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**ORATION,**

**DELIVERED IN CHARLESTOWN, (MASS.)**

**ON THE**

**FOURTH OF JULY, 1812.**

**IN COMMEMORATION**

**OF**

**AMERICAN INDEPENDENCE.**

.....  
**BY JEREMIAH EVARTS.**  
.....

**CHARLESTOWN:**

**PRINTED BY SAMUEL ETHERIDGE, JUN.**  
.....

**1812.**

*Fourth of July, 1812.*

**AT a meeting of the Federal Republicans of Charlestown,**

**VOTED UNANIMOUSLY, " That the thanks of this meeting be presented to JEREMIAH EVARTS, Esq. for his judicious, spirited, and patriotic Oration this day delivered, replete with principles and sentiments which should at all times govern the speculations and practice of every true American ; and that a copy be requested for the press."**

**The subscribers, a committee appointed for the purposes expressed in this vote, with pleasure perform the duty assigned them, and hope Mr. EVARTS will comply with the wishes of his fellow-citizens.**

**N. AUSTIN, Jun.  
A. R. THOMPSON,  
A. ROGERS.**

*J. Evarts, Esq.*

**GENTLEMEN,**

**I submit the following Oration to your disposal. The present is a time when the utmost exertions of every citizen are demanded to preserve the rights and privileges, derived from our ancestors. If a compliance with the request which you have communicated should have the smallest tendency to this happy result, it will give me unfeigned pleasure.**

**J. EVARTS.**

**July 6, 1812.**

**Gen. N. AUSTIN, Jun.**

**Dr. A. R. THOMPSON,**

**A. ROGERS, Esq.**

**} Committee.**

## ORATION.

**O**N the return of this august anniversary, many subjects present themselves to the mind. But whatever splendid occasions of eulogium, and whatever cause for national exultation, a reference to the history of our revolution might afford ; or whatever materials for political discussion might be seized, by attending to the measures of our government for the last ten years ; I have determined to dwell on none of these topics. Should I find it necessary to allude to any public measures, it will be only for the purpose of illustrating some of the principal points, which I wish to establish. The most proper employments of this day seem to be those, which have the greatest tendency to make us familiar with our high duties as citizens, and which teach us to set a proper value on our republican institutions. Avoiding, therefore, every expression which may be justly thought to savor of party animosity, or which may be justly construed into an attack upon the national administration, it will be my sole aim to increase the attachment of my fellow-citizens to our free government, by exhibiting its excellence, and describing the most prominent dangers which assail it. Let me not be understood, however, to say, that the great and essential truths, on which our national existence depends, are to be kept out of sight. They must

never be relinquished from regard to a false delicacy. They must never be sacrificed to the fear of wounding the feelings of men, who have erroneous views, or bad designs, or both.

At this time of national gloom, while the din of war is sounding in our ears, it may be thought hardly proper to confine ourselves to those investigations, which are more appropriate to the character of citizens, than of soldiers. But we are never to forget, that all which is valuable in our civil institutions rests entirely on the character which the people sustain as citizens. At all times, therefore, even in the most necessary and inevitable war, it behoves us to have an especial regard to the internal administration of justice, the purity of our elections, and the preservation of our civil rights from domestic tyranny. The great interests of this country are interests of peace. Never should they be neglected. The most glorious military achievements would be a calamity, and a curse, if purchased at the expense of those habits of subordination, that love of order, and that hatred of every species of tyranny, which are our boast, and on which we must rely for the permanent security of our freedom.

Every considerate person, who has seen our republican forms of government in their purest state, and examined them attentively in all their complicated parts, has found abundant cause of wonder and joy. If such a man as the illustrious Burke, with a mind enriched by history and observation, and refined by the noblest speculations, could have beheld the actual operation of our republican

institutions ; if, at any period after the establishment of the federal constitution, and before the prevalence of violent party-spirit, he could have seen our elections for chief and subordinate magistrates, the enactment and execution of laws, and the general security and happiness of the people, he would have exclaimed ; “ How have these highly favored men been able to avoid the evils, with which the human passions have hitherto infested all governments ? How have they been able to give to mild and moderate laws such irresistible energy ? And all this without any visible display of majesty, or terror, by the government ; without parade, or ostentation ? How have ambition and avarice, those pests of civil communities, been so far subjected to restraint, that they seem to have lost their odious character, and even scarcely to exist ? How is it to be accounted for, that the designation to public office is made in such perfect quiet, and with such perfect satisfaction to the mass of the people ; with so little intrigue, and jealousy, and contention ? And how does it happen, that the functions of civil government should be discharged with such fidelity, and that the public officers should so generally appear to be above even the temptation to do wrong ? ” These questions a Burke would ask, but could not answer ; at least not without a particular attention to the origin, the early character, and the regular advancement of the American republics. When it is asked, therefore, *To what are we indebted, under God, for our excellent civil institutions ?* the answer must be, *To the wisdom and integrity of our ancestors.* Some persons imagine, that little labor, and little skill, are necessary to make a government for any people ; that political checks and balances can be as

easily adjusted, as the weights and pendulum of a clock. And if we consider the qualifications of multitudes who thrust themselves into public notice as politicians, we shall not wonder at this opinion. But every wise man will pray to be delivered from these political mechanics. Our republics were not fashioned by any carpentry of this sort. Let us examine, for a few moments, how they were formed, as such an examination may throw much light on our civil rights and duties, and be at the same time no more than a grateful tribute to the virtues and the wisdom of our forefathers.

It is a great mistake to suppose that any vast improvement was made in the science of government, at the time of our revolution. The foundation of that revolution was laid in principles long known and established ; principles, which had been recognized from the first settlement of the country ; principles, which, during a century and a half, had reared a nation of freemen. Among these principles were the following : That government was instituted for the good of the people at large ; that it was not only the right but the duty of freemen to become acquainted with their public interests ; that all laws constitutionally enacted should be faithfully and conscientiously obeyed ; and that the people by their representatives should have a voice in the enactment of all laws which they were bound to obey. From a firm and just adherence to the latter of these principles arose the revolutionary war ;—a war most unnatural in its commencement, a very prolific source of misery during its progress, but to us most auspicious in its termination.

The question recurs : If no new and sudden light flashed upon the world, at the period of our revolution, to what is it owing that we have a republican government? especially one which is so universally acknowledged to be wisely constituted? We have a republican government because the first settlers of this country were wise, able, and good men. Whoever assigns any cause of less extent than this, falls utterly short of the true answer.

Here let me remark, that we are singularly favored, by possessing the fullest accounts of the origin and progress of all our public institutions. If we forfeit the privileges which we have inherited, no other people were ever surrounded with such complete and abasing proofs of degeneracy ; as no other people were ever roused to emulation by so bright a display of public virtue in their ancestors. Should we be so infatuated as to pull upon our heads the temple of freedom, which was erected by so much wisdom and toil, and which has been gazed at with admiration and delight by good men in every country, we should not only be crushed ourselves, and deservedly crushed, in the ruins, but should entail upon posterity a miserable condition, resembling that of the squalid tenants of the ruins of Balbec and Palmyra, who peep forth from their wretched hovels to behold the fallen columns around them, the monuments of their ancestors' glory and power, and of their own degeneracy.

I have said, that the true origin of our republican governments is to be found in the wisdom, ability, and integrity, of our forefathers. This will be evident from

a consideration of what they wished to accomplish, and of the means which they used.

In the facts which I am about to state here, I shall have particular reference to the early settlements in Massachusetts and Connecticut, both because I am best acquainted with their history; (indeed their history is best known;) and because these two communities have been, for nearly two centuries, the best and the happiest republics, which the world ever saw. Others of the American states have partaken largely of the excellencies of these; as, also, did the republics of Holland and Switzerland in the Old World: but a careful and impartial attention to the state of morals, education, public order, and the means of enjoyment, will warrant the distinction which I have made.

The object which our ancestors had in view was the establishment of such a civil constitution as would protect the rights of all, while it secured the freedom of all. The means, which they used, may all be comprised in a practical adherence to these two grand propositions: That in order to have a good government your citizens must be good men; and that your rulers must accept their offices under a thorough sense of their responsibility to their fellow-citizens, and to God.

In reference to the first of these great points, they paid the most assiduous attention to the education of the young. They labored to impress deeply an early and just sense of right and wrong. By precept and ex-



ample they inculcated justice, temperance, industry, and a proper regard to the claims of others, as well as a firm, though moderate, assertion of their own. They wrought subordination into a habit, and were far from encouraging that mutinous equality, which levels all distinctions, and thrusts forward ignorance, folly, and wickedness, into seats of honor which should be occupied by wisdom and virtue. They were acquainted with the human heart, and felt the necessity of mild, yet efficacious, restraint on the evil passions. They knew that these passions are the worst of all tyrants, and that the slaves of corruption are the most degraded of all slaves. They knew that *talking* about patriotism, and equal rights, and love of the people, is no proof at all of a sincere regard for the interests of the people ; and that those who make the loudest professions of attachment to their country, are often destitute of every qualification which ought to recommend them to the confidence of their country. They knew that the meek and quiet spirit was to be cultivated, and that the turbulent and ambitious feelings, so natural to man, were to be suppressed. They were not forgetful, that no theoretical plan of government can make a community happy, unless a large portion of the individuals, who compose that community, are virtuous. The very supposition, that rapacious, false, malicious, vindictive men could live happily together, through the magical influence of a form of government, would have appeared to them not less absurd, than to imagine that brambles and thistles would change their natures, from the mere circumstance that a handsome fence was built around them.

If their opinions were so strict, in regard to the duties of private men, much more did they insist upon a fair and unimpeached character, and faithful and honorable conduct, in every person who was elevated to be a ruler. They considered magistrates, especially those of high rank and influence, as exercising a very important ministry. They had no inclination to *look to the place of judgment, and, behold, wickedness is there; and to the place of righteousness, and, behold, iniquity is there.* They held it to be most improbable, that he, who in private life is false and unjust, should be conceived to be faithful and conscientious in the highest stations. They held, also, that unless the people can place some dependence on the conscientious integrity of a ruler, they have no security whatever for the protection of their rights. The ruler *who fears not God, will not regard man.* It was no vain and superstitious opinion, therefore, that our ancestors entertained, when they chose to elevate to office men who would be bound by the oaths of office, and act in the fear of Him who is the omniscient witness of human conduct, and the supreme Judge of magistrates and people. Such an opinion, far from being superstitious and unreasonable, is founded on the most solid basis, and confirmed by history and observation, not less than by religion. There never was a republic worthy of the name, unless among a people who were in a considerable degree under the influence of Christianity. The famous commonwealths of Greece and Rome were theatres of monstrous oppression and tyranny, were perpetually convulsed and distracted by factions, and, in short, were just such governments as good men must abhor; as could easily be shewn did the occasion permit.

The result of the experiment made by our ancestors, and persevered in by their descendants down to the present generation, has been of the most auspicious character. For nearly two centuries, a code of mild laws has been so faithfully administered as to have produced a greater degree of freedom and civil enjoyment, than have ever before been produced among the same number of persons, in any other part of the world. I speak with confidence here, because the more thoroughly this assertion is examined, the more clearly will its truth be manifest. The following features in our governments are sufficient to display their excellence.

Since the first settlement of these colonies, it has been a characteristic of our republican institutions, that the *laws* have governed and not *men*; much less a *party*. One of the Grecian sages pronounced that government to be best, in which the *laws reign*. By this saying he gave no equivocal evidence, that his reputation for wisdom was well earned. What he described as a desirable hypothesis has here been most happily realized. The fathers of Massachusetts, more favored than Grecian sages, have left an imperishable monument of their wisdom, in the *Declaration of Rights*, which has just been read,\* and which closes with this memorable sentiment, that the great end in view, in establishing this government, was, that it might be a *government of laws, and not of men*.

\* A part of the Exercises of the Day was the reading of *The Declaration of Rights of the Inhabitants of the Commonwealth of Massachusetts*, which forms a part of the Constitution of Massachusetts.

Again, Though elevation to office has been extremely honorable, there has been a surprising modesty in those whom their fellow-citizens have placed on the list of candidates. Nothing, indeed, would have more effectually destroyed a candidate's hopes of success, than to have manifested anxiety, and made personal exertions, to carry his election. I speak of our general history; sorry am I to say, that this unparalleled feature in our republican character is in danger of being blotted out by the arts of modern demagogues.

Another trait equally honorable to the electors and their rulers has been a remarkable security in the tenure of office, although in most instances the appointments have been annual. This is the more worthy of observation, as in elective governments the people have usually been said to be fickle and versatile in their opinions. We need not go back many years to find, that the higher grades of magistracy were filled annually by the same men, till death, or resignation, admonished the people to select other candidates for the vacant offices.

Another remarkable fact is, that though the emoluments of office have been extremely small, so that the acceptance of an office has generally been a sacrifice of property, yet the office-holders have never conspired together to promote their own aggrandizement, at the expense of the people. Show me another government on the face of the globe, of which these things can be so truly said, as of Massachusetts and Connecticut. Bribery, corruption, and favoritism have been nearly unknown. Sinecures have never had an existence.

The effect has been, that the people have led quiet and peaceable lives. They have enjoyed the good things which Providence has showered down upon them. Here have been exhibited the natural dignity, the genuine glory, and the benign influences of a free, pure, elective republic.

I have thought this brief sketch would be useful as a stimulus to our own love of country, and as a deserved tribute to our ancestors, who were a race of men possessed of singular excellence and worth; men endowed with learning, talents, and great intellectual and moral dignity; men who understood human nature and the principles of political liberty incomparably better than the modern teachers of philosophy and equality; men not destitute of faults, not inaccessible to temptation, but whose faults were scarcely to be observed amid the dazzling glories of their virtues. With respect to religious liberty they sometimes erred, though with the best intentions. I cannot, however, greatly admire the man, who delights to detect and magnify their errors, while he neglects their great, and splendid, and beneficent qualities and actions, and while he overlooks the infidelity and comparative profligacy of modern times.

Such is the condition of mankind, that every valuable possession is exposed to danger. It is incumbent on us as freemen, therefore, to search with a vigilant eye for the evils which threaten our civil rights, that we may be aware of their approach, and stand on our guard. All the dangers of which we need be apprehensive originate from a want of real patriotism, a deficiency of public virtue, or, which is the same thing, a prevalent disregard of right

and wrong. This deficiency of public virtue is manifested in such symptoms of approaching ruin, as the following.

I mention, first, the propagation of falsehood among the people, through the agency of venal presses, and by such other means as party intrigue may supply. There is reason to fear that these engines of mischief will destroy the distinction between truth and falsehood, so far as that distinction can operate upon public measures. A perseverance in falsehood, a hardihood of assertion, will, as experience has lamentably verified, convince a large portion of the community, that the assertions so pertinaciously repeated, are founded in truth. If a falsehood becomes necessary to be supported in order to the success of a party, and thus becomes the badge of a party, it will be repeated from so many sources, and urged with such vehemence, as that multitudes will adopt it as a fundamental article of their political creed.

Let us look, for instance, at the alleged revocation of the Berlin and Milan decrees. Excuse the triteness of the subject; it is necessary to take a subject perfectly trite, in order to give the clearest possible illustration of the power of falsehood. I am aware that this subject may excite party feelings; but it is a question of mere fact, which ought not to excite party feelings, any more than if it were a geometrical demonstration. How, then, stands the question of the French decrees? In August, 1810, a French minister declared to our government, that in three months the decrees would cease to operate, provided certain conditions were complied with on our part. Suppose the promise were unconditional; still a promise

is not a performance, as we have many times experienced to our cost. If our secretary of state were to declare to a minister from a foreign country, that in three months the President would issue a certain proclamation, would any man pretend that the declaration of the secretary was in fact the proclamation of the President, which it only promised? Besides, the promise made to us was conditional; and the conditions have never been complied with, on our part, to the full extent of their avowed meaning; at least not till the late declaration of war. But what says the French emperor? He surely knows whether his decrees are revoked, or not. On several public occasions, he has not been backward to favor the world with his opinion. In March, 1811, he solemnly declares, that these decrees are *the fundamental laws of his empire*; and that without distinction, or exception. In March, 1812, he repeats the same declaration in the most explicit manner. Will it be said, that in practice the decrees are revoked, because a few vessels, out of a multitude, have been released? The very word *release*, when applied to vessels which have arrived in the French ports after the first of November, 1810, is a perfect refutation of such an opinion. Why release a vessel which has not been seized, and is not liable to seizure? The point is too clear to be argued; yet a large part of the people believe these decrees to have been revoked, and if called upon to vote this day, hundreds of thousands of legal voters in the United States would give their suffrages under this impression. Will it be said, that we are bound to believe an assertion made from such high authority as the one under consideration? Suppose it were to be confidently asserted by half a dozen ministers of

state, and echoed by half a score of Governors, and repeated twice a week in every party paper in this country, that two and two make five, or that Quebec and New York lie in the same latitude, or that Alexander the Great and Oliver Cromwell were contemporaries, or that the sun has not shone since the eclipse of last September, are we bound to believe them ?

But let us surrender our understandings, for a moment, and suppose the French decrees, to have been revoked; and that there is, as has been asserted, abundant and notorious evidence of the fact. On this supposition we come to a conclusion not less melancholy, not less alarming, as it respects the great subject in question; that is, the predominance of falsehood. On this supposition, we find a large party, comprising within its limits men who possess a vast proportion of the wealth, intelligence, and public spirit of the country; men whose patriotism has never been assailed, except by vile slanders which need no refutation; men whose dearest interests are connected with their forming a just opinion on the subject;—we find such a party uniting in the denial that there is any evidence of the revocation of these decrees, and asserting that there is conclusive proof of their continuance and more rigorous execution. Add to this, that many persons of the other party, and, among them, members of both branches of the national legislature certainly not inferior to their associates in candor and talents, assert boldly in their private and their official stations, that nothing can be more ridiculous than the pretence that these decrees are rescinded. The multitudes who com-



pose either the one or the other of these parties must be the dupes of falsehood. From the foregoing observations, (and other instances nearly as forcible could be produced,) I trust it is evident that falsehood may obtain credit, and command influence, to a degree, which would at first view seem incredible.

When it is considered that hireling scribblers can be engaged to support any cause, which the unprincipled ambition of the leader of a party may induce him to espouse; and that ingenuity to devise mischief and impudence to defend and propagate it, are the grand requisites for employment in the train of demagogues and usurpers; that vile wretches, whose whole lives are one continued outrage upon morality and decency, are the fit instruments, and often very powerful instruments, in the production of anarchy and despotism; when these things are considered, we cannot but perceive that our liberties are in danger from the propagation of falsehood by our venal presses.

Another evil to which our republican institutions are exposed, and which strikes at the root of all political principle, is the prevalence of office-seekers. This race of men has increased lately, in this country, to an astonishing degree. The former elections of New-England were conducted with a purity perfectly inconceivable to a citizen of a corrupt republic. If any man had dared, a few years ago, to let it be known that he was desirous of an office, especially if he took any measures evidently to secure his own election, his purpose would have been immediately defeated, and himself covered with disgrace.

Then was office honorable. The higher magistrates received and deserved the veneration of the people. *How has the gold become dim.* Into what comparative contempt, I had almost said into what deserved contempt, has public office now fallen. To such a depth have we sunk, that no office whatever confers any real honor on the possessor. In the few cases which may be considered as exceptions to this observation, the honor is given to the man and not to the office. Some remaining patriots, whose long-tried integrity, faithful services, and private character, secure the cordial respect of all intelligent and virtuous men, are honored indeed; but not on account of their offices.

The degradation of office is not the only evil, which results from office-seeking. It operates as the most efficacious, the most corrupting, and the most pernicious kind of bribery; a kind of bribery so much the more dangerous as it cannot be defined by any law; and, of course, cannot be punished by a judicial tribunal. A candidate for the Presidency of the United States, for instance, can promise, that in case of success he will make this friend a judge, another an ambassador, a third a cabinet-minister; and these intended officers can promise to their dependents inferior stations. By the aid of holding out the same office to many applicants, and scattering words of general encouragement to many more, and by extending the same process of intrigue in a thousand ramifications, it will result that multitudes will be directly influenced by corrupt motives; and this influence will be extended by a thousand arts, till few freemen will be left to act according to the dictates of reason and conscience.

Besides, the man who condescends to intrigue for an office, by this act alone furnishes conclusive evidence that he is not worthy of the public confidence. He submits to a state of slavery, which will render it almost impossible for him to do his duty, should he be inclined to do it. He puts himself in the power of his corrupt associates; and stands in that most uncomfortable situation of being obliged to act in the fear of men, whom he cannot but despise.

If public offices are bestowed upon those who labor with the greatest assiduity to obtain them, it will soon be the case that no regard will be paid to the private characters of candidates. Soon? May it not be said with truth, that the time has already arrived, when a great portion of our fellow-citizens pay no kind of attention to the private characters of their candidates. Indeed, the fact has occurred again, and again, till it is perfectly notorious, that strong and numerous parties have supported as candidates for office, men, to whom the individuals of the same party, in their private capacity, would not have entrusted any private concern whatever. This is one of the most unaccountable things which ever took place in civil society;—that citizens should withhold private confidence on the ground of the known want of integrity, and yet confide to these very men, thus known to be destitute of integrity, the essential interests of the whole community.

Among the dangers which ought never to be forgotten, on this anniversary, is that arising from gradual innovations upon our national and state constitutions. A con-

stitution of government is frequently supposed to be so sacred an instrument that it cannot be broken, and that all our fears on that subject may be at once dismissed. A constitution is indeed a sacred instrument; and most cordially should I rejoice, if experience had shewn that it could not be violated. The late illustrious Chief Justice Ellsworth used to say, that "paper and ink can never bind those together, whom their interests, passions, and prejudices, operate to keep asunder." The only efficacy of a paper constitution, where rulers are not men of principle, consists in its furnishing a suitable object for the vigilance of the community. Where the duties of the co-ordinate branches of government are clearly defined, the people have only to compare the conduct of their rulers, with the definition of those duties in the constitution. And so long as the people exercise this vigilance faithfully, there is little danger that their liberties will be materially invaded. But the moment they lose sight of this polar star, and engage in the miserable scuffle for the predominance of a party, that moment the constitution is in danger. Our national and state constitutions, even in this early period of our federal republic, are in jeopardy; and unless the public eye is turned towards them, and the public voice is raised in their favor, the time may soon arrive, when their wise provisions shall become a dead letter, and their restraints fall before conflicting passions, and party violence, aided by lawless power, like the green withs from the arms of Samson. Let every freeman examine for himself those constitutions which he is bound to support; let it be well established in the minds of all, that he, who deliberately and knowingly violates these sacred compacts, is an un-

principled aggressor upon the rights of others, more dangerous than the midnight robber.

The right of suffrage, as regulated by law, is fundamental. The preservation of this right is so plain a duty, that the bare mention of it would seem to be needless. Yet even this most essential of all civil rights, has been endangered in this Commonwealth. I shall be understood to refer to certain events of the last twelvemonth, which I have not time more particularly to describe.\*

\* The principal events referred to here, are the *Rehoboth election*, and the *districting of the Commonwealth for the choice of Senators*. The following brief statements, in relation to these subjects, may be useful.

On the 14th of February last, the Committee of the House of Representatives on contested elections, made a particular and very clear statement of facts in the case of the Rehoboth election; which facts were in substance as follows: That on the 13th of May, 1811, a meeting was held by the inhabitants of Rehoboth, after 14 days notice, for the choice of one or more representatives; that, on motion, a majority of legal voters present were in favour of sending *one* representative only; that the selectmen were unwilling to have this result ascertained, and would not declare it; that the meeting was dissolved without giving in votes for representatives; that 658 persons voted at this meeting; that on the next day (the 14th) the selectmen warned another meeting, for the same purpose, on the 18th of the same month; that this second meeting was notified in a different manner from that which had been uniformly practised in Rehoboth for 52 years past; that at said meeting the usual motions were made and seconded, but that the presiding officer said in a loud voice, "I will hear none of your motions, and I will put none of your motions. I will manage this meeting according to my own mind. If you do not like my proceedings, or if I do wrong, prosecute me. Bring in your votes for from one to five representatives;" that the meeting which had been orderly before, then became tumultuous; that a motion was made to adjourn for half an hour, on account of the tumult, which motion the presiding officer refused to put, and ordered the mover to sit down and hold his tongue; that the presiding officer ordered the voters to bring in their votes in a manner directly contrary to that which had been practised for the last 22 years; that many irregularities took place in the reception of votes; that, after the voting had proceeded a few minutes, one of the selectmen invited the voters to bring in their votes for six representatives; that the votes of qualified voters were refused without any reason being assigned; that, after the ballot box had been kept open 12 minutes, the presiding officer turned it, and declared the whole number of votes to be 25, of which the five sitting members (of whom the presiding officer was one) had 23, and were elected, and that a certain other person had two votes; that another of the selectmen declared the above *six* persons to be elected, and the meeting to be dissolved; that the meeting had been kept open 28 minutes; that there were between 600 and 700 qualified voters present; that when the voters were asked whether their votes were all in, the answer no, no, was generally given; that the tumult had subsided in some degree, before the box was turned; and that no violence was offered to the selectmen, nor was the authority vested in them by the laws wrested from them. These facts and many others of less importance are stated in the report of a committee, a majority of whom were of the same political party as the sitting members. The report was

Another right secured by the constitution appears to be in imminent danger at the present moment: I allude to *freedom of debate* in all our legislative bodies, especially in the national legislature. That the freedom of debate has been invaded; that it has been wantonly prostrated in two very important recent cases, is sufficiently known to all who have attended to the debates of Congress. I refer to the cases of Mr. Milnor and Mr. Ran-

read to the committee three times, and every member of the committee declared himself satisfied with the statement of facts. The committee report, in consequence of these facts, that the pretended election at Rehoboth is utterly void, and that the seats of the sitting members ought to be vacated. On the question SHALL THIS REPORT BE ACCEPTED? *One Hundred and Eighty one members* voted in the negative.

It is worthy of remark that a remonstrance against the above described election was signed by more than 400 inhabitants of Rehoboth, and that 837 votes were given in for governor in April last, in the two towns into which Rehoboth had been divided subsequently to the contested election. The five men who were declared elected on the strength of 23 votes, given as above described, took their seats in the legislature of Massachusetts, and held them till near the close of the second session. The man who had *two* votes, either through excess of modesty, or some other cause, did not take *his* seat! Even after the seats of these five men were vacated, a majority of the House of Representatives voted to pay their travel and attendance out of the public treasury! If a few lawless individuals had only disgraced the town in which they lived, the whole proceeding might be suffered to sleep in oblivion; but when it is remembered, that 181 representatives of the people, (almost half the members who were present) supported 23 rioters in imposing five of their own number upon 800 freemen, as their representatives, and upon the Commonwealth, as legislators, surely every reflecting man must lament the existence of such slavish devotion to the illegal designs of a party. What these 181 representatives thought of their oaths of office, it is not for me to say; but this I do say, that if all our public functionaries should unite in measures so decidedly hostile to liberty, our dearest interests would be immediately at the disposal of desperate factions, and the very shadow of a free representative government would cease to exist.

As to the districting of the Commonwealth for the choice of Senators, it is sufficient to observe, that no person, I should suppose, can soberly deny, that this business was conducted with a direct view to secure the permanent predominance of a party, in defiance of a majority of the people. A simple reference to the line which divides Essex County into two senatorial districts, and to the similar line in Worcester County, speaks louder than any language can speak. The operation of this system has produced this most astonishing result, that, out of forty members, who compose the Senate of Massachusetts, *twenty-nine* were chosen on account of their devotion to political views, which are utterly disapproved of by a decided majority of the qualified voters of Massachusetts; and, as the apportionment of the Senate has a constitutional dependence on the wealth of the community, it is not improper to add, that, in this *property-branch* of the government, beyond all reasonable question more than *two thirds* of the property in Massachusetts, and these two thirds in the possession of a decided majority of the legal voters, are represented in the Senate by *eleven* members out of forty! What has become of the right of suffrage?

dolph; both of whom were prevented from delivering their sentiments on subjects deeply interesting to the American people; both of whom behaved with great dignity, on the reception of very severe provocations, and submitted with the reluctance of freemen to the tyrannical mandates of the dominant party. It remains for the people to decide whether they will sanction such an outrageous attack upon the vital principle of a free legislature; or whether they are contented to have a Parisian senate, ready to decree blindly, and applaud obsequiously, whatever is set before them. If a member is to be put down in his place, because he happens to say something which is not music to ministerial ears, and if every important question is to be settled in conclave, and hurried through without time for deliberation;—if we are quietly to submit to all this, we may as well give up the form of a deliberative body, and receive the law at once from the executive branch of the government.

I close the enumeration of dangers, which peculiarly menace our republican institutions with ruin, by offering a few thoughts on party spirit. This evil appears in a thousand forms, and aggravates all the other evils which exist in free governments. It operates by producing a surrender of all personal and political independence into the hands of ambitious, and often unprincipled leaders. It arrays one half of the community against the other, when the interests of all are the same. It excites and increases all the bad passions, such as envy, hatred, violent anger, and a desire of unjust power. It countenances every species of slander and misrepresentation, till the distinction between truth and falsehood, right and wrong, is destroyed. Party spirit is to be defined only



by a reference to the object in view, which is always the aggrandizement of a part at the expense of the whole. All concert and combination, all union of sentiment and action, ought not to be stigmatized by that opprobrious name. The patriots who brought our revolution to a happy issue, and who formed and adopted our federal constitution, were to a great degree united in sentiment; and their political opinions they defended and propagated with zeal; yet they were not party men, nor was party spirit ever sanctioned by their example. Sometimes the opposition to government is formed and instigated solely by party spirit; sometimes the government itself is nothing better than an abandoned party; and sometimes the administration and the opposition are equally destitute of principle. But on which side are truth and argument, if to be found on either side, a wise man will easily determine. After an attentive examination, it is easy to distinguish the mere partisan from the man who acts according to the dictates of reason and conscience. Almost every party in pursuit of selfish ends, and under the direction of selfish leaders, deals much in declamation, in broad assertions, in general accusations. It trusts to a frequently refuted falsehood, with apparently equal assurance of success, as to the most incontrovertible truth. It appeals to all the low and malignant passions; and what it lacks in consistency is made up by the most headlong zeal. That this spirit is too prevalent among us at the present time no one will deny; but the greater part will, without the least hesitation, throw all the blame upon their political opponents. If, instead of this hasty course of proceeding, every man would look for evidence, and examine by a careful comparison of dates and facts



with mere assertions, of professions with practice, and would remember, after the lapse of years, whose predictions have been verified, there would be little difficulty in ascertaining who are the real friends of their country.

The deplorable influence of party spirit should induce every man to repress in himself, and discountenance in others, every tendency to anger, misrepresentation, or triumph over an adversary. It should teach all the necessity of mildness, forbearance, and condescension. But these virtues are never to be confounded with abject submission to the unrighteous claims of others. Who does not see, that, if party violence should continue to increase, many of the blessings of society, especially of society as it ought to be in a Christian nation, will be for ever banished from our country? Who does not deprecate the progress of habits of slander and calumny, of abuse and recrimination, till social intercourse shall become embittered in all its fountains, and the very elements of civil order shall be consumed in the fierce blaze of anarchy? Are we, are our children, to be cursed with this perpetual wrangling, this everlasting conflict of interests and passions, till wearied with provocations, and hopeless of relief, even bondage will be preferred to such a state of unmitigated vexation? There is, indeed, too much reason to fear, that the greatest of all merely temporal blessings, a free government, will, unless the people of this country shall become wiser than they have been for a few years past, be converted into a signal instrument of Divine vengeance, as a punishment for national ingratitude and corruption. It is a frequent occurrence in the history of the Divine administration, that those who have forfeited signal blessings should be delivered into the hands of

wicked and cruel men to be punished. And perhaps no temporal calamity can be more prolific in torment, than to be exposed to the unrestrained activity of the three great political vices, ambition, falsehood, and revenge.

There is danger that the more turbulent spirits in the community will progress in the course which has been described, till the more peaceable, and incomparably the most valuable class of citizens shall utterly withdraw from the field of political warfare ; till they shall sink down into a state of apathy, and surrender themselves to be governed by those who assume authority over them, without stopping to inquire whether the authority be usurped or legitimate.

Perhaps it will be asked, What is to be done to deliver us from the evils by which our liberties are endangered ? We must do nothing inconsistent with our constitutional obligations. If laws constitutionally enacted are oppressive in their operation, we must seek a constitutional remedy. But we must not surrender the right of thinking and speaking on public measures ; nor the right of speaking the truth of our rulers, humiliating though it be. If those who were chosen to protect our interests are now, or at any other time, found grossly unfaithful to their trust, we must appoint wiser, abler, better men to supply their places. In the prosecution of this course there is reasonable ground of hope. There is not, however, the slightest probability of any permanent melioration of our political affairs, without great exertion, great sacrifices, and national reformation in the important article of selecting suitable candidates for office.

Wise and good men are very apt to retire from scenes of strife and confusion, and not to put their influence in competition with that of noisy and selfish demagogues.

Men of the most real worth are not desirous of public applause. Satisfied with the approbation of their own consciences, they do not find it necessary to bolster themselves up with the good opinion of others. They also feel most happy when in the quiet prosecution of their own business; and are reluctantly brought forward into public notice. But the time has come when these dispositions, so amiable in themselves, cannot be safely encouraged. It is now imperiously demanded of every friend to his country, of every man who is not prepared to see his country sacrificed, to fix his mind upon such candidates for public office, as have been shewn to be worthy of public confidence, by lives of private virtue; such men as are actuated by a regard to conscience, and the fear of God. Men of this description, and of competent abilities, will never sell themselves to any party, nor betray their country. And having, with all suitable precautions to secure harmony and concert, fixed on such men, it is the duty of every citizen to use whatever influence he possesses in favour of their election. Nothing can promise with any certainty to save our country from distraction and disunion, from infatuated counsels and a state of revolution with all its unutterable calamities, but the slow, peaceable, and efficacious remedy which has been prescribed. If it were possible that our national government could be transferred to the hands of such men as composed the old Congress, or the first administration and the first Congress under the federal constitution, what an universal thrill of joy would pervade the hearts of all true friends of their country. There would, indeed, be cause for joy.

Why is it, then, that so many mere tools of party are clothed with power, while men whose virtue and talents would confer honor on any country, and command the respect of mankind, are not called to our national councils? Why have not the American people wisdom enough to avail themselves of the tried and approved qualifications of JAY and the PINCKNEYS, and a multitude of younger men, whose silent unobtrusive merit, and valuable acquirements, form a perfect contrast with the noise and emptiness of many who receive and abuse the public confidence. Let there be a general effort, from one end of the continent to the other, to place men in office who have the requisite qualifications, especially real principle, the greatest of them all, and our affairs will immediately assume a new aspect.

The sober and reflecting part of the American people are pretty thoroughly convinced, whatever office-holders may say to the contrary, that *all is not well*; and that more skilful pilots are needed to manage the vessel of state at this stormy period. Now is the time to seize that conviction and press it home, till the mass of the people shall feel and obey it.

Let us call to mind, my fellow-citizens, on this day devoted to the celebration of freedom, that we have high privileges to maintain and defend; privileges achieved by the toils and wisdom of our forefathers, established on the broad basis of a free republican government, defended through an arduous struggle for independence, fortified by the national and state constitutions, and bequeathed to us and to posterity by an illustrious host of sages and patriots, of whose character and actions it becomes us to speak with high and honest exultation. From them we received in trust the liberties of America, the hope of

**mankind. Shall we deliver up this precious deposit into the hands of foreign tyrants or domestic traitors? Shall we approve any course of measures which may terminate in the subversion of our rights and the subjugation of our country? What! shall the sun ever rise upon our mountains and our plains, and find us a nation of slaves? Shall our extensive territories be transformed into a vast prison-house? Unless we are shamefully degenerate, I answer, No. But if we elevate to office men destitute of talents and principle; if we spend our strength in mutual reeriminations; and encourage a low and despicable contest for place and emolument, such an awful catastrophe is by no means improbable. Holland and Switzerland bore a nearer resemblance to the republics of New-England, than any other governments in the Old World. I need not say that they are now in the most abject state of hopeless servitude.**

**Holland was once a virtuous, and, of consequence, a flourishing republic. She produced great and enlightened statesmen; and her industry, her commerce, her sturdy republican virtues were famous through the earth; as were the learning and piety of her clergy, and the excellence of her moral and literary institutions. Her ports rose into opulent cities; and her fields, saved from the ocean by unexampled labor, were transformed into an immense beautiful garden, ornamented with palaces and villas. But Holland became corrupt. Infidelity spoiled her of her glory. Her rulers became generally destitute of principle, and were just fit to act the part of traitors. When ripe for destruction, God, in his righteous judgment, suffered that horrible volcano, the French revolution, to vomit its lava on her coasts, and thus to wither and consume the little remaining moral verdure, and to blast every germ of virtue and liberty. Now the robbed**

and impoverished Hollander beholds his magnificent villa converted into barracks for a foreign soldiery, his sons marched away in chains to distant climates, there to be hewn in pieces while fighting the battles of their oppressor, his country enslaved, crushed into the earth, buried under the iron weight of imperial despotism. These things the robbed and impoverished Hollander beholds, and dies of a broken heart ! Let those, who shudder at the fate of Holland, beware of the national sins which paved the way for her ruin. Let no man say, "We are not neighbors to France ; we cannot be exposed to the same calamities." The truth is, the means of national chastisement are always at hand. What they will be we may not be able precisely to foretell, though our melancholy forebodings are not without a specific object ; but that they will be dreadful in proportion to the blessings forfeited, and the privileges abused, the experience of nations testifies.

Protestant Switzerland was once free, virtuous and happy. I need not describe her fall. Foreign violence and domestic treason perpetrated the work of ruin.

We, my fellow-citizens, have every motive to preserve our republican institutions, which can with propriety operate upon free and intelligent men ; every motive which arises from a regard to the dignity and independence of our country, to private comfort, security, and the enjoyment of our possessions ; every motive which has reference to posterity, or the general happiness of mankind ; in short, every motive which springs from an attachment to knowledge, liberty, or religion.

Personal valor will not be wanting to defend our rights, if wisdom points to the occasion for its exercise. Whenever the public necessity requires their services, myriads of freemen will rise in arms ; like the PHALANX before

me, whose martial spirit, and attachment to freedom, are a sufficient pledge, that, in the hour of their country's peril, they will do honor to the name of WARREN.\* Assured that valor will not be wanting, O let us not lack wisdom!

The American people are under better advantages, than any other people ever have been, to appreciate the excellence of a republican government, when wisely and faithfully administered. We can testify from experience to its mild and beneficent influence, which resembles, in the language of inspiration, *the clear shining of the sun after rain*. There was a time when Washington was at the head of our national councils, and nearly all the subordinate offices were held by able and faithful men. If the people are wise and true to themselves, such a time may again return; and future Washingtons may yet arise to dignify, and bless, and save their country. It would be criminal here not to notice a most auspicious omen for this Commonwealth; I refer to the election of our present dignified and excellent Chief Magistrate. No elaborate encomium is necessary to excite your feelings here; those feelings which beamed in every countenance when you attended and witnessed the entry of that patriotic citizen into the metropolis to take the oaths of office. The voluntary and respectful homage offered to virtue and talents, on that happy occasion, was equally remote from the gorgeous parade, and constrained obsequiousness, demanded by tyrants, and the rude and boisterous, and indecent clamors, which follow in the train of demagogues. Let the people choose such men as Governor STRONG to direct our national affairs, and our political

\* The WARREN PHALANX, under the command of Capt. T. EMANDES, formed the escort of the day.

troubles will quickly cease. While we rejoice in his election to the first office in the commonwealth, let us not forget the heartfelt thanks to which he is entitled for consenting to leave a happy retirement, at the call of his fellow-citizens, and to assume the labors, the anxieties, and the responsibilities of office, at this critical period. A sacrifice like this has not often been made; and it ought not to escape the grateful remembrance of every friend to his country.

Life and death, liberty and slavery, are now placed before the American people. It is not at all improbable, that the events of a few years will determine, whether the privileges so dearly preserved, and so highly valued, and so truly valuable, are to descend to posterity; or whether the people of this country, beguiled, misled, and betrayed, are to swell the catalogue of enslaved nations, and remain a perpetual monument of the inefficacy of all attempts to preserve a pure republic, till the violent passions of men shall be subdued by almighty power. That the happy part of this alternative may be realized by our children, and their children's children, every patriot must anxiously desire; and, while he desires and prays, must use every practicable and promising exertion to effectuate. If he fails, he will have the consolation, whatever may betide, of having done his duty in the cause of his country, in the cause of humanity, in the cause of God: if he succeeds, his eyes will behold a delivered country, his ears will be saluted by a chorus of universal gratulation, and, when he sleeps with the dead, future generations will rise up and bless his memory, as we, on this solemn day, bless the memory of our fathers.