



Illinois State Bar Association  
Annual Banquet  
Illinois Hotel, Bloomington  
Thursday, May 29, 1930

THE PRESIDENT: Ladies and Gentlemen: We have come to that stage in my particular journey where I am reminded of the vagrant who appeared in a police court and to whom the judge said, "What is your occupation?" He said, rather airily, "Oh, I just circulate about." The judge said, "We are going to put you out of circulation for thirty days." (Laughter.)

Beginning how I can see the finish of my end. But before that comes I am to have one of the greatest pleasures of my year as President of this Association. It is a rare opportunity for members of the Bar to meet a man who has done so much to make the history of the Bar, to do the things for his nation and his state that have been done by the speaker of this evening. He was born in this town, if I mistake not, --he was born in Stanton, Virginia. I got my information wrong; but he has lived in this town for many years, he has become identified with this town, in the minds and hearts of those of you who live here and of those of you who know him and who know the history of the state. He has practiced at the Bar longer than some of us have lived. He has made an enviable record. Before saying more, I want to read two telegrams which have come to me this afternoon.

"I greatly regret that I shall not be able to attend the banquet of the Illinois Bar Association this evening in honor of Governor Fifer. I have been detained here in Washington on matters in the Senate which require my personal attention. I wish you would express to Governor Fifer my hearty congratulations on his career in the Army, at the Bar and in the public service and my best wishes for his health and happiness. His career meets the classic standard of American citizenship and statesmanship and will forever be one of the proud traditions of our state. It would have been a pleasure indeed to have joined with the members of the Illinois State Bar Association in extending to him greetings and good wishes. Charles S. Deneen."

(Applause.)

And one more:

"May I extend my best wishes for a successful meeting of the Illinois State Bar Association at your present convention, and at the same time ask you to express to that splendid citizen, Governor Fifer, who has served this nation and the State of Illinois with great credit, my warmest affection. Louis L. Emmerson, Governor."

(Applause.)

Those messages, sir, were not needed to let you know the esteem that is held for you and the affection that is brought to you by the people here and by people who have not the good fortune to be here.

Without further introduction I take great pleasure in presenting the speaker of the evening, the Honorable Joseph W. Fifer.

(Applause and all rise.)

HONORABLE JOSEPH W. FIFER: Mr. President, Ladies and Gentlemen: My friend, Mr. Black, in his introductory speech and the telegrams which he read, has set me up on a very high pedestal, only to see me topple over I fear and make a spectacle of myself. I will ask the President, if he discovers that I am talking too long, as I sometimes do, to use his gavel very liberally and call me to my seat.

Now, friends, it would seem unnecessary for me to say that I am much pleased to be here on this most interesting occasion. When we heard that this annual meeting was to come to our city, all Bloomington rejoiced. And I can truly say that we feel honored at your presence, and that at the close of these exercises when you return to your respective homes, the respect and good will of all Bloomington will go with you.

On the account of the Eighteenth Amendment, we have been unable to enliven this occasion with a little bit of Kentucky cider. (Laughter.) Since the adoption of that amendment not one drop of alcohol has been sold in Bloomington (Laughter), nobody has been arrested and consequently nobody has been convicted. We are strictly a temperate and law abiding people that, from necessity, we have had to put you on the water wagon and we will have to send you home on that same wagon. (Laughter.)

While sitting by the President, he suggested to me that I preface my address on the theme assigned me with a little reference to the Bar of the long ago.

I was admitted to the practice sixty-one years ago. I feel that in some way I am a sort of connecting link between the great, historic past and the enlightened present. When I came to the Bar in 1869 here in

Central Illinois I found it just about as Abraham Lincoln had left it eight years before. I dabbled in politics a little with the result that I soon extended by acquaintance pretty well throughout the state.

At that day there were only forty Supreme Court Reports; there were no Appellate Courts and but few text books. So that if the lawyers of that day had a case involving intricate questions of law it was necessary for them to evolve from their own intellects what the law ought to be. This is what made John Marshall the greatest lawyer that ever spoke the English language; this was admitted on both sides of the Atlantic Ocean. That system made great lawyers in Illinois. The lawyers of that day were nearly all politicians as well as lawyers. They were nearly all good orators, they had a fine use of their tongues, and this system made not only great lawyers but great statesmen. It produced Lincoln and Douglas, the greatest statesmen since the era of American independence; Judge David Davis, one of the ablest judges that ever sat on the Supreme bench of the United States told me after he retired to private life that Stephen T. Logan, of Springfield, was the greatest lawyer he ever met; there were other great lawyers made by the same process; Col. Ed Baker, John T. Stuart, Milton Hay, all of Springfield; and here in Bloomington was Judge Davis, Leonard Swett, William H. Hanna, Jesse W. Fell, and many others.

It was thought in that early day that the young lawyer who made his office expenses during the first three years of his practice was doing quite well enough. The young lawyers were generally poor, they had few law books, small offices, and generally very shabby. I can give you a little insight into the office of a beginner of that day by telling you this story.

Lincoln, when he received a letter from a New York business house making inquiry about a young lawyer living in Springfield who had purchased a bill of goods for twenty-five dollars and owed the house that much--I got this story from Milton Hay who read law in Lincoln's office for three years--when the house wanted to know how much property the young man had and whether the debt could be collected, Lincoln replied to the letter and said: "Yes, I know this young man quite well, he is a young lawyer here in Springfield just beginning to practice. He has a law library consisting of the statutes of Indiana for the year 1827; he has his office furniture consisting of a rocking chair with one rocker, a center table with three legs and besides, he has a wife and two children that ought to be worth fifty thousand dollars to any man. And besides all this he has a rat hole in one corner of his office that might be worth while to look into." (Laughter.)

That is an exaggerated description, of course, of a beginner's law office in that far off day.

The lawyers of that time, as I remember, too greater liberties with the court than they do today. The country was a pioneer country, sparsely settled: the business did not involve large amounts. The lawyers were less in numbers than they are today, and the courts and the lawyers were more on an equality. Lawyers would not take the privileges today with the court that they did in that far off day. Now, to illustrate that by a story:

There was a young lawyer over here in Galesburg many years ago who lost both legs just below the knees on the C.B. and Q. railroad. Of course he sued the company of course he recovered heavy damages and of course the company appealed the case to the Supreme Court. Judge Breese was on the bench. Colonel Ingersoll was not the lawyer

of record, but he was employed to make an oral argument before the court. Breese and the Colonel were great friends, they both believed in that consoling doctrine that death ends all, (Laughter) and not expecting to meet again in the next world they wanted to get all the joy of this that was possible, (Laughter), and that was a bond of union between them and they were great personal friends. Well, Breese reversed the case on the ground of excessive damages and he handed down one of the longest opinions in our reports. It was *Hazzard vs. the C.B. & Q. Railroad*, if you want to look it up; and Breese labored long and hard to prove that the damages were excessive; that the young man could earn just as much money at his profession after his legs were cut off as he could before. He quoted poetry, and said the plaintiff could still "climb the steps of fame where the torch of reason flamed abroad," and more of the same sort. Well, Colonel Ingersoll, soon after the opinion was handed down, was in court when Judge Breese stepped up to him; a number of lawyers were around and he said, "Bob, what did you think of my opinion in the Hazzard case?" And quick as a flash the Colonel replied, "Well, Judge, you set out to prove that legs were not necessary for a lawyer to practice his profession, but you incidentally established the fact that a head wasn't necessary for a judge to write an opinion." (Laughter.) Well, the old judge laughed as hard as the rest of the lawyers and frequently told the story to illustrate how witty his old friend, Colonel Ingersoll, was.

The lawyers of this audience will appreciate this that I am going to tell you. Mr. Ewing, former minister to Belgium and a partner of Vice President Stevenson, told me this. When he began the practice Leonard Swett then was a member of this Bar and stood at the very zenith. A client came in and wanted him to file a bill of chancery. Ewing

said he didn't know what a bill of chancery meant, he never drew one and couldn't draw one and so he went over to Swett's office and told him he wanted to draw a bill of chancery.

"Well," Swett said, "you can write, can't you?"

"Oh, yes, I can write."

"Well, do you know old Davis?" That was a pet name that the lawyers applied to Judge Davis, they all respected him and were very fond of him but they called him "Old Davis."

"Yes, I know the Judge."

"Well, " Swett said, "you go back to your office and you write old Davis a letter and tell him what a fine man your client is and what a damned scoundrel the defendant is and then tell the old Judge, what you want him to do about it."

"Well," Ewing said, "I can do that." And Ewing started out and Swett called him back and said, "You better not call him Old Davis, you better call him the Honorable David Davis," he said, "it will please the old Judge." (Laughter.)

Now I have told you enough about the old Bar. They were good lawyers and many of them became great statesmen.

General John C. Black was a little older than myself; he lived at Danville. Black and I, when we were quite young, had a little fall out and we lambasted each other like the very devil through the newspapers; but after we old comrades looked into the muzzles of each other's newspaper guns we understood each other better and became fast friends. One of the most pleasing recollections of my

life is due to the fact that I used all of my influence to elect General Black Commander-In-Chief of the Grant Army of the Republic. (Applause.) He was a citizen without reproach, he was an able lawyer, he was a brave, gallant soldier in the Civil War and rendered conspicuous service to his country in the hour of its dire necessity. He was more than that, he was a statesman of no small proportions and a statesman, too, as I believe, who never received an adequate reward for his eminent services to his country. (Applause.) But he had still further honors, he was the father, the honored father of the distinguished president of the Illinois Bar Association. (Applause.)

I want to institute a sort of comparison between the old Bar and the present. I have told you about the old Bar. The new Bar has many advantages. Instead of forty reports there are now three hundred and thirty odd and nearly as many Appellate Court reports. Numerous text books have been written on every conceivable question of the law, and now if the lawyer of this day has a case involving technical and intricate questions of law he can go to a text book and find a very good brief already written.

I doubt whether the present Bar are men of the same strong original thought as those of the old Bar. They are more industrious and I think in their technical detail of the law they are superior to the Bar of the long ago. I must leave this subject, but before doing so I can, in memory, call before me the faces of the old Bar, I again hear their cordial greeting and feel their familiar handshake. Again I hear their thrilling eloquence before juries and on the hustings; again I hear their convincing logic before the courts. I look again, and they have vanished, gone to their eternal rest, sleeping out here in the graves of the country, those windowless palaces of rest. I try not to deceive myself and am

fully conscious of the fact that I too must soon embark on that mystic river that flows forever toward the unknown sea. So, old Bar, hail and farewell. (Applause.)

I must now address myself to the subject assigned me, Lincoln and his historic lost speech. I have, my friends, studied Lincoln and the lost speech from every angle. I have read everything about Lincoln and the lost speech that I could lay hands on. I have not only read it, but I have literally devoured it. Lincoln, ever since I came to Illinois and heard of him has been the beau ideal of my thoughts, I have thought of him as the greatest American that this country ever produced. (Applause.)

In order to understand Lincoln and especially the lost speech, you must understand what was happening in the early fifties and from that time on to the beginning of the great Civil War.

The agitation over the question of slavery and free territory, and the dissolution of the American Union, was becoming acute. The old parties were breaking up, political lines were marching and counter marching and crossing each other at every angle. The old Whigs of the south had united with the Democrats, forming a party, as they said, to resist the encroachment of the north on slavery, their peculiar institution.

After the repeal of the Missouri compromise and after the decision in the Dred Scott case, and a few other things, the parties began to break up in the north and it was supposed that a new party must be formed to resist the further extension of slavery into free territory. Mr. Beveridge, in his Life of Lincoln makes an egregious error when he says that Lincoln went into the Republican Party hesitantly and reluctantly. He did nothing of the kind. I have read all of the

history of that time, I have talked with Lincoln's old friends at Springfield and Bloomington, and they are one voice in telling me that Lincoln, more than any man of his period, saw that a new party must be formed to arrest the further spread of slavery, and he stayed back purposely with his old Whig friends to talk to them as a Whig on the subject of the new party. He appeared on the surface as though his hold-back straps were a little stronger than his traces; as long as he remained a Whig they would listen to him, he knew that, but when he went over, bag and baggage, into the new party, a sort of antagonism would grow up and he would lose his influence. These intimate friends of his told me that he made up his mind to burn the bridges behind him and go over bag and baggage, into the new party in the convention that was held here in Bloomington. By a consensus of opinion it was left to the newspaper men to inaugurate that movement. They met at Decatur on Washington's birthday in 1856; Lincoln was present and assisted in writing the resolutions that were adopted. It was at his suggestion that the convention was called in Bloomington on the 30<sup>th</sup> of May, 74 years ago this blessed day.

When they met, the delegates had no credentials; there was nobody to issue credentials, it was really a mass meeting and the leaders were very agreeably disappointed at the great crowd that assembled. The men that came were enthusiasts in opposition to the spread of slavery; they wanted to take measures to prevent the dissolution of the Union and they were of one mind on that question. They met, and as Lincoln had predicted, the party was made up of old Whigs and free soil Democrats. There were many Democrats there. Lyman Trumbull came over from the Democratic Party on the slavery question and was elected to the

United States Senate by the liberals and throughout the entire Civil War was the recognized leader of the Senate.

John M. Palmer, a free soil Democrat, was there and was made president of the convention. There were many other Democrats present. They talked of nominating Lincoln for governor. He sat down on that very promptly and said, "We must nominate for a governor a free soil Democrat." Joseph Medill was there and I will tell the story about Lincoln's speech as Mr. Medill has told it more than once to me, and what he said about it was corroborated by all the leaders that were there with whom I have talked.

Medill said that after the business of the convention had been completed the time came for speech making. Palmer made a great, a powerful speech. Lovejoy was there and he made a speech. It was supposed that Lovejoy was the most eloquent man in the state. One other speech or two were made and then Medill said there was a call for "Lincoln, Lincoln." Lincoln got up back in the audience where he sat and said very awkwardly and in a rather slow sort of way, so Medill said, "If there is no objection I will speak from where I am." The crowd would not have it that way and called, "The platform, platform; Lincoln, the platform." He came forward. Medill was there representing The Tribune, taking notes. Lincoln was introduced and commenced in a rather slow way, but he said he could see an unusual determination in the man's face; he could see a suppressed animation in the man, and he began slowly, but rose as he progressed, and he said it was the greatest speech finally to which he had ever listened. He said that at times he seemed to reach up into the clouds and take out the thunderbolts. He could not give any connected story, neither could anybody else with whom I

have talked, but he could remember fragments, and he said toward the close he reached the point where the South had threatened to destroy the Union and then he rose to supreme heights and raised that great arm above his head and shook it with clenched fists and he said to the South, "We don't propose to dissolve this Union ourselves and by the gods that rule this universe we don't intend that you shall do so." Medill said he finally got through and sat down. Men jumped to their seats, they stood on their chairs, they waved hats, they waved handkerchiefs, they waved their canes, anything they had. They rushed on the stage and embraced Lincoln and congratulated him. Medill said then he looked at his paper and there lay his pencil across his paper and he discovered that he had only taken down a few sentences of the speech.

Now I will come to my conclusion on that speech when I tell you something more about my personal experience. I was not living in Illinois at that time, at the time of this speech, I was living down near Staunton, in the Shenandoah Valley in Virginia where I was born and where my ancestors lived for two hundred years within thirty miles of the place whence came the ancestors of Abraham Lincoln. And I sometimes think that about my only claim to distinction is due to the fact that I was born near where the ancestors of Abraham Lincoln were born and where they lived and many of them died.

I came out here the next year with my father's family and settled a few miles west of Bloomington. I soon heard of the great Lincoln. I read how he had gone out in the day and gathered hickory bark with which to make a light to read law by night. That appealed to me. Ever since I was a small boy I had wanted to be a lawyer, it was the altar

at which I worshipped, and I read from that time on all I could get about Lincoln. When I would come to Bloomington, as I did quite frequently, if I had time I would dodge into the courthouse to see the judge, Judge Davis, on the bench and the lawyers within the Bar. I saw Lincoln there, and sitting alone, unanimated, his face was about the saddest I ever looked upon. The melancholy seemed to roll from his shoulders and drip from the ends of his fingers. When a lawyer would step up to him and rouse him, instantly his whole countenance would change in appearance. He had sort of a changeable or flexible face and you would hardly know it was the same man. I never heard him open his head either before a court or jury but I heard him make a great speech in 1858, the year of the great debate between Lincoln and Douglas. There was no joint debate here, but both Lincoln and Douglas spoke here during that memorable campaign. Douglas came down from Chicago with George B. McClellan, afterwards Commander-in-Chief of the Union Army. Douglas spoke out here in a little grove and his friends, Democrats and Republicans, have told me that it was the greatest speech of his life. They said that he fairly tore up the ground, and made a great impression.

Davis and Fell and Swett, and all Lincoln's friends prevailed on him to come here and he spoke in the old courthouse yard. The meeting was well advertised and my brother, a little older than myself, who was killed in the Union Army toward the close of the Civil War, was with me. There was a large stand for the speakers and distinguished guests but no seats for the audience. My brother and I elbowed our way through the crowd that was packed round the stand like sardines in a box, till we got within ten feet of where Lincoln stood on the platform. Judge David presided and introduced Swett

who, in turn, introduced Lincoln. Lincoln got up rather awkwardly and slowly; he did not seem to be embarrassed in the least, and I thought he never would get through getting up, he just kept on undoubling, but finally he straightened up. He was dressed in a black suit, a tall, slender specimen of humanity, six feet four inches tall. He commenced rather slowly and awkwardly. He would run out on a sentence, and it did not seem to suit him and he would come back and try it again. He did that two or three times and one man standing near me said, "Pshaw, that man can't talk, why didn't they nominate Swett." Swett was a fine orator and he had made a beautiful introductory speech. But finally Lincoln seemed to find himself, and I declare to you that I have never heard such a speech before or since. He would raise that great arm, with clenched fist above his head and shake it in the air and bring it down with an emphasis that would fairly make your hair stand on end and your heart quit beating. I can remember some things he said but I could not give a connected story of his speech. Douglas had accused him of being in favor of Negro equality and amalgamation of the races and intermarriage. When he came to that point he said, "Judge Douglas accuses me of being in favor of Negro equality, I do not believe that the Negro is the equal of the white man, he certainly is not his equal in color, he is not his equal in education, he may not be his equal in social attainments, but in the right to each the bread his own hands have earned he is the equal to Judge Douglas, of myself or of any living man. He accuses me of being in favor of intermarriage between the races."

And then he said with great emphasis:

"I forever protest against the false logic that because I do not want a Negro woman for

my slave I must, necessarily, want her for my wife."

His sentences seemed to charge like a detachment of Sheridan's cavalry. They went through that crowd like a cannon ball through the field of corn stalks. His voice was not heavy, it was not ponderous; he had a metallic voice. He enunciated very clearly; his voice was far reaching and I am sure he was heard on the outskirts of that vast audience which filled the courthouse yard and extended out into the streets.

The one thing that impressed me more than any other was that what he said seemed, as it were, to gurgle up from some great fountain of truth and sincerity and he swept that audience with him whether they wanted to go or not.

Lovejoy was our congressman in this district at the time. Lovejoy was a great orator. I had an opportunity within a week to compare him with Lincoln. Lovejoy came out to my neighborhood and delivered a political address and I went out to hear him. He was eloquent, yes; he was logical, yes; his words came easily, yes. He seemed to have every element of the orator, but what he said, his sentences, seemed to fall short, they did not seem to reach the mark; in a word, the speech seemed tame and insipid in comparison with the speech I heard from Lincoln.

Now I am prepared, after telling you of my personal experience to give you my conclusions of the historic lost speech.

In the first place, a thing very much to a speaker's advantage, the crowd was all of one mind; they were enthusiasts; they had made up their minds as to where they stood on the political questions of the day and it was an intelligent and appreciative crowd.

Lincoln, when he made his lost speech, put their thoughts into words, a thing possibly which they could not do for themselves. They were thinking just as Lincoln thought, and were with him in everything he said. I am not minimizing Lincoln's speech as it was made; doubtless it was a great speech, eloquent and logical, but it is my belief that if it had been put into cold type and you read it there would be a feeling of disappointment. You would see that it was logical, the sentences were well formed and all that. Now then as I saw Lincoln, and as I had others explain him to me, there was something, some subtle influence about the man himself, there was something in the way he stated a proposition, there was something peculiar in his logic, there was a subtle influence in his personality, every word he said seemed to come from a fountain of truth and sincerity and it carried his audience with him. Those are things that no scrivener can ever put on paper, and if Lincoln's entire speech had been reduced to writing you would not have the same speech, and it would still be the lost speech of Abraham Lincoln. Now that is the conclusion that I make, but we will let that go.

I have talked about the lost speech, now what about the man himself? This strange man, without distinguished ancestors, without powerful and wealthy kindred came among us. Unheralded he strode across this little grain of sand on which we live and disappeared, leaving the world startled and amazed at his wonderful achievements. Born down here in the beech woods of Kentucky, in a log cabin under the clapboard roof, his cradle rocked on a dirt floor by the foot of a mother whose hands at the same time were busy with the needle, with only three months of schooling, as he tells us himself, yet he wrote the best English of any man of his time. Very soon after he was

elected in 1860 he notified Mr. Seward that he, Seward, was to be appointed Secretary of State and he asked him to write a patriotic appeal to the people of the South imploring them not to secede, not to destroy the Union of the fathers. Seward tried his hand and sent what he wrote to Lincoln. Lincoln had promised to incorporate it in his first inaugural message, but he was not pleased with what Seward said and pushed it aside and wrote this:

"My dissatisfied fellow countrymen: You can have no war unless you yourselves are the aggressors. You have taken no oath to destroy the Union, while I have taken a most sacred oath to support, maintain and defend it. We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic cords of memory stretching from every battlefield and patriot grave to every living heard and hearthstone all over this broad land will yet swell the chorus when the cords of our Union are touches as surely they will be by the better angels of our nature."

Within forty days after this patriotic appeal for peace it was answered by the thunder of Beauregard's cannon as he fired upon our flag at Fort Sumter.

And then, again, in his second inaugural, he said:

"Peace does not seem so distant as it did. Earnestly do we hope, fervently do we pray that this mighty scourge of war may speedily pass away. But if it be God's will that it continue until the wealth piled by the bondsmen's 250 years of unrequited toil is sunk, and until every drop of blood drawn by the lash is repaid by another drawn by the sword; as was said three thousand years ago,

so still must it be said, the judgments of the Lord are true and righteous altogether."

A letter that he wrote to a widow in Massachusetts who lost five sons in battle is framed and hung up in the great world University of Cambridge, England, as a model of good English to the students of that land. We are told that more has been written and said of this strange man than was ever written and said of any man that ever lived. His speeches and his writings have been translated into the languages of the world. The brown man of the Orient, the slim bather in the sacred waters of the Ganges, the humble dwellers living under the straw thatched roofs along the Rhine and the beautiful blue Danube, the peasants in the forests of Russia and on the frontiers, in palace and in hovel the world over, his name is as familiar as it is to the people in Central Illinois, where he grew to mature manhood, where his character was developed and where his mortal remains now repose.

But, friends, the fame of this man will never rest on the fact the he could write good English nor that he cold tell a good story nor that he was a great lawyer. It rests and it must forever rest upon the facts of his great statesmanship in conducting the affairs of this country, the war to a successful conclusion and saving the American Union.

When he quit Springfield and went to Washington and took the oath of office he surveyed the situation around him and exclaimed, almost in the bitterness of despair, "The occasion is indeed piled high with difficulty." And so it was. He looked around him and found that he was the President of the United States with a great Civil War on his hands and yet he was not elected by a majority of the American people. Another thing, he saw that the old Whig party of the south had joined to the

Democrats and that they stood as one party to resist, as they said, the encroachment of the North upon the South. He surveyed still farther and saw that many men of another party, the old abolition party who ought to have been his friends and who ought to have upheld his strong right arm were becoming a powerful factor; they were men of intelligence, men of conscience, and I honor them for their hatred of slavery, but cannot agree with them in all their contentions. Wendell Phillips, Horace Greeley, Thaddeus Stevens and all the leaders said to Lincoln, let the South go in peace. Wendell Phillips and Greeley both said that if they had their way they would make for the South a bridge of gold over which they might pass out of the Union. They were men of conscience; they hated slavery and believed it was a sin in the sight of God and they did not want to belong to the Union which would make them a party to that wrong. It was a short-sighted policy because, if the Confederacy had succeeded it would have fastened the institution of slavery on this country for another hundred years. When Lincoln would not accede to those terms then they insisted that he should at once issue the proclamation of freedom and let the slaves go free. This he said he could not do for the Constitution recognized the institution of slavery and he had taken a solemn oath to uphold the Constitution, and his paramount object was to keep the border slave states in the Union. He knew that some of the best Union men in the land lived in these border slave states; they had read the great speeches of Webster and Clay in favor of the Union and what these great men said sank deep into their hearts and minds.

Webster, in a great speech, in speaking of the value of the Union said, as I remember his words:

"Should disastrous war sweep our commerce from the seas succeeding generations will reconstruct it. Should our treasury become depleted and made bankrupt future industry will replenish it. Should our territory be overrun by hostile armies and our agriculture destroyed, under a new cultivation our fields will grow green again and ripen to future harvest. But if our Union is dissolved, if our free institutions fail, who will rear again the well proportioned columns of constitutional liberty? If they fall like the Coliseum and the Parthenon they will have a mournful, a melancholy immortality and more bitter tears will be shed over its ruins than were ever shed over Grecian and Roman art. But if they fall, alas, alas, I fear they may never rise again."

Now these great speeches, as I have said, had sunk deep into the hearts and minds of the people of the border slave states and they were willing to fight and die, if need be, for the Union but were not willing to fight for the illegal and unconstitutional purpose of interfering with slavery where it existed.

Now, after Lincoln was inaugurated Horace Greeley, an abolitionist and a very good and able man, wrote Lincoln a letter urging him at once to issue the proclamation of freedom. Lincoln answered his letter and said this in effect:

"My present object is to save the Union. If I can save the Union by freeing all of the slaves I will do that; if I can save the Union by freeing part of the slaves and leaving others in slavery I will do that; if I can save the Union by freeing none of the slaves I will do that. I will do anything and everything under the Constitution to save the American Union."

You know Greeley, it is said, when things didn't go to suit him could swear like a

drunken sailor, and when he read this reply he swore, as was reported, that he'd be damned if he ever wanted to write that man another letter, (Laughter) he closed him up so completely.

Now these radicals embarrassed Lincoln in another way. They induced him to appoint John C. Fremont to the military district of Missouri. Fremont was never more than a third rate man and it was a fortunate circumstance that he was not elected president in 1856, in my judgment. The first thing he did, the first crack out of the box, he issued a proclamation emancipating the slaves in his military district. Now that placed Lincoln in a most awkward position. If he overruled and set aside Fremont's proclamation then he would call down on his head the anathemas of these radicals. If he allowed it to stand it would convince the Union men of the border states that the war was a war interfering with the institution of slavery which was recognized by the constitution. He set aside the proclamation of Fremont and drew down upon his head the anathemas of the radical party. Many of them opposed him from that day until his death. They called him that "slave hound from Illinois." They referred to him as a third rate man from a third rate western town, and after he was assassinated one of them said that the Almighty had used the hand of an assassin to remove from high office a weak and vacillating president.

Now, those men were good men, they wanted to be right and I honor them in their dislike of slavery, but their judgment was all wrong.

There was another embarrassing fact to Lincoln growing out of the Virginia and Kentucky resolutions. These resolutions, in substance, declared that in case Congress usurped powers not delegated to it by the

people and of the several states, any state had the right to nullify such laws and, if need be, withdraw from the federal compact. And it is doubtless true that a very large proportion of the American people believed in this doctrine at the outbreak of the Civil War. This was the legal issue involved in that great conflict, and in that conflict the doctrine of succession and nullification was shot to death on many battlefields and will never be heard of again.

These are the questions that confronted this plain man of the people after he took the oath of office and surveyed his surroundings, and well might he exclaim, "The occasion is indeed piled high with difficulty."

We had gone on for a hundred years in prosperity and peace. We boasted that we were an ocean bound Republic; that we were the greatest and the fairest people beneath the sun, and so we were; but, finally, friends, we were called up as a people before the judgment hour and bar of the God of nations, and our boasted free institutions went on trial before the civilized opinion of mankind. It was, indeed, a supreme crisis for if this free government failed what other could ever hope to endure? In that crucible were cast the rights of the free and the hopes of the bond, and there also in the fury of the envenomed opposition hissed and crawled the serpents of sedition and dismemberment, which threatened for near a century the stability and the perpetuity of our free institutions. That brought on the Civil War and I want to say here, but I do not claim, and never did, that the war was fought by any political party. I have never claimed that the rebellion was put down by any single party. That rebellion was crushed and the Union was saved by the common patriotism of the great American people. (Applause.) In our own state Trumbull and

the gallant Logan and thousands and thousands of Democrats came over and joined the Union ranks, but the war came on and in that war the Blue and the Gray met in more than two thousand battles and skirmishes. They fought along that wide flung battle line from the Rio Grande to the Potomac, a distance of more than fifteen hundred miles. They fought on the plains of Texas; they fought in the swamps and the cane breaks of the sunny south; they fought along the valleys of the great rivers; they fought on mountain side; they fought amid the snows along the ridges of the Alleghenies; they fought with shot and shell; they fought with sword and bayonet; they fought until five hundred thousand American citizens lay stretched on the bloody field. They fought until we piled up a national debt that taxed generations from the cradle to the grave. They fought until human nature could hold out no longer. Finally Sherman cut from Atlanta to the sea while Grant, sturdy old Grant, pushed his army like a plough-share through the wilderness in his onward march to Richmond. Johnston surrendered to Sherman in Carolina, Lee to Grant at Appomattox and the great rebellion was at an end, and the declaration of Lincoln in his lost speech, "We do not intend to dissolve this Union and by all the gods that rule this universe we do not intend that you shall dissolve it," was fulfilled. (Applause.)

From first to last, all over this north land the cry went up, when Fort Sumter was fired upon "The Union, it must and it shall be preserved." It was this cry that inspired our Boys in Blue before Vicksburg, it inspired old Pap Thomas at Chickamauga, it nerved the arm of sturdy old Meade at Gettysburg, it marched and counter-marched with Sheridan in the valley of the Shenandoah and, thanks be to God, it finally triumphed

with Grant at Appomattox and the Union was saved. (Applause.)

Friends, it is idle now to contend, in the pride of individual opinion, as to where the right lay in this great strife. History is already recording the final verdict, and that verdict we know will be just and kind to all, but let no faint hearted patriot doubt that God's eternal truth will be established in it, nor should we forget that at the bar of history prior adjudications of armed force cannot be pleaded, and that he who would win in the Supreme Court of civilized opinion must leave captive colors and the spoil of cities and come with fruits of justice and humanity in his hand. (Applause.)

To this judgment bar we of the North bring the broken chain of human bondage; we bring tears of joy from cheeks unvisited by smiles; we bring a union of American states under a single flag; we bring the answered prayers and the fulfilled prophecies of our heroic forefathers who planted free institutions in a wilderness and here, in all meekness and charity, we are content to rest our cause. Let judgment be pronounced, let it be told whether the hero born of woman has indeed crushed the serpent with his heel and whether God has verily marched on over a redeemed and purified land.

Throughout this bloody strife this plain man, this child of the western wilderness, stood firm and steadfast when our armies were being driven back in defeat and disaster; when our flag drooped at half mast, heavy with blood; when our bravest men looked at each other in silence and seemed to doubt the final result of the sanguinary struggle, Lincoln stood firm as a wave-repelling rock.

Many another star rose and set in that great conflict, but his burned with an ever increasing luster to the last. Great, serene



and steadfast, yet one of the people, and trusting only God more than the people, Lincoln seized the helm of state in the darkest hour this nation ever saw, and left it in the dawn of a resplendent glory to lie down, weary and broken, beneath a mountain of public gratitude, the greatest and most enduring that marks the grave of mortal man today. (Applause.) And now, to testify to a nation's gratitude to him for the blessings bestowed upon this country and on the world, a monument costing millions has been erected in the city of Washington.

But, friends, we know that monument made by human hands must soon decay and fall; a better and a grander monument than any of masonry or bronze is now building to the memory of our heroes, living and dead; that monument is the progress, social, industrial and political of the great republic they founded and saved. It belongs not to the regiments or brigades, to army corps or political divisions, but to all beneath our flag who have wrought in the holy cause of freedom and good government. The life work of every worthy American citizen is wrought to that great monumental structure; about its shaft cluster the hopes and aspirations of every living patriot, and under it in assured immortality sleep all our heroic dead.

And now, friends, in conclusion, let us forget, if we may, the bitter strifes and animosities of the past and turn our faces in hope and confidence toward the great future of this great land which the fathers have conquered and bequeathed to us an inheritance forever.

(Continued applause, and all rise.)

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