

hesitate one moment to obey the order? For my own part, standing here in the face of this House and the country, though with a frame unsuited to engage in conflicts of violence, I am not prepared to confess to that degree of human baseness, that would make me hesitate to obey. And I affirm for all others—for my own constituents, who breasted the shock which resulted in the independence of the country, and who went again into the conflict when the conflict was renewed—that there is not a man of them, that under such circumstances would have faltered in girding himself to battle, and contributing his best services and his means toward repelling the expected invasion.

“I say, therefore, that whatever the judicial tribunals may determine as to the accused, that he is not guilty of murder. I say that in what he did, he rendered service to his country, which every American freeman has ever been willing to render, and cheerfully. The sovereign for whom he acted has approved of the act, and in that approval assumes the entire responsibility of it. If it had been done in time of war, it would have been deemed an act of ordinary warfare. It is for these high reasons of public policy that I say the Executive Government should be empowered to withdraw the indictment. Judged by our law, he must be condemned and executed, and I believe there is no escape for him. Judged by those high moral principles that constitute the basis of human society, he is not guilty.

“To execute him would be to stain the State with the guilt of murder—to draw down upon us the reproaches of the civilized world. It would be to invoke the vengeance of Heaven against a people that should thus outrage the dictates of humanity and patriotism. I say, that if we were armed to-day, and in the field—if the military force not only of these two millions of people, but of the sixteen millions with whom we are united, were now marshalled to punish this aggression on our territory, they should send this man before them with a safe conduct to his sovereign. The controversy is not with him. To prosecute him is revenge—to execute him is murder. Send him to his sovereign—the sovereign he has served as we would serve ours. If we have cause of complaint, let us wage war, not against the individual, but against the nation in whose name and by whose authority he acted.

“Let us take care, that in the event of an appeal to our sister States and to our own people for their co-operation against invasion from abroad, we do not in advance enfeeble our cause, by punishing in the person of an enemy that which we must not only commend in a citizen of our own State, but on which we must rely for success. No, no, Sir, if we expect the blessing of Heaven to be with us in any of these controversies, as it was with our forefathers—if we expect the deep-toned religious sentiment that distinguishes us above every other country under Heaven, to go with us—if the open courage and magnanimity which mark our army and navy, is to be enlisted warmly in our cause in any future conflict—let us not stain the banner under which they are to rally. So also, in reference to the adjourned controversies between this country and Great Britain—would it be wise to draw upon ourselves, in advance of any collision that may occur, the prejudices of the civilized world?

“Who does not see that in a controversy for territory with a nation that has grasped one hundred and twenty millions of people in the East—that has not only seized on the new continent of the South Pacific, but a part also of the continent of Africa—that has, in a word, extended itself everywhere—it is important that we retain what the character and genius of our institutions have won for us abroad—I mean the favourable judgment and partialities of the civilized world? But when the story shall be told that it required all the energy of the General and State governments to prevent certain restless spirits on our border from rushing into a neighbouring province in time of peace—that after this man had been indicted and committed and set at liberty on bail, he was again consigned to imprisonment at the behest of a mob—rely upon it, Sir, this mob, which, perhaps, numbered more stumps than men, will figure abroad as the people themselves, and it will be believed to be the result of the ascendancy of mob violence in this country over law and order. Not one of the one hundred and fifty millions in Europe, but will set that down in the account against us. Is it prudent or politic that we should arm against us the prejudices of the civilized world in a contest of the kind I have alluded to?

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