THE DEMOCRATIC ADVOCATE.

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THE DEMOCRATIC ADVOCATE,

Jos. M. Parke, *Editor and Proprietor,*
No. 3 Carroll Hall.

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june 13—tf.

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The Condition of the Country.

SPEECH
OF THE
Hon. Benjamin H. Hill,

Delivered in the City of Atlanta, Georgia, Tuesday, July 16, 1867.

Fellow-Citizens:

* * * * * * *

Pardon me while I say that, in presenting my views, I think of no living man, individually, to whom my remarks are to apply. I have come to talk freely to you about the dangers of the country. Little minds ascribe little objects to those whose views they do not agree with, and he has attained an unenviable reputation whose friends say "you mean him," when I am speaking of treachery and showing the evil consequences of a certain line of policy. I have no personal attacks to make on an enemy, even if I have one. God knows if I could, with my own hands, I would gladly place a crown of imperishable honor on the brow of my most bitter foe, if I could thereby rescue my country from the perils that environ it!—[Applause.] But if I have an enemy, and a vindictive spirit, and desired him to become forever infamous, I could ask no more of him than that he should support the hellish schemes of those who are now seeking to subvert the Constitution and destroy our liberty.—He is digging a grave for himself which posterity will never water with a tear. Let him alone. I have come to discuss the present phase of the revolution.

We have had a war which raged furiously for four years. It originated simply in a difference of opinion as to our rights under the Constitution. This difference existed from the first. It existed among the framers of the Constitution. It could not be settled by argument, and an appeal was made to the sword. It was an open, manly fight. There was nothing secret or ambiguous in the issue. It was waged by men influenced in the masses by patriotic emotions on both sides; and it was not to destroy the Constitution, but to assert on each side their different views. On our side it was asserted that the States were separate and independent sovereignties, and that the Constitution was a compact, which each party was at liberty to dissolve at will, and so we seceded and declared ourselves out of the Union. On the other hand, it was contended that we were not out of the Union, notwithstanding our secession acts; and that the Constitution was not a compact, but a binding law upon the States resulting from a compact, and therefore no one of the number could dissolve the connection at will. Upon this issue we went to war. The war was fought till we laid down our arms and agreed to what our enemies said—that we were in the Union.

But there is now another question to settle. It is still within the range of argument. Its proportions are huge. The issues are startling. It is not a difference of opinion as to what the Constitution means, and what are our rights under it; but its object is plainly, unmistakably, to set aside the Constitution and provide something else. I have never doubted that we were coming to this issue. In speeches made by me, five, six, eight, and ten years ago, I predicted this, and every page of our history since that time has verified the prediction. The people of the North honestly love the Constitution, but the leaders there hate it and intend to destroy it, and the convulsion through which we have passed has thrown the opportunity of making the effort into their hands, and the present military bills and the one which is not yet promulgated as law, are the means adopted to accomplish their design. These bills are proposed for our acceptance. There is a remarkable feature in these measures, that while force is employed to execute them, they are not yet nominally submitted to us for our acceptance or rejection.

I object to the whole scheme, because it is unconstitutional. A distinguished man—pardon me, I ought to say a notorious individual, said to me a few days ago, that I ought not to waste my time to prove the unconstitutionality of these measures—a thing which every man, woman and child in the country knew—and yet he was for accepting! He spoke truthfully. That tottering, gray-haired candidate in Pennsylvania for perpetual infamy, who is building for himself a monument of malignity that will overtop the pyramids of Egypt, said the Constitution had nothing to do with it. I shall never get done shuddering, and horrors will never cease to rise up in my mind, when I see men taking an oath to support the Constitution, and then legislating to put in force measures which are outside of it. A great many of our own people flippantly say the Constitution is dead. Then your rights, and hopes for the future, and all hope for your children are dead. I ask every man, if the Constitution is dead, why are we always, every day, and at every new step, required to support it?

Now, I affirm that these military bills are not only contrary to the Constitution, but directly in the face of the amnesty oath you were required to take after the surrender. The Government thought proper, in accepting your submission, to take your oath to support the Constitution of the United States, and the Union of the States. Why was that oath required, if the Constitution was dead?

But it is said the Constitution does not apply to us. Then don't swear to support it.

But it is said again that we are not in the Union. Then why swear to support the Union of these States? What "Union" does that mean? When you took that oath, was it the Union of the northern States alone that you swore to support? What business have you with that Union? No, it is the Union of all the States known to the Constitution that you have sworn to support.

* * * * * * *

You will by these measures inaugurate a war of races. A people who will abrogate their own government and disfranchise the most intelligent of them at the dictation of those who are not to be affected thereby, and live under the dictation of a foreign power, have no conscience; but if you have a conscience I hope to reach it. By all you hold dear I warn you that by accepting these military bills you inaugurate a measure that will exterminate the African race. Some of you who have come among us are taking the negro by the arm—telling him that you are his friend, and that you gave him his liberty! Ye *hypocrites!* Ye whited sepulchres! Ye meant in your hearts to deceive and buy up the negro vote for your own benefit. (Applause.) The negroes know no better; but I would ask them: If these men are faithless to the Constitution of the country, how can they be faithful to you? Yet these men admit in the very act that they are disregarding the Constitution: They take an oath to support it, with the purpose and intent formed beforehand to violate it, and vote for measures contrary to it! They are not fit to be trusted by any animal, dog or man! (Applause.)—Such a man would betray his pointer, and such a woman sell her poodle!—They are not capable of being the friend of anybody but themselves. I don't pity the whites so much who are to suffer by these measures. "You know your duty and did it not," and if you are beaten, with many stripes, we have the authority of Scripture for saying that your punishment is just; but to see the Africans led off by a clap-trap which they don't understand, and used because they don't understand it, and thus led to the slaughter by men who are faithless to every principle—under the belief that they are being elevated and exercising God-given rights, is enough to make any man feel sick at heart and experience the deepest pity for the unfortunate race.

This is not the first time that such things have been attempted. Unfortunately, there have before been both fools and knaves in the world, and some of you, it would seem, will not learn wisdom from the lessons of the past.—If the Constitution is dead, we are outside of it, and, pray, what government have we? We have nothing, in that case, but the will of an unlawful conclave, and don't you know this means only anarchy and then despotism and tyranny? What inducement is held out to you to accept their propositions? You say it is to get back into the Union and for this you are willing to submit to disfranchisement and the inauguration of a policy that tends to a war of races! all to get back into the Union—just where you are already, and always were!

What do you want to get back into that sort of a Union for? If you are not now in it, what can you expect by getting in such as they present to you? You say it is to get representation in the Union? Is not Kentucky in the Union? Has she any representation? The telegraph informs us that a resolution has been introduced into the so-called Congress making inquiries whether Maryland, Delaware and Kentucky have State governments or not! Are you so stupid as not to see what all this means? The result will be the substitution of the Radical party for all governments, both State and Federal; and the substitution of Radical will for all law. Take that home with you and digest it. That's where you are going! Kentucky is excluded from representation because it is alleged her representatives were voted for by disloyal men—What is meant by disloyal? Every man who does not support the Radical party will soon be declared disloyal, and every State which does not vote the Radical ticket will be disloyal, and her government illegal. I tell you, unless patriotism shall wake up from the stun which the horrid confusion of war has given it, the Radical party will be our only government, and Radical will be our only law.

I look for this revolution to go on.—Whoever thinks this war upon the Constitution will stop with the ten States is a madman or a simpleton to be pitied, or a knave to be despised. I have expected them to take charge of Connecticut because she dared to elect a Governor that did not agree with the Radical party; and sure enough, Sumner in a late letter strikes that key note. He says a similar bill for all the States is a cut short to universal suffrage. The so-called Congress immediately on its meeting took charge of Kentucky and excluded her whole delegation with one exception. If they can reject these, they can reject every one who differs with them, and they will do so; and they will receive only those who will agree with them. These they will receive. I care not what may have been their sins heretofore; if the very worst secessionist in all this land will whine around the streets and say he is radical now, he is as good as the saints in Heaven for radical purposes. [Applause.] They are not for race or color, nor for antecedents; if you now favor radical schemes you are loyal, and if you oppose them you are disloyal!

But you say you are in favor of going into the Union, because if you do not, your property will be confiscated. A gentleman of this city, a few days ago, said to me that he was in favor of the acceptance of these military bills, because he thought it the best we could do. I said to him, "You do not say that for yourself, but for your brick stores!" [Applause.] But you are not half so wise as you are knavish! You would lose the Constitution and the country to save your brick stores, and then by your very course you will lose your brick stores also! I am ashamed to talk or use arguments about confiscation in time of peace! It is a war power, not known to international law except as a war power, to be used only in time of war, upon an enemies goods!—Confiscation in time of peace is nothing more nor less than robbery!

But you say they have got the power and they will exercise it, unless we do as they bid us. And will you, in this case, abandon your only protection?—It is like going out into the highway, and surrendering your purse to the robber to keep him from taking it!

I could introduce a great deal of high authority to establish this point, but I will not insult the radical portion of this audience, by reading from any authority for them except from a Massachusetts Judge. Here is what he says:

"It has been supposed that if the government have the rights of a belligerent, then, after the rebellion is suppressed, it will have the rights of conquest; that a State and its inhabitants may be permanently divested of all political privileges and treated as foreign territory acquired by arms. This is an error, a grave and dangerous error.—Belligerent rights cannot be exercised where there are no belligerents." * *

But I will dwell no more on this subject. Confiscation is the law of enemies in war, and in peace it is the law of the robber. If they have the will to rob you, you will never escape by submitting to their power. If you submit, give up the law and substitute the will of the robber, he boldly avows that it is his purpose, not to give the black man his rights, but to bring about such measures, and so to shape things as to perpetuate the rule of the Radical party! Every man who joins the party, and can satisfy them that he will sincerely help in this work will be accepted.—They will put their arms around your necks and call you brother. [Applause.] You can make a friend of the devil upon these same terms, [laughter and applause,] and there is but little difference between them. [Great applause.] If you please the one you will go to the other, and I am not sure but you will get what you deserve, but I object to your taking the country with you. [Immense applause.]

But, O! it is sad to see the Constitution trampled upon and the country destroyed, only to perpetuate their hellish dynasty, and then to see some of our own people join in this unholy work, calling upon us to submit and become the agents of our own dishonor! This is sad, sorrowful, and fills me with shame!

These bills propose at every step to abrogate the Constitution—trample upon the State and its laws—to blot out every hope—to perjure every man who accepts them, and every principle of honor, safety, and justice disregarded, trampled upon and despised—all to perpetuate the power of their wicked authors. Can this scheme succeed?—Will it succeed? That is the question. I feel truly thankful in my heart that I have an answer which lifts my soul amidst all the gloom and apprehension of the hour. Some of you may not appreciate it, but to me it is the only oasis in this desert. This scheme will never, never succeed, and I proclaim its ultimate failure to-day in your hearing.—[Unbounded applause.] I know that some think it will. The air is full of the words of those who proclaim that there is no power to prevent it. Men have before this been weak and foolish, and cowards and traitors have before believed as you talk now, but I have a reason for the faith that is in me, which is absolutely sublime in the strength of its foundations.

1st. It will fail, because it is not possible to perpetuate a government of force under the forms of democracy. It may take some time to comprehend this thought, but you will not forget it.—That which is now proposed is force.—It is proposed by men who do not live in this State, and whose agents do not live here; and it is sought to be accomplished by military power, but under the pretence of your sanction—not to please yourselves, but them. There is not an instance in all history where a government of force has been perpetuated under the form of free institutions. It is an impossibility, and can never succeed. [Applause.]

2d. But it is sought to be accomplished by deceit and fraud, which cannot much longer escape detection. The masses of the people of the North love the Union, but the leaders did not fight for it, do not love it, and they now seek to destroy it under pretence that we must give some further guarantee for our future good behavior than merely supporting the Constitution. As soon as the means by which their deceit and fraud have been covered up are removed, the scheme will be crushed to death by the people. It is a double-shaped monster, like the sentinel at Hell-gate, which can live nowhere except in a political pandemonium.

And what must be the results? I do not say we will consent of all this with free institutions preserved, but this scheme can never succeed. A despotism over the whole country and over all the people, guilty and innocent alike, may ensue. You fail, but you may bring ruin upon all. Whenever you pull down the Temple of Liberty, you also will be crushed by the fall. You cannot level or lower us and elevate yourselves. We must either all rise or all go down together. Despotism may come, empires may rise and fall among us, but whether they do or not, we shall not have the reign of a Radical party. Understand me: If I say a man cannot live high up in the air, I do not mean he cannot go up in a balloon and remain for a time; or if I say a man cannot live under water, I do not say he cannot go down in a diving bell and remain a while; but the Radicals will as certainly fail to perpetuate their power under this scheme, as that a man will fall who attempts to dwell in the air, or drown who makes his home under water. Such a government would be unnatural—a political monstrosity, and cannot possibly last; but you may destroy the forms as well as the principles of free government, and then you will have a monarchy, an aristocracy, an empire, or a despotism, as the case may be. * * * * *

It may be that we of the United States have been so crazy in leaving the Constitution—the only Ark of safety—that our Heavenly Father has doomed us to perish, but I am gratified with a hope that it is not so. If not, there is but one method for our rescue, and that is by a prompt restoration of the Constitution. Will it come? Will we escape an agrarian war, with resulting despotism, and save our institutions for our children? I hope we shall; I believe we shall. Though a great effort is being made—a designed effort—to destroy us as Rome was destroyed, I believe the effort will fail. I have great faith in the Anglo-Saxon blood. I derive great encouragement from Anglo-Saxon history. Our liberty was not born in a day. It is not the work of one generation. It is the fruit of a hundred struggles, and its guaranties have been perfecting for eight hundred years. Many have been the efforts to destroy it. Often the English Constitution was trampled on. Often traitors sought to substitute arbitrary will for well-established law, and often have the people for a time been misled. But thus far they have always waked up and called the traitors and factionists to account.—Charles I. trampled on the Constitution. He had judges who decided that his will was the law, and all who resisted that will and defended the Constitution were punished as disloyal. And it did seem as if his power was irresistible.—No doubt if you weak-kneed Radicals of the South had lived in that day you would have said, "the Constitution is dead, and we must consent to what we cannot resist." But John Hampden would not consent. He resisted. He was tried as a criminal for resisting, and was condemned. But what was the sequel? The people finally asserted their power. Charles and his ministers perished. The very judges that condemned Hampden were themselves tried and condemned as criminals, and the very officers, even the sheriffs who executed the orders of Charles and his courts, were sued by the citizens for damages, and had to pay nearly a million of dollars for executing the processes of a void, unconstitutional law! For a time traitors held the power and trampled on rights, but vengeance came, and perpetual infamy followed.

So Cromwell and his Parliament violated the Constitution, and though they also flourished for a season, they too were overthrown. So James II. trampled on the Constitution, and had to fly from his kingdom a fugitive for life. In all these struggles good men, for a time, suffered, and bad men, for a time, ruled, but the English race have never yet failed to rescue their Constitution from the power both of traitors and fanatics.

I tell you the American people will not always be deceived. They will rise in defence of their Constitution, and traitors will tremble. They who rallied three million strong to defeat what they considered an armed assault on the Constitution and Union, will not sleep until a few hundred traitors from the masked battery of Congressional oaths and deceptive pretensions of loyalty shall utterly batter down the Constitution and Union forever. I warn you, boastful, vindictive Radicals, by the history of your own fathers, by every instinct of manhood, by every right of liberty and every impulse of justice, that the day is coming when you will feel the power of an outraged and betrayed people.—[Applause.] Go on confiscating! Arrest without warrant or probable cause; destroy *habeas corpus;* defile your own race, and flippantly say the Constitution is dead! On, on, with your work of ruin, ye hell-born rioters in sacred things! but remember for all these things the people will call you to judgment. [Prolonged applause.] Ah! what an issue you have made for yourselves. Succeed, and you destroy the Constitution! Fail, and you have covered the land with mourning. Succeed, and you bring ruin on yourselves and all the country! Fail, and you bring infamy upon yourselves and all your deluded followers! Succeed, and you are the perjured assassins of liberty! Fail, and you are defeated, despised traitors forever. Ye who aspire to be Radical Governors and Judges in Georgia, I paint before you this day your destiny. [Unbounded applause.] You are but cowards and knaves, and the time will come when you will call upon the rocks and mountains to fall on you and the darkness to hide you from an outraged people. [Applause.]

Does it do you good to trample on the Constitution—deceive the deceived and ruin the country? It may be so now, but I tell you the sulphurous fires of public infamy will never be quenched on your spirits. [Applause.] I pity you from my soul. Would that