

The Wickedness of the Nebraska Bill.

A SERMON

PREACHED IN

THE SECOND PRESBYTERIAN CHURCH,

ORANGE, N. J.,

FEBRUARY 26th, 1854.

BY

JOHN CROWELL,

PASTOR OF THE CHURCH.

NEW YORK:

PUBLISHED BY M. W. DODD,

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Sermon.

“THE triumphing of the wicked is short.”—JOB XX. 5.

THAT the wicked often do triumph can neither be doubted nor denied. Thus they themselves are able to boast over the righteous, and the righteous are perplexed, and sometimes ready to repine. “I was envious at the foolish” (confesses one long ago) “when I saw the prosperity of the wicked. Behold, these are the ungodly that prosper in the world: they increase in riches. Verily I have cleansed my heart in vain, and washed mine hands in innocency.”

The text furnishes part of the solution to this perplexing problem in the providence of God.

THE TRIUMPHING OF THE WICKED IS SHORT.

It is generally short, even with reference to this life, and always with reference to the life to come. I wish to speak of it at present only with reference to this life; and without attempting to discuss fully even this least important branch of the subject, I would briefly offer a single general remark:

The triumph of the wicked man's *success* is short.

A moment's reflection will show us that the success of wicked men and wicked plans is at least as likely to be temporary as that of the righteous and their plans. If it is the

common lot of earthly things to be transient and uncertain, no exemption surely can be claimed in favor of wicked plans.

But there are causes peculiar to wickedness, which tend to the speedy interruption of its success.

1. The rival plans of other wicked men.

These will often clash with each other. And as some will prevent the success of their rivals, so they will speedily break in on the career of the prosperous. All wickedness springs from selfishness, which from its very nature tramples upon every object weaker than itself. Success in one instance will excite the desires of other wicked men; will inflame their envy; will teach their ignorance, opening a path which they can easily follow; affording a model for their imitation, and supplying light to guide them on their way. Thus the very success of the wicked man tends to his destruction. "*Every hand of the wicked shall come upon him.*"

The history of wickedness would supply many instances of rivals pursuing, supplanting, destroying those who were for followed in the rear of another, overwhelming his rival, a little time on the pinnacle of success. One conqueror has raising for a moment the shout of triumph, but he himself soon struck down by a mightier arm. Thus the great battle-field of history presents, to an unpractised eye, a confused and discordant assemblage of nations, costumes, and languages; one banner for a moment waves triumphantly, but soon is trampled in the dust, and another is advanced on high; and this is repeated over and over again, from the most remote period, where the shadows of time almost conceal the vision, down to the spot upon which the strong light of the present age is concentrated—where for a moment Napoleon triumphed and fell. And on the same spot new hosts are assembling for a new and perhaps more extended and fearful conflict than any which the world has yet seen.

The same thing often happens among a less splendid and less lauded class of wicked men. One dishonest man speedily arrests the triumph of another's success. Some may for a

time pursue an iniquitous business with what they call brilliant good-fortune, but this will attract others as unscrupulous as they, and their occupation may soon be gone. Let any man adopt unfair practices in a lawful business, and, escaping all the hazards incident to success, rejoice in his gains; he will soon find that others can be equally dishonest and equally adroit, and his triumph in the monopoly of fraud is but for a moment.

2. Success increases the desire of the wicked man, and prompts to new and greater efforts. These often fail, and thus frequently all is lost that had been gained. A wicked career is like a game of chance, where small winnings entice to greater risks, till at length on one venture all may be lost.

Success in wickedness renders a man reckless. It excites his mind, inflames his passions, hardens his heart, and overwhelms his judgment. Thus, being madly impelled upwards on slippery places, by one false step he may be plunged into the lowest depths. "Knowest thou not this of old, since man was placed upon earth, that the triumphing of the wicked is short, and the joy of the hypocrite but for a moment? *Though his excellency mount up to the heavens, and his head reach unto the clouds, yet he shall perish for ever; they which have seen him shall say, 'WHERE IS HE?'*"

3. There are also many barriers against which success will drive a wicked man, and which will speedily arrest his triumphant career.

I have already said that he will entice and provoke the opposition of rivals in wickedness, who are anxious to share his spoils. But in addition to this, we are told that "oppression makes even wise men mad." We may add, as equally true, that it makes gentle men fierce, and weak men strong. A tyrant may triumph over a weak and gentle person or nation, but his cruelty, his injustice will be goading the gentleness into opposition, and nerving the weakness into strength. Thus his success is creating the materials for its own destruction.

Success in wickedness also *combines* opposition. The wicked

man seeks to extend the sphere of his triumph and the number of his victims. Thus many will be united against him by common sufferings, and many others, through fear that their turn may next come.

The wicked man must also encounter the sense of justice which is lodged deep in every breast. It exists even in the breasts of the wicked themselves. The ability to distinguish right from wrong is never entirely destroyed by transgression; sometimes, on the contrary, it is increased. Men may be keensighted to detect evil in others, though it exist in themselves; yes, in proportion as it exists in them; and the worst may love justice, provided it be not inflicted on their own heads. Thus the opposition of the wicked against the wicked is strengthened, when one can plead the claims of justice against the other. When does cruelty revel and riot so fiercely as when the abandoned and the vile, maddened by wrongs, trample down the barriers of law, and take the infliction of vengeance into their own hands? Then the innocent share the fate of the guilty—the pure fall with the corrupt and the infant with the man: then the adroitest executioner and the most rapid stroke are too slow for the work of death; the nearest lamp-posts receive their victims; the rivers flow with blood. Then, indeed, it is “the reign of terror” over the land. The very “Furies” of hell are lost spirits, armed as the ministers of justice.

But it is the opposition of the upright and pure which is chiefly aroused by the success of the wicked, and which proves the most effectual barrier against their continued triumph. The strong among the good are alert and determined in defence of the weak. Physical strength is quickly by the side of the feeble; intellectual strength pours forth its treasures in behalf of the ignorant, and moral strength encounters its greatest risks to uphold the innocent.

The providence of God often speedily arrests the success of wicked men.

All the influences which I have mentioned are parts of His

providential arrangement. But, in addition to the ordinary operation of these, we often find God manifestly overruling and controlling them, giving them special efficiency. Sometimes He interferes by an unusual and unexpected agent, or without any visible agency whatever. The only verdict that the strictest investigation can render is, that the mighty have fallen by the hand of God.

The close of the chapter in which the text is found, thus sums up the influences by which the success of the wicked is brought to an end; combining the superintendence of God's providence with the instrumentality of men, and ascribing their united results to the appointment of God: "The heaven shall reveal his iniquity, and the earth shall rise up against him. The increase of his house shall depart, and his goods shall flow away in the day of his wrath. This is the portion of a wicked man from God, and the heritage appointed him by God."

But, cutting short the general discussion of this subject, I wish to give the remainder of my remarks specific reference to the wickedness of a public proposition which is before the Senate of the United States, with a view to its being enacted into a law.

There are some, I know, who say that a minister must not interfere with politics. With party or sectional politics certainly he must not, except to condemn falsehood, injustice, and strife, wherever they may be found. But as to politics in the enlarged and proper sense of the term, as to public affairs, to say that he must not endeavor to apply to them the principles of righteousness and of the gospel of Christ, would be to say that a watchman appointed to protect a city from the ravages of fire must concern himself only with the private dwellings of individuals, and allow public edifices to be wrapt in flames; or that a sentinel on duty must be faithful in challenging every solitary traveller, but be silent when he sees embattled legions advancing on their way.

For one, I should not wish to go to the judgment-seat of

Christ and render my account for one of the pulpits consecrated to the enforcement of His gospel, if I had not endeavored, with whatever of strength I have, to make it utter its protest against what seems to me the manifest and heaven-daring wickedness of the measure to which I refer.

The strength of the Pulpit will always depend upon its commending to the consciences of men the claims of truth, of righteousness and of God. My work therefore is to lay calmly before you the reasons why, in my judgment, the proposed measure ought to be denounced as wicked. If you agree with me, it is your work to rise up in your sovereignty as citizens and say that your servants shall not do this thing.

1. I call it a wicked measure because it violates the agreement made in 1820, that, in the territory purchased from France, north of $36^{\circ} 30'$, slavery should be *excluded for ever*. This agreement was established by the Congress of the United States after great opposition had been made by the North against the permission of slavery in the State of Missouri. The Senate having voted in the affirmative, and the House of Representatives in the negative, the two Houses compromised by drawing the above-mentioned line, on the south of which slavery should be permitted, and on the north should be excluded for ever. For thirty-four years this has been the law of the land. By virtue of it the South has obtained for slavery all the territory south of the line; and in view of the fact, admitted by all, that she could further extend the limits of slavery only by acquisitions towards the South, she has sought and obtained the annexation of Texas at the subsequent cost of the war with Mexico. On the North thus far the country has remained a wilderness, but now, as soon as there is a prospect of its being settled, the proposition is made to establish slavery in it by the law organizing the Territorial Government. To this proposition, therefore, belongs the wickedness of covenant-breaking—of perjury—of the violation of the plighted public faith—the most sacred thing that exists beneath the covenanted faithfulness of God. For this reason it ought to be abhorred, denounced, and put down.

2. It is wicked because it violates the just and righteous will and intention of our fathers that slavery should never be extended, under the authority of the United States, beyond the limits in which it already existed.

This will and intention they expressed in three very decisive modes :

(1.) By openly avowing their opinion that slavery was a great evil, scourge, and curse to the country. They charged its existence and prevalence upon British policy and British wrong.

Let me set forth this point in the strong language of Daniel Webster, in his address to the Senate on the 7th of March, 1850 : “ The eminent men, the most eminent men, and nearly all the conspicuous politicians of the South, held the same sentiments—that slavery was an evil, a blight, a scourge and a curse. There are no terms of reprobation of slavery so vehement in the North at that day as in the South. The North was not so much excited against it as the South, and the reason is, I suppose, that there was much less of it at the North. and the people did not see or think they saw the evils so prominently as they were seen or thought to be seen at the South. Then, Sir, when this Constitution was framed, this was the light in which the Federal Convention viewed it. That body reflected the judgment and sentiments of the great men of the South. The question then was how to deal with it, and how to deal with it as an evil.”

This is the first mode by which the founders of our government, the achievers of our independence, declared their will and intention that slavery should not be extended, under the authority of the United States, beyond the actual limits which it then had.

(2.) They carried out their intention in a very practical and effectual manner, by making provision for the speedy prohibition of the slave-trade.

(3.) They adopted the ordinance of 1787, by which slavery was excluded from all the territory over which the Congress of

the United States had jurisdiction. "This was established" (Mr. Webster says) "with the entire and unanimous concurrence of the whole South. The vote of every State in the Union was unanimous in favor of it, with the exception of a single individual vote, and that individual vote was given by a Northern man."

Our fathers supposed and believed that by stopping the importation of slaves, and by shutting slavery up within the limits which it then occupied, it would be gradually but surely brought to an end, even where it did exist.

But the measure now before the Senate proposes to admit slavery into a vast territory under the jurisdiction of the United States; and, therefore, because it proposes to undo the righteous principle established at the origin of our government, it is to be denounced as wicked.

3. I arraign it as wicked, because it violates the Constitution of the United States.

One of the objects for which the people of the United States have ordained and established the Constitution, as set forth in its preamble, is to *establish justice*. Therefore, to violate any one of its provisions, unless it can be shown that it does not accomplish the design of establishing justice, is a wicked thing, as wicked as to break down the safeguards of justice anywhere—wicked in proportion to the wide and supreme jurisdiction which the Constitution sways, to the influence which it exerts, and to the ruin which must ensue if it be broken down.

This being so, I accuse this Nebraska bill of violating the Constitution in two important particulars:

(1.) It affirms that there is and shall be *property in men*; which the Constitution deliberately avoids and refuses to do.

The Constitution speaks of a man who, in common language, is called "a slave," as "a person held to service or labor in one State under the laws thereof." It does not say held justly, or held equitably, but simply "held," having the hand of power laid upon him. It defines the limit within which he is held—"in one State." It does not say, held

under the law of Nature, or under the law of God ; but under the law of the State ; using this guarded expression of the only authority under which the hand of power holds the man.

Now, it is clear that masters of language, laying the foundations of a great nation, and accustomed to speak every day of "slaves" and "slavery," could not have used such guarded and restricted terms, unless they had intended to do so. The language itself, therefore, is very remarkable.

But when we learn the history of its adoption, its significance becomes most instructive and impressive.

I give this history in the language of Mr. Webster, quoting, though for the third time, that address which he has entitled, "A Speech for the Constitution and the Union." "It may not be improper here to allude to that, I had almost said, celebrated opinion of Mr. Madison. You observe, Sir, that the term *slave*, or *slavery*, is not used in the Constitution. The Constitution does not require that 'fugitive slaves' shall be delivered up. It requires that persons held to service in one State, and escaping into another, shall be delivered up. *Mr. Madison opposed the introduction of the term 'slave' or 'slavery' into the Constitution: for he said THAT HE DID NOT WISH TO SEE IT RECOGNIZED BY THE CONSTITUTION OF THE UNITED STATES OF AMERICA, THAT THERE COULD BE PROPERTY IN MEN.*"

Thus we learn that the common expressions, "slave" and "slavery," were opposed and stricken out—that the reason assigned by a prominent Southern delegate was, that the Constitution might not recognize that there could be property in men, and that this reason prevailed.

Therefore, we are authorized to affirm, that the Constitution deliberately and intentionally refuses to say that there can be property in men. Consequently this proposed measure violates the Constitution, by enacting that which the Constitution refused to recognize as possible. Therefore, it breaks down one of the safeguards of the Constitution for the establishment of justice, and, on this account, I call it wicked.

(2.) It also violates the Constitution in another particular. That instrument calls the colored man "*a person*," three times by express reference. The first time, in the instance to which I have just alluded, when designing to specify a man commonly called a slave—of course, only a colored man—it defines him as a "*person held to service*." The second time it speaks of him as a person, is when giving the power to prohibit the slave-trade, and the third time, is in the clause which gives the slave representation in Congress.

This being so, the fifth article of the amendments to the Constitution declares: "*Nor shall any person be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law*." The colored man being a person in the Constitution, as everywhere else, (unless there be an exception asserted under the law of a slave State,) is included in this protection. This is the point I make: WHEREVER THE CONSTITUTION OF THE UNITED STATES HAS UNRESTRAINED JURISDICTION, THE ONLY WAY BY WHICH, UNDER ITS AUTHORITY, ANY PERSON CAN BE DEPRIVED OF LIBERTY, IS IN A CRIMINAL CASE, WITH DUE PROCESS OF LAW.

But this Nebraska bill enacts that persons held to service under the laws of a State, if carried by their master within the Territory, shall be slaves. Without this enactment, the moment their master took them over the threshold of his own State into a State or Territory where slavery was not allowed, they are free by common law. The law of the slave State being of no force, a new law must enslave them a second time, or he who calls himself their master cannot "hold them." This new law, it is proposed, shall be the act of Congress organizing the Territory, and ordaining that they shall be slaves, when without it they are free. Thus, in no criminal case and without due process of law, will they be deprived of liberty. This is an express violation of the Constitution.

Further, if this proposition become a law, all the children who shall be born in that Territory of an enslaved parent will be deprived of liberty by act of Congress, without any charge

of crime, without any process of law. Here, also, the Constitution will be most flagrantly violated in one of its most solemn provisions for the establishment of justice.

Therefore, I do not say that the law, if passed, will be unconstitutional, and consequently void. This, I think, could be said at the bar of the Supreme Court of the United States. I do not say that, if enforced without remedy, it would be ground for revolution. This, I think, might be said in a lawful assembly of the people. But here, in the pulpit, where it is proper to consider whether a measure be just or unjust, righteous or wicked, I arraign this as unjust and wicked, because it tramples down a safeguard which the people of the United States have set up for the establishment of justice.

4. It is wicked, because it violates the clause in the Declaration of Independence, wherein the representatives of the United States declare their faith in the self-evident truth that all men are endowed by their Creator with certain inalienable rights, among which are life, *liberty*, and the pursuit of happiness.

This is the foundation on which American independence was declared and fought for—the appeal being made to God for the righteousness of the cause. If there be any sentiment which all the people of the United States have declared to be part of their faith, surely it is this: That all men have been endowed by their Creator with liberty as an inalienable right.

Therefore, for a people who believe this to pass a law enslaving all of a certain class who shall be born within a vast portion of the earth's territory, and extending the doom to their children and children's children too—this is wicked. It is wickedness that will cry to Heaven.

5. It is wicked, because it violates the gospel of Christ.

The Saviour's rule is, "As ye would that men should do to you, do ye even so to them." Or, as He has expressed the same principle in another form, "Thou shalt love thy neighbor as thyself."

Every man loves himself too well to be willing to be en-

slaved. He is bound, therefore, to love his neighbor too well to make him a slave. He loves his own children too well to wish them enslaved. Therefore, he is bound to love his neighbor's children too well to enslave them. This proposed act will enslave others; it is therefore a wicked violation of the gospel. And think not, ye people of the land—think not, ye rulers of the people, that it is a light thing to violate the gospel of the Son of God. He will rule rebellious nations with a rod of iron. He will dash them in pieces like a potter's vessel. Be wise now, therefore, O ye kings; be instructed, ye judges of the earth. Kiss the Son, lest He be angry, and ye perish in the way; for soon His anger will be kindled.

6. Lastly, this proposition is wicked because it sets at defiance the sovereign bounty of God the Creator to His creatures.

Americans affirm that they believe, according to the Declaration of Independence, that all men are endowed by their Creator with liberty as truly as with life. Believing this, it is wicked (as I have said) to wrest that liberty away.

But more than this. God is the Creator of all men, and has endowed them with common birthrights, whether the Declaration of Independence has said so or not. God has himself said it, declaring that he hath made of one blood all the nations of men who dwell on the face of the earth, and that he has created them in his own image.

Therefore, for a law of the United States to wrest away these common rights from multitudes who shall be born in the Territory of Nebraska, is to rush into immediate collision with the creating sovereignty of God.

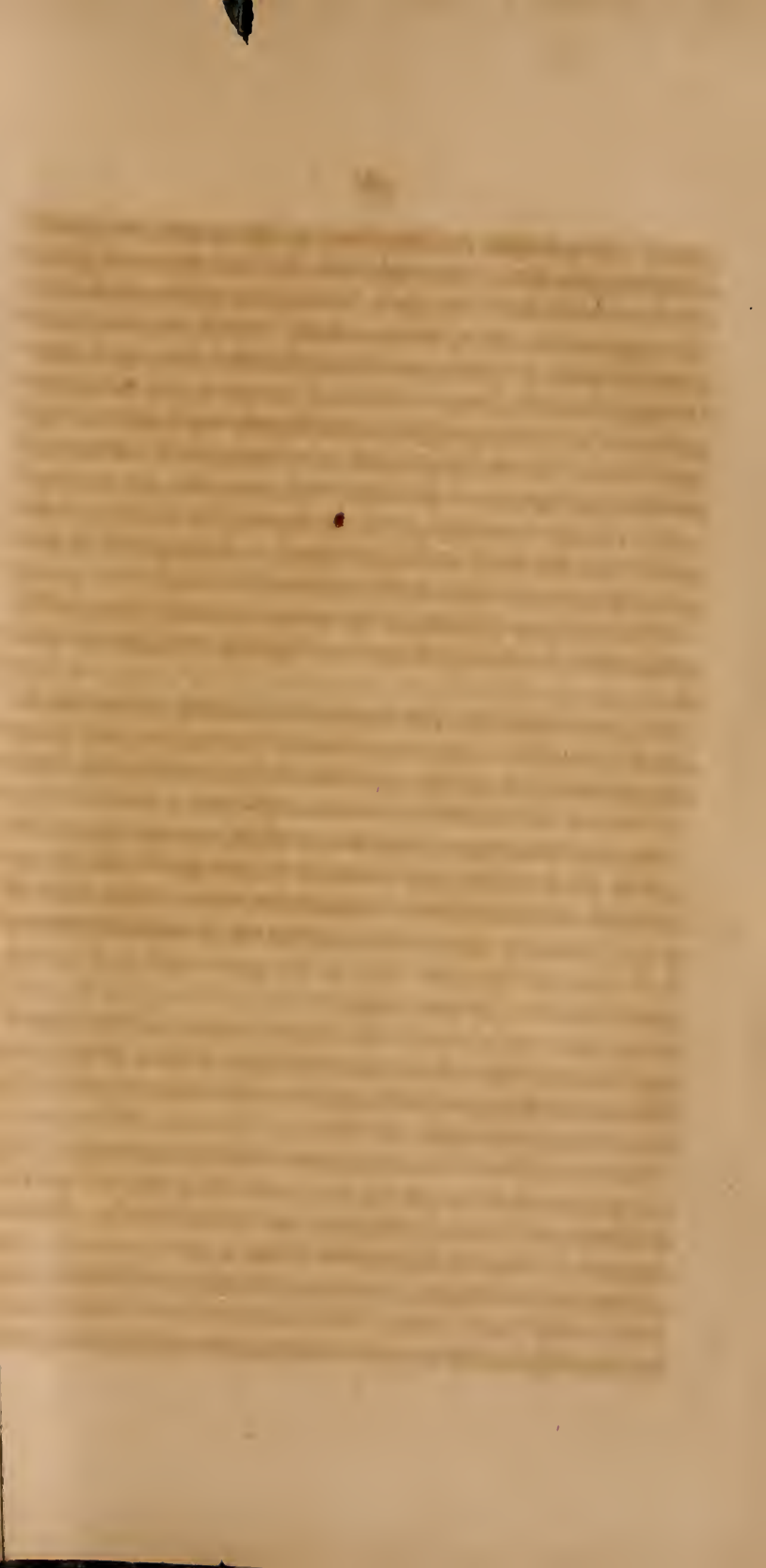
One of our laws declares the slave-trade to be piracy. Yet this proposed law will do the very same thing that the piratical slave-dealer does. What is it that brands the slave-trade as piracy? It is not the horrors of the middle passage. Let all these be done away. Let your Atlantic, your Pacific, your Arctic, your Baltic, engage in the business. Let them transport the slaves in all the luxury and splendor of their first-class

saloons, and they would be condemned as pirates still. It is taking the man or child from his native soil and making him a slave,—this is the piracy of the nefarious trade. And this is what the United States propose now to do. As well might they send forth their national ships to bring slaves, bound hand and foot, over the ocean; as well might they make the *St. Louis*, whose very name is as the watchword of liberty, the flag-ship of the fleet. For this law will take children upon American soil; will seize them, with all the force of American power, from the very arms of their parents, from the very hand of their Creator. It will bind them with the fetters of slavery, from their first breath on God's earth to their last.

Well has it been said on the floor of the Senate, yet in Scripture language, that this is to run on the bosses of Jehovah's buckler.

I have thus briefly and imperfectly set before you the reasons why this proposition should be opposed and resisted as unjust and wicked. If its authors succeed in effecting its enactment into a law, their personal triumph will be short; but the consequences of their action will survive their fall, and may be as lasting and wide-spread as they will be fatal. Therefore every man is called upon to do his part to prevent the consummation of the deed.





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