principles of natural justice, or which they find expressly laid down in the Bible itself, they are guilty of a crime which is aggravated instead of being diminished by the dignity and responsibility of their official position.

Such limitation of the powers of the magistrate, judicial or executive, is essential even to the simplest and most rudimental form of constitutional government. The fact that our magistrates are thus limited—the fact that they are not rulers dispensing justice at their own discretion, but merely the servants of the state dispensing and applying the law as the state has ordained it, and for which the state is responsible—this fact is the very first thing to be thankful for when we acknowledge the goodness of God's providence towards us in permitting us to inherit from our fathers the blessings of a constitutional government, a government of law and not of arbitrary and discretionary power.

But this is not the only matter of thankfulness in regard to our government as a constitutional government. Not only is there in our government a division and distribution of powers,

the judicial and executive being carefully separated from the legislative; but the legislative power itself, both in the states and in the Union, instead of being an absolute power, a power of making laws at discretion, is limited on every side by that supreme organic law which we call the constitution. A constitution of government in our American sense of the word, is not a mere charter to define and secure the liberties which have been conceded to the people by a power above the people, a king or an aristocracy ruling by divine right; it is, on the contrary, a supreme organic law proceeding from the people themselves for the purpose of defining and establishing the powers which the people, as the prime depositaries of political power under God, have vested in the various departments of their government. In each particular state, the legislative body has its power of making laws, not by a divine right or as the immediate delegates of the Eternal lawgiver, but only as invested with authority by the constitution of that state. In other words, it has no power whatever save what the constitution gives it. So the constitution of the Union takes away certain political powers not merely from the constituted state governments but from the states themselves; and for the sake of promoting the common welfare of all the states, it establishes a government of its own, and commits to a certain department of that government a power of legislation not absolute and discretionary, but carefully prescribed and bounded.

Such is one grand distinction of that method of government, which, in the providence of God, has come down to us—an inheritance beyond all price—from our ancestors. Our idea and experience of a constitutional government, as a matter for special thankfulness to the God of all the nations of the earth, is the idea and experience of a government with prescribed duties and limited power in every department.

The value which the people of these United States attach to the principle of constitutional government here established, is as reasonable as it is natural. Never in the history of the world has there been, under any form of civil polity, such security for individual rights and for public tranquillity and safety as is afforded by this arrangement and distribution of political powers, and this limitation of the power of government in every direction. And the special enthusiasm with which the people regard

the constitution of the Union—the unanimous and passionate zeal which they show for its perpetuity, is amply justified by the consideration of its origin and of the benefits which have resulted from it. The difficulties which attended the formation and adoption of it, and which were so wonderfully surmounted, the condition of peril and disorganization from which it was the means of delivering us, the internal contentions and civil wars from which it has guarded us, the position of respect among the nations which has been gained for us by the government which it established, and the universal prosperity under it, which has filled our land with riches and is making us in so many respects the admiration and envy of the world—are enough to excuse even that excessive and blinding loyalty of which our statesmen sometimes take advantage when, with the old cry that the Union is in danger, they make the people believe that the Union can be saved only by some new compromise to be appended to the Constitution. It is not at all strange that the people of these states regard the organic law of the Union with an almost superstitious veneration, as if it were a special and supernatural gift of God to them, as if there were more than human wisdom in its provisions, and as if nothing in it could be censured or criticised without a sort of impiety.

Yet out of this honest national sentiment of veneration for our great organic law, (a sentiment which I would by no means depreciate,) there has grown up insensibly a certain vague delusion, most demoralizing in its natural influence on our political affairs. The delusion to which I refer has long been working unobserved like a mystery of iniquity, or if observed and indicated, the fact of its existence and its influence could not well be adequately impressed on public attention.* But of late, what was once only an undefined impression, a dim delusion, working unnoticed, and spreading itself without coming distinctly to the consciousness even of those whom it controlled, has taken a definite form, has come forth into the light of day, has shaped itself into a dogma, has drawn to its support many a great and honored name, and has dared to claim the honors of exclusive orthodoxy. It has been publicly professed and proclaimed, as if it were an article of faith: "*We know of no higher law as a rule*

* See Appendix.

for political action than the Constitution of the United States;”* and the idea of a “higher law” to which all men owe a primary and indissoluble allegiance, and with which the enactments of Congress, however constitutional, may possibly be in conflict, has been scouted as if it were the grossest and most pestilent of all heresies.

I do not know whom among you I am likely to offend by venturing to gainsay this new profession of faith. Perhaps there are personal friends of mine, friends greatly respected and beloved, who are already pained by my alluding to the subject, and are sorry for my imprudence. Whoever they may be, if there are any such, I am far from believing that *they* mean all that the words mean which they may have incautiously adopted. Let them remember that I have to do not with the question as to what *their* meaning is, but only with the legitimate meaning of the new and perilous dogma to which they may have been led to give unwittingly the aid of their personal authority and influence. If they will make me an offender and count me as an enemy, because I stand up here to assert and vindicate the perpetual, universal, immutable obligation of God’s law, and its supremacy over all human enactments and compacts, I am sorry for it, but I cannot help it.

Turn we now to the exposition of the text. The question is whether for us as citizens—whether for those who are called to act in the high places of legislation and of political administration—there is any “higher law as a rule for political action, than the Constitution of the United States.” The question, you will observe, is not as to any particular conflict now existing, or alleged to exist, between the higher law and the inferior; but only whether there is any higher law with which the Constitution of the United States in any of its provisions, or with which any law made in conformity with that Constitution, may without absurdity be supposed to be in conflict.

Here we have open before us the living oracles of God—the Holy Scriptures, written by men to whom a Divine inspiration had given a higher and clearer intuition of Divine realities than can be attained by any merely political experience or sagacity. Our text to-day is a devout, instructive poem on this very topic of

* Proceedings of a public meeting at New Haven, December 24th, 1850.

the relation between politics, or human government and magistracies, and the Supreme and holy government of God. Observe the grand, impressive introduction:

“God standeth in the congregation of the mighty;
He judgeth among the gods.”

Before the imagination of the Psalmist, all human sovereignties are assembled as in a congress of great potentates; there they sit on thrones of dominion, each like a god in his own sphere, each glorying in an independent and irresponsible sovereignty. But God himself is among them, the true, the eternal God; he is their sovereign and their judge. He speaks:

“How long will ye judge unjustly,
And accept the persons of the wicked?
Defend the poor and fatherless;
Do justice to the afflicted and needy;
Deliver the poor and needy,
And rid them out of the hand of the wicked.”

Tell us, is not this God’s voice to all who are entrusted with political power in whatever form of government? Tell us, is there not a “higher law” with which all human legislation must be compared, and to which all human legislators are amenable? Look at this poetical conception of the Psalmist—God standing in the congregation of the mighty, judging and chiding the sovereignties that count themselves as gods and say, Who is Lord over us—look, and tell us whether this conception does not figure to us just what all men know to be the truth?

And now as the poem proceeds; the Most High is represented as saying:

“They know not, neither will they understand;
They walk on in darkness;
All the foundations of the earth are out of course.”

These political powers, these human sovereignties, have renounced and excluded from their thoughts the knowledge of God who stands in their assembly, the blessed and only potentate, the final and eternal judge. They “know of no higher law” as a rule for their political action, than the laws which they establish for themselves, their own ordinances and constitutions. So they go on with their acts of policy and government, as if there were no great lights hung in the heavens above to rule and guide them. The eternal principles of truth and righteous-

ness, those grand immutable distinctions of right and wrong upon which as a fixed foundation the whole fabric of human polity and legislation should be reared, are dislocated and subverted. "If the foundations be destroyed what shall the righteous do?"

And what is the sentence which God pronounces upon the powers and sovereignties that disregard and will not know his higher law?

"I have said, ye are gods,
And all of you children of the Most High;
But ye shall die like men,
And fall like one of the princes."

Their majesty, their power, their far-reaching systems of policy and dominion, their imperial riches and splendors, the magnificence of their undertakings, the glory of their achievements, the awfulness of the Divine trust which they hold as legislators and rulers, or as invested with the power of self-government—all that exalts them and makes them seem like gods, fades into nothing in the glance of his anger. He breathes upon them in his indignation, and they perish.

Terrible then to all godless powers and sovereignties—terrible to all the nations and dominions that regard no higher law than what they establish for themselves—is that prayer of the Church, the universal Church of the redeemed and holy, which breathes itself out, like the cry of the souls that are under the altar, to form the conclusion of this sublime poem! Hear that cry, deep, calm, patient, ceaseless, running in murmurs of supplication round the darkened and groaning earth, swelling and rolling in thunders through the heaven—the prayer of the waiting and struggling Church below, repeated and reverberated in the acclamations of the Church on high,—

"Arise, O God, judge the earth,
For thou shalt inherit all nations."

Yes, God will surely inherit all nations. He will overturn, and overturn, and overturn, till his own higher law—the eternal law of right and truth, shall be everywhere established and obeyed. Yes! and the kingdom and the nation, the queen-like city, the proud self-balanced state, the grand imperial confederation, that will not serve him, obedient to his supreme eternal law, shall utterly perish.

The progress of time, my hearers, has already relieved you of one apprehension which may have been painful to some of you. I cannot now enter upon the connection of the general question before us with any particular act of our national legislation. And, perhaps it is well that on this occasion I am under the necessity of confining myself to the simple and abstract vindication of God's law—the fixed and immutable principles of morality—as "the higher law," higher than the Constitution of the United States, and binding, always binding, both the individual citizen and the legislator in the highest place of power, binding "as a rule for political action," binding with an obligation which cannot be dissolved by any considerations of personal or political expediency, binding with an obligation which cannot be broken without daring the justice of the Judge of all the earth.

What then is the conclusion of the whole matter? "Fear God, and keep HIS commandments, for this is the whole of man." To keep God's commandments, to bring to pass His will, to be in willing conformity with those eternal principles of right in which God reveals His will to the universal conscience of mankind, is the completeness and consummation, the full-orbed dignity, of human nature, whether in the individual unit or in the body politic. The rule of right and wrong, recognized by the human conscience as sanctioned and guarded by the righteousness of God, is the supreme principle of action for the individual man in all the relations that connect him with his fellow-men; and it is no less the supreme rule for states and nations. The Constitution of the United States is *not* the supreme standard or rule for the legislator or for the citizen. The constitutionality of a proposed act of legislation is not the only thing to be considered, when the question is, shall it pass into a law. The policy of that act in respect to national wealth, or in respect to the demands of warring interests and factions, is not the only thing to be considered when its constitutionality is admitted. Far above all questions of constitutionality, far above all questions of private and party interest, or even of public expediency and policy, towers ever the great question of *righteousness*—the question of the conformity of each act of legislation with the law of God. The constitutionality of an act of legislation may be sufficient to give it force with the judicial and executive officers

of the government, and to ensure its being carried into effect as law; but there is often another question to be weighed before the law can grasp the conscience of the citizen and constrain his active obedience;—the question not whether the law violates my rights, but whether it commands me to violate my duty—not whether it requires me to suffer wrong, but whether it requires me to do wrong—whether it bids me degrade my manhood by ceasing to fear God and keep his commandments.

With some hearers this may need to be illustrated. Let me say then that the question may arise in regard to a law, Is the act which this law requires me to put forth, consistent with the obedience which I owe to God? It may be that a law which violates no human constitution whatsoever, requires me to perpetrate some act against which my conscience revolts in the name of a higher authority. The demand of such a law may be that I shall bow with the semblance of homage at the altar of an idol; the demand may be that I shall take up arms, and march to spread slaughter among the homes of an innocent and unresisting people; the demand may be that I shall betray the hunted victims of religious persecution, or of a cruel and unrelenting civil oppression. Will a law like this take hold on any enlightened conscience? Will it constrain the active obedience of any man who does not deserve to be a slave? Take another supposition. It is doubtless within the constitutional powers of the government of the United States to enact a law for the extradition of fugitives from foreign despotisms,—a law, for example, that these Hungarian exiles now arriving on our shores shall be arrested and delivered in chains to the agents of Austrian cruelty, and that you and I and all of us shall give our active assistance in the execution of the law, though we know that the wretched men are delivered to a life of toil in the galleys, and the more wretched women to the liability of being whipped under the orders of a Haynau, and even to the peril of a fouler dishonor. Such a law all judges would be compelled to recognize as valid in all its provisions. In the execution of such a law every civil and military officer of the government would be officially bound to coöperate. But would such a law take any hold upon your conscience? Would you lift your finger towards carrying it into effect? Would you on account of that law deny food, or shelter, or any duty of hospitality to

the needy and hunted exile? No! No! The loud and stern refusal to obey would burst from myriads of indignant freemen, like the voice of many waters. God's ministers from a thousand pulpits would preach in his name, "Make thy shadow as the night in the midst of the noon-day; hide the outcasts, betray not him that wandereth; let mine outcasts dwell with thee; be thou a covert to them from the face of the spoiler." There would be no question, in such a case, touching the constitutionality of the law; but conscience would cry out against the iniquity of the law, its cruelty, its violation of that higher law which God's finger has written upon the living soul more durably than upon tables of stone. I do not say that Christian men would rise up in arms against the execution of such a law, or would rescue the victims of it, by violence, out of the hands of the captor. God forbid that such disorganization of society should be attempted in the name of Christian duty. But I do say that many a Christian man would count it an honor to suffer for refusing to perpetrate the baseness required of him. Many a Christian man would take joyfully the spoiling of his goods, or, like the early martyrs for Christ, would face the lions in the amphitheater, rather than defile his soul by any act of obedience to such a law. The law might impoverish him by fines and confiscations; it might shut him up in prison; it might set him on the pillory; it might torture him with the scourge and the branding iron; it might make him an example on the scaffold; but it could not stifle within him the testimony of an approving conscience; it could not rob him of the glorious experience—worth more than all imperial grandeur—that to fear God and keep his commandments is the whole of man.

You need not tell me that the individual conscience is liable to error. I know it well; and if I were ignorant of it, I might have learned it long ago from the Pope and the Jesuits. I know that in attempting to ascertain the law of God and its application, I am to call to my aid all the lights and helps within my power. I am to search the scriptures, that thus I may see what God hath spoken, and may have communion with that Holy Spirit by whose inspiration they were written. I am to purify my heart by obeying the truth, for the pure in heart shall see God, and shall know His will. I am to quicken and strengthen my own moral perceptions, by intercourse and fellow-

ship with the men who love God, and who desire that His will may be done on earth as it is in heaven. But it does not follow from all this that there is to be no individual conscience; far less does it follow that acts of Congress made in the exercise of powers conferred on Congress by the Constitution, are an infallible rule of duty. No; take away all private judgment about right and wrong, forbid and annihilate the practice of comparing the law of the land with the higher law of God as recognized by the conscience; and you annihilate all that deserves the name of liberty. Give us a state in which there is no private judgment about right and wrong, and where every man accepts without inquiry the decrees of the sovereign monarch, the sovereign pontiff, or the sovereign majority; give us a state in which there is not individual conscience enough to do right in defiance of a wicked law and to endure the legal penalty of well doing; and we have before us the spectacle of a state where all are slaves, enslaved in spirit, and where there is no possibility of progress or of reformation.

Here then is the point on which I would fix your attention, not for the present moment only, but forever. There is a higher law than all the statutes enacted under the Constitution, a higher law than the Constitution itself; not a higher law which you and I as individual citizens are to administer and put in force, but a higher law which you and I and all of us are to obey, and which we may disobey, under whatever coercion, only at our peril. I take it for a sign of something diseased and rotten in the public sentiment of this nation, that, within a few months past, the reference to a higher law than the Constitution, the intimation in the Senate that there is a higher law which legislators in the exercise of their constitutional powers, laying the foundations of states and determining the destiny of millions yet unborn, are bound to regard,—or even the attempt to point out an incongruity between the Constitution on the one hand and the law of nations and of nature on the other, has been met, in Congress and out of it—not ordinarily with serious and manly argument, attempting to bring the proposed acts of legislation and the Constitution itself to the acknowledged standard of a higher law, and showing that they are in accordance with an enlightened moral sense—but chiefly with outcries of indignation at the audacity and treason of the refer-

ence, and with this profession of faith caught up and adopted in heedless enthusiasm, "We know of no higher law as a rule for political action than the Constitution of the United States." Against that profession, by whomsoever adopted; against that perilous dogma unthinkingly sanctioned by many an honored name, and more unthinkingly embraced by multitudes of souls who never dream of giving to it any other than its most obvious meaning; against that dogma, so destructive to liberty and to all true manliness, I protest in the name of conscience and of God. There is a higher law, and you know it; a law to which all men owe obedience in all the activities of life and society. There is a difference between right and wrong, between justice and injustice, between righteousness and wickedness, older than the Constitution, older than all human compacts and enactments, older and more lasting than the world itself, eternal as God; and that difference, sanctioned and guarded by the Divine justice, is the higher law. In vain may you affect to be ignorant of it. Whatever you do, wherever you go, it attends you like the presence of God. Every moment it hangs over you, with its inexorable demands, and with the mysteriousness of its sanctions. **THE HIGHER LAW!** There it is; you cannot escape from it; it forces itself continually upon your intuition. That **HIGHER LAW!** It is a rule for political action, and you know it. As it is with you in the family and in the market, so it is with you at the ballot-box and in the political assembly. You can exercise no political right or power, you can give your influence to no political measure or party, but under your responsibility to this higher law. If you are taken out of the mass of the people and put in some station of public trust, the higher law is with you there, not indeed to give you powers which the Constitution has withheld, but to guide and control you in the exercise of the powers with which you are legally invested. If you are carried to a place in the great legislative body of the Union, the higher law is there, and you defy it or neglect it at your peril. Should you go up to the very highest seat of magistracy, that higher law is there to challenge your humblest reverence and your uncompromising obedience. And when you pass away from earth and time, and find yourself surrounded by the mysteries of eternity, the higher law will meet you there to reckon with you.

APPENDIX.

As long ago as 1848, in a Fast Day sermon, I animadverted on the same delusion which, in the discourse now published, is more largely discussed. I may be permitted to copy a few sentences from the manuscript of that Fast sermon for the sake of showing that three years and a half ago, I thought it not untimely to assert the importance of the higher law as a rule for political action.

The text of the sermon was Isaiah, lix, 4: "None calleth for justice, nor any pleadeth for truth, they trust in vanity and speak lies; they conceive mischief and bring forth iniquity."

"Is there not occasion to assert and reassert the necessity that governments and nations are under, of walking by the rule of right? Is it a habit of our countrymen in this age, to refer great public questions, questions of public policy at home or abroad, to the decision of the moral sense? How rarely does it happen that a statesman, in our national councils, appeals to the sense of right and wrong in his hearers or in his countrymen. There is indeed no little inquiry as to the constitutionality of measures; and properly enough, for no proceeding of government, in any department, can be right, if not warranted by the Constitution in which all the legitimate powers of the government are granted and defined. But how rarely does the morality, the intrinsic right or wrong of any act or proposed act of government, become the subject of inquiry. How often does it seem to be quite forgotten that there is a higher question in regard to every act or measure, than that of its agreement with the Constitution, even the question of its agreement with the immutable principles of right. How rarely does any public man, in the discussion of any public measure, dare to raise the question of its intrinsic morality. Who calls for that justice which is higher than the Constitution? Who pleads for truth—the truth revealed in those laws of God which the moral sense of men is compelled to honor? What can be the result—where the grand consideration of right and wrong in regard to public questions is habitually overlooked—but a continually increasing insensibility of the public conscience? What can be expected but that the demoralizing habit will continually grow stronger, and that the public policy will be determined more and more by the force of selfishness and passion? What can be expected but that the government of such a people will be conducted with less and less of moral principle, till the national conscience is utterly seared, and till the character of that people, as exhibited in its foreign policy and in its domestic legislation, is that they trust in vanity and in the force of lies, conceiving mischief and bringing forth iniquity."

Washington lived under the salutary influences of the religion of Jesus Christ. It burnt in a steady flame of piety upon his heart, and shone forth in rational obedience in his life. To say that Napoleon was of no religion, would be untrue. He had a religion the greater part of the time, but it waxed and waned with the moon. If his interests dictated, he became a worshiper of the crescent with the new moon, or if it were more expedient, in the light of the crescent he bowed before the cross. In other words, one day he was a Mahomedan, and the next a Christian; one day he was a Protestant, and the next a Roman Catholic; one day he would flatter and fawn upon the Pope at his court, and the next he would steal his goods and profane his palace. In death, Washington's sun went down without a cloud. Its mild beams, in setting, irradiated both hemispheres with the hope of freedom, and the tranquillity of a pure religion: so, that, in most respects, the best of men may now pray, "Let me die the death of Washington, and let my last end be like his." Contrast this with the death-bed of Napoleon. It was as gloomy and barren of good as his sea-girt prison. He felt himself abandoned both of God and man. When he looked at the past, his conscience goaded him with a sting; when he contemplated the present, he fretted like a peevish child at every trifling thing, or raved like a bed-lamite in unmanly passion which could not brook insult and disappointment; and as to the future, Las Cases, who was with him, and kept a journal of all that he said, tells us, that in bitter lamentation he exclaimed, "What, then, would be my happiness, if the bright prospect of futurity presented itself to crown the last moments of my existence!" But, alas! the sun of the remorseless tyrant went down under the cloud of a dotard, and now, no honest man sheds a tear at the gate of his mausoleum, unless he

weeps over fallen vanity. We couple his name with the names of Cesar and Alexander, but what true friend of liberty or of man, ever quotes any one of the three for authority or emulation? But every generous and brave man, from prince to peasant, has a tear of love to drop at the feet of the republican chief, at Mount Vernon. While Europe has been cursed with a score of Napoleons, and is groaning under the infliction yet, the world has seen but one Washington. You see the dream, do you see the interpretation thereof? I do not know that you see the resemblance in its true light, my friends; but as I see things, the spirit and bearing of the loyal States, and the spirit and bearing of the rebel States in this contest, is photographed exactly in the spirit and bearing of these two men. And, I believe, that predestined history will show, in due time, that at this moment, these two men are living their lives over again, while God holds up to us the two lessons which he taught to the world in their records. Then, let the nephew, and the rebels whose cause he cherishes, remember, that, if in constitutionless France, the spirit of the elder Napoleon be not yet dead; there is at least one sacred spot in the world which is shielded by a Constitution, and that it still bears the signature of the "President and Deputy from Virginia." He can well afford to remember this. It existed in the days of his uncle; it protected him when he was an exile subsisting on benevolence, in Oak street, in this city. And when every Buonaparte, and rebel ally of the Buonapartes on the face of the earth, are swept away, as with the blast of a thunderbolt, that Constitution will smile upon the wreck, and mock their relics, and will proudly say, in the dying words of its immortal defender, "*I still live.*" Washington first kindled its free spark of immortality; Webster fed the lambent flame; and this civil

contest is replenishing it with an immortal oil, so that, despite the whole race of American traitors and Corsican perjurers, its vestal flame shall burn on, inextinguishable, for ever.

If this representation be within a league of correct views, then, I claim, that with such sublime ideas, such elevated purposes, and such beneficent ends in view, the prosecution of this war is but the evolution of God's deep thoughts of love toward this glorious country. It is this great fact, that the grand democratic idea lies, indestructibly and incurably, at the bottom of this war, on the part of the United States, that disturbs the perfidious intermeddler who sits, to-day, on the French throne. His unconquerable hatred to democratic thought, is the *animus* of his proposition to Lord John Russell for intervention in American affairs. This was the disturbing *animus* which led his Lordship himself to accord the rights of belligerents to the rebels in the first place, which has led him to express his belief that this Union must be dissolved, and, in consequence of which, he is only deterred from interference in our affairs now, by a wholesome fear of a good round fleet of iron-clads. As to Louis Napoleon, I have never doubted but that his interference in Mexican affairs contemplates final interference here; most probably with the purpose of putting young Patterson, of Baltimore, upon a Southern throne when the right time shall come, knowing well, that a native American king, with Buonaparte blood in his veins, would be a most acceptable thing to the leading rebels, while it would enhance the glory of the usurper's empire, and make Louis Napoleon, in fact, the Dictator in American affairs. The success of this government, in its desperate struggle, would demonstrate forever, that a Christian republic can maintain the great right of man to rule himself, without an intervening king,

and, therefore, might make trouble for both France and Great Britain at home, under the lead of Bright and Cobden: Victor Hugo and Ledru Rollin. Hence, this hate on the part of the two governments toward the cause of the United States. I say the governments, and not the people, for the great mass of the people of both those nations, are as much with American democracy, in sympathy and good will, as they were in the days of Lord Chatham and Lafayette. The very fact, then, that these nationalities are held in abeyance by fear of the success of the great underlying principle of this nation, proves to me that this war is one of God's deep thoughts towards republican America. Like all other valuable and firmly knit frames, the form of this young giant is passing through a severe ordeal; it is the fluttering of the public pulse in one of those fevers which give vigor and endurance to the body politic. But our country is proving that the heart is sound, and it argues the security of the frame; and unless the signs of the times are falsely read, before this young Hercules shall have attained his hundredth birthday, both Great Britain and France may be persuaded, more to their conviction than their comfort, that his heart is very valiant, and his arm very strong.

I wish that I had time to refer at length to what, I believe, must be the future of this country. For I sincerely believe that the deep thoughts of God have a most significant purpose with reference,

III. TO ITS FUTURE. I hate every thing like bombast in the treatment of the future greatness of this land, with feelings approaching to loathing, for it too often savors of vain-glorying and pride, instead of sober conviction and sensible gratitude. Yet, if I should state to you the deliberate satisfaction which I feel with reference to the

future of America, as your children and mine will and must see it, I fear that you would set me down as either a vague enthusiast, or as one who talks at random. I may be one or both of these, and, yet, cause and effect are so obviously working out God's deep thoughts with reference to the future of America, that the result may be even more astounding than the anticipation. For the sake of convenience, I may throw those anticipations into three distinct classifications. I observe then, that

1. *This war is preparing America as the permanent home for universal man.*—Did you never observe at the confluence of two or three large streams or rivers, what a commotion and turmoil there is where the different waters first meet, as they come rushing down from their several elevations? But, after commingling for a while, they become homogeneous, and bear on their course to the great sea with majestic momentum and ease. This is a fair type of American society. America was made for man, and not man for America. And it was made for man as man—universal man—irrespective of origin or race. From the time of its discovery, men of all tongues and nationalities have flocked to it, and under God have made it what it is. One would think, at first sight, that this heterogeneousness were an element of weakness; that this great contrariety of tastes, and educations, and civilizations, could not possibly cohere, and that we should necessarily disintegrate. And there is some reason for this opinion. No doubt, a large portion of our present troubles are, in a sense, attributable to this organic formation of our society. We are descendants of the English, the Scotch, the Welch, the Irish, the Dutch, the French, and in fact of all nations. Our origin brings with it different languages, different sentiments, different religions, and different habits. Mor-

ally, we share every complexion, as well as socially; but, politically, we are more nearly one than in any other respect, because from under the different systems of oppressive government, the democratic idea and support has gradually drawn itself to this centre, just as a loadstone attracts to itself the steel. But we have been engaged in commerce, and mechanics, and agriculture, so engrossingly, that, really, as a nation, we have not yet fused down into a perfect homogeneousness of political science and system. This war is a crucible into which we are thrown for the purpose of taking this type. This land has never before gone through a great internal tribulation as other lands have, and it is now absolutely indispensable that we should smelt and fuse into one crystallization under the heat of a furnace heated seven times hotter than it is wont to be. From the first, there was a radical difference among our fathers, between the Jeffersonian theory and the Adamsonian, and those two streams have never coalesced to this day; but they have each gone on growing and absorbing other streams, till now, the moral element has allied itself with these two forms of political philosophy inseparably, and the old battle is to be refought between the political Puritan, and the political Cavalier. So far the Jeffersonian political element is largely in the ascendant, and promises to prevail. If it does, there must be among us a grand conglomeration of human ideas, and human principles, which will stamp this vast intermixture of human blood as essentially that of a new race. And as new races evince a vigor and a tenacity which would exhaust and destroy old races; I can see a future for this nation which will endow it with immortality as a Christian republic, when its enemies and their very names are forgotten. The vitality to absorb, in this nation, is the most remarkable thing about it. This American republic has

an enormous maw, which digests everything you put into it. It is perfectly monstrous. It has been remarked, that it is like one of the Creator's gigantic animals in this respect. The elephant, that massive beast of the forest, throws up his trunk and devours the palm-tuft above him, gathers up the matted vine beneath him, and collects the corn-shocks around him. He devours them all. Nothing comes amiss. But you never see the palm-tuft growing out of his head, the vine-tangle manacling his feet, nor the corn-sheaf growing out of his back. God has endowed him with tremendous digestive organs, and all that he eats becomes elephant. So with the republic; you may pour ship-load of men after ship-load, from any and all parts of the earth into its ports, and be who they may, or come from where they will, they are all converted into true American blood, by some mysterious power or other, without a drop of royal blood to tinge it. I argue, then, that this republic is to be the future home of universal man, men of all nations, and they are to give perpetuity to this republic by forming a new race of men.

2. *It is to be the home of universal free man.*—Is this its glory or its shame; is it to be its disgrace or its honor? Why do I ask such a question? Did freedom ever disgrace any people? What have nations been contending for ever since nationalities begun? What has been the glory of America over all other nations up to this day? Certainly its freedom, and its love of freedom. Just where we have been free, we have been strong; and just where we have not been free, we have been weak. This nation is a perfect wonder in this matter to-day. In less than a century, we have wrought out, and put into practical operation, the freest Constitution in the world; or I would rather say, the only free popular Constitution that

the world ever had. It could be improved. We have improved it once; and when practical necessity shall appear to call for another step towards perfection by its amendment, the national love for progress will take that step, with a firm unanimity that will astonish its enemies. But look at the Constitution as it now stands in its solitary grandeur. It covers no such dreadful sins enacted against the citizen, as you find perpetrated against him under the highest civilization of Europe. Whatever remnants of elements antagonistic to universal freedom, are left among us, are not American. America never originated any system of bondage. The system which has cost us so much difficulty, was bequeathed to us by the English, the French, the Spanish, and the Dutch. It is not an American-born system. The fact is, the colonies were almost unanimously arrayed against it, from Massachusetts to Georgia. Georgia declared that it was "against the Gospel and the English law," and was a "horrid crime;" Virginia earnestly petitioned the Crown of Britain to allow her total exemption from it, under the allegation that it would "endanger her very existence;" and South Carolina resisted the whole thing as an outrage. But the system, including the slave trade, of course, was necessary in the colonies to the building up of British commerce, and the emolument of British aristocracy. Therefore, the mother country turned a deaf ear to the wishes of the colonies, and forced slavery upon them against their consciences, against their rights, and against their remonstrances. More than that, she actually made a treaty with Spain, by which she was to enjoy the monopoly of the slave trade, and pledged herself to import 144,000 slaves into the West Indies within thirty years; and Queen Anne and Philip, actually took half the stock between them. Therefore, when the republic came into being,

slavery was found in every colony. As well as they could the fathers quietly began to remove it at once. The world had been balancing the question of freedom and bondage for thousands of years; Europe had tried her hand at it; Asia had investigated it, and even Africa had attempted to solve it. But it was left for America, to say to the world for the first time on the 4th of July, 1776, "Eureka, Eureka, We have found it, we have found it"; "All men are born free and equal," and when she said this, she meant it. The world was astounded; and when American democratic patriotism came forth to seal that truth with its blood, the world was thunderstruck. No nation had ever stamped the seal of its blood upon that doctrine before. And since that day, America has done more for liberty, and against bondage, than all other nations had ever done before. Britain takes great credit to herself for her West Indian emancipation. I would not rob her of whatever credit she is entitled to in that matter. But it cost her nearly half a century of bitter agitation before she adopted that policy at all. Even then, she only adopted it as a policy, and paid herself well for it in the bargain. She did not bring down the question to man's rights as the root of his humanity. The history of British legislation is an open book, and I never yet found the page where she did anything, as a government, for conscience sake. Upon this point, Peter Bayne, one of her ablest sons, says, "With a look of magnanimity, justice, and love, Britain unchained her slaves; with a superb generosity, she paid down twenty millions, and washed from her hands the stain of blood. The nations of the earth looked on in admiration; from the four corners of the world came shouts of applause. It seemed indubitable that it had been an act of justice and humanity to the negro. But the plaudits were premature. If appear-

ances could be trusted, it was not the negro but herself Britain had spared." She did not move a step in her West Indian policy, till she was well persuaded that it was for her interest to do so, and when she did adopt it, she only followed in the footsteps which at least half-a-dozen of the independent American States had already marked out for her. She imitated their example in everything save their disinterestedness; for they freed their slaves without remuneration, while she claimed and paid to herself their full moneyed value. And now, I say, it is nauseating to hear and see so many of her statesmen, her philanthropists, and her religionists, from the Earl of Shaftsbury, and Charles H. Spurgeon, down to the most obscure of their classes, first declaim in her behalf, and then write down the American cause, as those of them do, who tell tell us, that they have no sympathy with this struggling government, because there are yet bondmen found among us. When you remember that under the same government, there were found those, who could, without protest, see wretched Chinamen compelled to take down opium at the point of the bayonet, after the protestation of their Emperor, that it was poisoning his subjects by the million: and that they could, without a religious twinge of conscience, justify the shooting out of Sepoys from the mouths of mortars because they refused to bite off the end of a greasy cartridge;—I say it is unbearable, to hear them prate of what we ought to do in the matter of negro slavery in a time like this. And it is the more so, when you remember that the very shirts on their backs when they speak, and the very rags of the paper which their pens defile on this subject, are the product of slave labor. If this is the law by which they dole out their sympathy to a noble nation of Christian freedmen, who are strug-

gling for the rights of man, we certainly can do without it, and for one I disdain to ask the poor donation. Let them keep it. It is but just, however, to state the most gratifying fact, that there are many noble exceptions, where in high places, pen, pulpit, press, and prayers, are all consecrated, even in England, to the American cause. Her immortal Queen, and thousands of her best subjects bid us God speed. We gratefully thank them. Meanwhile, with all the wisdom and patriotism, and Christian democracy, which we possess, this nation will move on working out the great problem of the Declaration of Independence. In one way or another, it may require half a century, or even a century more to complete it, to the greatest good of all concerned; but in the very nature of things, and inevitably, this country, must, and will work out the deep thought of God, in making it the home of universally free man. I just mention,

3. *It will be the home of prosperous free man.*—And I need not enlarge here. While climates, and soils, and minerals, and commerce, and education, continue to be what they are now, the material prosperity of this country must predominate over that of all other countries who do not possess the same elements of prosperity, or possess them in a less degree. The fact that we can carry on such a war as no other modern nation has carried on, without perceptibly lessening the prosperity of the country as a whole, and at the same time feed the great nations of Europe from our granaries, promises unprecedented prosperity when this war shall close. It is a remarkable fact, that during the last year, the Northern States have exported sixty-two millions more of its products than they did in 1860, and speaks wonders for their vitality. With this state of things, and loyalty reduced to a principle, and con-

solidated at that, upon the American basis of principles, it is not within the grasp of man's mind to comprehend what this nation is to be in point of future prosperity. But one thing is sure, that God's deep thoughts have these things in store for us, and that the future, as well as the past will call for our devout thanksgiving and praise. "THY THOUGHTS ARE VERY DEEP."