

AN
O R A T I O N .

DELIVERED BEFORE THE
C I T I Z E N S O F B O S T O N
ON THE
F I F T Y - E I G H T H A N N I V E R S A R Y
OF
A M E R I C A N I N D E P E N D E N C E .

BY RICHARD S. FAY.

PRINTED BY REQUEST OF THE CITY AUTHORITIES.

BOSTON:
J. H. EASTBURN, CITY PRINTER.

1834.

ORATION:

FELLOW CITIZENS,

ON this, the anniversary of our independent existence as a nation, it has been customary for the people, throughout our land to meet together: and laying aside the cares, anxieties, and pursuits of common life, to mingle their congratulations, and to offer up their thanksgivings for that event, which has, for so many years, conferred upon them unbounded happiness and prosperity. We come together upon these occasions, to contemplate our civil institutions, to dwell upon their origin, to review the past, to consider the present, and to anticipate the future probable condition of our beloved country. It is with deep yet sober admiration, that we call up and reflect on the wisdom and patriotism of our fathers, by whose exertions, the inheritance of constitutional liberty and equal laws was acquired and transmitted to us, and we delight, on this consecrated day, to dwell upon the precious gift, and to renew our vows to preserve it in its purity and simplicity. We come together, the rich and the poor, the exalted and the humble, the aged and the young, to acknowledge the goodness and value of our civil institutions, to congratulate ourselves upon their equal protection, and to revel in the light and warmth of that liberty, which sprang from the devotion, the sacrifices, and the blood of our forefathers. Whatever bitterness of party may exist however local or sectional interests may divide, all parties and all sections unite in grateful thanks to that Providence, which has made this day to us, the landmark of our liberty and laws.

Let us then, animated by this spirit, indulge ourselves with a few moments' consideration of those subjects connected with our institutions, which seem most appropriate for the occasion.

The limits of a single discourse would not permit a history of the causes, that led to the revolution. The long succession of events, which ended in a final separation of our country from England, should be the careful and attentive study of every American citizen. The earlier settlers of New England, and of the colonies generally, were men of more than ordinary intelligence and education; they came to this country not in search of gain, but to attain an object, which none, but thinking and intelligent men would have considered worth the sacrifices they made. They sought for some spot, where unshackled and uncontrolled by arbitrary power, or by laws, which they considered oppressive and unjust, they might enjoy to its fullest extent the rights of self government, and the perfect freedom to worship God, after the dictates of their reason and conscience.* The instant they embarked upon this enterprise they became Freemen to the full extent of their desires, and they considered the rights of freedom to be the prize, they had gained by their voluntary exile from the land of their birth. These rights were the constant subject of their thoughts, and by means of wholesome laws, by the practices of strict virtue, by widely diffusing the benefits of good education, they prepared all who came within their influence for the right apprehension of the privileges they enjoyed, and a just appreciation of the benefits to be derived from their political and religious freedom.

We find as the colonies increased, the spirit of freedom and intelligence kept pace with their growth, the doctrines of government inculcated and practised upon from their foundation, created a jealous watchfulness of their rights which they had been taught accurately to value. This jealousy was not an idle one, England became aware of the growing importance of her colonies, and began at an early period to encroach upon the rights, and to question the powers claimed by them. The desire of peace, the natural repugnance to the idea of extreme opposition to the mother country, had operated to a considerable extent, in leading our ancestors to a concession of some of the original rights conferred upon them by charter, or

* Note A.

acquired by long use ; but when the attack was made upon those powers, which involved the more important principles of liberty, belonging to them as English subjects, the spirit of resistance became manifest. They buckled on their armor, as a matter of necessity, as a duty, which every man felt himself called upon to perform, who valued his rights, and thought them worthy of preservation. They would have been unworthy of the land from which they came, of the blood which flowed in their veins, had they not defended themselves in the exercise of rights, long valued from their possession, and which they considered their choicest birthright. In truth, the colonies from the beginning, considered themselves, not only the possessors of all the rights which the mother country awarded to its subjects at home, but also as entitled to additional privileges which could not be enjoyed under the constitution and laws of England. They left their native country, because they were not free enough under the charter of English liberties, and they took care, in most cases, to have an additional grant of freedom from the British crown. It was, when these grants were attempted to be encroached upon, usurped and destroyed, that the resistance of the colonies against the mother country began. They sprang up, armed men, to the defence of their liberties, and the spirit which animated their ranks, was like "the splendor of Diomede, lent by wisdom and not by passion, a favoring sign of the presence of that deliberate power that guides the just and protects the free."

It is evident that the British ministry did not understand the character of the people, they endeavored to bend to their schemes of aggrandizement and power. Our strength and means of resistance were miscalculated, and overlooking all the natural and peculiar causes which increased our physical energies, it was imagined that a military police would be sufficient to check our licentious and rebellious spirit. Actual organized resistance to her overwhelming power was not dreamed of, a large military force was sent here, it is true, but it was not for the purpose of war, but simply to crush at a blow should a pretence be afforded, the rebellious disturbances and mutinous conduct of the citizens of the town of Boston,—to blot out upon the first occasion, the foul stain which had been put upon the loyalty of American subjects, in the blood of some hundreds of the colonists of New England. It was not known

across the Atlantic, how deep and universal was the sympathy of the whole people here, it was only from subsequent events, it was discovered that one general spirit animated the South, as well as the North, — a spirit that force could not conquer, but which gathered now strength in the attempt to destroy it. The sympathetic action of the colonies began at a moment's warning, and a secret impulse went through the land, like the still voice that spread over France, to expect her exiled Emperor's approach at the coming of the violets of spring.

It was here, that the spirit of determined liberty first manifested itself. The language of Freemen is the only one that has ever been heard upon this spot. It was here that the alarm of war was first sounded in defence of the rights of liberty and it rang along the coast until it was echoed back from the farthest bounds. Upon the plains of *Concord* and *Lexington*, the war commenced, and the patriots who had been foremost in opposing the usurpations of England became the leaders of the revolution. They saw when the first blow had been struck, when actual hostilities had embittered and exasperated both parties, that all reasonable hopes of conciliation were at an end, — that submission then to the measures of the English government would be an admission of previous rebellion, and that punishment by greater usurpations would be inflicted. They felt the necessity of awakening the country to a conviction of this fact, of informing it of the danger that hung over it. They saw that the force of events had carried them to the alternative of undeniable independence or abject submission. At this juncture they felt and acted as freemen, who never had been slaves. There were many, they knew, who would be unprepared for this event, many who were desirous of obtaining a restoration of their rights, but who would not contend for them at the bayonet's point, so long as any hope of compromise or reconciliation remained; they feared too, now that hostilities had commenced, some would be found to shrink from the dangers and sacrifices, which would be the necessary result of a protracted struggle with the mother country. It was then, that the colonies, in Congress assembled, represented by men, whose actions are stamped with the highest moral sublimity and dignity of which human nature is capable, — by men, conscious of the full extent and bearing of the act they were about to perform, after deep and careful deliberations, by a solemn and powerful de-

claration of their rights, threw off their allegiance to Great Britain, and declared themselves free and independent states.

The effect of this solemn act was not to confer freedom, but to sever the ties between the colonies and Great Britain; the states remained as before, free, — the declarations of their rights, and the severance of their relations with the mother country merely established their independence. Our revolution, in this important respect is unlike in its history, that of any other in the world. It was not a convulsive effort of a people laboring under some abject servitude, nor the overthrow of one despot to make room for another. It was a simple act of casting off allegiance to a power, who had abused the authority entrusted to it. But as this act was not assented to, and as it was attempted by England, forcibly to maintain the exercise of an abused authority over the colonies, the contest began, the one to maintain and enforce powers which were never conceded, the other, for independence, upon the ground, that the other party to the contest, had forfeited by her arbitrary usurpations, all claims to respect or obedience. We do not go back therefore, to trace our rise as a nation, from an age of bondage. We read in our history only of freedom, and of the struggles of freemen for its preservation.

Our independence of all foreign powers, having been declared, maintained and finally acknowledged, the states were as to each other, free, independent and sovereign. Confederated as allies, and not consolidated into one government. It was early perceivable that the confederacy of the states, formed at the revolution, was insufficient as a government, and it was manifest that a new and greater concentration of power, must be created under some different form. There was but little difference of opinion, as to the necessity of a general government over the states; the great question which finally divided the people was, as to the extent of the powers necessary to be conferred upon it, to make it effectual, to promote the safety and prosperity of the several states. A convention of the states was called to deliberate upon the formation of a new government, one was framed by it and submitted to the people for their approval, it was, after long and anxious deliberation, adopted by several states, and it is now in successful operation. It was thus, to the astonishment of the political philosophers of all Europe, without dissention or bloodshed,

with none of the insurrectionary movements usually attendant upon the change of governments, and without the aid of an armed force of any kind, the old confederacy was abandoned, and a new government established, fixing upon a permanent basis, the rights of the people and the powers of the rulers.

It is difficult to imagine a more sublime or ennobling spectacle, than was here presented ; a whole people deliberating upon the provisions of a government they were about to establish ; every legislature of every state, before whom it was placed for assent, and ratification, an arena upon which an intelligent people stood to canvass with jealous fears and watchful eyes, the powers they were to confer, and every press at work to point out the strong and weak points of the Constitution, which the people were invited to adopt. The powers of a government are usually developed and established according to the circumstances which connect themselves with the people over whom they are exercised. Abuses in this manner creep into governments, which never can be entirely eradicated without revolution. But in the Constitution presented to the American people, there was nothing of this kind, it was not put on and fitted afterwards, but it was made of new and fresh materials, and adapted to the wants and capacities of the people who were to be protected by it.

The powers of the government were intended to be plain and simple, and the states conceded only so much as was necessary to give to it, the means of protecting the dignity, welfare and interests of the people. Notwithstanding, however, this was the apparent aim of the new Constitution, the watchful jealousy of the people was roused, they were not contented to take it, merely because they had confidence in the integrity of those whom they had appointed to prepare it, they wished to examine it, to see whether or not the work was well and faithfully done,—to judge for themselves, whether their rights were fully protected. Past experience, as delineated upon the pages of history, has shown, that when a people have become exasperated by wrongs and injuries inflicted by despotic or absolute power, and have rebelled against it, they most usually throw themselves upon any support, and adopt any expedient by which they can successfully resist the aggression, and running from one danger, they lose from their precipitancy all benefit from the movement. But it was not

so with the colonies, they threw off the grasp of arbitrary power, without losing for an instant, a cautious regard of dangers which might on any side beset them. They sparingly committed in the first instance to a confederacy of the states, powers sufficient to make an offensive and defensive alliances in time of war, and when the danger that had united them had passed away, they continued equally cautious as to the extent of their concessions to any government, of the rights possessed by the states independent of each other. This deliberate and solemn method of providing a mode of government for themselves, suited to their exalted sense of man's rights and duties, and adapted to the wants and energies of the people, entirely accorded with the character of the American colonists, which was eminently distinguished for sobriety, intelligence and patriotism, and which so long as it is cherished and imitated by their descendants, will be the sure guaranty of the safety and durability of the government.*

The same jealousy of the states, as to the powers conferred upon the general government, continues still to animate and excite discussion; a constant watchfulness has been kept over its operations, to see that it only works out the original intention of its framers. The people are still looking after and considering the affairs of the state, as their own, and it is gratifying to the friends of good government that it is so. At times, however, the discussion of the powers of the general government has been carried on in too high a spirit of excitement, bordering upon hostility; reason has sometimes been clouded by passion, or blinded by self-interest, the even course of justice has been threatened with interruption, and the execution of the laws of the union has been in danger of violent resistance.

The question has been raised, whether Congress has the right to impose duties for any purpose, but that of raising a sufficient revenue, or in other words, whether it can lay duties upon foreign imports, the object of which is, not merely that of raising a revenue, but more especially for the protection of American industry and manufactures.

It is impossible upon an occasion like this, to give a history of the long established policy of the government in this respect, and it is needless, for the subject is familiar to all who hear me. It is sufficient now to state, that South Carolina, believing the tariff of duties laid by Congress to be unjust, unequal and oppressive upon her citizens, and believing that Congress has no power, by the constitution to pass any law for the protection of any branch of American Industry, has assumed the position, that any law of this nature, is unconstitutional, and that any state has a right to resist its execution within her limits. The questions raised by this bold limitation, attempted to be put upon the powers of the government, are of great magnitude,—of vital importance both to the prosperity of the States and the preservation of the union, affecting the industry, capital and population of millions. If the law be unconstitutional, it destroys the wealth, paralyzes the industry and deadens the enterprise of a vast portion of our country. But notwithstanding the ruin, the unconstitutionality of the tariff law would bring upon the country, I believe it would be borne by those most injuriously affected by such a decision without a murmur, if the question were solemnly decided in the proper tribunal, which the constitution has provided for this purpose, but not otherwise. It is wholly idle to debate whether the Legislative department of the government has a *right* to pass a law, unless there is some proper tribunal to settle the right, and unless all parties are willing to submit to its decisions. Our government is not supported by physical force : its power depends upon the public opinion, and its duties can only be performed so long as a proper sense of obedience to the laws remains in the people, when that is gone, the action of the government is at an end. Without some tribunal therefore, to decide upon the many conflicting interests which arise to make laws unacceptable to portions of the people, to whose decision they are willing to bend, there can be no certain control or limitation over any department of the government. The inquiry then, whether a state government has the power to resist or annul the force of any law of the United States within her territories is deeply important to the stability of the Union, and it should be diligently examined into by every citizen.

At the formation of the federal government, each State transferred to it certain rights, powers and privileges. It would

seem absurd in the case of states as well as individuals, to make a surrender of rights, without providing some mode of determining its extent, beyond the party's own construction of the language used to make it. If upon any doubt arising, each or either party were to be the umpire, the surrender might as well not have been made. The general government asserts a right to pass laws for the encouragement of American Manufactures, and a state government denies that it has any power under its constitution to pass such a law, they are the parties to the case, in which neither the State nor the Legislative department of the government, by the plainest rules of common sense can be the judge.

When however we set about seriously to consider those measures, which shall have the strongest tendency towards the preservation of the Union, we must in some degree leave the question of mere abstract right and direct our thoughts to those means only, which can, lawfully and prudently, be made available for the purposes of good government. Individuals as well as states have many rights, which it would be foolish to enforce, for their own sakes as well as for the sake of others. Expediency is a better guide than mere right, and the combination of both is necessary to make a perfect government. The former teaches us how far we should go, in exerting our rights, the latter is but a limitation and boundary of them beyond which we can not pass. If a State therefore, feeling aggrieved at any law of the Union shall determine to nullify or resist the execution of it within its limits, what do the lessons of wisdom and expedience teach us? Not to resort to force, in the first instance! for the very idea of force, to be used against a State, implies hostility, and a severance of it from the Union. The first drop of blood shed in a conflict between any one State, and the general government, must place that State in a position, which as was the case with the Colonies, and the mother country, must forever prevent her coming again into the Union. Such is the delicate nature of the tie that binds us, that if its threads be once broken, no power, skill or ingenuity can again unite them. Bloodshed and violence be the question of right as it may, are no cementers of union, nor creators of harmony, and far distant, it is to be hoped, is the day when they shall come to deluge and devastate the land. We are to presume that no state is desirous of destroying or departing from the social com-

pact, until the union has gone very far by acts of conciliation to preserve it, and by a compromise, at the expense of some of our interests, to restore the harmony so essential to the stability of the government. It is extremely questionable whether force should be used in any event, to compel a state to obey the laws of the union, it would be better to exclude, if it could be done peaceably, the refractory state from all participation in the union, and to shut it out in all respects from the benefits, since it will not suffer the disadvantage of the connection. Harmony between the states cannot be enforced, one might as well endeavor to compel the existence of love or friendship between enemies, by uniting them with chains and shackles.

The consequences of an open conflict between the general and a state government are almost too horrible to reflect upon. In calculating the value of the union, we cannot shut our eyes to the miseries of disunion,—if the calculation must be made, let it be done with a full comprehension of the effects, which would attend its violent destruction. If it must fall, let the oceans of blood that may flow from a single blow, let the distresses of war which would probably ensue, let the ties of kindred that must certainly be broken, be taken into the great account, before an arm is raised in such an unholy cause, and a pause at least will take place before any state will determine, as the result of the computation, to sacrifice its place among the states, so long and so happily united. Time will be given for a more friendly consideration of each other's interests and wants, and it will be a delightful task to consolidate the union in a still greater degree, by a few sacrifices of claims and interests, which may be given up without vitally injuring any portion of the industry, energy or resources of the country.

I consider that, within a short time, the government has stood upon the very edge of dissolution,—that South Carolina, misguided and blinded to her true interests and to the respect due to the general government, forgetting that in all doubtful cases, great regard should be paid to the expressed opinions and sentiments of the other states, and acting against its former avowed opinions upon the powers of the national government, contemplated unless it could force a repeal, to resist the execution of its laws. There seemed to be wanting on both sides, there and elsewhere, a spirit of conciliation and a desire to avoid bringing the question to a peaceable determination, a

disposition of which, in the manner it was threatened, would have broken up and dismembered the union forever.

If, instead of conciliatory measures, the laws of the Union had been enforced by a fleet and an army, if, instead of endeavoring to settle the dispute on the way, the acts of Congress had been supported at the bayonet's point, the result would have been disunion, bloodshed and war.* In the bloody scenes which would have ensued, there might have arisen leaders, whose march would not have stopped on the smoking ruins of a fallen state, a military despotism might have grown up, whose powers would find no limit or constitutional restraint.† An indignant senate would have been easily overawed and put down, and their uselessness proclaimed to a deceived people at the head of an armed host. Such things have been recorded on the pages of history, God grant that they may never sully ours. It is in times of internal commotion, that a state is most endangered, because at such periods, the laws and the constitution are necessarily entrusted to military force. The civil becomes subservient to a military government, the steady, deliberate movements of the former are checked, and its animation being once suspended, it would be comparatively easy to prevent its restoration to vigor and action ‡

The political excitement, which is, at present, more particularly occupying the minds of the people, and the stirring times, which are now pressing on, throw an air of lightness over less recent events, and have, for a time, stilled the elements of discord at the South. And it is to be hoped, that new interests will spring up to prevent the unnatural division which is threatened. But we must not depend on the cure of one evil by the happening of another. The cloud that betokens the storm, is still lingering above the horizon, the angry murmurings of its distant thunder is yet booming upon the ear, at intervals, the vivid lightning of discussion flashes out, revealing the blackness around and within, the waters are yet troubled, and the oil of conciliation falls but slowly, when it should gush out upon the angry waves and still them to repose.§

The states, having the power to make laws, and being in

* Note C.

† Note D.

‡ Note E.

§ Note F.

many respects, sovereign within their limits, one of the greatest dangers to the stability of the union lies in the action of the people within a state, supported by its authority, against that of the general government. Insurrection and rebellion, unsanctioned by a state, is as much a rebellion against its laws as against those of the general government, and therefore readily resisted and put down, but in the case, we have been considering, it is otherwise, because the contest takes place between two legally constituted governments, it becomes a family quarrel, the more bitter from the previous intimate connection, the more unrelenting, because the most unnatural. The blood which falls in such a conflict, would make the union gape with wounds beyond the power of art or time to heal. The subject, therefore, stands first in importance, to every one who values aright the blessings which flow from our government and laws, to preserve which, should be the highest endeavor of patriotism, the strongest desire of the lovers of freedom.*

A remarkable feature of the times, which, it seems proper to notice on this occasion, as intimately connected with our institutions, is the innumerable parties which are constantly springing up, and bearing more or less directly, upon the interests of the country. We have parties for every thing; whenever any object is to be attained, that calls in the aid or unites the interest of a few individuals, whether it relates to politics or any thing else, a party is organized, to take upon itself the work of accomplishment. Society is thus split into minute divisions, and the combinations of different interests are as various, as it is in the power of numbers to make. All these associations, though organized for some purpose, entirely foreign to mere politics, are made to bear upon all elections among the people, and men, marshalled under their respective standards, march to the ballot box, to give their votes for persons professing their peculiar opinions, without regard to any thing else. The candidates for office, therefore, are frequently chosen, less on account of their fitness for the office, or because of their political tenets, than for their expressed opinions upon some matter, which has no reference whatever to their qualifications for the office itself;

* Note G.

the political or personal reputation of a candidate is of secondary importance, so long as he is pledged to obtrude, whenever occasion offers, the peculiar dogmas of some association, he more particularly represents. Such parties, are the growth of every day, and they usually die with success. They would be unnoticeable, but for their effect in destroying what should be the aim and end of all parties—the support of the great interests of the nation. In some shape they must exist in all free governments, for whenever men have a right to think, there are always differences of opinion, and when those differences arise upon great political questions, they go to create parties. The legitimate purposes of parties are then performed, in presenting to the people in all their various bearings, the questions, which they are called upon to decide.

Parties in a free government are only dangerous in their results, when they are formed or continued to support mere personal ambition. The theory of our government is to make all public offices, not only unworthy of any but the most disinterested and virtuous, but also to prevent them from being an object of ambition for the pecuniary or personal advantages, that may go with them. They are continually liable to a change of possessors, and the emoluments are so insignificant as barely to indemnify those who are chosen to fill them. Personal sacrifices are to be made, and self interest to be forgotten, when a man becomes the servant of the people, he is supposed to accept an office only from a sense of duty, and gladly to retire, when he is no longer wanted. Experience however, has presented but a small number who have stood before the people in this high and honorable light, and the eyes of the patriot are not often refreshed with the sight of any self denying citizen who, like Cincinnatus, is dragged with unwilling steps, by a lofty sense of duty, from the scenes of private life, at the bidding of a virtuous and discerning people. If such men exist, the people do not seek for them, they select from those who thrust themselves upon their attention, and secure their sweet voices, by professions, which are seldom practised. Such men are to be narrowly watched. If ambition for distinction and power leads an American citizen to become a newspaper gladiator, or makes him willing, for the personal gratification it may afford him, to be thrown as a bone of contention before the crowd, his conduct should be closely scrutinized. There is danger, lest

in his success, he should covet a permanent authority and that he will use it, less to administer the law with impartial justice, than to secure a continuance in the place, he labors so long and endures so much to attain. We cannot turn to a page in the history of nations, without being forcibly struck, how entirely they have always become the mere theatres for the personal ambition of a few, and in all republics particularly, we cannot fail to perceive how regularly the government has gone on from the purity to the perversion of its doctrines, by the greedy covetousness of those who, having once had a taste of power, are unwilling to give it up. The contests for office attach the people to their leaders, to the utter disregard of every other consideration,—enough are to be the sharers of their success, to put every spring into action, that will help to bear them on to a favorable issue, and the real interests of the country are forgotten in the question, which of two citizens shall rule over us? Governments are seldom subverted by conquest, they are usually vanquished by faction, which grows up under some popular and unprincipled leader, they become degraded by dissension, the seeds of which are planted at the instigation of a few, who hope to reap a rich reward in the destruction of the laws of social order. We need not go back to the days of Marius and Sylla, for illustration or experience upon this subject, the examples of more modern times are fresh before us, to warn, enlighten and instruct.

It is so much easier to win one's way in a popular government, by flattering the prejudices of the people, instead of removing them, that it is something to their praise to find how little mischief the practice occasions. It is the adulation which is paid to the people, that helps the popular candidate on, he rides into power by acclamation, and the voice of reason and prudence is overpowered in the clamorous shouts of victory and applause. The people are told that they are the rulers, that the public officers are their servants—that one man is just as good, and has just as much voice, in the public councils, as another; and all this is true, but it is truth only half told. No party goes on, and taking advantage of the fact, endeavors to make the people understand the nature of their right of suffrage,—of the principles that should govern them in the exercise of it,—of the duties they should exact from their rulers,—of the respect, they should pay to the counsels of the most experienced

and most disinterested. Nothing is gained to the people by the mere knowledge of their importance, they are puffed up with the vague notions they possess of it, instead of being taught to feel the great responsibility which is thereby cast upon them. We are continually told of the equality of men merely, and undefined, it engenders a tone of rudeness, a want of respect and civility in the common intercourse of life, unworthy of our intelligence and freedom. We see this upon the road, and in every mart where men of all classes meet. Every man being taught that he has no superior, he thinks he abundantly proves the fact by his incivility—he knows that the law is not a respecter of persons, and he pays none therefore to any one, whatever may be his real worth, his age or his past services. If the truth were strongly impressed in all places and at all times, that by this course of conduct, we prove our inferiority,—if the great lesson were more generally taught, that though true it is, all men are politically free and equal, yet that in no other sense, does this freedom and equality exist,—that he stands highest, who best practices the precepts of virtue, and who most regards the wants, feelings and opinions of others, we should not behold the total disregard of merit, integrity, real patriotism and true worth, which is now so frequently exhibited. This kind of knowledge is kept back, which bears strongly upon the political as well as private conduct of citizens, because we are afraid to speak out the truth, the whole truth and nothing but the truth, for fear of losing the favor of those, whose pride may be galled by it. Party leaders and party supporters, are the only persons, who assume to give the tone to the moral, in connexion with the political, action of the people, and they are interested if not to deceive, at least, not to enforce the best lessons of wisdom and truth. The aims of party leaders are apparent to every reflecting man, when they tend for instance to separate the poor from the rich, and to place the former in a hostile attitude to the latter. When we hear of the grinding oppressions and monopolies of the rich, of the unrewarded and unprotected poor, it is safe to conclude, that there is a design abroad to make the poor and middling classes of society, the tools of designing demagogues—the instruments of a mean and contemptible ambition. Who, let me ask, have the greatest interest in the permanence and the welfare of the country? Those who have the deepest stake

in its soil, the greatest interest to be protected by wholesome laws and equal rights, or those who have nothing to be protected but their persons and the mere right to acquire property ? Who are most likely to pervert our institutions—the rich, industrious and enterprising, who have nothing to gain by the change, or the poor or bankrupt in fortune who have nothing to lose ? How, let me ask, is wealth attained ? Is it not the result of industry and self-denial ? Does it not flow from honesty and vigilance in our respective callings ? Are men possessing these qualifications found grinding and oppressing the poor ? Whence arise before our eyes, the munificent endowments for every charitable purpose ? Who are the builders of our granite temples, where knowledge, art and science find their homes ? From what cause is it that education is brought to every man's door ? The wealth flowing in broad and copious streams directly from the hand of industry and wealth, does all this. When the means of the rich are thus liberally useful, shall we accuse them of being a monied aristocracy, and by terms of contumely and reproach, break down the just influence of their voice in the public administration of affairs ? Forbid it, Justice ! for our own sakes, as intolligent men, let us unite in putting down such base and contemptible prejudices, the offspring of envy, low cunning and intrigue. Wealth itself, is but the industry of the nation, without it, property has no value, for it can be put to no useful purpose, and the rich therefore are bound by the strongest motives of self-interest, to protect the rights and promote the welfare of the poor.

The community too have strong claims upon the opulent, they cannot expect on their part to lead lives of luxurious indulgence, or costly display ; they have no right to parade the gifts of fortune before the eyes of poverty, or to live, rather to display their acquisitions than to make them useful. This is contrary to the spirit and genius of our institutions. If men choose to set themselves apart from the rest of the world, they cannot depend upon their respect or support. It is not necessary, that they should mingle in every crowd, or flatter every mob that wants a leader, but it is their duty, to make their walk of life, a way of unpretending usefulness, a scene of quiet and searching benevolence. The danger is, if any set of men stand apart from the community, from any cause indi-

cating a want of sympathy with its movements, that they will become an object of attack and reproach, and society will divide itself, so as to give to the demagogue, the means of raising himself to power, by inculcating a disregard of those laws, which while they specially protect the rights of property, are really made for the good of all members of society. If property be in the hands of men who do not regard the wants and desires of the community, and who take no interest in the management of public affairs, when the hour of danger comes, their counsels will have but little weight, and their interests will be but slightly regarded. In our government, where the laws are intended to bear equally upon all men, it is for the benefit of all that no line of distinction should be drawn between the different classes of society, every man should labor to prevent it, by taking a common interest, and doing his part in the government of the country. Every election is important in this point of view, and every voice should be heard upon each opening of the ballot boxes.

There is a strong feeling, which is frequently manifested against the most upright and best intentioned in the community, because they are unwilling to mingle in the public deliberations, or to take a part in the political movements of society. They are never seen at an election, they are never heard of in municipal affairs, they are observed intent only upon their private business, or in the indulgence of private pleasures. Their absence from the places, where their duty calls them, has a twofold effect, it excites the displeasure of those, who having actually less at a stake, take a pride and interest in our institutions, at the same time, it gives an opportunity to men less worthy, to fill their places, who by increasing the excitement against them, lead those, who do come out, and are active in their duties, as citizens, to act regardless of those interests, which from their not being properly represented, are frequently sacrificed. The effect of this is, if not to destroy, at least to impair that high and lofty sense of justice, which an intelligent people should possess. Measures from this cause are sanctioned, without a full investigation, by legal enactments, which sweep away and destroy the rights of individuals and associations, for the gratification of the people, who feel no disposition to protect privileges, which are selfishly enjoyed, or are unduly represented before the public. Those talisman

words, *monopoly* and *aristocracy* are brought to bear with powerful force in all doubtful cases, and the property of individuals is annihilated, which they supposed to rest securely on the public faith.

When we last met together to celebrate this day, prosperity and plenty showered happiness and contentment over the whole country. Every portion of human industry met with a full return. The seas were covered with our profitable ventures, the land was abundant in the fruits of the field, the artisan had no unprofitable rest. The increase of wealth, of the spirit of enterprize, of laudable endeavors to ameliorate the condition of mankind, were every where visible. The scene is now somewhat changed, and the sunshine of prosperity, which sat smiling so beautifully on the land, has become dimmed by doubts and fears, prostration and distress. At such times, the virtues of men are tried, an union of suffering brings them more closely together, and they should learn to meet the changes, with a kindly consideration of each other's wants and sufferings. It is idle to be clamorous, if the fault lie in the measures of our rulers, let it be pointed out, and made known to the people, and they will provide the means of correction. An earnest, but calm consideration of the subject, will best insure a proper action from the people, and will prevent any movement on their part, which can give the slightest pretext for an act of violence against their rights, or for any usurpation of their privileges. It is due to ourselves, as members of a free government, to be controlled by reason, to examine for ourselves, and to act upon the results of reflection.

We have an almost boundless territory, on which to exercise our industry and enterprize, and a population, which increases so rapidly as to break down all calculation, as to its present numbers or final extent. We are placed upon a new and untried field, and are unfettered by the prejudices or practices of more ignorant times. Education is as attainable as the air we breathe, and the light of knowledge goes onward with the woodman's axe, to the remotest forests of the west. We have nothing to do, but to keep up, and to imitate the virtues of our fathers, to guard with jealous care, our social and political institutions, to promote the intelligence, and kindle

the spirit of benevolence and mutual good-will among all classes of people, in order to keep on with unchecked step, in our march of triumphant proofs to the despots of the old world, of man's capacity for self government and self control.

The powers, energies and capacities of the country are rapidly increasing, and we cannot look forward with any certainty to the demands, which our sudden and immense growth may make upon us. We cannot foresee all the dangers, which may beset our noble ship of state. We are upon a wide and untracked ocean, and the currents that have driven us to and fro thus far, have borne us onward in safety; such however is the rapidity of our progress, that we are carried forward, continually to meet new impulses, to stem new and opposite tides; there may be rocks hidden in the ocean pathway, we are making, and it is necessary to keep ever on the alert. A deep sense of the dangers around us, should quicken our activity to a keen and laborious watchfulness of every sign in the heavens above and in the waters; below we cannot rest in safety, and the very calm that may be over us, should give warning of a coming storm. Our salvation is to be found only in our fears, a conviction of security begets apathy, and listless indifference; and, while every thing wears a bland and smiling aspect, while self satisfied, we sit down in the indulgence of fancied security, the elements of misrule and discord are gathering their secret forces: in a moment, the political horizon becomes overcast, black and heavy clouds roll up, mass upon mass, and threaten in their outpourings to deluge and wash away the fair creations, which were so lately shining in their beauty and brilliancy. We must be ready at all points, and in all times, so that when an attack shall be made upon our institutions, however insidious or disguised, it may be perceived, met and defeated.

It is idle to imagine that government can be perfect in its operations, we might as well believe in the perfectability of man, but unless we aim to reach this high point, we shall recede from, rather than approach it. It is only by keeping up a lively sense of the importance of good government to mankind, of good laws, of pure morality and sound religion,—by constantly recurring to the inestimable value of our free institutions, and guarding against the dangers that may beset them, or grow out of them, that we shall be sufficiently stimu-

lated to labor earnestly for their preservation, so that as we give devout thanks to our forefathers, for their establishment of them, we may receive the same reward from our posterity, for our firmness in their maintenance.

Assembled to celebrate this day in a place long consecrated to the holy purposes of divine worship, we should not suffer the occasion to go by, without paying a tribute of thankfulness for the benefits of the religious freedom we enjoy, nor forget that we owe to the mild doctrines of the christian religion, our greatest temporal, as well as eternal good. Its progress, has been the advancement of all the social virtues, of all intelligence, wisdom and sound morality. It has implanted in man a higher sense of the moral dignity and excellence of which he is capable. But let us remember that the universal toleration upon the subject of religion, may be abused. It may lend its aid to bigotry and intolerance, or it may run rapidly to atheism and infidelity. It is our duty to check its evils and nourish its good tendencies, and under the guidance of strict scrutiny, it will go onward, changing for the better, the face of society. It is to the public what it is to individuals, the guide and regulator of the footsteps of man, and knowing its blessings and advantages, we should endeavour at all times to give it its due weight. Let us remember, that though we accord universal toleration of religious worship and opinions, we are not bound to submit quietly to the practices, nor give countenance to the public professions, of atheism and infidelity. The influence and example of every one who values the effects of the religion of Jesus upon mankind, should frown upon the blasphemous endeavors of those, who set the revelations from God at defiance, remembering that they who are unwilling to submit to the laws of divinity, can need but little inducement to disobey and scoff at the institutions of man.

Upon this subject, Washington addressed the nation, in that memorable legacy of wisdom he gave to the country on retiring from the cares of public life, "of all dispositions and habits" says this great and good man "which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, the firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to re-

spect and cherish them,— a volume could not trace all their connexions with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of our religious obligations desert the oaths, which are the instruments of investigation in courts of justice? And let us, with caution, indulge the supposition, that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that *national morality* can prevail, in exclusion of *religious principle*.”

Every day that passes by, is diminishing the number of the actors in the busy scenes of our revolution. Among those, who have finished their earthly career within the past year, no one stands higher on the list of fame, or is more worthy of a passing tribute than General Lafayette, who, though a foreigner, was one of the earliest friends to our Freedom and Independence, who, though he had no interests of his own at stake, perilled life and fortune for us.

Born of noble parents, inheriting a considerable fortune, losing at an early period of his age, the counsels and protection of his father, Lafayette came into the active scenes of life at an age, when little could be expected from him, but to add to the splendor of a court, or the chivalry of a camp. He entered the army as was the usual course of the young French nobility, and because it was the profession of his ancestors. At the commencement of the American Revolution he was stationed with the French army at Mentz, and it was there, that accidentally he became acquainted with, and interested in, the contest then going on in America. When he found, that a brave people were contending single handed in a struggle with Great Britian, in the maintenance of their rights, and attempting to keep off the yoke of bondage, which had been fashioned by the hands of arbitrary power, he determined to offer his services, in aid of their cause. He returned to Paris to gain further information and to consult with his friends upon the step he was about to take. He was advised against it, as an imprudent and quixotic measure. But worldly considerations and personal sacrifices did not deter him, and notwithstanding the advice he had received, he resolved to espouse the cause of liberty in America. He offered his services to the American agent at Paris, but he could give him no encouragement; promises

of rank and pay, it was out of his power to make, and he was even informed, that congress could not give him a passage to its shores. He saw our embarrassments and difficulties, and instead of being chilled and disheartened by them, he felt for us a greater sympathy. The idea flashed into his mind, that he had now an opportunity of making the wealth, he fortunately possessed, perform its noblest uses ; he felt that he now knew the true value of money, in the means it gave him of doing good by devoting it to the service of freedom. Upon being told, by the American Agent, that congress could not even give him a passage to America, he instantly replied, I have money—I will purchase a ship to convey me and my friends to America, my property as well as my person, I will devote to her cause. He safely reached American ground, he made himself known, and was kindly received and hospitably entertained.

He had left home, country, wife, children, and friends, he had abandoned every thing, that usually twines around a man's heart and determines his conduct. He had gone through the dangers of imprisonment at home, of capture upon the seas, and he had now come to the scene, which should test, whether or not he had been acting thus far, from the mere impulse of boyish enthusiasm and love of glory, or whether his conduct had been the result of an ardent and determined sentiment of regard for the rights of mankind. He had gone on prosperously in his course thus far, through all the difficulties which beset his path, before he completed his nineteenth year, a period of life, when men in the usual order of things, reflect and act but little for themselves.

Hastening from South Carolina to Philadelphia, where congress was sitting, he applied to Mr Lovell, the chairman of the committee for foreign affairs, to be admitted into the service of the states, but he was informed by him that so many foreigners had made similar applications, to the interference of the claims of the American officers, in the line of promotion, it was very doubtful, if his would be successful. Nothing daunted however, he addressed a note to the President of congress, in which he desired to be permitted to serve in the American army upon two conditions, first, that he should receive no pay, second, that he should act as a volunteer, without any rank whatever. These terms, so unusual and so disinter-

ested, avoided all objections, and his offers of services were at once accepted. Such was his zeal and patriotic devotion, that with the approbation of the whole army, before he had reached the age of twenty, he was appointed by congress to the rank of Major General.

The gallantry of his exploits, the battles, in which his part was always conspicuous, his generous deeds his numerous acts of kindness and benevolence, are themes for the historian. They are as yet but half told, every coming year, will, now he is no more, add new testimonials of his good and generous spirit,—the leaf on which his actions are to be written, is not yet filled,—a grateful sense of justice, will add many lines, which every American will read with pride. His integrity no man ever doubted, his mind was never polluted with one selfish thought,—his hand performed not a single action, that cannot be recorded to his honor.

It is but a few years since he revisited our land and viewed the results, which he labored so devotedly to accomplish, wherever he went the plaudits of thousands greeted him, — the whole people came out and his welcome to the land was one universal shout of joyful thanks and praise, affording a rare instance of national gratitude towards a living benefactor. Our obligations to him could not be repaid, his aid came to us, not merely in the shape of a young enthusiast in the cause of liberty, we had many such, — but in gaining for us the sympathies of a whole nation. He gave to our cause abroad a sanction and character, which spread rapidly and widely, until the work of independence was accomplished. As an hereditary noble in a land, where it has been of the highest consideration to be born a ruler, it was an uncommon thing to find one willing to step down and mingle his sympathies with the people. But the rights of man had been studied and sought out by him long before reaching his manhood, — finding no countenance at home, and seeing a spot, where the contest was going on, by which a people endeavored to place themselves upon the footing, he claimed for all mankind, he yielded to us his hearty desires for success; it led him to our shores,— it incited him to leave his home, the elegance of a court, its luxuries and its refinements, to brave the rigors and hardships of a war, where even the necessaries of life and the materials of a camp were wanting. My fancy can picture him now, with eager

step and eagle eye, the young, the enthusiastic champion of the rights of mankind, bidding an impatient adieu to the land of his birth, flinging aside the empty forms and ceremonials, that are thrown around a court, and rushing to our cause, as the cause of long injured and abused man. I can picture the thoughts that rapidly glanced through his mind, the half doubting, yet joyful emotion that thrilled his bosom, when he at last beheld the land, where the great experiment upon the powers of mankind for self government, were first to be tried on an extensive scale. I can rise with him to the highest pitch of exultation, which animated him, when he saw the great work was accomplished, — when he beheld us free. He lived to a good old age, and amid his disappointments in the land of his birth, at the want of success which his ardent temperament led him to expect, ever not far distant, he had the satisfaction to be assured, that an example of social and political freedom had been set, that its influence was extending, and though it may wade through seas of blood, that the bright day of political regeneration is to come.

Happy ! happy ! has been thy lot, for a nation of freemen loved thee ! Happy ! happy ! hast thou lived and died, for a whole people honoured thee ! And they will honour thee when ages have swept by, — so long as virtue and patriotism finds a place in the land, they will link the fond memory of thy name and virtues, with that of him, whom when living thou honoredst and lovedst most — with the name of Washington.

N O T E S .

NOTES.

Note A., page 4.

“They left their native land in search of freedom and found it in a desert: divided as they are into a thousand forms of policy and religion, there is one point on which they all agree, they equally detest the pageantry of a king, and the supercilious hypocrisy of a bishop.” *Junius.*

Note B., page 9.

It is asserted, that this is an age of great improvement over all preceding time, — that there is a wider and more extensive diffusion of useful knowledge among the people, than there has ever before existed; it may be doubted however, whether men have been taught to think and act with the deliberative correctness, and force of character, which the men of the revolution exhibited. Knowledge has been more widely diffused perhaps, but practical wisdom has not been planted so deep in the characters of men, its diffusion has only spread a thin veil over ignorance and prejudice, it has eradicated neither. In some things great advances have been made, — in the mechanic arts, the progress of improvement is wonderful, so in certain parts of the social condition mankind has advanced very much. In some kinds of knowledge, however, the generality of men are still lamentably deficient, our early history is neglected, the distinguishing traits of the characters of our forefathers are almost entirely forgotten, and the influence of their example, and the effect of their sober wisdom and reflection, are felt less, known less, and appreciated less, every day. The means of knowledge however upon this subject, are becoming more and more within the reach of men generally, and one can now be refreshed at the fountain head of virtue, patriotism and love of country, by the perusal of the lives of Washington, Otis, Hamilton, Jay, Franklin, Morris, and their associates of the revolution. The knowledge that such men ever lived, with a fair insight into their characters and actions, is worth all the lectures upon moral and intellectual philosophy that have or will emanate from the lyceums of a century.

Note C., page 13.

“We are not” fighting said Otho “for Italy with Hannibal or Phyrrius, or the Cymbrians; our dispute is with Romans, and whatever party prevails, whether we conquer or are conquered, our country must suffer. Under the victor’s joy she bleeds.”

Note D., page 13.

The Romans, however, bowing to his power, and submitting to the bridle, because they saw no other respite from intestine wars and miseries, but the taking of one man for their master, created him dictator for life. *Life of Cesar, by Plutarch.*

Note E., page 13.

The force bill, as it was called, which was passed so as to give the President extraordinary powers, in case South Carolina should resist the collection of the revenue within her

limits, ought not to have a place a moment longer on our statute book. It was enacted in a moment of excitement, when it was thought necessary to support the executive power, against the state, to preserve the majesty of the laws of the Union inviolate. But it was a dangerous act, and it gave powers which had been better reserved. In ancient history, the parallel cases are numerous and the coincidences with this step on the part of the representatives of the people, are very striking, and it is by no means certain, had the compromise not been made, the parallel would not have extended to the subversion of the republic. It may be said that we are too much in advance of the ancient republics, in wisdom and intelligence, to gain any benefit from their experience, but the answer is, human nature will always be the same, and it is only necessary to turn to the records of the *per A*, to see how little, men have advanced in that knowledge, which is best exercised in the control of self interest, and in the eradication of passion and prejudice.

Note F., page 13.

The character of our Southern brethren, is not sufficiently understood, or we should do them the justice to believe, that their opinions, however erroneous, upon the subject of state rights, are sincere. Their interests are very different from ours, they possess a slave population, and their prosperity depends upon the products of their soil. Possessing slaves, they consider freedom as a higher privilege than even we do, who have no thraldom wherewith to compare it.* Their slavery is an evil, for which they are not to be blamed. It has grown up with their institutions, and an entire change of the whole character, industry and very nature of the people of the slave holding states must take place, in order to abolish this moral stain, this blot upon the fair face of freedom in America. While slavery exists in the south, the same order of things must exist there, as is to be found now, and lofty notions of liberty will be cherished, without its practical operations, which are elsewhere opening every imaginable source of prosperity and improvement.

The effect of free institutions, where every member of society is a free agent to work his own way forward, to its most desirable places, is astonishing political philosophers more and more. It is setting all calculations as to its extent at defiance. The protection of the laws, extending equally over the rights of every person and every thing, has made the comparatively little island of Great Britain, the richest and most enterprising in the world, it is operating in the same manner upon us. It is this, which causes our flag to float on every sea, and distributes the products of our industry, ingenuity and labor through every quarter of the globe. The south do not so fully partake of these benefits, resulting from wholesome laws, because though they give their protection to enterprize and the rights of property, they cannot animate slave laborers to exertion. It is not in the nature of man to toil for others, God has planted in his bosom a desire to provide for himself, and when that law is violated by the institutions of man, all enterprize and exertion is at an end, and without the full benefit of this wise provision of nature, man is no higher in the scale of humanity for the purpose of usefulness than a brute. He accomplishes nothing but on compulsion, and the beginning and end of his existence finds him at the same point, without one onward step of improvement. The statistics of our country clearly demonstrate these principles of our nature and their operation, and while enterprize and an active spirit of usefulness is pouring in a measureless tide of prosperity, upon some portions of our country, —the necessary result of the free and unrestrained energies of man,—other sections remain comparatively stationary. It is natural that the south should be slow to believe that these are causes, which impede their progress, and at the same time urge us on, in the scale of improvement. The evil lies in the institution of slavery, and not in the laws. No one who knows and properly appreciates southern generosity and magnanimity of spirit, would believe, that the south is willing to expose the industry of the north to any hazard, provided the protection of the laws over it does not injure them; if they can be convinced that the evils they suffer, do not grow out of the peculiar protection the laws give to us, that if those laws were annulled, foreign industry and capital would alone be benefitted, we should see them cheerfully and frankly come forward to aid and rejoice in our prosperity.

This should teach a forbearance towards them; if they err, it should be the endeavor to

set the error forth in its true light, and it should be the mutual study of both, to aid in our mutual prosperity and happiness. We have no right to accuse them of a want of patriotism, when other reasons can be discovered for their conduct, nor have we the right to dictate to them concerning their institutions, but we should endeavor to join with them in an amicable inquiry, as to the causes of each other's grievances, and lend a helping hand, should they need or desire it, to their relief.

Note G., page 14.

The influence men of character and high standing in the community at the ballot-box extends by their attendance upon the elections, very much beyond their votes. It makes others estimate more highly the elective franchise, and in proportion to this estimation, is the importance that will be attached to each vote, and the reflection and caution which will precede its being given. It is evident that if every man, having the right, had for the last twenty years, expressed by his vote, his opinions upon the candidates for election, there would be now little cause for complaint, because, whenever a correcting hand has been necessary for the remedy of any political evil, it has always been extended. The prevention is always easier than the cure, and the duty therefore, when tardily performed is but half done.