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ARTES SCIENTIA VERITAS

“SHALL CROMWELL HAVE A STATUE?”

ORATION

BY

CHARLES FRANCIS ADAMS,

BEFORE

THE PHI BETA KAPPA SOCIETY

OF

THE UNIVERSITY OF CHICAGO,

TUESDAY, JUNE 17, 1902.

WITH COMPLIMENTS OF
CHARLES F. ADAMS,
23 COURT ST., BOSTON.

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“Whom doth the king delight to honour? that is the question of questions concerning the king’s own honour. Show me the man you honour; I know by that symptom, better than by any other, what kind of man you yourself are. For you show me there what your ideal of manhood is; what kind of man you long inexpressibly to be, and would thank the gods, with your whole soul, for being if you could.”

“Who is to have a Statue? means, Whom shall we consecrate and set apart as one of our sacred men? Sacred; that all men may see him, be reminded of him, and, by new example added to old perpetual precept, be taught what is real worth in man. Whom do you wish us to resemble? Him you set on a high column, that all men, looking on it, may be continually apprised of the duty you expect from them.”—*Thomas Carlyle*, “*Latter-Day Pamphlets*.” (1850.)

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“SHALL CROMWELL HAVE A STATUE?”

At about 3 o'clock of the afternoon of September 3rd, 1658, the day of Worcester and of Dunbar, and as a great tempest was wearing itself to rest, Oliver Cromwell died. He died in London, in the palace of Whitehall; that palace of the great banqueting hall, through whose central window Charles I. had walked forth to the scaffold a little less than ten years before. A few weeks later, “with a more than regal solemnity,” the body of the great Lord Protector was carried to Westminster Abbey, and there buried “amongst Kings.” Two years then elapsed; and, on the twelfth anniversary of King Charles's execution, the remains of the usurper, having been disinterred by a unanimous vote of the Convention Parliament, were hung at Tyburn. The trunk was then buried under the gallows, while Cromwell's head was set on a pole over the roof of Westminster Hall. Nearly two centuries of execration ensued, until, in the sixth generation, the earlier verdict was challenged, and the question at last asked:—“Shall Cromwell have a statue?” Cromwell, the traitor, the usurper, the execrable murderer of the martyred Charles! At first, and for long, the suggestion was looked upon almost as an impiety, and, as such, scornfully repelled. Not only did the old loyal King-worship of England recoil from the thought, but, indignantly appealing to the church, it declared that no such distinction could be granted so long as there remained in the prayer-book a form of supplication for “King Charles, the Martyr,” and of “praise and thanksgiving for the wonderful deliverance of these kingdoms from the great rebellion, and all the other miseries and oppressions consequent thereon, under which they had so long groaned.” None the less, the demand was insistent; and at last, but only after two full centuries had elapsed

and a third was well advanced, was the verdict of 1661 reversed. Today the bronze effigy of Oliver Cromwell, — massive in size, rugged in feature, characteristic in attitude, — stands defiantly in the yard of that Westminster Hall, from a pole on the top of which, twelve score years ago, the flesh crumbled from his skull.

In this dramatic reversal of an accepted verdict, — this complete revision of opinions once deemed settled and immutable, — there is, I submit, a lesson, — an academic lesson. The present occasion is essentially educational. The Phi Beta Kappa oration, as it is called, is the last, the crowning utterance of the college year, and very properly is expected to deal with some fitting theme in a kindred spirit. I propose to do so today; but in a fashion somewhat exceptional. The phases of moral and intellectual growth through which the English race has passed on the subject of Cromwell's statue afford, I submit, to the reflecting man an educational study of exceptional interest. In the first place, it was a growth of two centuries; in the second place it marks the passage of a nation from an existence under the traditions of feudalism to one under the principles of self-government; finally it illustrates the gradual development of that broad spirit of tolerance which, coming with time and study, measures the men and events of the past independently of the prejudices and passions which obscure and distort the immediate vision.

We, too, as well as the English, have had our "Great Rebellion." It came to a dramatic close thirty-seven years since; as theirs came to a close not less dramatic some seven times thirty-seven years since. We, also, as they in their time, formed our contemporaneous judgments and recorded our verdicts, assumed to be irreversible, of the men, the issues and the events of the great conflict; and those verdicts and judgments, in our case as in theirs, will unquestionably be revised, modified, and

in not a few cases wholly reversed. Better knowledge, calmer reflection, and a more judicial frame of mind come with the passage of the years; in time passions subside, prejudices disappear, truth asserts itself. In England this process has been going on for over two centuries and a half, with what result Cromwell's statue stands as proof. We live in another age and a different environment; and, as fifty years of Europe out-measure in their growth a cycle of Cathay, so I hold one year of twentieth century America works more progress in thought than thirty-seven years of Britain during the interval between its Great Rebellion and ours. We who took active part in the Civil War have not yet wholly vanished from the stage; the rear guard of the Grand Army, we linger. To-day is separated from the death of Lincoln by the same number of years only which separated "the Glorious Revolution of 1688" from the execution of Charles Stuart; yet to us is already given to look back on the events of which we were a part with the same perspective effects with which the Victorian Englishman looks back on the men and events of the Commonwealth.

I propose on this occasion to do so; and reverting to my text,— "Shall Cromwell have a Statue" — and reading that text in the gloss of Carlyle's *Latter-Day Pamphlet* utterance, I quote you Horace's familiar precept,

*Mutato nomine, de te
Fabula narratur,*

and ask abruptly, "Shall Robert E. Lee have a Statue?" I propose also to offer to your consideration some reasons why he should, and, assuredly, will have one, if not now, then presently.

Shortly after Lee's death, in October, 1870, leave was asked in the United States Senate, by Mr. McCreery, of

Kentucky, to introduce a Joint Resolution providing for the return of the estate and mansion of Arlington to the family of the deceased Confederate Commander-in-chief. In view of the use which had then already been made of Arlington as a military cemetery, this proposal, involving, as it necessarily did, a removal of the dead, naturally led to warm debate. The proposition was one not to be considered. If a defect in the title of the government existed, it must in some way be cured, as, subsequently, it was cured. But I call attention to the debate because Charles Sumner, then a Senator from Massachusetts, participated in it, using the following language: — “Eloquent Senators have already characterized the proposition and the traitor it seeks to commemorate. I am not disposed to speak of General Lee. It is enough to say he stands high in the catalogue of those who have imbrued their hands in their country’s blood. I hand him over to the avenging pen of History.” This was when Lee had been just two months dead; but, three-quarters of a century after the Protector’s skull had been removed from over the roof of Westminster Hall, Pope wrote in similar spirit:

“ See Cromwell, damn’d to everlasting fame ; ”

and, sixteen years later, — four-fifths of a century after Cromwell’s disinterment at Westminster, and reburial at Tyburn, — a period from the death of Lee equal to that which will have elapsed in 1950, Gray wrote of the Stoke Pogis churchyard —

“ Some mute inglorious Milton here may rest,
Some Cromwell guiltless of his country’s blood.”

And now, a century and a half later, Cromwell’s statue looms defiantly up in front of the Parliament House. When, therefore, an appeal is in such cases made to the “avenging pen of History,” it is well to bear this instance in mind, while recalling perchance that other line

of a greater than Pope, or Gray, or Sumner, —

“Thus the whirligig of time brings in his revenges.”

Was then Robert E. Lee a “traitor” — was he also guilty of his “country’s blood?” These questions I propose now to discuss. I am one of those who, in other days, was arrayed in the ranks which confronted Lee; one of those whom Lee baffled and beat, but who, finally, baffled and beat Lee. As one thus formerly lined up against him, these questions I propose to discuss in the calmer and cooler, and altogether more reasonable light which comes to most men, when a whole generation of the human race lies buried between them and the issues and actors upon which we undertake to pass.

Was Robert E. Lee a traitor? Technically, I think he was indisputably a traitor to the United States; for a traitor, as I understand it technically, is one guilty of the crime of treason; or, as the Century Dictionary puts it, violating his allegiance to the chief authority of the State; while treason against the United States is specifically defined in the Constitution as “levying war” against it, or “giving their enemies aid and comfort.” That Robert E. Lee did levy war against the United States can, I suppose, no more be denied than that he gave “aid and comfort” to its enemies. This technically; but, in history, there is treason and treason, as there are traitors and traitors. And, furthermore, if Robert E. Lee was a traitor, so also, and indisputably were George Washington, Oliver Cromwell, John Hampden, and William of Orange. The list might be extended indefinitely; but these will suffice. There can be no question that every one of those named violated his allegiance, and gave aid and comfort to the enemies of his sovereign. Washington furnishes a precedent at every point. A Virginian like Lee, he was also a British subject; he had fought under the British flag, as Lee had fought under

that of the United States; when, in 1776, Virginia seceded from the British Empire, he "went with his State," just as Lee went with it eighty-five years later; subsequently Washington commanded armies in the field designated by those opposed to them as "rebels," and whose descendants now glorify them as "the rebels of '76," much as Lee later commanded, and at last surrendered, much larger armies, also designated "rebels" by those they confronted. Except in their outcome, the cases were, therefore, precisely alike; and logic is logic. It consequently appears to follow, that, if Lee was a traitor, Washington was also. It is unnecessary to institute similar comparisons with Cromwell, Hampden and William of Orange. No defence can in their cases be made. Technically, one and all, they undeniably were traitors.

But there are, as I have said, traitors and traitors, — Catalines, Arnolds and Görgeis, as well as Cromwells, Hampdens and Washingtons. To reach any satisfactory conclusion concerning a candidate for "everlasting fame," — whether to praise him or to damn him, — enroll him as saviour, as martyr, or as criminal, — it is, therefore, necessary still further to discriminate. The cause, the motive, the conduct must be passed in review. Did turpitude anywhere attach to the original taking of sides, or to subsequent act? Was the man a self-seeker? Did low or sordid motives impel him? Did he seek to aggrandize himself at his country's cost? Did he strike with a parricidal hand?

These are grave questions; and, in the case of Lee, their consideration brings us at the threshold face to face with issues which have perplexed and divided the country since the day the United States became a country. They perplex and divide historians now. Legally, technically, — the moral and humanitarian aspects of the issue wholly apart, — which side had the best of the argument as to

the rights and the wrongs of the case in the great debate which led up to the Civil War? Before entering, however, on this well-worn, — I might say, this threadbare — theme, as I find myself compelled in briefest way to do, there is one preliminary very essential to be gone through with. A species of moral purgation. Bearing in mind Dr. Johnson's advice to Boswell, on a certain memorable occasion, we should at least try to clear our minds of cant. Many years ago, but only shortly before his death, Richard Cobden said in one of his truth-telling deliverances to his Rochdale constituents, — "I really believe I might be Prime Minister. If I would get up and say 'you are the greatest, the wisest, the best, the happiest people in the world, and keep on repeating that, I don't doubt but what I might be Prime Minister. I have seen Prime Ministers made in my experience precisely by that process.'" The same great apostle of homely sense, on another occasion bluntly remarked in a similar spirit to the House of Commons, — "We generally sympathise with everybody's rebels but our own." In both these respects I submit we Americans are true descendants from the Anglo-Saxon stock; and nowhere is this more unpleasantly apparent than in any discussion which may arise of the motives which actuated those of our countrymen who did not at the time see the issues involved in our Civil War as we saw them. Like those whom Cobden addressed, we like to glorify our ancestors and ourselves and we do not particularly care to give ear to what we are pleased to term unpatriotic, and, at times, even treasonable, talk. In other words, and in plain, unpalatable, English, our minds are saturated with cant. Only in the case of others do we see things as they really are. Then, ceasing to be antagonistic, we are nothing unless critical. So, when it comes to rebellions, we, like Cobden's Englishmen, are wont almost invariably to sympathize with everybody's rebels but our own.

Our souls go forth at once to Celt, Pole, Hungarian, Boer and Hindoo: but, when we are concerned, language quite fails us in which adequately to depict the moral turpitude which must actuate Confederate or Filipino who rises in resistance against what we are pleased really to consider, as well as call, the best and most beneficent government the world has yet been permitted to see, — Our Government. This, I submit, is cant, — pure cant; and at the threshold of discussion we had best free our minds of it, wholly, if we can; if not wholly, then in so far as we can. Philip the Second of Spain, when he directed his crusade in the name of God, Church and Government, against William of Orange, indulged in it in quite as good faith as we; and as for Charles “the Martyr” and the “sainted” Laud, for two centuries after Cromwell’s head was stuck on a pole, all England every Sunday lamented in sackcloth and ashes the wrongs inflicted by sacrilegious hands on those most assuredly well-meaning rulers and men. All depends on the point of view; and, during our own Civil War, while we unceasingly denounced the wilful wickedness of those who bore parricidal arms against the one immaculate authority yet given the eye of man to look upon, the leading newspaper of the world was referring to us in perfect good faith “as an insensate and degenerate people.” An English member of Parliament, speaking at the same time in equally good faith, declared that, throughout the length and breadth of Great Britain, public sentiment was almost unanimously on the side of “the Southerners,” — as ours was on the side of the Boers, — because our “rebels” were “fighting against one of the most grinding, one of the most galling, one of the most irritating attempts to establish tyrannical government that ever disgraced the history of the world.”

Upon the correctness or otherwise of these judgments I do not care to pass. They certainly cannot be recon-

ciled. The single point I make is that they were, when made, the expression of views honestly and sincerely entertained. We sympathize with Great Britain's rebels; Great Britain sympathized with our rebels. Our rebels in 1862, as theirs in 1900, sincerely believed they were resisting an iniquitous attempt to deprive them of their rights, and to establish over them a "grinding," a "galling" and an "irritating" "tyrannical government." We in 1861, as Great Britain in 1898, and Charles "the Martyr" and Philip of Spain some centuries earlier, fully believed that we were engaged in God's work while we trod under foot the "rebel" and the "traitor." Presently, as distance lends a more correct perspective, and things are seen in their true proportions, we will get perhaps to realize that our case furnishes no exception to the general rule; and that we, too, like the English "generally sympathize with everybody's rebels but our own." Justice may then be done.

Having entered this necessary, if somewhat hopeless caveat, let us address ourselves to the question — legally, technically, — again let me say not morally and not to the rights and the wrongs of the case in the great debate which led up to the Civil War? The answer necessarily turns on the abstract right of what we term a Sovereign State to secede from the Union at such time and for such cause as may seem to that State proper and sufficient. The issue is settled now; irrevocably and for all time decided; it was not settled forty years ago, and the settlement since made has been the result not of reason, based on historical evidence, but of events and of force. To pass a fair judgment on the line of conduct pursued by Lee in 1861, it is necessary to go back in thought and imagination, and see things, not as they are, but as they were. If we do so, and accept the judgment of some of the more modern students and investigators of history, — either wholly unprejudiced or with

a distinct Union bias,—it would seem as if the weight of argument falls into what I will term the Confederate scale. For instance, Professor Goldwin Smith,—an Englishman, a life-long student of history, a friend and advocate of the Union during the Civil War, the author of one of the most compact and readable narratives of our national life,—Prof. Smith has recently said —“ Few who have looked into the history can doubt that the Union originally was, and was generally taken by the parties to it to be, a compact, dissoluble perhaps most of them would have said, at pleasure, dissoluble certainly on breach of the articles of Union.”* To a like effect, but in terms even stronger, Mr. Henry Cabot Lodge, now a Senator from Massachusetts, has said, not in a political utterance but in a work of historical character,—“ When the Constitution was adopted by the votes of States at Philadelphia, and accepted by the votes of States in popular conventions, it is safe to say that there was not a man in the country from Washington and Hamilton on the one side, to George Clinton and George Mason on the other, who regarded the new system as anything but an experiment entered upon by the States and from which each and every State had the right peaceably to withdraw, a right which was very likely to be exercised.”†

Here are two explicit statements of the legal and technical side of the argument made by authority to which no exception can be taken, at least by those of the Union side. On them, and on them alone, the case for the abstract right of secession might be rested, and we could go on to the next stage of the discussion.

I am unwilling, however, so to do. The issue involved is still one of interest, and I am not disposed to leave it on the mere dictum of two authorities, however eminent. In the first place I do not altogether concur in their statement; in the next place, this discussion is a mere

* *Atlantic Monthly Magazine* (March, 1902) vol. 89 p. 305.

† *Webster*, American Statesman Series, p. 172.

threshing of straw unless we get at the true inwardness of the situation. When it comes to subjects—political or moral—in which human beings are involved, metaphysics are scarcely less to be avoided than cant; alleged historical facts are apt to prove deceptive; and I confess to grave suspicions of logic. Old time theology, for instance, with its pitiless reasoning, led the world into very strange places and much bad company. In reaching a conclusion, therefore, in which a verdict is entered on the motives and actions of men, acting either individually or in masses, the moral and sentimental must be quite as much taken into account as the legal, the logical and the material. This, in the present case, I propose presently to do; but, as I have said, on the facts even I am unable wholly to concur with Professor Smith and Mr. Lodge.

Mr. Lodge, for instance, cites Washington. But it so chances Washington put himself on record upon the point at issue, and his testimony is directly at variance with the views attributed to him by Mr. Webster's biographer. What are known in history as the Kentucky resolutions, drawn up by Thomas Jefferson, then Vice-President, were passed by the Legislature of the State whose name they bear in November, 1798. In those resolutions the view of the framers of the Constitution as to the original scope of that instrument accepted by Prof. Smith and Mr. Lodge was first set forth. The principles acted upon by South Carolina on the 20th of December, 1860, were enunciated by Kentucky November 10, 1798. The dragon's teeth were then sown. Washington was at that time living in retirement at Mt. Vernon. When, a few weeks later, the character of those resolutions became known to him, he was deeply concerned, and wrote to Lafayette,—"The Constitution, according to their interpretation of it, would be a mere cipher;" and again, a few days later, he expressed himself still more strongly in a letter to Patrick Henry,—“Measures

are systematically and pertinaciously pursued which must eventually dissolve the Union, or produce coercion." * Coercion Washington thus looked to as the remedy to which recourse could properly be had in case of any overt attempt at secession. But, so far as the framers of the Constitution as a whole were concerned, it seems to me clear that, acting as wise men of conflicting views naturally would act, they did not care to incur the danger of a shipwreck of their entire scheme by undertaking to settle, distinctly and in advance, abstract questions, the discussion of which was fraught with danger. In so far as they could, they, with great practical shrewdness, left those questions to be settled, should they ever present themselves in concrete form, under the conditions which might then exist. The truth seems to be that the mass of those composing the Convention of 1787, working under the guidance of a few very able and exceedingly practical men, of constructive mind, builded a great deal better than they knew. The delegates met to harmonize trade differences; they ended by perfecting a scheme of political union that had broad consequences of which they little dreamed. If they had dreamed of them, the fabric would never have been completed. That Madison, Marshall and Jay were equally blind to consequences does not follow. They probably designed a nation. If they did, however, they were too wise to take the public into their confidence; and, today, no impartial student of our constitutional history can doubt for a moment that each State ratified the form of government submitted in the firm belief that at any time it could withdraw therefrom. Probably, however, the more far-seeing, — and, in the long run, they alone count, — shared with Washington in the belief that this withdrawal would not be unaccompanied

* Washington's Works, vol. xi, pp. 378, 389.

by practical difficulty.* And, after all is said and done, the legality of secession is somewhat of a metaphysical abstraction so long as the right of revolution is inalienable. As matter of fact it was to might and revolution the South appealed in 1861; and it was to coercion the government of the Union had recourse. So with his supreme good sense and that political insight at once instinctive and unerring, in respect to which he stands almost alone, Washington foresaw this alternative in 1798. He looked upon the doctrine of secession as a heresy; but, none the less, it was a heresy then preached, and to which many, not in Virginia only but in New England also, pinned their political faith. Even the Devil is proverbially entitled to his due.

So far, however, as the abstract question is of consequence, as the utterances of Prof. Smith and Mr. Lodge conclusively show, the Secessionists of 1861 stand in history's court by no means without a case. In that case, moreover, they implicitly believed. From generation to generation they had grown up indoctrinated with the gospel, or heresy, of State Sovereignty, and it was as much part of their moral and intellectual being as was clanship of the Scotch highlanders. In so far they were right, as Governor John A. Andrew said of John Brown. Meanwhile, practically, as a common-sensed man, leading an every day existence in a world of actualities, John Brown was not right; he was, on the contrary, altogether wrong, and richly merited the fate meted out to him. It was the same with the Secessionists. That, in 1861, they could really have had faith in the practicability, — the real working efficiency, — of that peaceable secession which they professed to ask for, and of which they never wearied of talking, I cannot believe. I find in the record no real evidence thereof.

* Donn Piatt, *George H. Thomas*, p. 88.

Of the high-type Southron, as we sometimes designate him, I would speak in terms of sincere respect. I know him chiefly by hearsay, having come in personal contact only with individual representatives of the class; but such means of observation as I have had confirm what I recently heard said by a friend of mine, once Governor of South Carolina; and so far as I know, the only man who ever gave the impossible plan of reconstruction attempted after our Civil War a firm, fair and intelligent trial. He at least put forth an able and honest effort to make effective a policy which never should have been devised. Speaking from "much and varied experience," I recently heard Daniel H. Chamberlain say of the "typical southern Gentleman" that he considered him "a distinct and really noble growth of our American soil. For, if fortitude under good and under evil fortune, if endurance without complaint of what comes in the tide of human affairs, if a grim clinging to ideals once charming, if vigor and resiliency of character and spirit under defeat and poverty and distress, if a steady love of learning and letters when libraries were lost in flames and the wreckage of war, if self-restraint when the long delayed relief at last came, — if, I say, all these qualities are parts of real heroism, if these qualities can vivify and ennoble a man or a people, then our own South may lay claim to an honored place among the differing types of our great common race." Such is the matured judgment of the Massachusetts Governor of South Carolina during the Congressional reconstruction period; and, listening to it, I asked myself if it was descriptive of a Southern fellow-countryman, or a Jacobite Scotch chieftian anterior to "the '45."

The Southern statesmen of the old slavery days,—the antediluvian period which preceded our mid-century cataclysm,—were the outcome and representatives of what has thus been described. As such they presented a curious ad-

mixture of qualities. Masterful in temper, clear of purpose, with a firm grasp on principle, a high sense of honor and a moral perception developed on its peculiar lines, as in the case of Calhoun, to a quality of distinct hardness, they were yet essentially abstractionists. Political metaphysicians, they were not practical men. They did not see things as they really were. They thus, while discussing their "forty-bale theories" and the "patriarchal institution" in connection with States rights and nullification, failed to realize that on the two essential features of their policy,—slavery and secession,—they were contending with the stars in their courses. The whole world was moving irresistibly in the direction of nationality and an ever increased recognition of the rights of man; while they, on both of these vital issues, were proclaiming a crusade of reaction.

Moreover, what availed the views or intentions of the framers of the Constitution? What mattered it in 1860 whether they, in 1787, contemplated a Nation or only a more compact federation of Sovereign States? Realities have an unpleasant way of asserting their existence. However it may have been in 1788, in 1860 a Nation had grown into existence. Its peaceful dismemberment was impossible. The complex system of tissues and ligaments, the growth of seventy years, could not be gently taken apart, without wound or hurt; the separation, if separation there was to be, involved a tearing asunder, supplementing a liberal use of the knife. Their professions to the contrary notwithstanding, this the Southern leaders failed not to realize. In point of fact, therefore, believing fully in the abstract legality of secession, and the justice and sufficiency of the grounds on which they acted, their appeal was to the inalienable right of revolution; and to that might by which alone the right could be upheld. Let us put casuistry, metaphysics and sentiment aside, and come to actualities. The secessionist recourse in 1861 was to the sword; and to the sword it was meant to have recourse.

I have thus far spoken only of the South as a whole. Much has been said and written on the subject of an alleged conspiracy in those days of Southern men and leaders against the Union; of the designs and ultimate objects of the alleged conspirators; of acts of treachery on their part, and the part of their accomplices, towards the government, of which they were the sworn officials. Into this phase of the subject I do not propose to enter. That the leaders in Secession were men with large views, and that they had matured a comprehensive policy as the ultimate outcome of their movement, I entertain no doubt. They looked unquestionably to an easy military success, and the complete establishment of their Confederacy; more remotely, there can be no question they contemplated a policy of extension, and the establishment along the shores of the Gulf of Mexico and in the Antilles of a great semi-tropical, slave-labor republic; finally, all my investigations have tended to satisfy me that they confidently anticipated an early disintegration of the Union, and the accession of the bulk of the Northern States to the Confederacy, New England only being sternly excluded therefrom — “sloughed off,” as they expressed it. The capital of the new Confederacy was to be Washington; African servitude, under reasonable limitations, was to be recognized throughout its limits; agriculture was to be its ruling interest, with a tariff and foreign policy in strict accord therewith. “Secession is not intended to break up the present government, but to perpetuate it. We go out of the Union, not to destroy it, but for the purpose of getting further guarantees and security,” — this was said in January, 1861; and this in 1900 — “And so we believe that, with the success of the South, the ‘Union of the Fathers,’ which the South was the principal factor in forming, and to which she was far more attached than the North, would have been restored and re-established: that in this Union, the South would have been again the dominant people,

the controlling power." Conceding the necessary premises of fact and law, — a somewhat considerable concession, but, perhaps, conceivable, — conceding these, I see in this position, then or now, nothing illogical, nothing provocative of severe criticism, certainly nothing treasonable. Acting on sufficient grounds, of which those thus acting were the sole judge, proceeding in a way indisputably legal and regular, it was proposed to reconstruct the Union in the light of experience, and on a new, and, as they considered, an improved basis, without New England. This cannot properly be termed a conspiracy; it was a legitimate policy based on certain assumed data legal, moral and economical. But it was in reality never for a moment believed that this programme could be peaceably and quietly carried into effect; and the assent of New England to the arrangement was neither asked for, assumed nor expected. New England was distinctly relegated to an outer void, — at once cold, dark, inhospitable.

As to participation of those who sympathized in these views and this policy in the councils of the government, so furthering schemes for its overthrow while sworn to its support, I hold it unnecessary to speak. Such were traitors. As such, had they met their deserts, they should, at the proper time and on due process of law, have been arrested, tried, convicted, sentenced and hanged. That in certain well-remembered instances this course was not pursued, is, to my mind, even yet much to be deplored. In such cases clemency is only another form of cant.

Having now discussed what have seemed to me the necessary preliminaries, I come to the particular cases of Virginia and Robert E. Lee. The two are closely interwoven, — for Virginia was always Virginia, and the Lees were, first, over and above all, Virginians. It was the Duke of Wellington who, on a certain memorable occasion, indignantly remarked in his delightful French-English — "Mais avant tout je suis gentilhomme Anglais." So might have said the Lees of Virginia of themselves.

As respects Virginia, moreover, I am fain to say there was in the attitude of the State towards the Confederacy, and, indeed, in its bearing throughout the Civil War, something which appealed strongly,—something unselfish and chivalric,—worthy of Virginia's highest record. History will, I think, do justice to it. Virginia, it must be remembered, while a Slave State was not a Cotton State. This was a distinction implying a difference. In Virginia the institution of slavery existed, and because of it she was in close sympathy with her sister Slave States; but, while in the Cotton States slavery had gradually assumed a purely material form, in Virginia it still retained much of its patriarchal character. The slave there was not a mere transferable chattel; practically, and to a large extent, he was attached to the house and the soil. This fact had a direct bearing on the moral issue; for slavery was one thing in Virginia, quite another in Louisiana. The Virginian pride was moreover proverbial. Indeed, I doubt if local feeling and patriotism and devotion to the State ever anywhere attained a higher development than in the community which dwelt in the region watered by the Potomac and the James, of which Richmond was the political centre. We of the North, especially we of New England, were Yankees; but a Virginian was that, and nothing else. I have heard of a New Englander, of a Green Mountain boy, of a Rhode Islander, of a "Nutmeg," of a "Blue-nose" even, but never of a Massachusettsian. The word somehow does not lend itself to the mouth, any more than the thought to the mind.

But Virginia was strongly attached by sentiment as well as interest to the Union. The birth-place of Washington, the mother of States, as well as of Presidents, "The Old Dominion," as she was called, and fondly loved to call herself, had never been affected by the nullification heresies of South Carolina; and the long line of her eminent public men, though, in 1860, showing marked signs of a

deteriorating standard, still retained a prominence in the national councils. If John B. Floyd was Secretary of the Interior, Winfield Scott was at the head of the Army. Torn by conflicting feelings, Virginia still held to the Nation, unwilling to sever her connection with it because of the lawful election of an anti-slavery President, even by a distinctly sectional vote. For a time she even stayed the fast flooding tide of secession, bringing about a brief but important reaction. Those of us old enough to remember the drear and anxious Winter which followed the election and preceded the inauguration of Lincoln, recall vividly the ray of bright hope which, in the midst of its deepest gloom, then came from Virginia. It was in early February. Up to that time the record was unbroken. Beginning with South Carolina on the 20th of December, State after State, meeting in convention, had with significant unanimity passed ordinances of secession. Each successive ordinance was felt to be the equivalent to a renewed declaration of war. The outlook was dark indeed; and, amid the fast gathering gloom, all eyes, all thoughts, turned to Virginia. She represented what were known as the Border States, her action it was felt would largely influence, and might control, theirs. John Letcher was then Governor of Virginia,—a States Rights Democrat, of course; but a Union man. By him the legislature of the State was in December called together in special session, and that legislature passed what was known as a convention bill. Practically Virginia was to vote on the question at issue. Events moved rapidly. South Carolina had seceded on the 20th of December; Mississippi on the 8th of January; Alabama and Florida only three days later on the 11th; Georgia followed on the 19th; Louisiana on the 26th, with Texas on the 1st of February. The procession seemed unending; the record unbroken. Not without cause might the now thoroughly frightened friends of the Union have exclaimed with Macbeth—

“What! will the line stretch out to the crack of doom?
Another yet? A seventh?”

If at that juncture the Old Dominion by a decisive vote had followed in the steps of the Cotton States it implied consequences which no man could fathom. It involved the possession of the national capitol, and the continuance of the Government. Maryland would inevitably follow the Virginian lead; the recently elected President had not yet been inaugurated; taken wholly by surprise, the North was divided in sentiment: the loyal spirit of the country was not aroused. It was thus an even question whether, on the 4th of March, the whole machinery of the *de facto* government would not be in the hands of the revolutionists. All depended on Virginia. This is now forgotten; none the less, it is history.

The Virginia election was held on the 4th of February, the news of the secession of Texas—seventh in the line—having been received on the 2nd. Evidently, the action of Texas was carefully timed for effect. Though over forty years ago, I well remember that day,—gray, overcast, wintry,—which succeeded the Virginia election. Then living in Boston, a young man of twenty-five, I shared,—as who did not?—in the common deep depression and intense anxiety. It was as if a verdict was to be that day announced in a case involving fortune, honor, life even. Too harassed for work, I remember leaving my office in the afternoon to seek relief in physical activity, for the ponds in the vicinity of Boston were ice-covered and daily thronged with skaters. I was soon among the number, gloomily seeking unfrequented spots. Suddenly I became aware of an unusual movement in the throng nearest the shore, where those fresh from the city arrived. The skaters seemed crowding to a common point; and a moment later they scattered again, with cheers and gestures of relief. An arrival fresh from Boston had brought the first bulletin of yesterday's election. Virginia, speaking

against secession, had emitted no uncertain sound. It was as if a weight had been taken off the mind of everyone. The tide seemed turned at last. For myself, I remember my feelings were too deep to find expression in words or sound. Something stuck in my throat. I wanted to be by myself.

Nor did we over-estimate the importance of the event. If it did not in the end mean reaction, it did mean time gained; and time then, as the result showed, was vital. As William H. Seward, representing the President-elect in Washington, wrote during those days:—“The people of the District are looking anxiously for the result of the Virginia election. They fear if Virginia resolves on secession, Maryland will follow; and then Washington will be seized. *** The election tomorrow probably determines whether all the Slave States will take the attitude of disunion. Everybody around me thinks that that will make the separation irretrievable, and involve us in flagrant civil war. Practically everybody will despair.” A day or two later the news came “like a gleam of sunshine in a storm.” The disunion movement was checked, perhaps would be checkmated. Well might Seward, with a sigh of profound relief, write to his wife:—“At least, the danger of conflict, here or elsewhere, before the 4th of March, has been averted. Time has been gained.” * Time was gained; and the few weeks of precious time thus gained through the expiring effort of union sentiment in Virginia involved the vital fact of the peaceful delivery four weeks later, of the helm of state into the hands of Lincoln.

Thus, be it always remembered, Virginia did not take its place in the secession movement because of the election of an anti-slavery president. It did not raise its hand against the national government from mere love of any peculiar institution, or a wish to protect and to perpetuate it.

**Seward at Washington*, vol. ii., p. 502.

It refused to be precipitated into a civil convulsion; and its refusal was of vital moment. The ground of Virginia's final action was of wholly another nature, and of a nature far more creditable. Virginia, as I have said, made State Sovereignty an article, — a cardinal article, — of its political creed. So, logically and consistently, it took the position that, though it might be unwise for a State to secede, a State which did secede could not, and should not be coerced.

To us now this position seems worse than illogical; it is impossible. So events proved it. Yet, after all, it is based on the great fundamental principle of the consent of the governed; and, in the days immediately preceding the war, something very like it was accepted as an article of correct political faith by men afterwards as strenuous in support of a Union re-established by force, as Charles Sumner, Abraham Lincoln, William H. Seward, Salmon P. Chase and Horace Greeley. The difference was that, confronted by the overwhelming tide of events, Virginia adhered to it; they, in presence of that tide, tacitly abandoned it. In my judgment, they were right. But Virginia, though mistaken more consistent, judged otherwise. As I have said, in shaping a practical outcome of human affairs logic is often as irreconcilable with the dictates of worldly wisdom as are metaphysics with common sense. So, now, the issue shifted. It became a question, not of slavery or of the wisdom, or even the expediency, of secession, but of the right of the National Government to coerce a Sovereign State. This at the time was well understood. The extremists of the South, counting upon it, counted with absolute confidence; and openly proclaimed their reliance in debate. Florida, as the representatives of that State confessed on the floor of Congress, might in itself be of small account; but Florida, panoplied with sovereignty, was hemmed in and buttressed against assault by protecting sister States.

So, in his history, James F. Rhodes asserts that —
 “The four men who in the last resort made the decision

that began the war were ex-Senator Chestnut, Lieutenant-Col. Chisholm, Captain Lee, all three South Carolinians, and Roger A. Pryor, a Virginia secessionist, who two days before in a speech at the Charleston Hotel had said, "I will tell your Governor what will put Virginia in the Southern Confederacy in less than an hour by Shrewsbury clock. Strike a blow!"* The blow was to be in reply to what was accepted as the first overt effort at the national coercion of a Sovereign State,—the attempted relief of Sumter. That attempt,—unavoidable even if long deferred, the necessary and logical outcome of a situation which had become impossible,—that attempt, construed into an effort at coercion, swept Virginia from her Union moorings.

Thus, when the long-deferred hour of fateful decision came, the position of Virginia, be it in historical justice said, however impetuous, mistaken or ill-advised, was taken on no low or sordid or selfish grounds. On the contrary, the logical assertion of a cardinal article of accepted political faith, it was made generously, chivalrously, in a spirit almost altruistic; for, from the outset, it was manifest Virginia had nothing to gain in that conflict of which she must perforce be the battle-ground. True! her leading men doubtless believed that the struggle would soon be brought to a triumphant close,—that Southern chivalry and fighting qualities would win a quick and easy victory over a more materially minded, even if not craven, Northern mob of fanatics and cobblers and pedlars, officered by preachers; but, however thus deceived and misled at the outset, Virginia entered on the struggle others had initiated, for their protection and in their behalf. She thrust herself between them and the tempest they had invoked. Technically it may have been treasonable; but her attitude was consistent, was bold, was chivalrous:

* Rhodes. *United States*, vol. iii., p. 349.

“An honourable murderer if you will;
For naught did he in hate but all in honour.”

So much for Virginia; and now as to Robert E. Lee. More than once already, on occasions not unlike this, have I quoted Oliver Wendell Holmes's remark in answer to the query of an anxious mother as to when a child's education ought to begin, — “About 250 years before it is born;” and it is a fact, — somewhat necessitarian, doubtless, but still a fact, — that every man's life is largely moulded for him far back in the ages. We philosophize freely over fate and free will, and one of the excellent commonplaces of our educational system is to instill into the minds of the children in our common-schools the idea that every man is the architect of his own life. An admirable theory to teach: but, happily for the race, true only to a very limited extent. Heredity is a tremendous limiting fact. Native force of character, — individuality, — doubtless has something to do with results; but circumstances, ancestry, environment have much more. One man possibly in a hundred has in him the inherent force to make his conditions largely for himself; but even he moves influenced at every step from cradle to grave by ante-natal and birth conditions. Take any man you please, — yourself, for instance; now and again the changes of life give opportunity, and the individual is equal to the occasion, — the roads forking, consciously or instinctively he makes his choice. Under such circumstances, he usually supposes that he does so as a free agent. The world so assumes, holding him responsible. He is nothing of the sort; or at best such only in a very limited degree. The other day one of our humorists took occasion to philosophize on this topic, delivering what might not inaptly be termed an occasional discourse appropriate to the 22nd of February. It was not only worth reading, but in humor and sentiment it was somewhat suggestive of the melancholy Jacques. “We are made, brick

by brick, of influences, patiently built up around the frame work of our born dispositions. It is the sole process of construction; there is no other. Every man, woman and child is an influence. Washington's disposition was born in him, he did not create it. It was the architect of his character; his character was the architect of his achievements. It had a native affinity for all influences fine and great, and gave them hospitable welcome and permanent shelter. It had a native aversion for all influences mean and gross, and passed them on. It chose its ideals for him; and out of its patiently gathered materials, it built and shaped his golden character.

“And we give *him* the credit.”

Three names of Virginians are impressed on the military records of our civil war — indelibly impressed, — Winfield Scott, George Henry Thomas and Robert Edward Lee; The last most deeply. Of the three, the first two stood by the flag; the third went with his State. Each, when the time came, acted conscientiously, impelled by the purest sense of loyalty, honor and obligation, taking that course which, under the circumstances and according to his lights, seemed to him right; and each doubtless thought he acted as a free agent. To a degree each was a free agent; to a much greater degree each was the child of anterior conditions, hereditary sequence, existing circumstances, — in a word of human environment, moral, material, intellectual. Scott or Thomas or Lee, being as he was, and things being as things were, could not decide otherwise than as he did decide. Consider them in order; Scott first:

A Virginian by birth, early association and marriage, Scott, at the breaking-out of the Civil War, had not lived in his native State for forty years. Not a planter, he held no broad acres and owned no slaves. Essentially a soldier, he was a citizen of the United States; and, for twenty years, had been the General in command of its army. When, in April, 1861, Virginia passed its or-

dinance of secession, he was well advanced in his seventy-fifth year,—an old man, he was no longer equal to active service. The course he would pursue was thus largely marked out for him in advance; a violent effort on his part could alone have forced him out of his trodden path. When subjected to the test, what he did was infinitely creditable to him, and the obligation the cause of the Union lay under to him during the critical period between December, 1860, and June, 1861, can scarcely be overstated; but, none the less, in doing as he did, it cannot be denied he followed what was for him the line of least resistance.

Of George Henry Thomas, no American, North or South,—above all, no American who served in the Civil War,—whether wearer of the blue or the gray,—can speak, save with infinite respect,—always with admiration, often with love. Than his, no record is clearer from stain. Thomas also was a Virginian. At the time of the breaking-out of the Civil War, he held the rank of Major in that regiment of cavalry of which Lee, nine years his senior in age, was Colonel. He never hesitated in his course. True to the flag from start to finish. William T. Sherman, then General of the Army, in the order announcing the death of his friend and class-mate at the Academy, most properly said of him: “The very impersonation of honesty, integrity and honor, he will stand to posterity as the *beau ideal* of the soldier and gentleman.” More tersely, Thomas stands for character personified. Washington himself not more so. And now having said this, let us come again to the choice of Hercules,—the parting of those terrible ways of 1861.

Like Scott and Lee, Thomas was a Virginian; but, again, there are Virginians and Virginians. Thomas was not a Lee. When, in 1855, the second United States cavalry was organized, Jefferson Davis being Secretary of War, Captain Thomas, as he then was and in his thirty-

ninth year, was appointed its junior Major. Between that time and April, 1861, fifty-one officers are said to have borne commissions in that regiment, thirty-one of whom were from the South; and of those thirty-one, no less than twenty-four entered the Confederate service, twelve of whom, among them Robert E. Lee, Albert Sidney Johnston and John B. Hood, became General officers. The name of the Virginian, George H. Thomas, stands first of the faithful seven; but, Union or Confederate, it is a record of great names, and fortunate is the people, great of necessity their destiny, which in the hour of exigency, on the one side or the other, naturally develops from the roster of a single regiment men of the ability, the disinterestedness, the capacity and the character of Lee, Thomas, Johnson and Hood. It is a record which inspires confidence as well as pride.

And now of the two men — Thomas and Lee. Though born in Virginia, Gen. Thomas was not of a peculiarly Virginian descent. By ancestry, he was, on the father's side, Welsh; French on that of the mother. He was not of the old Virginia stock. Born in the southeastern portion of the State, near the North Carolina line, we are told that his family, dwelling on a "goodly home property," was "well to do" and eminently "respectable"; but, it is added, there "were no cavaliers in the Thomas family, and not the remotest trace of the Pocahontas blood." When the war broke out, in 1861, Thomas had been twenty-one years a commissioned officer; and during those years he seems to have lived almost everywhere, except in Virginia. It had been a life at military stations; his wife was from New York; his home was on the Hudson rather than on the Nottoway. In his native State he owned no property, land or chattels. Essentially a soldier, when the hour for choice came, the soldier dominated the Virginian. He stood by the flag.

Not so Lee; for to Lee I now come. Of him it might,

and in justice must, be said, that he was more than of the essence, he was of the very quintessence of Virginia. In his case, the roots and fibres struck down and spread wide in the soil, making him of it a part. A son of the revolutionary "Light Horse Harry," he had married a Custis. His children represented all there was of descent, blood and tradition of the Old Dominion, made up as the Old Dominion was of tradition, blood and descent. The holder of broad patrimonial acres, by birth and marriage he was a slave-owner, and a slave-owner of the patriarchal type, holding "slavery as an institution, a moral and political evil." Every sentiment, every memory, every tie conceivable bound him to Virginia; and, when the choice was forced upon him,—had to be made,—sacrificing rank, career, the flag, he threw in his lot with Virginia. He did so, with open eyes and weighing the consequences. He at least indulged in no self-deception—wandered away from the path in no cloud of political metaphysics,—nourished no delusion as to an early and easy triumph. "Secession," as he wrote to his son, "is nothing but revolution. The framers of our Constitution never exhausted so much labor, wisdom and forbearance in its formation, and surrounded it with so many guards and securities, if it was intended to be broken by every member of the confederacy at will. It is idle to talk of secession." But he also believed that his permanent allegiance was due to Virginia; that her secession, though revolutionary, bound all Virginians and ended their connection with and duties to the national government. Thereafter, to remain in the United States army would be treason to Virginia. So, two days after Virginia passed its ordinance, he, being then at Arlington, resigned his commission, at the same time writing to his sister, the wife of a Union officer,—

"We are now in a state of war which will yield to nothing. The whole South is in a state of revolution, into which Virginia, after a long struggle, has been drawn;

and, though I recognize no necessity for this state of things, and would have foreborne and pleaded to the end for redress of grievances, real or supposed, yet in my own person I had to meet the question whether I should take part against my native State. With all my devotion to the Union, and the feeling of loyalty and duty of an American citizen, I have not been able to make up my mind to raise my hand against my relatives, my children, my home. I have, therefore, resigned my commission in the army; and, save in defense of my native State, I hope I may never be called on to draw my sword." Two days before he had been unreservedly tendered, on behalf of President Lincoln, the command of the Union army then immediately to be put in the field in front of Washington,—the command shortly afterwards held by General McDowell.

So thought and spoke and wrote and acted Robert E. Lee in April, 1861. He has, for the decision thus reached, been termed by some a traitor, a deserter, almost an apostate, and consigned to the "avenging pen of History." I cannot so see it; I am confident posterity will not so see it. The name and conditions being changed, those who uttered the words of censure, invoking "the avenging pen," did not so see it—have not seen it so. Let us appeal to the record. What otherwise did George Washington do under circumstances not dissimilar? What would he have done under circumstances wholly similar? Like Lee, Washington was a soldier; like Lee, he was a Virginian before he was a soldier. He had served under King George's flag; he had sworn allegiance to King George; his ambition had been to hold the royal commission. Presently Virginia seceded from the British empire,—renounced its allegiance. What did Washington do? He threw in his lot with his native province. Do you hold him then to have been a traitor,—to have been false to his colors? Such is not your verdict; such has not been

the verdict of history. He acted conscientiously, loyally, as a son of Virginia, and according to his lights. Will you say that Lee did otherwise?

But men love to differentiate: and of drawing of distinctions there is no end. The cases were different, it will be argued; at the time Virginia renounced its allegiance Washington did not hold the King's commission, indeed he never held it. As a soldier he was a provincial always. — he bore a Virginian commission, True! Let the distinction be conceded; then assume that the darling wish of his younger heart had been granted to him, and that he had received the King's commission, and held it in 1775: — what course would he then have pursued? What course would you wish him to have pursued? Do you not wish. — do you not know, — that, circumstanced as then he would have been, he would have done exactly as Robert E. Lee did eighty-six years later. He would first have resigned his commission; and then arrayed himself on the side of Virginia. Would you have had him do otherwise? And so it goes in this world. In such cases the usual form of speech is: "Oh! that is different! Another case altogether!" Yes, it is different; it is another case. For it makes all the difference in the world with a man who argues thus, whether it is his ox that is gored or that of the other man!

And here in preparing this address I must fairly acknowledge having encountered an obstacle in my path also. When considering the course of another, it is always well to ask one's self the question — What would you yourself have done if similarly placed? Warned by my argument, and the great precedents of Lee and of Washington, I did so here. I and mine were and are at least as much identified with Massachusetts as was Lee and his with Virginia; — traditionally, historically, by blood and memory and name, we with the Puritan Commonwealth as they with the Old Dominion. What, I asked

myself, would I have done had Massachusetts at any time arrayed itself against the common country, though without my sympathy and assent, even as Virginia arrayed itself against the Union without the sympathy and assent of Lee in 1861? The question gave me pause. And then I must confess to a sense of the humor of the situation coming over me, as I found it answered to my hand. The case had already arisen; the answer had been given; nor had it been given in any uncertain tone. The dark and disloyal days of the earlier years of the century just ended rose in memory,—the days of the Embargo, the *Leopard* and the *Chesapeake*, and of the Hartford Convention. The course then taken by those in political control in Massachusetts is recorded in history. It verged dangerously close on that pursued by Virginia and the South fifty years later: and the quarrel then was foreign; it was no domestic broil. One of my name, from whom I claim descent, was then prominent in public life. He accordingly was called upon to make the choice of Hercules, as later was Lee. He made his choice; and it was for the common country as against his section. The result is matter of history. Because he was a Union man and held country higher than State or party, John Quincy Adams was in 1808 driven from office, a successor to him in the United States Senate was elected long before the expiration of his term, and he himself was forced into what at the time was regarded as an honorable exile. Nor was the line of conduct then by him pursued,—that of unswerving loyalty to the Union,—ever forgotten or wholly forgiven. He had put country above party; and party leaders have long memories. Even so broad-minded and clear-thinking a man as Theodore Parker, when delivering a eulogy upon J. Q. Adams, forty years later, thus expressed himself of this act of supreme self-sacrifice and loyalty to Nation rather than to State: — “To my mind, that is the worst act of his

public life ; I cannot justify it. I wish I could find some reasonable excuse for it. *** However, it must be confessed that this, though not the only instance of injustice, is the only case of servile compliance with the Executive to be found in the whole life of the man. It was a grievous fault but grievously did he answer it; and if a long life of unflinching resistance to every attempt at the assumption of power is fit atonement, then the expiation was abundantly made." *

What more, or worse, on the other side, could be said of Lee?

Perhaps I should enter some plea in excuse of this diversion ; but, for me, it may explain itself, or go unexplained. Confronted with the question what would I have done in 1861 had positions been reversed and Massachusetts taken the course then taken by Virginia, I found the answer already recorded I would have gone with the Union, and against Massachusetts. None the less, I hold Massachusetts estopped in the case of Lee. "Let the galled jade wince, our withers are unwrung"; but, I submit, however it might be with me or mine, it does not lie in the mouths of the descendants of the New England Federalists of the first two decennials of the nineteenth century to invoke "the avenging pen of History" to record an adverse verdict in the case of any son of Virginia who threw in his lot with his State in 1861.

Thus much for the choice of Hercules. Pass on to what followed. Of Robert E. Lee as the commander of the Army of Northern Virginia, — at once the buckler and the sword of the Confederacy, — I shall say few words. I was in the ranks of those opposed to him. For years I was face to face with some fragment of the Army of Northern Virginia, and intent to do it harm ; and during those years there was not a day when I would not have

* *Works* (London, 1863) vol. iv., pp. 154-156.

drawn a deep breath of relief and satisfaction at hearing of the death of Lee, even as I did draw it at hearing of the death of Jackson. But now, looking back through a perspective of nearly forty years, I glory in it, and in them as foes,—they were worthy of the best of steel. I am proud now to say that I was their countryman. Whatever differences of opinion may exist as to the course of Lee when his choice was made, of Lee as a foe and the commander of an army, but one opinion can be entertained. Every inch a soldier, he was as an opponent not less generous and humane than formidable, a type of highest martial character;—cautious, magnanimous and bold, a very thunderbolt in war, he was self-contained in victory, but greatest in defeat. To that escutcheon attaches no stain.

I now come to what I have always regarded,—shall ever regard,—as the most creditable episode in all American history,—an episode without a blemish,—imposing, dignified, simple, heroic. I refer to Appomattox. Two men met that day, representative of American civilization, the whole world looking on. The two were Grant and Lee,—types each. Both rose, and rose unconsciously, to the full height of the occasion,—and than that occasion there has been none greater. About it, and them, there was no theatrical display, no self-consciousness, no effort at effect. A great crisis was to be met; and they met that crisis as great countrymen should. Consider the possibilities; think for a moment of what that day might have been;—you will then see cause to thank God for much.

That month of April saw the close of exactly four years of persistent strife,—a strife which the whole civilized world had been watching intently. Democracy,—the capacity of man in his present stage of development for self-government,—was believed to be on trial. The wish the father to the thought, the prophets of evil had been liberal in prediction. It so chances that my attention

has been specially drawn to the European utterances of that time; and, read in the clear light of subsequent history, I use words of moderation when I say that they are now both inconceivable and ludicrous. Staid journals, grave public men, seemed to take what was little less than pleasure in pronouncing that impossible of occurrence which was destined soon to occur, and in committing themselves to readings of the book of fate in exact opposition to what the muse of history was wetting the pen to record. Volumes of unmerited abuse and false vaticination, — and volumes hardly less amusing now than instructive, — could be garnered from the columns of the *London Times*, — volumes in which the spirit of contemptuous and patronizing dislike sought expression in the profoundest ignorance of facts, set down in bitterest words. Not only were republican institutions and man's capacity for self-government on trial, but the severest of sentences was imposed in advance of the adverse verdict, assumed to be inevitable. Then, suddenly, came the dramatic climax at Appomattox, — dramatic, I say, not theatrical, — severe in its simple, sober, matter-of-fact majesty. The world, I again assert, has seen nothing like it; and the world, instinctively, was conscious of the fact. I like to dwell on the familiar circumstances of the day; on its momentous outcome; on its far-reaching results. It affords one of the greatest educational object-lessons to be found in history; and the actors were worthy of the theatre, the auditory and the play.

A mighty tragedy was drawing to a close. The breathless world was the audience. It was a bright balmy April Sunday in a quiet Virginia landscape, with two veteran armies confronting each other; one, game to the death, completely in the grasp of the other. The future was at stake. What might ensue? What might not ensue? Would the strife end then and there? Would it die in a death grapple, only to reappear in that chronic form of a

vanquished but indomitable people writhing and struggling in the grasp of an insatiate but only nominal victor? Such a struggle as all European authorities united in confidently predicting?

The answer depended on two men, — the captains of the contending forces. Grant that day had Lee at his mercy. He had but to close his hand, and his opponent was crushed. Think what then might have resulted had those two men been other than they were, — had the one been stern and aggressive, the other, sullen and unyielding. Most fortunately for us, they were what and who they were — Grant and Lee. More, I need not, could not say; — this only let me add, — a people has good right to be proud of the past and self-confident of its future when on so great an occasion it naturally develops at the front men who meet each other as those two met each other then. Of the two, I know not to which to award the palm. Instinctively, unconsciously, they vied not unsuccessfully each with the other, in dignity, magnanimity, simplicity.

“ Si fractus illabatur orbis
Impavidum ferient ruinae.”

With a home no longer his, Lee then sheathed his sword. With the silent dignity of his subsequent life, after he thus accepted defeat, all are familiar. He left behind him no querulous memoirs, no exculpatory vindication, no controversial utterances. For him, history might explain itself, — posterity formulate its own verdict. Surviving Appomattox but a little more than five years, those years were not unmarked by incidents very gratifying to American recollection; for we Americans do, I think, above all things love magnanimity, and appreciate action at once fearless and generous. We all remember how by the grim mockery of fate, — as if to test to the uttermost American capacity for self-government, — Abraham Lincoln

was snatched away at the moment of crisis from the helm of state, and Andrew Johnson substituted for him. I think it no doubtful anticipation of historical judgment to say that a more unfortunate selection could not well have been made. In no single respect, it is safe to say, was Andrew Johnson adapted for the peculiar duties which Booth's pistol imposed upon him. One of Johnson's most unhappy, most ill-considered convictions was that our Civil War was a conventional old-time rebellion;—that rebellion was treason;—that treason was a crime; and that a crime was something for which punishment should in due course of law be meted out. He, therefore, wanted, or thought he wanted, to have the scenes of England's Convention Parliament and the Restoration of 1660 re-enacted here, as a fitting sequel of our great conflict. Most fortunately, the American people then gave evidence to Europe of a capacity for self-restraint and self-government not traceable to English parentage, or precedents. No Cromwell's head grinned from our Westminster Hall; no convicted traitor swung in chains; no shambles dripped in blood. None the less Andrew Johnson called for "indictments," and one day demanded that of Lee. Then outspoke Grant,—General of the Army. Lee, he declared, was his prisoner. He had surrendered to him, and in reliance on his word. He had received assurance that so long as he quietly remained at his home, and did not offend against the law, he should not be molested. He had done so, and, so long as Grant held his commission, molested he should not be. Needless, as pleasant, to say what Grant then grimly intimated did not take place. Lee was not molested; nor did the General of the Army indignantly fling his commission at an accidental President's feet. That, if necessary, he would have done so, I take to be quite indubitable.

Of Lee's subsequent life, as head of Washington College, I have but one anecdote to offer. I believe it to be typical. A few months ago I received a letter from a retired army

officer of high character from which I extract the following:—

Lee was essentially a Virginian. His sword was Virginia's, and I fancy the State had higher claims upon him than had the Confederacy, just as he supposed it had than the United States. But, after the surrender, he stood firmly and unreservedly in favor of loyalty to the Nation. A gentleman told me this anecdote. As a boy he ran away from his Kentucky home, and served the last two years in the rebel ranks. After the war he resumed his studies under Lee's presidency; and on one occasion, delivered as a college exercise an oration with eulogistic reference to the "Lost Cause," and what it meant. Later, General, then President Lee sent for the student, and, after praising his composition and delivery, seriously warned him against holding or advancing such views, impressing strongly upon him the unity of the Nation, and urging him to devote himself loyally to maintain the integrity and the honor of the United States. The kindly paternal advice thus given was, I imagine, typical of his whole *post bellum* life." Let this one anecdote suffice. Here was magnanimity, philosophy, true patriotism: the pure American spirit. Accepting the situation loyally and in a manly, silent way, — without self-consciousness or mental reservation, he sought by precept and yet more by a great example, to build up the shattered community of which he was the most observed representative in accordance with the new conditions imposed by fate, and through constitutional action. Talk of traitors and of treason! The man who pursued that course and instilled that spirit had not, could not have had, in his whole being one drop of traitor's blood or conceived a treacherous thought. His lights may have been wrong, — according to our ideas then and now they were wrong, — but they were his lights, and in acting in full accordance with them he was right.

But, to those thus speaking, it is since sometimes replied, — "Even tolerance may be carried too far, and is

apt then to verge dangerously on what may be better described as moral indifference. It then, humanly speaking, assumes that there is no real right or real wrong in collective human action. But put yourself in his place, and to those of this way of thinking Philip II. and William of Orange, — Charles I. and Cromwell, — are much the same ; — the one is as good as the other, provided only he acted according to his lights. This will not do. Some moral test must be applied, — some standard of right and wrong.

“It is by the recognition and acceptance of these that men prominent in history must be measured, and approved or condemned. To call it our Civil War is but a mere euphemistic way of referring to what was in fact a slave-holders’ rebellion, conceived and put in action for no end but to perpetuate and extend a system of human servitude, a system the relic of barbarism, an insult to advancing humanity. To the furtherance of this rebellion Lee lent himself. Right is right, and treason is treason, — and, as that which is morally wrong cannot be right, so treason cannot be other than a crime. Why then because of sentiment or sympathy or moral indifference seek to confound the two? Charles Stuart and Cromwell could not both have been right. If Thomas was right, Lee was wrong.”

To this I would reply, that we, who take another view, neither confound, nor seek to confound, right with wrong, or treason with loyalty. We accept the verdict of time ; but, in so doing, we insist that the verdict shall be in accordance with the facts, and that each individual shall be judged on his own merits, and not stand acquitted or condemned in block. In this respect time works wonders, leaving few conclusions wholly unchallenged. Take, for instance, one of the final contentions of Charles Sumner, that, following old world precedents, founded, as he claimed in reason and patriotism, the names of battles of the war of the rebellion should be removed from the regi-

mental colors of the national army, and from the army register. He put it on the ground that, from the republics of antiquity down to our days, no civilized nation ever thought it wise or patriotic to preserve in conspicuous and durable form the mementoes of victories won over fellow citizens in civil war. As the sympathizing orator said at the time of Sumner's death — "Should the son of South Carolina, when at some future day defending the Republic against some foreign foe, be reminded by an inscription on the colors floating over him, that under this flag the gun was fired that killed his father at Gettysburg?" This assuredly has a plausible sound. "His father;" yes, perhaps. Though even in the immediately succeeding generation something might well be said on the other side. Presumably, in such case, the father was a brave, an honest and a loyal man, — contending for what he believed to be right; — for it, laying down his life. Gettysburg is a name and a memory of which none there need ever feel ashamed. As in most battles, there was a victor and a vanquished; but on that day the vanquished, as well as the victor, fought a stout fight. If, in all recorded warfare there is a deed of arms the name and memory of which the descendants of those who participated therein should not wish to see obliterated from any record, be it historian's page or battle-flag, it was the advance of Pickett's Virginian division across that wide valley of death in front of Cemetery Ridge. I know in all recorded warfare of no finer, no more sustained and deadly feat of arms. I have stood on either battle field, and, in scope and detail, carefully compared the two; and, challenging denial, I affirm that the much vaunted charge of Napoleon's guard at Waterloo, in fortitude, discipline and deadly energy will not bear comparison with that other. It was boy's work beside it. There, brave men did all that the bravest men could do. Why then should the son of one of those

who fell coming up the long ascent, or over our works and in among our guns, feel a sense of wrong because "Gettysburg" is inscribed on the flag of the battery a gun of which he now may serve? On the contrary, I should suppose he would there see that name only.

But, supposing it otherwise in the case of the son,—the wound being in such case yet fresh and green,—how would it be when a sufficient time has elapsed to afford the needed perspective? Let us suppose a grandson six generations removed. What Englishman, be he Cavalier or Roundhead by descent,—did his ancestor charge with Rupert or Cromwell,—did he fall while riding with levelled point in the grim wall of advancing Ironsides, or go hopelessly down in death beneath their thundering hoofs,—what descendant of any Englishman who there met his end, but with pride would read the name of Nasby on his regimental flag? What Frenchman would consent to the erasure of Ivry or Moncontour? Thus in all these matters, Time is the great magician. It both mellows and transforms. The Englishman of to-day does not apply to Cromwell the standard of loyalty or treason, of right and wrong, applied after the Restoration; nor again does the twentieth century confirm the nineteenth's verdicts. Even slavery we may come to regard as a phase, pardonable as passing, in the evolution of a race.

I hold it will certainly be so with our Civil War. The year 1965 will look upon its causes, its incidents and its men with different eyes from those with which we see them now,—eyes wholly different from those with which we saw forty years ago. They,—for we by that time will have rejoined the generation to which we belonged,—will recognize the somewhat essential fact, indubitably true, that all the honest conviction, all the loyalty, all the patriotic devotion and self-sacrifice were not then, any more than all the courage, on the victor's side.

True! the moral right, the spirit of nationality, the sacred cause of humanity even, were on our side; but, among those opposed, and who in the end went down, were men not less sincere, not less devoted, not less truly patriotic according to their lights than he who among us was first in all those qualities. Men of whom it was and is a cause of pride and confidence to say — “They too were countrymen!”

Typical of those men, — most typical, — was Lee. He represented, individualized, all that was highest and best in the Southern mind and the Confederate cause, — the loyalty to State, the keen sense of honor and personal obligation, the slightly archaic, the almost patriarchal, love of dependent, family and home. As I have more than once said, he was a Virginian of the Virginians. He represents a type which is gone, — hardly less extinct than that of the great English nobleman of the feudal times, or the ideal head of the Scotch clan of a later period: but just so long as men admire courage, devotion, patriotism, the high sense of duty and personal honor, — all in a word which go to make up what we know as Character, — just so long will that type of man be held in affectionate, reverential memory. They have in them all the elements of the heroic. As Carlyle wrote more than half a century ago, so now — “Whom do you wish to resemble? Him you set on a high column. Who is to have a statue? means, Whom shall we consecrate and set apart as one of our sacred men? Sacred; that all men may see him, be reminded of him, and, by new example added to old perpetual precept, be taught what is real worth in man. Show me the man you honor; I know by that symptom, better than by any other, what kind of man you yourself are. For you show me there what your ideal of manhood is; what kind of man you long inexpressibly to be, and would thank the gods, with your whole soul, for being if you could.”

It is all a question of time; and the time is, probably, not quite yet. The wounds of the great War are not altogether healed, its personal memories are still fresh, its passions not wholly allayed. It would, indeed, be a wonder if they were. But, I am as convinced as an unilluminated man can be of anything future, that when such time does come, a justice not done now, will be done to those descendants of Washington, of Jefferson, of Rutledge, and of Lee who stood opposed to us in a succeeding generation. That the national spirit is now supreme and the nation cemented, I hold to be unquestionable. That property in man has vanished from the civilized world, is due to our Civil War. The two are worth the great price then paid for them. But wrong as he may have been, and as he was proved by events in these respects, the Confederate had many great and generous qualities; he also was brave, chivalrous, self-sacrificing, sincere and patriotic. So I look forward with confidence to the time when they too will be represented in our national pantheon. Then the query will be answered here, as the query in regard to Cromwell's statue put sixty years ago has recently been answered in England. The bronze effigy of Robert E. Lee, mounted on his charger and with the insignia of his Confederate rank, will from its pedestal in the nation's capitol look across the Potomac at his old home at Arlington, even as that of Cromwell dominates the yard of Westminster upon which his skull once looked down. When that time comes, Lee's monument will be educational,—it will typify the historical appreciation of all that goes to make up the loftiest type of character, military and civic, exemplified in an opponent, once dreaded but ever respected; and, above all, it will symbolize and commemorate that loyal acceptance of the consequences of defeat, and the patient upbuilding of a people under new conditions by constitutional means, which I hold to be the greatest educational lesson America has yet taught to a once skeptical but now silenced world.

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