

THE

Reformed Presbyterian.

WHOLE NUMBER, }
Vol. XXV.—No. 11. }

NOVEMBER, 1861.

{ NEW SERIES,
Vol. VII.—No. 11. }

ORIGINAL.

OUR COUNTRY'S OBLIGATION TO EMANCIPATE.*

BY REV. J. W. SHAW.

“And ye shall hallow the fiftieth year, and proclaim liberty throughout all the land unto all the inhabitants thereof; it shall be a jubilee unto you, and ye shall return every man unto his possession, and ye shall return every man unto his family.”—Leviticus 25:10.

JUBILEE comes from a word which signifies to shout, or from the particular manner of sounding the trumpets appointed to be blown on that special occasion. It occurred once in fifty years, and commenced at the close of the great day of atonement; the people having humbled and afflicted their souls before God, were immediately made to hear the voice of joy and gladness—slaves were emancipated, the oppressed delivered, the impoverished enriched, strangers returned to their homes, and scattered families were reunited. There is no nation now under the laws of Israel, yet, all nations might and should learn from their laws, for they were given from God, and Israel's God is the God of all the nations of the earth, whether they acknowledge him or not.

The principles implied in the jubilee were not limited to it or to Israel, to whom it was originally appointed. It was foretold of Christ that he should “preach the acceptable year of the Lord.” Is. 61:2. And when he had done this, he commissioned his servants, the apostles and ministers of his word, to proclaim it with the trumpet of the gospel to every creature. We are carried by the idea it contains even to the appointments of the last day, when the trumpet shall sound and all the dead shall be released.

By introducing this subject, I am not taking you back to an Old Testament institution which the gospel has rendered obsolete, but rather I bring before you one whose meaning the gospel has enlarged and intensified. Nor am I introducing a matter with which

* A Sermon preached on Monday evening, September 30th, in the Third Reformed Presbyterian Congregation, New York.

our church and nation are little concerned, or one foreign to the times and its occasion. It is associated with the danger and duty of our land. This duty is to know the will of God—this danger is disobedience, and disobedience brings judgments, and judgments spring from factions. Long has the warning been emblazoned on the page of history, "Faction is the grave of Republics." To this as the point of danger, the eye of our wisest statesmen has been directed while intrusted with the country's welfare, and when they gave place to others, it was with solemn presentiments that the best hopes of the government were liable to be dashed in some tempest of popular passion. This danger arose chiefly from *party spirit*, an instrument the worst of men ever use to accomplish their purposes, and never with more assiduity than at present. In its use they have promoted popular ignorance and credulity, prostrated the barriers of conscience, and sunk to their own level the standard of public sentiment and morals. They have corrupted legislation and the press, destroyed confidence in all public sources of information, controverted established principles, aspersed men of integrity, and held every thing as lawful that would further their own projects. Under their management, freedom of elections has become a farce, and the right of private opinion in voters is to follow their leaders. Such men in power, deal out vengeance on their opponents, render excitement unavoidable, and under their management even the prosperity of the country becomes a curse. This arms citizens with more power to war on one another, and furnishes with ample facilities for each other's material injury. Thus, by artful demagogues, the passions of the people have been blown into flames, and outrage and phrenzy have finished what mischief and folly began. In such cases, wisdom and experience may utter their warnings in vain. All is confusion and recklessness. The rule of rebellion is a Cerberus, gaping with a thousand throats, all parched and thirsty for blood—a hurricane that strews the earth with ruins—an earthquake that loosens the foundations and buries in an hour the accumulated wealth and wisdom of ages. And thus have all republics, but our own, perished, and it is threatened.

Having enjoyed, for a long series of years, peace and remarkable prosperity, our country is involved in war—a most desperate civil war—a war *for slavery*. The North has the advantage by being in possession of the government; but it long ago voluntarily pledged itself to the South for the maintenance of slavery, and so fond is it of *the institution*, that it is with the utmost reluctance it will be brought to consider the necessity of emancipation, even when its own national existence is threatened, and with it the existence of all that is held dear, not only by Americans, but by the civilized world. So deeply have all become entangled in the sin and so precious is it in their estimation, that while it attempts the assassination of the parent, the infatuated parent screens the assassin and his interests. While it is well known that assassination is attempted for no other reason than the delicious love of slavery, the parent refuses to strike the maddening thing its death-

blow. Even when compelled to initiate the beginning of its destruction, the government is unwilling to look at the results; and when one of its own honest and brave officials places its own act in its legitimate bearings, he is seized by the shoulder and rudely drawn back, as having taken a step in advance of his superiors. Our country and the government need light and encouragement. The call for emancipation grows louder. The authorities are pressed to consider it, and I would add my mite to whatever comes to their relief.

I will not insist on the government proclaiming a jubilee because of the *need* for it, or attempt to show that the way is clear by the *war power*, which years ago was brought to its notice by an eminent statesman in view of a state of things like the present. This pathway to freedom and peace, the South has itself opened. It is directly before the administration, and if there is no other or no better, it should take it, and all generations will justify it in the step.

I urge emancipation in imitation of the Israelitish jubilee, because,

I. Providence calls to it.

II. The law of God and humanity requires it.

III. The nation is solemnly and publicly pledged to it.

There is a Providence over and directing the affairs of the nation, whether it acknowledge and comply with it or not. "The Most High ruleth in the kingdom of men, and giveth it to whomsoever he will." "He is the God of all the kingdoms of the earth, and governor among the nations. He pulleth down one and setteth up another, and bringeth to nothing the princes." This all admit except *atheists*. On this, even pagan systems of mythology and divination were built, and, consequently, the movements of their cabinets and armies were conformed to the decisions of their oracles. Yet, in enlightened lands, "rulers have taken counsel together against the Lord and against his Anointed, saying, Let us break their bands asunder and cast their cords from us." The effort has not freed them from his power, and to show them this, God, at times, in direct interpositions, blasts, in a moment, their cherished schemes when at the point of maturing, as in the oft-cited and never-to-be-forgotten instance of the profanely vaunted *Invincible Armada* of Spain. God lifted up his hand, and the enterprise was dashed at a stroke. "He did blow with his wind, the sea covered them; they sank as lead in the mighty waters." Sometimes there is a very gradual development of his will, and matters grow worse and worse till the time arrives, and then comes the irresistible out-burst. Sometimes great results are produced from apparently trivial causes. It was a matter which gave politicians no alarm, but, on the contrary, elicited their contempt wherever it was known, that a religious denomination called Reformed Presbyterians, or Covenanters, stood aloof from the institutions of this land and testified against their immoralities. It was a small matter when some, catching the spirit of Reformed Presbyterians and of British philanthropists, assumed the position of Abolitionists.

It was a very small matter when John Brown took Harper's Ferry and madly attempted the liberation of Virginia slaves. But there was a Providence in these, a restless, resistless Providence, gradually unfolding and advancing till matters have reached their present pass—till those who were farthest from these in political belief and action, have come over and acquiesced, and are now calling and working for the same great end—the emancipation of the slaves. I mention one instance which is characteristic of many others. Gen. Cass, in a letter to E. B. Fairchild, late lieutenant governor of Michigan, says: "I am opposed to the abolition of slavery, and have always been so, but there is no other way out of this contest than by the abolition of slavery. If we had peace to-day we should have war to-morrow." The call comes clamorously from all parts of England, and like the booming of heavy guns over the sea, from Russia in the liberation of its serfs. It comes from the battle field itself—from the character and cause of the war. It comes from East and West, to set free the enslaved, and thus deliver the country from a great sin against God and man and Christian civilization.

II. The law of God and humanity require it.

Instead of our country being bound to maintain slavery because it existed in our colonial days, it was a reason when we broke the British yoke to break that yoke also. The moral law, which is the law of nature and of God, requires all governments to look after the interests of the poor and defenseless. Greatly, therefore, did the framers of our government sin in disregarding the obligations of morality in framing a government which would in any degree ignore the condition of the oppressed. They must have known that the majority is always bound to respect the rights of the minority, and if it does not, God will, especially if the minority is composed of the defenseless and strangers; for while all classes are equally his, these he owns as special objects of his care, and takes their injuries as his own. "He that oppresseth the poor reproacheth his Maker." "He that oppresseth the poor to increase his riches, and he that giveth to the rich, shall surely come to want." Prov. 22:16.

Moreover, the enslaved of this land were entitled to have their rights respected from the part many of them took in achieving its independence. Colored men and slaves carried arms in the Revolution—many of them fought and died in that memorable struggle, making common cause with the other inhabitants; and yet the fathers of our country were so lost to every sense of honor, justice and humanity, as to deny them a part in the liberty they assisted in achieving, and their descendants vindicate their deeds and follow in their footsteps. Not only so, but they have bound in chains of perpetual slavery the colored soldier of the Revolution and his descendants to all generations. The nation was bound to do otherwise by its appeal to God. When in its momentous struggle, it appealed to him as the moral governor of the universe, there was a pledge to honor and respect his laws; and when under his auspices it was successful, it was bound to obedience, and God cannot do

otherwise than hold it bound to honor and obey him, and carry out the great principles of liberty and equality on which the nation gained its independence.

III. The nation is solemnly and publicly pledged to it.

As I enter upon a track entirely new, I am reminded to move cautiously, and will therefore not trust to memory, but read the parts of public deeds on which I found this argument.

1. The country is bound by the articles of agreement which formed the basis of the Revolution.

On the 20th of October, 1774, the delegates of twelve colonies, being assembled in Congress in Philadelphia, to devise how they might obtain redress of grievances which threatened destruction to the lives, liberty and property of his majesty's subjects in North America, approved and signed an agreement of non-importation, non-consumption and non-exportation, which they bound themselves and the people they represented, under the sacred ties of virtue, honor and love of country, to observe. In this agreement is the following: Art. 2. "We will neither import, nor purchase any slave imported after the first day of December next, after which time we will wholly discontinue the slave trade, and will neither be concerned in it ourselves, nor will we hire our vessels, nor sell our commodities or manufactures to those who are concerned in it." This was the first and a proper step toward the entire extirpation of slavery. And on this agreement, thus solemnly entered into, did the country engage in the struggle for freedom. For it was this congress of the delegates from the different colonies that resolved, if they did not obtain redress of grievances, which they presented to the mother country, they would declare themselves independent, and appeal to arms; and it was in anticipation of this that the above resolution was entered into, and the pledge against the slave trade given.

2. The principle of that resolution is asserted *in* and forms the basis of the Declaration of Independence. "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness, that to secure these rights governments were instituted among men." What are negroes? They are not *fish*, they are not *fowl*, they are not *beasts*, unless humanity consists in the color of the skin. They are **MEN**. Their liberty is an inalienable right, and government is instituted to preserve it. So says the much honored Declaration of Independence, and the country is pledged by it to God, to truth and mankind, to abolish slavery.

3. There is a pledge, but not of much strength and clearness, in the Constitution of the United States. In presenting this part of the argument you will not understand that I recede, much less take other ground than that we have ever held. Some hold that the constitution is not pro-slavery. We have shown their error, and I am free to say that the *Constitution is the Magna Charta* of slavery. You will not suppose then that there is anything contra-

dictory or incongruous when I appeal to the constitution as proof of the nation's pledge to emancipate. I refer you to the instrument itself, and if there is anything discrepant, it is in it, and not in us.

You will see that the pledge is here given with reluctance, which does not appear in the other documents to which I have referred. There was evidently a shrinking from the former pledge, and a bold push on the part of oppression to secure itself. But as the country was already pledged, it could not entirely recede, hence article i., sec. 9: "The migration or importation of such *persons* as any of the States now existing shall think proper to admit, shall not be prohibited by Congress prior to the year one thousand eight hundred and eight." Again in the amendments, article vii., the rights of all in the country are guaranteed as follows: "No person shall be deprived of life, liberty or property, without due process of law."

Again: Congress has no power to establish slavery anywhere, but all power, by the constitution and its own acknowledgment, to abolish it in the District of Columbia and the territories. Art. i., sec. 8, says, "Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay debts and provide for common defense, &c. To borrow money, regulate commerce, to establish a uniform rule of naturalization, to coin money, establish post offices, declare war," &c. Nothing on the establishment of slavery. And article x. of the amendments expressly declares, that "the powers not delegated to the United States by the constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." If then this power is neither expressly delegated nor necessarily implied, to carry into execution those delegated, which is very evident, Congress does not possess it, and consequently whatever it has done to establish it anywhere, is by the assumption of power not vested in it by the constitution.

But it has established it in the District, and refuses to abolish it, although it has the power to do so. I know it is said that as slavery existed in the District while in possession of Maryland and Virginia, Congress had no power. This would be true had there been any such restriction in the act of cession, but there was none, and there could be none, otherwise Congress could not have accepted the grant. The constitution was "ordained and established" before the grant was made by these States, and it expressly provides, article i., sec. 8, 17th, "Congress shall have power to exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square), as may, by cession of particular States, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock yards, and other needful buildings." This covers all the purchases of Congress. On comparing this part of the constitution with the act of cession passed by the States of

Maryland and Virginia, we find exact correspondence. The act of Virginia, passed December 3, 1789, after describing the grant, adds, "the same is hereby forever ceded to the government of the United States in full and absolute right and exclusive jurisdiction, as well of soil as of persons residing or to reside thereon, pursuant to the tenor and effect of the eighth section of the first article of the constitution." The act of Maryland, passed December 23, 1788, is to the same purport. There is nothing in these acts restricting or reserving slavery, but a full and absolute surrender of soil, persons, everything. These grants were accepted by Congress, July 16th, 1790. That day the laws of these two States ceased in the ten miles square. Then Congress passed a law ordaining that the existing laws of these two States should remain in force "until Congress shall otherwise provide," and thus established slavery in the District, and has ever since refused to abolish it, notwithstanding its avowed right to do so.

4. The treaty of Ghent and the constitution furnish a pledge. Art. vi. says: "All treaties made, or that shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding." The treaty of Ghent agreed upon by commissioners from the United States and Great Britain, Dec. 24th, 1814, and subsequently ratified by the proper authorities of both countries, in article x. provides for the abolition of slavery and the slave trade, as follows: "Whereas, the traffic in slaves is irreconcilable with the principles of humanity and justice; and whereas, both his majesty, the king of Great Britain, and the United States are desirous of continuing their efforts to promote its *entire abolition*, it is hereby agreed that both the contracting parties shall use their best endeavors to accomplish so desirable an object." The "entire abolition of the traffic in slaves" is here pledged, and government, and every officer of government, who is sworn to support the constitution, is also sworn "to use his best endeavors to accomplish so desirable an object."

Thus I have shown that the United States are under obligation, by their pledge frequently and most solemnly given and publicly ratified, to abolish slavery. We would call the attention of government to these pledges, to the demands made on it by humanity, the law of God and providence. The rights of the colored man ought to be considered. It is due by the law of nature and of God—due in honor to those of the race who fought for the liberties of the nation. The nation's appeal to God, who gave success to its arms, the Articles of Confederation, the Declaration of Independence, the Constitution itself, and the treaty of Ghent, bind it. These being admitted, or even being denied by the present generation, it is all the same. God holds the nation bound; for, "though it be but a man's covenant, yet if it be confirmed, no man disannuleth or addeth thereto." Gal. 3: 15. Even had these pledges been fraudulently obtained, their public recognition binds the na-

tion. The case of the Gibeonites is proof. Joshua pledged himself and the nation to them—Josh. 9 : 3—and although it was obtained by deception, God held the nation bound ; and for violation under the administration of Saul, four hundred and thirty-three years after, the country was visited with a three years famine ; nor could the divine displeasure be appeased till seven of Saul's sons were hanged before the Lord. 2 Sam. 21.

Our nation should take warning. Its sins have been accumulating. The judgments of God are on it. This law, "the higher law" of 1850, has been scoffed at in the Senate, by the press and the community. The Union was then threatened, but despite of all warnings the fugitive slave law was enacted. It was then evident, at least to some, that legislation had reached the lowest depth of iniquity, and that henceforth there was no way out of the sin but by the way of judgments. The honor of God and his law must be vindicated, and what if it shall be by a retribution that will be memorable in all future time. It is but just that the retribution should arise from the sin fostered, and fall upon the *Union*, for whose sake the sin has been committed.

It is more than high time for repentance. It is past the time repentance would have proved a preventive—yet there is room for it—pressing calls to it, and some hope. Let repentance be evinced by *emancipation*, and God will not be slack to fulfill his pledges. He says, "Let the wicked forsake his way and the unrighteous man his thoughts : and let him return unto the Lord, and he will have mercy upon him ; and to our God, for he will abundantly pardon." Let the year be hallowed unto the Lord, and liberty be proclaimed throughout the land unto all the inhabitants thereof : it shall be a jubilee and a year never to be forgotten in the return of the nation to the right way, and of many to their homes, families and human rights, and a fresh start in the pursuit of life, liberty and happiness.

I do not forget that I am addressing not politicians, but Reformed Presbyterians, and would strengthen you in your position and Testimony. We have the best of reasons for our stand in relation to the government and slavery, and the claims of God upon the nation. Providences are vindicating and explaining our position, and thousands are coming to understand it. As you love the nation for much that is good in it, work *now* as you have never wrought, for the removal of its enormous wrongs, and to bring it to our Lord and his Anointed, as a province of his empire.

Nor do I forget that I am addressing those who have been recently at the Lord's table. You have pledged yourselves to him—all you are, all you have, and all you can do. Remember your vows. Fulfill them daily. Remember you have more than your own souls and your domestic affairs to see to. You have part in the kingdom of Christ, and will not cease to work and pray for the jubilee to be proclaimed, and "the kingdoms of this world to become the kingdoms of the Lord and of his Christ."