

ORATION

DELIVERED AT

GREENFIELD, ON THE FOURTH OF JULY,

A. D. 1805.

IN COMMEMORATION OF OUR NATIONAL INDEPENDENCE.

BY A FRIEND TO THE PUBLIC WELFARE.

PUBLISHED AT THE REQUEST OF THE REPUBLICANS TO WHOM
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O R A T I O N .

WE have met this day to commemorate the birth of the empire in which we live.

The Declaration of Independence—the commencement of that glorious æra, which gave us a name, rank and consequence among the nations of the earth, was one of the most noble and patriotic acts ever done in any age or country, and has been a theme of delightful contemplation to the friends of liberty and the rights of man in every quarter of the world.

It is not my design to enter into a historical detail of those events which gave rise to this declaration,—or of those exertions during the course of the revolutionary war, by which our independence was ultimately achieved.

But instead of taking a retrospective view of what those have done who have gone before us, let us turn our attention to what now remains to be done, to secure the full fruits of independence and the blessings of liberty, and to transmit them unimpaired to the latest posterity.

In this point of view, the field before us is very varied and extensive, but the subjects which present themselves for contemplation are in no small degree trite or common.

We will however select such, and such only as will apply primarily to the circumstances of our own State;

and as appear to be best calculated for immediate use and advantage. By the eventual establishment of independence we procured to ourselves the right of forming such Constitutions, and of adopting such principles of Government, as the people in their collective wisdom may think proper.

Most of the States in the union have exercised this right by forming and adopting State Constitutions, since the commencement of their opposition to the claims of great Britain. But in this state the people have not as yet thought proper to exercise this power.

It is not however designed to be insinuated, that the circumstances of the other states of the union and of this state, were in all respects parrallel, as to the necessity of forming state Constitutions. But still the Constitution of this state, (admitting for the sake of argument we have one) appears to be so defective, and so inadequate to the purposes for which constitutions are generally intended, as to require an immediate attention to this subject. It is defective in its principles,—in its want of proper rules and limitations, and in the disconnected, scattered state of its various discordant parts.

A well organized government requires a proper distribution of its powers; and the concentration of the Executive, the Legislative and the Judiciary powers, in one man or body of men, is acknowledged by writers on that subject to be the true definition of tyranny.

This concentration of power is in no small degree a characteristic of our state government. The governor and counsel possess the executive power of the State.—They also form a very important part of the legislature. And by a particular statute, they are constituted the Supreme Court of Errors, which is the last resort in all matters of law. Thus an accumulation in the same hands of executive, legislative and judiciary powers proves a government to be defective in its principles,

because it brings it to border upon what has already been considered as the true definition of tyranny.

In addition to this, the Constitution of this state is so deficient in limitations and restrictions, as to leave the legislature at liberty to act in most cases, with discretionary power.

What is meant by the constitution in this instance, is the old Compact of the three towns of Windsor, Hartford and Weathersfield, taken in connection with the Charter.

According to the first of these instruments the Legislature has a right to "make laws and repeal them, and deal in any other matter or thing which concerns the good of this commonwealth; except to interfere in the election of its magistrates." These are the words of the compact. According to the Charter of king Charles the II. the colony of Connecticut had a right to make any laws except such as were inconsistent with the laws of great Britain.

Since our separation from that country, this clause of the charter has no binding force on the state, and consequently this restriction is completely removed.— Thus the legislature are left to act with a species of power and authority, which in most cases is limited by no constitutional bounds, and similar to that which in England is called the omnipotence of parliament.

It can deprive the inhabitants of this state, of the liberty of speech, and of the press; without infringing this Constitution,

It can establish one denomination in religion to the entire exclusion of all other denominations, without infringing this Constitution.

It can make the possession of real estate worth ten thousand dollars per annum a necessary requisite in the qualification of freemen, in perfect consistence with this Constitution.

And in the plenitude of its wisdom and power, it can do any other matter or thing, (according to the words of the compact) which concerns the good of this commonwealth, except to interfere in the election of magistrates.

Although this power, when in the hands of good men, will in all probability be exercised for the good of the people, yet where is the security that it will be exercised in this manner, should it chance at any time to fall into the hands of bad men? And that such characters exist among us no one can doubt, without supposing we are an exception to the general state of society. A moment's recurrence to the state of other countries, the conduct of the late administration of the general government, and to the fact that the distinction of privilege and the holes of nobles are doctrines which have been rife among us, must banish all hesitation on this subject.

With such prerogatives as these already mentioned when the wicked bear rule, the people will emphatically mourn, and they will mourn in all probability the loss of their most distinguished privileges and enjoyments.

To prevent evils of this kind, Constitutions are required: they are required to secure the rights and liberties of the people; to prescribe limits to the power of legislatures; to say to them, thus far shalt thou go and no farther. They are the law of legislatures, which they are bound not to infringe or violate.

Beside, the compact and charter, which according to Mr. Daggett's argument are the Constitution of this State, are in many respects perfectly inconsistent with each other.

In the compact, Connecticut is contemplated as an independent State: in the charter, as a colony dependent on the crown of great Britain. The one provides that

all such laws shall be enacted as the necessities or prosperity of the state may require : the other provides that none other shall be enacted except such as are consistent with the laws of Britain.

The compact has made no provision for the choice of a lieutenant Governor, or more than six Assistants : the charter directs in both these instances, in coincidence with the present practice. According to the compact, both houses of assembly, without any distinction or separation are to meet in the same room, and on the same floor. One is to have no negative voice upon the other, but every question is to be decided by a majority of both : this is very different from the present practice of the legislature.

But it is said that all those defects complained of in the compact and the charter, are removed by the statute laws and usages of the State, and that these form a part of the Constitution. However consistent this doctrine may be with the political creed of this state, it is totally repugnant to true principles of liberty.

A material distinction is to be made between a legislative act, and an article or law of a constitution. The one is made by the people, and for the government and controul of the legislature, and the other is the offspring of the legislature itself.

But on the principle that the laws and usages of the state, are to be considered as forming our Constitution or a part of our Constitution, many pernicious consequences will follow.

It will follow that the legislature has a right to make constitutions, and that this power does not rest solely in the hands of the people.

It will follow, that as a part of a Constitution which shall be binding may be made without the express direction of the people, a whole one may be formed by the same legislative power.

It will follow that we have no fixed or permanent rules of government; for what is enacted by one legislature may be repealed by another.

It will follow that the legislature can make all kinds of laws at pleasure, being restricted by no rules, except those of its own formation.

It will also follow, on this ground, that the members of the legislature may engross an independent power, and instead of consulting the good of the State, may make themselves the tyrants of their country.

And are those enlightened patrons of liberty, the sticklers for the old system, willing to abide these consequences, and to avow sentiments of this description? are they willing to avow principles which will vest an unlimited power in the legislature?

If these are the proofs they give of their boasted regard to the rights and liberties of man, the least which can be said upon the subject is, that they have erected an altar to an unknown God, whom they ignorantly worship.

But the very attempt of the legislature to make its own acts a part of the Constitution, is one of the strongest possible proofs of the deficiency of this instrument. Were the system perfect before, no necessity would have existed of introducing any regulations of this kind. A new one ought therefore to be formed, if for the purpose only, of giving constitutional authority to those particular acts; and of removing the necessity of so dangerous an assumption of power on the part of any legislature. Thus it is manifest that our Constitution, (even if we have one,) is very defective. Its want of a proper distribution of its powers, the vague and indefinite nature of its rules, its want of proper limitations and restrictions, and the multiplicity of parts of which it is composed, scattered in compacts, in charters and in the laws and usages of the state, without any connection,

clearness or system, render it highly necessary that a new Constitution should be framed and adopted by the people of this state. But I am well aware it has been said; that innovations in government are dangerous; that it is more safe to retain an old Constitution, although defective, than to hazard the experiment of forming a new one; that the antiquity of an instrument of this kind, adds greatly to its energy and procures it a more prompt obedience. That much stress is to be laid upon the people's habits of thinking; and that to attempt to eradicate principles and prejudices, which have grown with their growth and strengthened with their strength, would be hazarding too much for the purpose of introducing the improvements of visionary theorists.

The same arguments will apply in a greater or less degree to almost every kind of improvement. They will apply with equal force to the principles of our revolution.

Had the worthy patriots of '76 been told that innovations in government were dangerous; had they been told that the attachment of the people of this country to the parent state, so far from being weakened, ought still to be cultivated; that to attempt to set up for independence, would be to shake the long established and highly matured political principles of the people, and that therefore the experiment must be dangerous; would this have deterred them from engaging in the glorious enterprises of the revolution? had this been the consequence, the people of this country must have cowered down under the weight of British impositions and tyranny. And instead of the civil freedom they ought to enjoy, must have become hewers of wood and drawers of water, to support the aggrandizement of a haughty foreign nation.

But so far were they from cherishing a blind attachment to ancient systems, merely because they were an-

cient, they cultivated a directly contrary disposition, as being at the bottom of most of the improvements of society, and of the mind and condition of man. To prove that it will have this effect, we need only recur for a moment to the histories of some of those nations who have gone before us

In Athens and in Rome in ancient times, we have two very striking instances of the effects of a spirit of free enquiry and improvement. And what nations ever were more renowned for the glory of their institutions, or for their attainments in knowledge.—Eloquence and the arts were carried by them to the highest degrees of perfection ; and it is the boast of modern times to be even capable of imitating their excellencies. But look for a moment at those countries where a spirit of this kind has been constantly watched and checked, where a spirit of liberty has been deemed a spirit of political heresy, and where every attempt to ameliorate civil institutions has been answered with racks and tortures. And instead of the “ tempestuous sea of liberty,” we behold the calm of despotism: the political horizon overspread with a dark and settled gloom, without a single ray of hope to cheer the hearts of the desponding people. In countries of this description you can find no republican Athens or Rome: knowledge does not so well flourish and so great improvements are not made for the benefit of mankind. But man is weak, credulous and superstitious, hypocritical and knavish, possessed indeed of the form of a man, but destitute of the image of his maker.

Thus it is manifest that the full enjoyment of liberty, a freedom from the shackles of prejudice and authority, and a proper indulgence given to free enquiry by the introduction of new and more perfect principles in the place of old and erroneous ones, is to the mind and genius of man what manure is to the soil, it enriches and strengthens them, and prepares them for the most a-

bundant productions of civil and literary improvement.

But on the principles laid down in the objection every thing of this kind is to be discountenanced, because it is better to retain an old system although defective, than to hazard the experiment of getting a good one.

On this principle it was wrong in Christ and his apostles, to innovate upon the old jewish system, by attempting to propagate and establish in some respects a new religion.

It was also wrong on the same ground, for the great founder of the protestant church to endeavour to bring about the reformation.

And were the inhabitants of Turkey disposed to restrict the despotism of their country, so far from confining it to certain bounds, they ought on this principle to leave it to its free and unlimited exertion.

It has, however been still further represented, that the great body of the people are unfit to intermeddle in affairs of this kind, that they are destitute of the powers of self-government, that they are their own worst enemies, and that it is enough for them to know how to plough and hoe and go to meeting. All those who make declarations of this nature, are apostates from liberty, they are the enemies of their country, of their species and of their God — What person is there in this assembly who can restrain his indignation, upon a simple rehearsal of principles of this description? — Shall we be told by those no better than ourselves, that we are totally unfit to have any concern in the most important interests of community? interests in which our all, and the destiny of unborn millions is involved. When men high in office are such warm partizans as to avow sentiments of this kind, woe to the political salvation of that country which does not make a determined and vigorous stand against them.

The most persevering exertions ought to made to

root out principles of this complexion, as a species of tares among the wheat, as being dangerous to our political rights, and perfectly repugnant to the principles of the revolution. The doctrines of that period were, that all power was originally derived from the people, that they ought to exercise this power, and that they are the proper guardians of the public liberty. This principle is recognized by the constitutions of the several states and by that of the United States. And the people are the most safe depositaries of that power. If they, as a body, are not interested in having good constitutions adopted, and equal and wholesome laws enacted, who are interested? are they those who are elevated to office, who are naturally proud, imperious, fond of a discrimination in privilege, and who are commonly in pursuit of the loaves and the fishes? As the people have no expectations of this kind, but only the good which results from the operation of wholesome laws on the general happiness of community, they are the most impartial guardians of the rights and liberties of any nation.

Indeed it is a *sine qua non*, a something without which, liberty cannot exist. For the moment the doctrine is put into practice, that the people by taxation are to be kept poor, that they are to be reduced to a state of dependence and ignorance, and that they are not to be suffered to watch over the transactions of government, that moment the ax is laid at the root of the tree of liberty and its fall will be the inevitable consequence. And shall Connecticut who claims to be the boast of the United States for liberty and equality, not only cherish in her bosom, men who hold these doctrines, but even promote them to the highest offices in her power.

All the harm I wish her is, that she may either change her conduct or lay aside her pretensions.

But it is still said, that the most zealous defenders

of the rights and liberties of the people among all their other innovations, have at bottom a design to destroy religion, to pollute or dissolve the marriage state, and to discard the moral government of God.

This has been dwelt upon in private conversation ; it has been thundered from the pulpit, and echoed and reechoed from every federal paper on the continent.— All this however, serves only to shew the inconsistency of federal principles with their conduct.

They generally acknowledge that religion is founded upon an immovable basis, that it is built upon the rock of ages, and that the gates of hell can never prevail against it. Having the almighty arm of Jehovah, and its own intrinsic merit for its support, from how small beginnings has it arisen ? how many of the most violent and bloody persecutions has it withstood ? and to what degree of strength and extent has it finally arrived !— At first it was like the small tender plant which shrinks at every touch, and withers at every blast ; by its own inherent vigor aided by the benign influence of heaven, it has at last grown to a degree of strength which bids defiance to the most violent storms which can possibly assail it.

But what evidence have we that religion is in danger from the prevalence of republicanism ? have bibles been generally burnt, or meeting-houses wantonly destroyed since the present order of things has taken place in the United States ? the predictions of interested partizans and blind fanatics on this subject, have proved to be entirely groundless.

There is no honest republican to be found, who wishes that any thing of this kind should take place.

Can it be supposed that the great body of the people of the United States are deists or atheists ? do presbyterians, episcopalians, bapbapists, methodists and quakers, all except those who belong to a certain political class,

discard the moral government of God? do they wish to overthrow all religion here, and renounce their most ennobling hopes and exalted interests in the salvation of the world to come.

The pharasaic pride, prejudice and bigotry displayed in charges of this kind, are worthy only of the meredian of Rome during the height of the papal power.

But this pride and arrogance, if it be a proof that religion is in danger, it is a proof that it is in danger only from those, who are puffed up with the importance of their own spiritual attainments.

It was a declaration of an ancient disciple of this pharasaic school, "I thank God I am not as other men or or even as this publican." He prayed standing in the corners of the streets, and payed tithes of all he possessed, though at the same time he was like a whited sepulchre full of rottenness and filth within. And the very person he condemned was much better than himself, and went down to his house justified rather than the other.

But may we not be permitted to enquire who those are, who in such plaintive strains bewail the fate of zion.

Are they your Hamiltons, your * * * * *, your Shepherds and your Swards?

Are these the virtuous supporters of religion, the chast observers of matrimonial vows, and those pious men, who alone, acknowledge the moral overnment of God?

If these be thy champions, oh! federalism, it shall be much more tolerable for sodom and gomorrhah in the day of judgement, than for men of your stamp and character.

But it is still farther said, that all alterations of the Constitution or Government of this State, are to be

guarded against, for fear of introducing licentiousness and destroying those *steady habits* which have prevailed time immemorial, in Connecticut. That steady habits are preferable to licentiousness, no one I presume will pretend to deny.

But that the existence of these steady habits should depend upon the government's continuing as it is, without any alterations or improvement, a single shadow of argument cannot be assigned. On the contrary, it is on account of those steady habits, those principles of sobriety, industry and good order, which it has been so vauntingly said, our forefathers embraced and practised, and which have been practised from the first settlement of this country, down to the present time, that no danger is to be apprehended, from the introduction of any alterations or improvements of this kind.

It is from people of other characters, that we are to look for anarchy and misrule; from the idle, the profligate, and the dissipated.

But not from the inhabitants of Connecticut, the enlightened descendants, of such enlightened and worthy forefathers—descendants who embrace their principles, imitate their example, and pattern them in all their virtuous conduct.

But if the Constitution, (admitting as I said before that we have one) be defective, and it be necessary to form and adopt a new one, so far from being against it, I appeal to the conduct of our forefathers and their steady habits, as a proof that it ought to be done.

When our ancestors first came into this country, they formed for themselves a compact, which was for a time, their Constitution. They afterwards applied

* Much has been said by a certain political class, about our worthy forefathers, they can have no objection to an adoption of their own language.

to King Charles the 2d. for a Charter, which was a second and different Constitution.

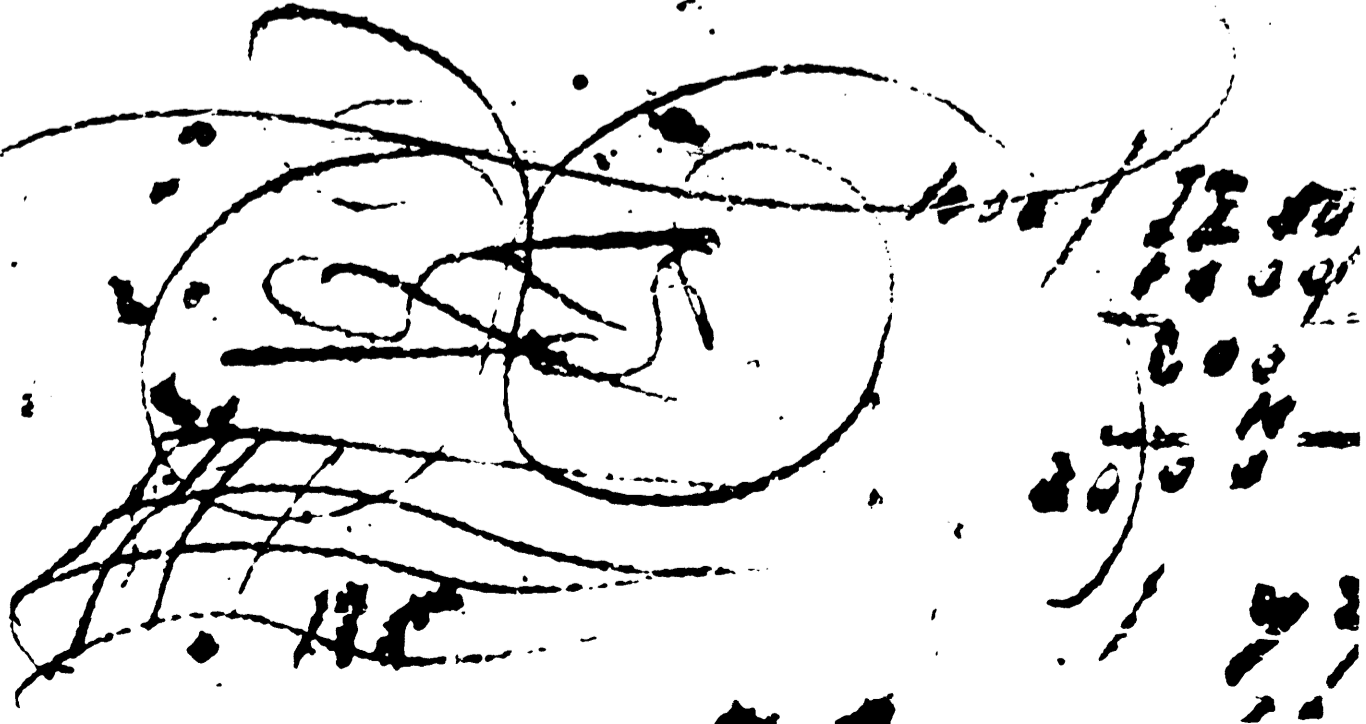
And in the year '76 they shook off their allegiance to the crown of Great Britain, by which they introduced still further alterations in governmental principles.

Thus have they been in the practice of altering their political institutions, whenever necessity or expediency called for such change.

These are the steady political habits of our forefathers. And in imitation of the noble example they have set us, and with the highest veneration for their characters, may we their posterity make all such alterations in our political institutions, as shall redound the most to the good of society and the lasting preservation of liberty.

And may a double portion of that love of our country, which distinguished the worthy patriots of '76, rest upon us, and unite us in all our measures, and stimulate us in all our exertions, to pursue the highest possible good of this state, and of the union.

Washington



best copy
available