AN

ORATION,

PRONOUNCED BEFORE THE

INHABITANTS OF BOSTON,

JULY THE FOURTH, 1836,

IN COMMEMORATION OF

THE SIXTIETH ANNIVERSARY

OF

AMERICAN INDEPENDENCE.

BY HENRY W. KINSMAN.

BY REQUEST OF THE CITY AUTHORITIES.

BOSTON:
JOHN H. EASTBURN, CITY PRINTER.

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CITY OF BOSTON.

In Common Council, July 4, 1836.

Resolved, That the thanks of the City Council be presented to HENRY W. KINSMAN, ESQ., for the eloquent, patriotic and instructive Oration, this day delivered by him, before the City Authorities, and that the Mayor be requested to ask of him a copy for the press.

Sent up for concurrence.

JOSIAH QUINCY, JR., *President.*

In the Board of Aldermen, July 4, 1836.

Read and concurred.

SAMUEL T. ARMSTRONG, *Mayor.*

A TRUE COPY—ATTEST,

S. F. McCLEARY, *City Clerk.*

ORATION.

On this anniversary of the day which gave birth to the independence of our country; on this anniversary rendered still more interesting by the death of three of the Chief Magistrates of the republic; on this anniversary which the dying lips of John Adams pronounced to be "a great and a glorious day;" it is well becoming the children to celebrate the memory of the fathers, from whom they derived the inheritance which this day purchased, and to endeavor to perpetuate the recollection of their virtues, as the best means of securing the benefits which those virtues have obtained.

We come not here, chained as it were to the car of a conqueror, to celebrate his victories. We come not here to render a cold tribute of respect to a custom of our predecessors. We come here, from the voluntary impulse of our own feelings, to exhibit our devotion to the cause of freedom, and our gratitude to God, who has given us a prosperity unequalled in the history of the world. And, although, familiar with liberty as with the air we breathe, we may sometimes for a moment, forget its value, yet dead must be the soul to every generous emotion, cold and selfish must be the heart, which is not touched by the enthusiasm, which the recurrence of this day is fitted to excite. Laying aside, then, all bitterness of party feeling, all sectional and local differences,

forgetting even our personal occupations and daily business, let us devote a brief hour to our country alone.

The virtues of our ancestors, their patriotism and their success, are too dear to every one of us ever to be forgotten, and they have always, more or less directly, formed the subject of contemplation on this day. Without attempting in any degree to undervalue their merit, permit me, fellow citizens, to say, that we ought sometimes to look to the future, as well as to the past. The traveller, who pauses to look back upon the dangers, or to admire the prospect he has left behind, will make little progress on his journey. So, if with vainglorious exultation, we content ourselves with referring back to the patriotism and enterprise of our progenitors, instead of making active exertion ourselves to preserve the privileges, which that patriotism and enterprize obtained for us, we may, before we are aware of it, forfeit all which they struggled so arduously to acquire, and losing ourselves in a dream of ancient renown, we may awake to real and present misfortune and disgrace. And should we ever by our own carelessness and indifference, sink down from our high estate into national degradation and shame, should the liberty, of which, perhaps, we are too much inclined to boast, ever be overthrown, our dishonor will be in no respect redeemed by the splendor of a former age. On the contrary, it will stand out in bolder relief, and become more prominent from the contrast. To the pusillanimous and abject inhabitant of modern Greece, the recollection of the age of Pericles, the memory of Marathon, of Thermopylæ, and of Salamis, must be sources of bitter and aggravated sorrow. May the time never come, when the inhabitants of New England shall remember Bunker Hill fight, with similar emotions of grief and pain, and when her children, recreant and degraded, shall have cause to blush at their own humiliation, when looking back upon the characters of their sires! In order to avoid so mortifying a termination of a career, which has been thus happily commenced, there is something to be done by the men of this generation, besides rejoicing in the renown of

their ancestors. We cannot expect their fame, glorious as it is, we cannot expect their virtues, pure as they were, always to save the country. We ought not to be satisfied, merely with offering our gratitude to those who have gone before us, nor to act, as if we supposed, that an ardent admiration of their achievements, was the beginning and end of all that is required of us as good citizens. Our obligations by no means end here—our duty only begins with a deep veneration for those mighty men of old. To tread in their steps, to profit by their example, to emulate their glory, to continue and perfect the great work which they commenced, these are the duties, which every American citizen is called on to perform. From the graves of our fathers, a voice comes to us, which whispers, all that men could do, we have done, all that patriots could do, we have done. We have achieved for you *liberty*, LIBERTY, which until our time was never fully enjoyed, which was not even entirely understood. Although, beginning with the earliest Grecian patriots, through long ages of despotism and cruelty, a noble army of martyrs have sacrificed themselves in her cause, although the poets and orators of Rome and of Britain have celebrated her praises, although at her altars tears and blood have been poured forth, yet liberty, *rational*, *constitutional liberty*, has by us alone been achieved. To our sons we bequeath the glorious inheritance, and on them we impose the obligation of sustaining and diffusing the principles of freedom. To the faithful performance of this sacred trust, fellow citizens, we are admonished by a regard for posterity, by God, by our country, and by good men every where. Instead then of dwelling upon the often repeated history of the revolutionary struggle, a history which ought to be known by heart to every good citizen, let us improve the occasion, by considering some of the means of discharging this trust, thus committed to us by the Fathers of the Revolution.

Among the most important means of perfecting and perpetuating republican institutions, allow me to call your attention to the cultivation and just application of useful knowledge;

The exercise by every individual in a republican government of the right of suffrage, and

The necessity of caution and moderation in introducing changes into our system.

On these topics I shall make a few suggestions, so briefly as not to weary your patience, if I should fail in interesting your attention.

It is to be attributed in a great measure to the ignorance of the people, to their want of intelligence upon political affairs, that no constitutional government has yet succeeded in any of the countries of Europe. The people of those countries do not want courage or resolution. They want information. Bloody and desperate have been the conflicts between patriots and tyrants, but the people have wanted skill to retain the power they have several times acquired. Their ill-directed efforts have, in some instances, only served to strengthen their bondage and to rivet their chains. In relation to our own country, it may not be too much to assert, that all the public spirit, all the bravery of the people of these colonies, would never have accomplished the American Revolution, if that public spirit and bravery had not been accompanied and assisted by a high degree of intelligence and wisdom. It was this sagacity, this wisdom, which enabled our statesmen to direct the storm of Revolution, and finally to compose the elements, little less stormy, of confusion and anarchy which were likely to succeed. It was this intelligence on the part of the mass of the people, that taught them the advantages of Union, that taught them the prudence, by a constitution and laws, of imposing some restraint even on liberty itself, in order that it might be a power to do good, and not a license to do wrong.

Founded thus in wisdom, it requires intelligence and wisdom in the people, not only to understand, but also to guard and preserve our institutions. Other governments have grown up out of the necessities of the people, and have often been the result of accident, rather than of any previous design. Our own, on the contrary, was not forced upon us by oppres-

sion, was not the offspring of accident, nor was it resorted to as a desperate chance, to avoid the still more desperate alternative of anarchy. It was the result of a deliberate plan, the product of the wisdom of sages, constructed with a view to the greatest good of the greatest number, and arranged, so far as possible, to guard against the evils of licentiousness on the one hand, and the miseries of despotism on the other.

It is in this view, the peculiarity of our government, namely, that the diffusion and right use of knowledge, are so important, so absolutely necessary to us as a people. So obvious is this importance, that you may perhaps be surprised, that I should even think it necessary to name it. I do so for the purpose of pointing out an error which, it is to be feared, prevails upon the subject. This error is, that wholly overlooking the use to which knowledge is to be applied, we pursue it more for purposes of amusement than of instruction, and, satisfied with learning entertaining facts, either in science or history, we neglect the more important duties of reflection and comparison.

Knowledge is not to be sought as an end merely, but as a means. To desire to be rich in learning, only for the sake of hoarding it up, is almost as preposterous, as to desire to be rich in money for the same purpose. The true object of knowledge is, not that one may be able to say "I know so much," but to make us wiser and better; and, for this purpose, to think is as necessary, as to hear, to reflect, as indispensable, as to read. The man, who attends a lyceum lecture, only to amuse a leisure hour, just as he would, for the same purpose, resort to a puppet show; the person who reads history, as he would read a romance, only to excite the imagination; these persons derive very little benefit from any information they obtain. They may, it is true, have an acquaintance with here and there an isolated fact, they may remember the particulars of a battle, or the result of an experiment in natural philosophy, but they are far, very far, from being permanently profited by any knowledge they have acquired. The causes of things and their effects, the relation

which one event bears to another, it is a reflection upon these, which gives knowledge all its value. It is this which forms the character of the philosopher, whose wisdom, by gathering here a little and there a little, by connecting this fact with that, by comparing the result of one experiment with the result of another, is enabled, as it were, to construct a ladder of knowledge, by which, like the angels on the ladder of Jacob, one might almost ascend to Heaven. It was this feature in the minds of such men as Bacon, and Newton, and Franklin, which elevated and enlarged the human mind by new discoveries in science, and with new views of truth. It is this, which enables us from the history of the past, to derive valuable instruction for the future, which makes us wise by the wisdom of others, and assists us to profit in our own conduct, by the experience of those who have gone before us.

Nor is this all, besides enabling an individual to act rightly himself, this just application of knowledge, will enable him to judge rightly of the actions of others. It is to this end, that the proper cultivation of the powers of the mind, is so desirable in its connexion with political affairs, that we may be qualified to discriminate between truth and falsehood. It has been said by one of the greatest minds the world ever produced, that it is of no consequence that falsehood is permitted to go forth to the world, if truth be also in the field. But, in order to distinguish the one from the other, in order that truth may be discerned and followed, amidst the obscurity and darkness which passion and prejudice throw around her, the understanding must be enlightened, the judgment must be matured. In communities where the people do not make the laws, where they are, not only not required to think, but absolutely forbidden to do so, a state of ignorance may even be a state of bliss; for knowledge, under such circumstances, would only awaken them to a sense of their unfortunate condition, without affording them the means of relief. But, with us, where the people are, at the same time, the supreme power and the subject, the rulers and the ruled, ignorance would be as incompatible with happiness, as it would be fatal

to freedom. For, as this state of ignorance is the most favorable to the continuance of absolute power, so it is the surest means of bringing it about. And if the dark and iron age of political slavery is ever to pervade these now happy shores, it will be introduced and preceded by the slavery of the mind, by the neglect of the means of education, and of that cultivation of the mental faculties, which first awakens man to a sense of what he is, and of what he is capable of becoming; which, making him acquainted with the extent of his own powers, teaches him to abhor and scorn all bondage, whether of the mind or of the body, and leads him to aspire after an excellence, which beginning and advancing here, will finally be completed and perfected in another and still more intellectual state of existence. It is for this reason, that the cultivation and just application of useful knowledge while they improve the character of individuals, must also have an important influence upon the character of the government. While a neglect of them will certainly produce the most disastrous effects; effects, which, it is to be feared, are already beginning to exhibit themselves. No one, who has observed, even cursorily, the signs of the times, can have failed to perceive, that a want of steadiness and reflection, the consequences of a want of thorough discipline of the mind and character, are the most prominent defects of society, at the present period. They may be traced in the fondness for excitement every where so obvious; in the eagerness to hear or to see some new thing; in the readiness to believe and spread every rumor; in the tendency of the public mind to rush to extremes of all sorts, exhibited at one time in the harmless, though somewhat ludicrous pursuit of fashions intended for other countries and other states of society than our own, and at another time, with more dreadful and melancholy enthusiasm, hurrying a mob to the destruction of property and of life. These are evils among us which need to be corrected. They are evils wholly inconsistent with any long continued existence of good government. They are evils, which can only be corrected by a diffusion of useful knowledge; a

knowledge, not of things only, but of men; not of events merely, but of the human heart and the springs of human action; by a diffusion, in fine, of such knowledge as will, at the same time enlarge and purify the mind, so pursued and acquired, as to discipline and correct it. Does any one complain that the suggestions I have made are only suited to the scholar and the man of learning, and that the man of business cannot profit by them? I answer, that they are equally applicable to all. This discipline of the mind, this practice of reflection, which turns all knowledge to good account, may be acquired by the sailor on the ocean, by the mechanic in his work shop, and by the merchant in his counting room. Indeed the more the subject is investigated, the more deep will be the conviction, that it is the proper use, as well as the acquisition of knowledge, on which we must depend, in a great measure, for the permanency of our republican institutions. Here at least, this principle should never be forgotten. Here, in this Commonwealth, hallowed and sanctified by the virtues and the learning of the Pilgrims, where Chauncy and Mather taught, and where Bradford and Winthrop governed. Here in Massachusetts, the nursery of literature, as well as of religion and patriotism. Other States exceed us in population, in territory and in wealth; let ours be the praise of superior intelligence, and as the flame of liberty was first kindled here, here may it continue to burn, with all its original lustre. And, if the mighty tide of men must still roll on towards the West, let them still look to the star in the East, for guidance and direction; to that star, towards which in '76, the eyes of this continent, and of the whole civilized world, were turned in anxious expectation; to that star, which though rising in gloom and shade, still moved on serenely in its majestic course, dispersing the clouds and mists which surrounded it, and guiding our country to an elevated and commanding rank, among the nations of the earth.

This proper pursuit of knowledge, and that cultivation of literature and the arts, which must naturally grow out of it, will also adorn, at the same time that they strengthen and sus-

tain our institutions; and should it be the will of heaven, that our government, like all those which have preceded it, shall be at last dissolved, they will confer upon the republic a renown, which will be more lasting than even the republic itself. So that when the "*dies illa et ineluctabile tempus*" of our country shall have arrived, that then her literature shall be her fairest monument, not like the "dull, cold, marble," which speaks not, or like the everlasting pyramids, which cannot tell who was their architect, nor when they were erected; but such an animated and ever-living memorial of our country's greatness, that the traveller of future ages shall linger round the ruins of our capitols, and weep over the graves of our poets, with something of that enthusiasm which we feel on the site of the Academy, or at the entrance of the Parthenon.

The exercise by every individual, of the right of suffrage, is another important means of perpetuating a republican government. Such a government being derived from the people, the people must watch over, and protect it. If we, in this country, enjoy greater privileges, than the people of any other, we are also under greater obligations. Every thing depends upon the people, upon you, and upon me, fellow-citizens. We have a personal responsibility in this matter. Let us not content ourselves with sitting down quietly in the belief, that the government having been wisely and successfully established, every thing will proceed well. Let us not be satisfied, that we have a constitution. I know we have a constitution, and I thank God for it, but the constitution will not protect itself. There is no magic in the word. It is after all but paper, as it has frequently been called, and needs the vigilance, the care, the votes, and it may be, at some future time, that it will need the arms of the people, to sustain it. There is the more reason for this constant watchfulness, inasmuch as there will always be many persons ready to take this trouble out of our hands. There are many men, artful, intriguing, and ambitious, ready to take care of the government, ready to take care of the people, ready to take care of

the constitution. Many who would be willing to leave to you, only the same liberty, that the despotic Elizabeth allowed to her servile parliament. Liberty, to use her own words, "liberty of aye and no, but by no means a liberty for every one to speak what he listeth." Remember upon this subject the words of Washington in his last legacy to his countrymen: "Let there be no change of the constitution by usurpation." See that no one department of the government usurps the powers, or attempts to restrain the just exercise of the rights, of any other. Our system has often been appropriately termed a system of checks and balances. The moment any one department acquires a preponderance, that moment the whole system is in danger of being destroyed.

Our vigilance is also required to guard against another danger, less obvious, but perhaps more fatal, than usurpation, against the designs of those who would delude us by a pretended regard for law, and an extravagant affection for the people. These are pretexts, under which the enemies of the people have often successfully deceived them, to resist which, all the intelligence, all the resolution of the people will be necessary. From open violence there is not much to fear among a brave and enlightened community; but where treason takes the flattering garb of love and regard for the constitution and the public good, or assumes the insidious disguise of legal enactment, or seeks to justify its encroachments, by strained constructions and doubtful precedents, it is much to be apprehended, that liberty may be subverted, and the whole character of the government changed, before we are even aware of any material alteration. Let us not be deceived by these pretexts, these flimsy disguises. A regard for law, an affection for the people, have been the uniform cover of the designs of tyrants and despots. Was there ever an instance, from the earliest period of history down to the present time, of any man or set of men, who obtained, or attempted to obtain, arbitrary power, who did not commence operations, quietly, imperceptibly, gradually, under the form, and in the guise and appearance of law? Charles the 1st, would not

have dared to seize the estates of his subjects by direct violence; that would have been too palpable, too plain; it would have provoked the people to open resistance. He attempted to extort their property, under the pretence of the legal tax of ship-money. George the 3d would never have presumed to interfere directly and openly with the rights of the people of the colonies. It would have set, not only this continent, but all England in a blaze. No! he undertook to overthrow their liberties by act of parliament, but our fathers saw the object, and resisted, nobly, successfully resisted, and in so doing, left us an example of self-denying patriotism which ought never to be forgotten. Why did they resist? Not for themselves alone surely; for the loss of a few pennies, or shillings would not have impoverished them, would not materially have interfered with their present ease and comfort; but they knew, that the encroachment once acquiesced in and allowed, we their children must forever be slaves, and they were willing to give up their ease, their comfort, their property—they even counted not their lives too dear, to be sacrificed in so righteous a cause.

It is this pretended love of the people, which has often destroyed the liberties of the people. It is this form of law, which has been the ruin of many a free government, as well as of many an individual patriot. It was by form of law, that Algernon Sydney was executed, and many a martyr to freedom, during the long struggle which has for ages been going on between liberty and despotism, has been sacrificed under the form of law, but contrary to every principle of justice.

I cannot close this portion of my remarks, without alluding to another danger, to guard against which, the people must be vigilant; a danger of which we are admonished by recent events, that of an extension of our territory by conquest.

Our country is already extensive. From the Atlantic to the Pacific, from North to South, our government stretches over thousands of miles, includes almost every variety of climate, and reaches over lands, which, in any other quarter of the globe, would comprehend many different races, languages, and tribes.

Various conflicting interests are to be reconciled, many sectional prejudices to be conciliated. Thus far, a sense of common dangers, a common origin, a mutual dependence and equal rights, have kept the States united, and may still continue to do so, so long as we adhere to the simplicity of our ancestors, so long as we maintain the union, for the purposes of its original formation. The moment that we extend our territory by conquest, that moment, we conquer not so much the people of any other country, as the people of our own. This consideration ought not to be overlooked in the present position of the country with regard to Texas, a position of great interest to the public mind. With Texas and with Mexico we can have nothing in common, and with them we ought to establish no relation, except such an amicable one, as the mutual advantage of each of the governments demands.

The limits of this address, will not permit me to describe the present condition of these different countries, but I cannot forbear to suggest, that the interest, the safety and the true glory of the United States, should induce them to stand aloof from the contest now going on between Texas and Mexico. If we once take part in it, we cannot retreat—a war must be a war of conquest. To suppose that the population of Mexico, descended in part from the Saracens; to suppose that a Moorish-Spanish-Mexican-American population, as it has been well denominated in a speech of a representative of Massachusetts, which, it is to be hoped, every one has read; to suppose that such a population as this will ever unite peaceably with us, and become one of the States of the union, is visionary and absurd. Their language, their habits, their national character, all forbid it. A war then, must be one of conquest, pursued to extremity, to an extremity which no man can contemplate without dismay, or, it must be a war of dishonor to us. Either alternative would be a misfortune. For whose benefit would be the result of conquest? For that of the people? Would it promote any of our great national interests, agriculture, manufactures, commerce? In each of these particulars we should scarcely be benefitted,

even by victory. Would it add to our liberty, to our wealth, or to our improvement in any respect. So far from it, a war must necessarily be begun and maintained, at a vast cost, and to the great injury of our commerce. It would add, not to the glory of the country, although at the expense of the misery of thousands, it might add another to the long catalogue of tyrants, who, gilded by the false and merely reflected lustre of military fame, have captivated the affections of the people and fascinated them with the hollow appearance of glory; a glory founded not on benefits conferred on mankind, but on the destruction of the human species and of human happiness. In short, I can perceive no possible advantage that can be derived from a war with Mexico, unless indeed, it might relieve us from a fruitful source of altercation in party warfare, from the burden of an overflowing treasury, and of superfluous wealth; and even that occasion for war, if such it could be considered, has been removed by a recent decisive and triumphant vote of Congress. And yet, a strong current seems to be driving us towards this point. By taking advantage of a sympathy in the minds of many for those who have, without doubt, really suffered, although by their own imprudence, by misrepresenting facts, by exaggerated accounts of wrong and injury, and flattering promises of victory and wealth, certain inconsiderate persons are endeavoring to bring about a state of things, which would leave no alternative, but a vigorous and bloody war, or a dishonorable escape from it.

The people cannot be too firm and decided in expressing their opinion on this momentous question before it shall be too late. Let the faith of treaties with Mexico be inviolably preserved—let the independence of Texas be acknowledged only when she has shown herself capable of maintaining it, and of discharging all the duties and performing the obligation, incident to an independent government. Let us not enter into a contest, from which, at the very best, we can reap only barren laurels, and in which, although we may inflict much injury on others, we must also suffer much

ourselves. For, in addition to the directly bad effects of conquest in the particular case alluded to, we must, in all probability, suffer what all republics have suffered before us, from a successful conqueror; we must suffer the loss of name, and of fame, of all the glory of the past, and all hope for the future. Go to the seven hills of the Eternal City, and survey the ruins of a republic, once so magnificent, that its very ruins astonish us, and read there the lesson written on every broken arch and every mouldering column! See in the conquests of the Grecian general, the destruction of his own country, which he first elevated, and rendered illustrious by his victories, and then enslaved by his ambition! See in the hero of Montebello and Marengo, the destroyer of republican France! And if all these examples cannot satisfy us, that war and conquest must be fatal to the existence of republics, then, it is to be feared we were born to be slaves, and it will be of little consequence how soon we fulfil our destiny. But let us not deserve such a fate.

Let us not neglect all these warnings afforded us by history. Let all these dangers, only a few of which I have pointed out, stimulate us to activity. Let the duty of taking a part in the political affairs of the country, be engraved on every heart. Let it be inculcated on the minds of our children, that to the people is confided the obligation of preserving and sustaining the great constitutional principles of civil liberty, which we have inherited from our fathers. It is not to this distinguished statesman, or to that popular leader alone; it is not to the prominent men among us, that this duty only belongs. It is to you and to me, fellow-citizens; however humble we may deem ourselves in society, we in this respect, take rank with the highest. Our obligation is the same, our interest is the same. If we are only true to ourselves, if we only endeavor to obtain proper information upon public affairs, and act vigorously and honestly, there is no power on earth, that can ever subvert the independence, which we this day celebrate. May the time never come, when the people of this country shall cease

to take an interest in the affairs of the government; when busy in the pursuit of gain, or sunk in luxury and sloth, they quietly yield up the power to any one who chooses to take it. Better, a thousand times better is the worst violence of party spirit! which however it may sometimes err and misjudge, however rancorous and bitter it may occasionally seem, will yet watch with a jealous eye all the proceedings of our public men, and, like a sentinel on a watch tower, be ready to give the alarm at the first appearance of danger. And, though the alarm may sometimes be false, and the danger imaginary, yet, while every eye is vigilant, and every heart resolved, I say again, there is no danger of the republic. Let the advocates of legitimacy taunt us with sarcasms upon our democracy, and with sneers, because here and there an inefficient man obtains an office. Let the friends of the divine right of kings prophecy our fall, and predict revolution and anarchy. We regard not their idle jeers. Even taking the very worst view of the case, that our liberty sometimes degenerates into licentiousness, our condition is still better than theirs. Suppose that the property of individuals may sometimes be wantonly sacrificed in a riot, what is that evil, to the misery of a whole nation, ground down and oppressed with taxes and burdens? What is the loss of a few lives (and hundreds of lives have been destroyed in the streets of London and Paris, for every one that ever perished in the United States) what I say, is the loss of a few lives by the fury of a mob, dreadful and much to be regretted as that is, compared with the destruction of thousands in the deserts of Siberia, and in dungeons and chains? If we have, now and then, for a short time, an incompetent man in any of the departments of the government, how can that, for a moment, be compared with the misfortune of having an infant or an idiot at the head of it? Let every man reflect. Let every man vote. Think not, that an election for even the most insignificant office, is of no consequence. Every officer elected, every return of votes, has an influence, more or less extensive, upon public opinion. To the polls, then! To the

polls ! No matter what party you belong to. The ballot box is the weapon with which the battles of freedom may be most successfully fought, and your country will give you no discharge in this warfare.

To the other topic which I have suggested, allow me for a moment to call your attention—to the necessity of caution and moderation in introducing changes into our system of government.

There are in all societies persons of a speculative character, who are constantly inclined to try experiments, in government, as well as in every thing else. There are others, who disappointed in their own particular views, regardless of the general welfare, would like to overturn society from its very foundations, in the hope, that revolution would better their condition. There are others, again, always dissatisfied with the existing state of things, who, aiming after an unattainable perfection, think they can cure every defect, and are willing to compromise the well being of the whole community, for the sake of trying some project of imaginary benefit. In a country like our own, where every thought and every word are free, and where unrestrained discussion is permitted as it ought always to be, on every subject, these various classes of persons, under the specious name of reformers, may do infinite mischief. One of the topics of noisy declamation with these pretended reformers is, the existence and increase of corporations, which they represent to be fatal to freedom, and monsters, which are destined to destroy republican government. A slight examination of the origin of corporations, would satisfy any man of candor and common understanding that this position is entirely false, and that, on the contrary, civil liberty is more indebted to corporations, as the mode by which it was acquired, than to any thing else. When, during the barbarism of the middle ages, kings were tyrants, and princes and nobles oppressors, then the people unprotected while scattered about, exposed to all sorts of injustice and wrong, collected together in towns and cities for purposes of mutual protection, and to secure for themselves

collectively, those rights, which, as individuals alone, they could not have obtained. These were among the first corporations, and, during many ages, they were almost the only places of refuge for the oppressed. For, being combined together in numbers, and protected by citadels, the inhabitants of these cities were often able to extort from their rulers, charters and privileges, which were before unheard of. Any one who is at all familiar with history, must remember many instances in which the city of London has almost compelled the sovereigns of England, to submit to its own terms. Such was the commencement all over Europe, of the amelioration of despotic power, which, beginning thus, has been gradually, from time to time, modified, until the inhabitants of many portions of that quarter of the world, enjoy a degree of freedom, far inferior indeed to our own, but beyond measure greater, than that which existed in the same countries five centuries ago.

What these civic corporations were to kings, our manufacturing corporations of the present day, are to the wealthy capitalist. A man of large means may engage in great enterprises with safety, and might, if there were no competition, almost secure to himself the exclusive enjoyment of many of the most profitable kinds of business, which require great capital, and into which men of little property can not, with prudence, enter. But when, by means of an act of incorporation, these persons of moderate wealth are enabled to unite together, they can enter into competition with the rich, and their aggregate small capitals will enable them to do so successfully. This is one advantage of corporations. Many others might be mentioned. This alone is a great one. It puts the poor on an equality with the rich, extends enterprise, promotes great public works, and consequently the prosperity of the whole community. No man can, for a moment, look at the evidences which meet him at every step, of improvement in all those arts which contribute to the convenience and enjoyment of civilized society, and not be satisfied, that any plan, which will throw open all sorts of business

to general competition, must be a benefit to the public. Compare the facility now enjoyed for communication, between different and distant places, with what it was seventy years ago, when a conveyance was advertised as a cheap, convenient and expeditious mode of travelling from New York to Boston, which performed the journey in fourteen days. Convenient and expeditious truly! Now, the same excursion may be accomplished in almost as many hours. This and other similar improvements, are, in a great degree, to be attributed to that combination of means and efforts which acts of incorporation have introduced. I need not, however, detain an auditory like this, by a further discussion of a subject which has been so often examined. Nor, need I allude to many other topics, on which these would-be reformers delight to expatiate, with the same misrepresentation of facts, and the same sophistry of reasoning. There is no system of government so perfect, as not sometimes to be unequal in its operation. Laws, however general and just, will occasionally produce severe hardship, in particular cases. By constantly dwelling on that which seems defective, and keeping out of sight all that is salutary in our government, it will be easy for the ill-disposed and wrong-headed, to exert a very unfavorable influence on the public mind, unless it is prepared and on its guard. Their projects and schemes, however attractive, and however they may be recommended under the popular and plausible pretence of reform, should be received with great caution. Every change is by no means a reform. What by some might be regarded as a remedy for an existing evil, might perhaps introduce other evils of ten fold magnitude not anticipated. The state of the times, the ever varying feelings of society, the progress of improvement, and the result of ordinary experience, will certainly require that changes should, from time to time, be made in our laws. But, this necessity for change, will gradually develope itself, and the remedy can be applied, when the difficulty is clearly made to appear. There can be no occasion whatever for sudden and violent changes, and when change is recommend-

ed, let us examine carefully the mischiefs which are said to require amendment, and be sure, that the alterations proposed will cure them, before we suffer ourselves to be precipitated into measures, which perhaps we shall afterwards regret, and find it impossible to recall. The madness of the people of Athens often hurried their bravest, their wisest citizens to the block, to the hemlock, or to ignominious flight. Aristides was exiled, and the son of Sophroniscus condemned. The former indeed was recalled, but the eloquent lips of the venerated Socrates were forever closed in death, before his ungrateful countrymen were sensible of their error.

If changes in law be sudden, and to extremes, there will almost necessarily follow confusion and disorder, and most probably other changes, in order to restore things to their former condition. Look at that torrent pouring from the hills, and bearing destruction in its course. Cottages, herds and men, are overwhelmed and destroyed. The same stream gently flowing the vales, diffuses fertility and happiness; its banks are green with perpetual verdure; unnumbered are the flocks that feed upon its margin; and the heart of the shepherd is glad. So, even a change which in itself might be beneficial in a government, if violently and rashly introduced, often produces disturbance and revolution, whereas the same change judiciously made, with a proper regard for the feelings and prejudices of the community, may lead to the happiest results. This disposition to frequent and often unnecessary change, was one cause of the destruction of the Grecian republics; and in modern times, the attempt to introduce republican principles into the despotism of France, by too hasty and violent means, before the people were prepared for them, turned a revolution which might have been of the greatest importance to mankind, first into a state of anarchy infinitely worse than despotism itself, and finally restored absolute power in a new and more dangerous dynasty.

Let us not then, lend a willing ear to the suggestions of those who would pursuade us, that our government is radically defective, and needs constant reforms and changes. Such

suggestions proceed, either from the inexperienced and injudicious, whose zeal is very feebly supported by knowledge, or from the selfish and designing, seeking their own benefit, and indifferent to the public good.

I have thus briefly touched upon some of the means of preserving and sustaining our institutions, and of performing the important trust committed to us by the founders of the republic.

The cultivation and just application of useful knowledge;

The exercise by each individual of his constitutional rights;

The necessity of caution in introducing changes into our system.

Let these principles never be forgotten. Let these principles guide all our conduct. Let no servile, miserable, dishonorable notion of political expediency ever find acceptance here. Although majorities elsewhere should be against us, although corruption and licentiousness should prevail all around us, still let *us* maintain the doctrines of Washington. It would be reckoned base and cowardly to desert the standard of our country in battle, when the enemy pressed hardest against it; it would be equally unworthy, equally infamous to desert the principles, by which that standard was originally sustained. Let us, then, though all men should be against us, although we should stand entirely alone, let us still adhere to the faith of our fathers. Then, whatever may finally become of the government, we, at least, shall have discharged our trust. We must now depend upon ourselves, we have no longer those fathers to instruct us. Their lips are silent and cold. They live only in their works. They are all gone. The last year has witnessed the departure of one who seemed to connect us with the past, by a sort of animated tie. John Marshall, the friend and biographer of Washington, the learned judge, the upright magistrate, the pure patriot, has ceased from among the living, and has left in his precepts and his example, his private life, and his judicial decisions, an influence which will be felt to the latest period of our history. Eloquent voices have spoken his praise—a whole na-

tion acknowledges his worth. But posterity alone can do him justice, because posterity alone can justly appreciate the full measure of his services to his country. When the men of this generation shall have passed away; when the party-questions which now agitate, shall cease to interest us; when, even the names of many, who now occupy a large space in the public thought, shall be forgotten; then the glory of Marshall shall just be dawning. Then the elements of jurisprudence, which were by him so profoundly examined and so clearly explained. Then the beautiful form in which his decisions have embodied the Federal Constitution, will be fully understood. Then the salutary direction, which his labors have given to the public mind, upon questions of the highest national importance, shall claim for him the gratitude of coming generations. Future republics in other lands, shall hail him as the great expositor of constitutional law; and his name shall be identified, not with this age or this country alone, but with the names of those benefactors of the human race, by whose wisdom nations are instructed, and by whose characters human nature itself is elevated. The great men of the revolution are all gone. Intelligence has this very morning reached us, that James Madison of Virginia has also joined that illustrious band of departed worthies, who, while they dwelt upon earth, guarded and guided us, and whose blessed spirits, we sometimes fondly imagine, may still watch over and protect us. It is not yet a week, since the fourth President of the United States has entered upon his everlasting rest. He has left but two persons surviving, who have ever filled that exalted station, the one who now holds the office, the other, a distinguished citizen of this Commonwealth, whose talents and public services have made him an ornament to his native State.

It would be trespassing upon the province of some other eulogist, for me now to dwell upon the character and merits of Mr. Madison. His connection with our history, as a coadjutor of Hamilton and Jay, in defending the principles, and advocating the adoption of the great charter of our Na-

tional Union, will ever entitle him to the grateful remembrance of his countrymen. He was fortunate in his life, in having contributed so largely to so great a work, and in having, for so long a time, witnessed its successful operation; fortunate in his death, full of years and full of honors. The founders of the republic have all gone, but they have left us a legacy of wisdom, an inheritance of freedom, worthy their own great fame. Call our system a mere experiment, if you will—insist, if you please, against all reasonable probability, that it can never succeed, yet the past, at least, is secure. Thus far, whatever may be our future destiny, we have been fortunate indeed. Two generations have passed away, since we commenced our national existence. Sixty years of prosperity have been enjoyed by the people of these States. Thousands, nay millions, have passed their lives in peace, security, and freedom, under the protection of our government. And is all this aggregate of happiness to be counted for nothing? Is the domestic tranquillity, the respect abroad, the attainment of wealth, the cultivation of literature and the arts, the advancement in knowledge of all sorts, the civil and religious liberty, which almost all these years have witnessed, to be considered as merely the dust of the balance, and not reckoned in the account? Surely if our government were this moment to be dissolved, if our name were now forever blotted out, the enjoyment of the past, the good already attained, have well repaid all the cost of the experiment. But, our government need not be dissolved, our name need not be blotted out. The people have only to profit by that which has gone before, and they can easily direct all that shall come after. If we are but true to virtue, true to the constitution, true to ourselves, then the promise of future prosperity shall ripen into a glorious harvest. To this fidelity to virtue and the constitution we are urged by every consideration, that can move the mind of man. Our most valuable, indeed all our valuable rights and privileges, our personal and religious freedom, our property and our lives, are involved in the discharge of this duty. Look about, citizens of Boston, on the

beautiful hills which surround your city—those hills which witnessed the departing ships of your discomfited adversary—those hills, whose soil is every where enriched with the blood of freemen. Consider the constitution of your country, the work of sages and patriots. Consider your own position, as guardians of that liberty, after which the wise and the good of other countries, and other ages, have so ardently aspired—for which Tell and Hampden and Lafayette fought, and for which your own Warren fell. Consider all this, and say, if in view of all these sacred, these thronging, these thrilling recollections, you can ever forget, or neglect, the duties of a free citizen of a free republic.