AN

ORATION

DELIVERED BEFORE THE

DEMOCRATS AND ANTIMASONS,

OF THE COUNTY OF PLYMOUTH;

AT SCITUATE,

ON THE FOURTH OF JULY, 1836.

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ORATION.

The annual celebration of the commencement of our national existence is a custom that deserves to be approved and perpetuated. If those who live under governments in which the subjects have no share can feel a patriotic interest in the commemoration of the victories that have illuminated their annals, much more may we, a self-governing, sovereign people, exult in our joint inheritance of joy and pride. If the battles in which the selfish ambition of rivals for power has deluged every corner of the earth in fraternal blood, are held in everlasting remembrance by the posterity of the victors, to keep alive the national spirit and to nourish that enthusiasm, which, blind and preposterous as it may sometimes be, is yet the strongest safeguard of a nation's honor, union and independence, how much rather should we embalm in our hearts an act of self-sacrificing devotion unsullied with any mixture of sordid interest—an act which stands, and must forever stand, alone, in its original, unapproachable sublimity. The blasts which have rung loudest and most frequent from the trumpet of fame have ever pealed in honor of mere vulgar slaughters, an unavailing and a lavish waste of life, over which pure philanthropy could only weep. How delightful is the contrast of our American jubilee, when our grateful anthems ascend in devout thanksgiving to Him

who inspired the founders of our independence to erect for themselves that ever-during monument—a work which, as it had no model, though it may be often imitated, will have no equal —forever peerless in its solitary grandeur.

If there be any event in the history of the world, that any nation is called upon to celebrate by an annual festival, the birth-day of a free and mighty empire presents the strongest claim to this distinction. On such an occasion it is natural to revert to the fundamental principles of our social compact, to investigate the spirit of our institutions, to discuss our duties and our prospects, as well as to kindle the fire of patriotism. Indeed, were it not for the vast variety of topics which a subject so rich in interesting reflections as the declaration of American Independence necessarily suggests to the mind, one might almost despair of gilding with the charm of novelty a theme which has been so often exhibited by your poets and your orators. But such a subject is a mine of inexhaustible wealth. As far as you explore its diverging veins, new treasures will still reward your search as bright as those that blushed at the first opening of the soil.

The Fourth of July, 1776, was the date of our political separation from Great Britain. The separation left the Colonies, Independent States. But political Independence was only a single step towards freedom from foreign influence. Much remained to be done—alas! much yet remains to be done—before these United States can be pronounced to be completely and in the broadest sense independent of Great Britain. The British spirit is still largely felt; it still in a great measure predominates over our literature, our manners and customs, through the whole tone of our society, in the whole tenor and spirit of our laws, and in far too much of our domestic and foreign policy. It was natural that this should have been so; it is inexcusable that it should remain so. It is high time that we were independent, not only politically, but intellectually, morally, and without qualification.

The founders of our States were British emigrants. They brought with them the spirit of liberty, but it was the spirit of British liberty, as modified by British institutions, and as qual-

ified by British prejudices. They were firm, consistent, and loyal friends of the British Constitution, and they were disposed to yield a hearty obedience to the British Government, within the limits of the British Constitution. The British Government undertook to impose upon them burthens which the British Constitution did not warrant, and like true Englishmen they resisted. They vindicated for themselves the rights and privileges of Englishmen. This brought on alienation, war, secession, and those who at first meant only to hold fast their birth-right as British subjects, ended by casting off their allegiance to the British crown.

At the commencement of the revolution, our fathers were, generally speaking, whigs: that is to say, they were warmly attached to the British Constitution as it then existed. They were attached, and adhered with a loyal fervor, to hereditary monarchy in the protestant succession, to a hereditary peerage, and to that elective aristocracy, the House of Commons, which by a legal fiction was said to represent the people of Great Britain. They were thoroughly imbued with British principles —with whig principles, but in the course of a seven years war most of them got gradually, though effectually, rid of these principles—they ceased to be British whigs, and became American democrats.

The mere act however of severing the political connection between ourselves and the mother country did not, of itself, necessarily and immediately, alter the whole complexion of every article in the political creed of every American. Some no doubt, who were most bigoted in their attachment to British principles, continued in the faith in which they were brought up—continued to be whigs. It has even been said, that, long after the war was over, there were distinguished men who still held fast to the whig system. It was said that Alexander Hamilton declared that the British Constitution, with all its faults, and with all its corruptions, was the most admirable Constitution upon the face of the globe, and that without its corruptions it would be altogether impracticable. If this were so, this great man must have been a thorough whig after the Federal Constitution had been some years in operation. Whether the tradition be correct or not, and our authority for it is the word

of Mr Jefferson, it cannot be doubted that there were those who entertained, if they did not avow, the sentiment attributed to Hamilton. Such sentiments, under various disguises, have survived to the present day. There is reason to suppose that genuine whigs may yet be found in New England, the part of the country which most nearly resembles Old England, still cherishing, through good report and evil report, the political faith which they inherit from ante-revolutionary times; like Bourbons, forgetting nothing, learning nothing,—unchangeable through sixty years of hard experience. These whigs however, must be antiquities and curiosities,—few and far between, contrasting oddly enough with rational American democrats.

The majority of the people however, are not, and never again can be whigs. They desire, and have long desired, to cast off that British influence, which weighs so heavily upon us, from education and habit, but which is so repugnant to our institutions, condition, and character. It is therefore an interesting inquiry to ascertain, as nearly as may be by a general and cursory examination, by what steps, and how far, we have discarded the unwholesome control of notions derived from our colonial dependence; and by what measures, and to what extent it is expedient that we should endeavor to eradicate the leaven that remains, and to make ourselves in very deed and truth, as our fathers declared that we are, and of right ought to be, Free and Independent States.

The power to tax the Colonies without their consent was never constitutionally possessed by Great Britain. The attempt to exercise this power brought on resistance, and a war, in the course of which the Declaration of Independence was issued, and maintained. The successful issue of that contest, under the auspices of Washington, forever freed our necks from the yoke of foreign political supremacy. After the peace, the incompetency of the confederation, and the evident tendency towards anarchy in the several States, produced a reaction in favor of the British system, which, while the war was raging, had fallen into disrepute. The British Constitution was held up, as the only model, and the perfect model, of a free government. A leading whig of those times, a more consistent, not

to say more honest whig than any of the present day, proposed an Executive for life, to have the power of nominating the governors of the different States, with a Senate during good behavior, in effect for life, as conservative institutions to counterbalance the democratic force of the popular impulses that make themselves felt in our Government. The democracy however was then so strong that not all the genius of Hamilton, with the authority of the genuine whigs associated with him, mighty names some of them, could impose upon the people a scheme bearing these aristocratic features. Under the mediation of Washington a compromise was effected. A government too strong for the fears of Patrick Henry and of Jefferson, and many other sagacious, patriotic, and eminent statesmen, but not strong enough to answer the views of Hamilton, and the other admirers of the British Constitution, was recommended by the Convention, and adopted by the popular suffrages. The crisis was safely passed, and the father of American freedom was a second time the Savior of his Country.

Washington not only burst asunder the British chain, but his wisdom and his weight of character introduced that expedient, I mean our existing Constitution, which averted the natural and the threatening revulsion of British principles; a revulsion which would have been absolutely irresistible after a few years of suffering and anarchy.

The Constitution, I say, was an expedient which saved us on the one hand from anarchy and its miseries, on the other hand from that reaction in favor of the high-toned and aristocratic doctrines of the whigs, which must have followed anarchy. It was admirably adapted—it was almost miraculously adapted to its objects, considering the circumstances under which it originated. It soon became apparent however that the Federal Government was not to be an exception, to the ordinary principles which regulate the action of ambitious men placed in situations calculated to stimulate their ambition. Power is to ambition what wealth is to avarice. Instead of satisfying the desire, it creates an insatiable craving for more. The disposition of power to arrogate to itself more power was exemplified in the Federal Government, as it has been in every other since the world began. This became its guiding and its governing

principle; opposition to this was the criterion and the substance of democracy. In its course it swelled and grew like a snow-ball, till it accumulated to the magnitude, and moved with the ponderous momentum of an avalanche.

The fundamental article of the democratic creed is this, that the General Government ought to be strictly confined within its proper sphere. In the words of Thomas Jefferson, taken from an official opinion drawn up by him while Secretary of State, they 'consider the foundation of the Constitution as laid on this ground, that all powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, or to the people. To take a single step beyond the boundaries thus drawn around the powers of Congress is to take possession of a boundless field of power, no longer susceptible of any definition.'

Congress overstepped these boundaries, in 1791, by the charter of the bank, in spite of the strenuous opposition of the republicans of that day, with Jefferson and Madison at their head. Hamilton, the most ardent admirer of the British Constitution, then Secretary of the Treasury, aimed to place that department 'in such an attitude as to command the whole action of the Government.' He believed that mankind could be governed only in two ways, by force, or by corruption. Force was out of the question here, of course corruption was the only alternative. Sir Robert Walpole, the most distinguished whig minister of Great Britain, while first lord of the treasury and chancellor of the exchequer, has the credit of having originally introduced this system of government, which has been characteristic of the whig party ever since, wherever it has been in power, with means at its disposal. 'For self-defence, where argument failed,' says his biographer, 'he had recourse to the more powerful influence of corruption; and this latter mode of conviction, which he not only practised from necessity, but *systematically vindicated and recommended*, gave a distinguishing character to his administration, and entailed reproach on his memory.' It must be allowed that the Bank party in the United States are richly entitled to be considered legitimate followers of Sir Robert Walpole, whose maxim was that 'every man has his price,' and so far at least they have a right to the

appellation of whigs—being not only admirers of the British Constitution in theory, but admirers and imitators of its practical operation, under the most celebrated of whig administrations.

Having once overstepped the boundaries of the Constitution in the creation of a Bank, the Government by degrees went on to take possession of that boundless field of power, no longer susceptible of any definition, which was thus opened to them. The obstinate resistance of the democratic party could not prevent such legislative constructions of the Constitution, as made it a very different thing from what the people thought they had submitted to. Those sweeping powers which Hamilton and his friends had sought in vain to incorporate into the Constitution were extorted from it by virtue of the doctrine of implication. It was tortured into any shape that might suit their purposes. 'Legislative explanations,' says Jefferson, 'were given to the Constitution, and all the administrative laws were *shaped on the model of England*, and so passed.' The alien and sedition laws, the muzzling of the press, the unrelenting proscription for opinion's sake, made that period emphatically the reign of terror.

The bone and muscle of the nation, the hope and strength of the people were roused at last, and took the power into their own hands. They perceived that it was their own quarrel which was to be fought out against the lovers of power and wealth, who were fast monopolizing both, to the imminent danger of the general freedom. They rallied therefore under the early and inflexible champions of the democracy; truth and reason were the weapons they employed; union gave them strength, and the aristocracy was prostrated before them. The immortal Jefferson was seated at the helm of state, and at once 'restored the Government to the Republican tack.'

Mr Jefferson disallowed the binding force of British precedents, and undertook to conduct the government upon American principles. His untiring efforts through the eight years of his presidency did much towards carrying back the administration to its original, constitutional simplicity, and to accommodate our institutions, which had begun to be warped after a foreign model, to our own situation, character, and circum-

stances. It was impossible for him to return to the primitive purity of our system, however, so strongly had the British virus impregnated the whole body. He did what could be done, but to complete the work was reserved for his more fortunate successor. The Constitution had been deeply violated, but the violation could not at that time be redressed. Mr Jefferson had given his written opinion on the fifteenth of February, 1791, that 'the incorporation of a Bank, and the powers assumed by this bill, have not, in my opinion, been delegated to the United States by the Constitution.' He might have stated this as a fact, for while the Bank Bill was under discussion, Judge Wilson was reminded by Mr Baldwin of the following occurrences in the grand Convention. Among the powers enumerated, in the draft of the Constitution, was that *to erect corporations*. On debate, *it was stricken out*. Particular powers were then proposed; among others, that to establish a NATIONAL BANK. This was opposed and REJECTED. Judge Wilson admitted the correctness of this statement, which is now well known from other sources.

'The late lamented Mr Madison concluded his speech against the Bank, in 1791, by remarking, that the power, exercised by the bill then pending, was

'*Condemned* by the silence of the Constitution.

'*Condemned* by the rule of interpretation arising out of the Constitution.

'*Condemned* by its tendency to destroy the main characteristic of the Constitution.

'*Condemned* by the expositions of the friends of the Constitution, whilst depending before the public.

'*Condemned* by the apparent intention of the parties which ratified the Constitution.

'*Condemned* by the explanatory amendments proposed by Congress themselves to the Constitution.'

That such a power, loaded with such condemnation, should, notwithstanding, have been usurped and exercised, was enough to introduce a rooted and general corruption which could not be removed until the cause was eradicated. Mr Randolph in 1824, after speaking of the 'vagrant power' to charter the Bank 'seeking through the different clauses of the Constitution

where to fix itself,' and the vagrant power of internal improvements, 'after being whipt from parish to parish, at last seeking a settlement under the war-making power'—in the same speech in which he asserted that a new sect had arisen, who, in their latitudinarian constructions of the Constitution, as far transcended Alexander Hamilton and his disciples, as they transcended Thomas Jefferson, James Madison, and John Taylor of Carolina—attributed all those loose interpretations of the Constitution which favor consolidation, to the establishment of the banking power, as their original source. 'Sir,' said he, 'when I consider this war-making power, and this money-making power, and suffer myself to reflect on the length to which they go, I feel ready to acknowledge that in yielding these, the States have yielded every thing. The last words of Patrick Henry on this subject, although uttered five and twenty years ago, are now ringing in my ears. I am sorry to say that all the difficulties under which we have labored, and now labor, on this subject, have grown out of a fatal admission, by one of the late Presidents of the United States, which gave a sanction to the principle, that this government had the power to charter the present colossal Bank of the United States.'

The unconstitutional, anti-American, and strictly British character of such an Institution was attested, as long ago as eighteen hundred and eleven, by Henry Clay, whom we may fairly offer as an unexceptionable witness against the consolidationists, the British, or whig party. 'When gentlemen attempt to carry this measure on the ground of acquiescence or precedent,' said Mr Clay in his speech against the recharter of the old bank, 'DO THEY FORGET THAT WE ARE NOT IN WESTMINSTER HALL ?'

'To legislate upon the ground merely that our predecessors thought themselves authorized, under similar circumstances to legislate, is TO SANCTIFY ERROR AND PERPETUATE USURPATION.'

'The great advantage of our system of government over all others is, that we have a written Constitution defining its limits, and prescribing its authorities, and that, HOWEVER FOR A TIME, FACTION MAY CONVULSE THE NATION, and passion and party prejudice sway its functionaries, the

season of reflection will recur, when calmly retracing their deeds, all aberrations from fundamental principles will be corrected. But once substitute practice for principle, the exposition of the Constitution for the text of the Constitution, and in vain shall we look for the instrument in the instrument itself! IT WILL BE AS DIFFUSED AND INTANGIBLE AS THE PRETENDED CONSTITUTION OF ENGLAND.'

'What would be our condition if we were to take the interpretations given to that sacred book, which is or ought to be the criterion of our faith, for the book itself? We should find the Holy Bible buried beneath the interpretations, glossaries and comments of councils, synods, and learned divines, which have produced swarms of intolerant and furious sects, partaking less of the mildness and meekness of their origin, than of a vindictive spirit of hostility towards each other. They ought to afford us a solemn warning to make that Constitution which we have sworn to support our invariable guide. I conceive then, Sir, that we are not empowered by the Constitution, nor bound by any practice under it, to renew the charter of this Bank.'

Mr Clay believed the Bank to be, not only British in principle, but identified with British interests.

'May not the time arrive,' he asks, 'when the concentration of such a vast portion of the circulating medium of the country in the hands of any corporation, will be DANGEROUS TO OUR LIBERTIES? By whom is this immense power wielded? By a body who, in derogation of the great principle of all our institutions, responsibility to the people, is amenable to a few stockholders and they CHIEFLY FOREIGNERS. Suppose an attempt to subvert this government, would not the traitor first aim, by force or corruption, to acquire the treasure of this company? Look at it in another aspect. Seven tenths of its capital are in the hands of foreigners, chiefly English subjects. We are possibly on the eve of a rupture with that nation. Should such an event occur, DO YOU APPREHEND THAT THE ENGLISH PREMIER WOULD EXPERIENCE ANY DIFFICULTY IN OBTAINING THE ENTIRE CONTROL OF THIS INSTITUTION?'

'Go to the other side of the Atlantic, and see what has been

achieved for us there, by Englishmen, holding seven tenths of the capital of this Bank. Has it released from galling and ignominious bondage, one solitary American seaman, bleeding under British oppression? Did it prevent the unmanly attack upon the Chesapeake?

'Are we quite sure that on this side of the water, it has had no effect favorable to British interests? It has often been stated, and although I do not know that it is susceptible of strict proof, I believe it to be a fact, that this Bank exercised its influence in support of Jay's treaty, and may it not have contributed to blunt the public sentiment, or paralyze the efforts of this nation against British aggression?'

'The Duke of Northumberland is said to be the most considerable stockholder in the Bank of the United States,' &c.

Mr Clay, of course, considered it to be his imperative duty to oppose with his whole powers the perpetuation of such an usurpation. He did not forget that he was not in Westminster Hall. 'I felt myself bound,' said he, 'to obey the paramount duties I owe my country and its constitution; to make one effort, however feeble, to avert the passage of what appears to me a most unjustifiable law.'

'The power to charter companies is not specified in the grant, and I contend, is of a nature not transferrable by mere implication. It is one of the most exalted attributes of sovereignty. In the exercise of this gigantic power, we have seen an East India Company created, which has carried dismay, desolation and death, throughout one of the largest portions of the habitable world.'

'Is it to be imagined that a power so vast would have been left by the wisdom of the constitution to doubtful inference?'

'Where is the limitation upon this power to set up corporations? You establish one in the heart of a state, the basis of whose capital is money. You may erect others whose capital is land, slaves, and personal estate, and thus the whole property within the jurisdiction of a state might be absorbed by these political bodies.'

'The question is, shall we stretch the instrument to embrace cases not fairly within its scope.'

The instrument having been thus perverted in 1791, it was

impossible for Mr Jefferson, and those with whom he acted, to restore it in 1801; for had they undertaken to revoke the charter of the Bank, Mr Clay has told us what would have been the consequence. 'The judiciary would have been appealed to, and from the known opinions and predilections of the judges then composing it, they would have pronounced the act of incorporation, as in the nature of a contract, beyond the repealing power of any succeeding legislature.'

Although the Bank expired, at the expiration of its charter, in 1811; yet it revived, with augmented power, in 1816; and it was left for Andrew Jackson to fight the great battle for the Constitution, and decisively to vindicate its supremacy. He settled the question of the Bank charter, upon American principles, by his veto message of July 10, 1832. In that immortal document, which prostrated the monied power, our children, and our children's children, will read the fundamental maxims of a genuine, republican policy. It contributed much towards the consummation of our Independence, that statesmanship, such as that paper displays, should grapple with a death-grasp the first, the last, the greatest and the worst of those innovations, of foreign origin and uncongenial to our institutions, which had fastened themselves, with pernicious influence, upon the beautiful simplicity of our government. Let us recur to the closing paragraphs, for they may be read here very appropriately, after the Declaration of Independence.

'It is to be regretted that the rich and powerful too often bend the acts of government to their selfish purposes. Distinctions in society will always exist under every just government. Equality of talents, of education, or of wealth, cannot be produced by human institutions. In the full enjoyment of the gifts of Heaven, and the fruits of superior industry, economy and virtue, every man is equally entitled to protection by law. But when the laws undertake to add to these natural and just advantages, artificial distinctions, to grant titles, gratuities and exclusive privileges, to make the rich richer, and the potent more powerful, the humble members of society, the farmers, mechanics and laborers, who have neither the time nor the means of securing like favors to themselves, have a right to complain of the injustice of their government.'

'There are no necessary evils in government. Its evils exist only in its abuses. If it would confine itself to equal protection, and, as Heaven does its rains, shower its favors alike on the high and the low, the rich and the poor, it would be an unqualified blessing. In the act before me, there seems to me a wide and unnecessary departure from these just principles. Nor is our government to be maintained, or our Union preserved, by invasions of the rights and powers of the several States. In thus attempting to make our general government strong, we make it weak. ITS TRUE STRENGTH CONSISTS IN LEAVING INDIVIDUALS AND STATES AS MUCH AS POSSIBLE TO THEMSELVES—in making itself felt not in its power but in its beneficence, not in its control but in its protection, not in binding the States more closely to the centre, but leaving each to move unobstructed in its proper orbit.'

'Experience should teach us wisdom. Most of the difficulties our government now encounters, and most of the dangers which impend over our Union, have sprung from an abandonment of the legitimate objects of government, by our national legislation, and the adoption of such principles as are embodied in this act. Many of our rich men have not been content with equal protection and equal benefits, but have besought us to make them richer by acts of Congress. By attempting to gratify their desires, we have in the results of our legislation, arrayed section against section, interest against interest, and man against man, in a fearful commotion, which threatens to shake the foundations of our Union. If we cannot at once in justice to interests vested under improvident legislation, make our government what it ought to be, we can at least take a stand against all new grants of monopolies, and exclusive privileges, against any prostitution of our government, to the advancement of the few at the expense of the many, and in favor of compromise and gradual reform in our code of laws and system of political economy.'

By doctrines such as these, our illustrious President, while perfecting the independence of his country from foreign influence and foreign example, naturally earned for himself the hatred of our British, or whig party, who still answer to the

description given of them in their principal organ in the old world, the Edinburgh Review, 'THE STRENGTH OF THE WHIGS LAY IN THE GREAT ARISTOCRACY, IN THE CORPORATIONS, AND IN THE TRADING OR MONIED INTERESTS.' But how could they expect to bend from his purpose, by exhibitions of their futile wrath, the man who discomfited their allies at New Orleans. They should have remembered that the 'quick discernment—prompt decision—and energetic execution which characterize a man fitted to command an army,' make him competent also 'to discern and adopt the measures calculated to promote the welfare of his country in his civil administration.'* That 'a strong mind will soon grasp a new subject to which it turns its attention;' and that the first subject to which the attention of a democratic President must be turned was no other than the British Bank. They should have remembered the assurance given by Thomas Jefferson, 'Andrew Jackson is a clear headed, strong minded man, and HAS MORE OF THE ROMAN IN HIM THAN ANY OTHER MAN NOW LIVING.' They should have remembered that it was to him alone that Jefferson looked to finish this very work which he had begun, the restoration to the States and people, of powers not granted to the Federal Government by the Constitution. 'It is fortunate,' said the Patriarch of democracy—'it is fortunate for the country, that General Jackson is likely to be fit for public life at the end of the present four years; (from 1825) for in him is the only hope left of avoiding the dangers manifestly about to arise out of the broad construction now again given to the Constitution of the United States, which effaces all limitations of power. and leaves the general government, by theory, altogether unrestrained.' They should have remembered the character ascribed to him by James Monroe, 'a man fit for any emergency; a statesman, cool and dispassionate; a soldier, terrible in battle, and mild in victory; a patriot whose bosom swelled with the love of country; in fine, a man whose like we shall scarce look upon again.' They should have remembered that from the path of duty, he never turned aside; for this they

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*Timothy Pickering's letter to Philip Van Cortland, April 18th, 1828.

knew, not only from his history, but from the testimony of our Massachusetts statesman, John Quincy Adams. 'General Jackson justly enjoys in an eminent degree the public favor,' said the late President: 'and of his worth, talents and services, no one entertains a higher or more respectable opinion than myself.' 'An officer whose services entitle him to the highest rewards, and whose whole career has been signalized by the purest intentions, and most elevated purposes.' They should have remembered that so unquestionable were these virtues as to extort from an envious rival, Henry Clay, professions of admiration. 'Towards that distinguished Captain, who has shed so much glory on our country, whose renown constitutes so great a portion of its moral property, I never had,' said the Western Orator, '*I never can have*, any other feelings than those of profound respect, and of the utmost kindness.' They should have remembered, that, at the age of thirty, a senator in Congress, when the latitudinarian expositions of the Federalists were breaking down the landmarks of the Constitution, and consolidating the States into one sovereignty, Andrew Jackson was found on the side of those Republican principles peculiar to America, and essential to her liberty; and that ever since that time he has been a firm, consistent, and unwavering democrat; and then they could never have doubted that the anticipations of Mr Jefferson would be realized, that the fate of the Bank was sealed by his election, and that the renovation of the Constitution was to be the last Herculean task of Andrew Jackson. The task was his, and he was equal to its accomplishment.

This brave and wise old man, whom King-loathed Columbia has so long delighted to honor, is approaching the goal at which his patriotic labors are to terminate. Having filled full the measure of his country's glory, covered with the laurels of martial and of civic triumph, rich in the gratitude of millions redeemed from the scourge of monopoly, and cheered by the hope that the blessings he has won for his country may be perpetual as the love of freedom in the hearts of Americans, there is still in store for him a higher and purer enjoyment than any of these. When his long career of public duty shall have been finished, and he shall seek the peaceful Hermitage, to dedicate to need-

ed and wished-for repose the evening of his days, with what tranquil satisfaction will he look back upon the many, the weighty, and the lasting services, which a benignant Providence has made him the chosen instrument to render to this Heaven-protected nation! With what delightful consciousness may he then reflect upon the faithful performance of the vast obligations devolving on such a man, upon the good use which he has made of the many talents wherewith God has gifted him, upon the large part allotted to him, in the wide sphere of action in which he has moved, done—all done—and well done! Fortunate soldier, statesman, patriot and philanthropist!

You have defended our soil from invasion, restored our violated Constitution, disarmed and prostrated the most dangerous foe of our liberties, brought a whole great people by your judicious policy into a palmy state of prosperity never known before, and by the successful issue of an honest and straight forward course of plain dealing, have demonstrated to mankind that the same principles of morality and honor may govern, and ought to govern, the intercourse of nations, which regulate and dictate our conduct in our individual relations. The bright example of the Republic over which you preside has penetrated the darkness that so long has brooded over the Old World. It towers and glows, refulgent and beautiful, a beacon light to the tempest-tost pilgrims of Liberty, kindled late but shining far through the pervading gloom of transatlantic tyranny, reviving dying hope even in the bosom of despair. Self-government is no longer a visionary dream. Republics no longer tend irresistibly to consolidation and despotism. A truly Roman energy has thwarted and turned back that tendency, and has reinstated the Constitution in its primitive purity, with its original vigor, but without the superadded and unnatural impetus which would have drawn every thing into its vortex, or else have torn it asunder by the increasing violence of its own motions.

Through what a series of toils, and perils, and vicissitudes have you reached the crowning period of your life, when your opposers looked up to you, with the same confidence as your friends, to vindicate, as you always have vindicated, and always will vindicate, our insulted honor. The country knew that its

honor was safe, for it remembered your declaration, 'the honor of my country shall never be tarnished in my hands;' and it had the sure guaranty of your life and character, before that emphatic sentence was uttered. The almost unanimous election which placed you for a second term in the Presidential chair, has been followed by an approbation of your administration approaching still more nearly to unanimity; and in your retirement from office, you will be followed by that universal respect and affection, of which the world has seen but one illustrious instance, in the person of your earliest predecessor.

From the level of humble poverty, by honest industry and prudence in every station he was called to fill, Andrew Jackson has reached an easy affluence. From a friendless obscurity, by the exercise of those heroic virtues which in all ages have commanded the admiration of mankind, he has raised himself to that splendid eminence beyond which there is no higher pinnacle of fame. He has occupied with signal merit the most honorable office in the world, the elective chief magistracy of an independent nation of freemen.

Fortunate to have run this unexampled, this wonderful career! Beyond the eight hundred millions of your contemporaries most fortunate! Fortunate beyond comparison in the varied annals of history! Beyond comparison save one, for between Jackson and Washington how close is the parallel.

There are three great names which mark three distinct epochs in our progress towards a complete Independence: Washington, who threw off the yoke of British power: Jefferson who broke the charm of British precedents, and British authority: Jackson who cancelled what remained of British institutions, and British policy. There are numerous points of resemblance between the three, but more especially between the first and last.

To the Heroes of the first and of the second war of Independence, it was equally objected, that their early education had been in some degree defective. As if every man of genius did not educate himself, in maturer life, for whatever of duty devolved upon him; as if Marlborough were any the less a general or a statesman unrivalled in his day, because, as Lord Chesterfield tells us, in terms not applicable to Washington or

Jackson, 'He was *extremely* illiterate, wrote bad English and spelled it worse;' as if both were not well versed in practical politics, familiar with public affairs as with the air they breathed; and as if that were not a well known truth which the elder Adams remarked in his defence of the American Constitutions, 'Knowledge is by no means necessarily connected with wisdom or virtue.' It was also urged against both by their enemies, that they were military chieftains. As if the qualities that fit a man for bold and judicious conduct in war, were not the requisites of bold and judicious conduct in the cabinet; as if it did not need as firm a hand to grasp steadily the helm of state, as to direct the columns, or marshall the ranks for a battle; as if Julius Cæsar, Cromwell, Napoleon, and Wellington, were inferior, as practical statesmen, to Cicero, Charles the First, Louis the Sixteenth, or Canning. But these charges had little weight with the sober sense of the American people, who formed a correct estimate of the genius of each, notwithstanding the efforts of their revilers.

That Washington was what is called a self-made man is well known to us all, yet Washington was pronounced by Patrick Henry, on his return from Congress in 1774, to be the greatest man for information and judgment in that body. That Jackson has been emphatically the artificer of his own fortunes is equally undeniable. He has built up his enviable and surpassing fame, not by the aid of family connections, hereditary wealth, or favorable opportunities; but in despite of adverse circumstances, and inveterate opposition. The man in abuse of whom the powers of language have been daily exhausted, for some years; on whom has been lavished, without stint, the whole vocabulary of envy, wrath, malice and all uncharitableness, having been honored with the confidence of every President, from Washington down to his own immediate predecessor, has *three times* received far the largest number of votes for the highest office in the gift of the people; and has twice been called, by an overwelming majority of suffrages, to fill the Presidential chair, thereby evincing that he possessed 'the unbounded confidence and expectation of the nation,' of which the ballot box is the only sure test.

By his own unaided merit has he risen to that proud emi-

nence. Having seen his only brother perish by the cruelty of the enemy, in the war of the revolution, and his broken-hearted mother follow her son to the grave, he went alone, friendless and pennyless, from his native state to Tennessee, where he had not a single blood relation, and when scarcely more than a boy, we find him selected to assist in framing a Constitution for that state, a member of the first Legislature of Tennessee; selected by Washington, endowed like himself with a wonderful sagacity in the discrimination of character, for the responsible office of District Attorney; soon after delegated among the first representatives in Congress from the State of Tennessee, and as soon as he was constitutionally eligible, being only thirty years of age, he was placed in the Senate of the United States. This post he soon after resigned, but he could not be suffered to remain in retirement, and he was almost immediately appointed Judge of the Supreme Court of that State.

In this early and rapid promotion of a friendless stranger, we may see the evidence of talents for *civil service*, for he was not yet a military chieftain; and it was the ability evinced in these situations, which led, no doubt, to his military appointment during this period as Major General, commanding the militia of Tennessee, and afterwards to be Major General in the United States service.

In times of extreme difficulty and imminent danger, if there be among the citizens a spirit cast in nature's noblest mould, and fully equal to the exigency, the country turns her eyes at once to him. History has recorded how Washington was summoned by the spontaneous voice of the people to conduct to an honorable close the war of the Revolution. His accomplishment of the trust justified their confidence, and crowned his fame with laurels which time cannot wither. So it was, within our memory, with our own Jackson.

The youth who had discharged with honor the important trusts enumerated, was destined to be recalled from the retirement which he loved, and which he had sought, to perform for his country services both civil and military, which were essential to her salvation, and which perhaps no other man in the nation could have performed. Governor Brooks, a staunch federalist as he was, but a soldier and a man of honor, what-

ever might be his impressions of the commencement of the war, surrendering party bigotry to honest national pride, frankly acknowledged, 'that it terminated gloriously.' Both branches of the Legislature of Massachusetts—ay, FEDERAL MASSACHUSETTS—voted the thanks of the Commonwealth to the successful general, a testimony no less creditable to themselves than to him.

A vast plan of invasion sketched by military genius, and begun to be executed with a boldness that did not dream of defeat, by solid columns of picked men, from the veterans of more than twenty years warfare; officered by the flower of British chivalry; led by generals of undoubted talent, tried valor, and consummate skill; trained to conquer and exulting in their anticipated success, on the eighth of January, eighteen hundred and fifteen, received from Andrew Jackson's arm its fatal check, its final wreck, and total overthrow. 'Never,' said the Essex Register, a democratic paper at that time published in Salem, 'Never were greater expectations formed, and never were anticipations more exceeded than in this event. We attributed every thing to the discipline and comprehension of the General, and we had been taught to expect everything from the courage, the strength, the perseverance of the western troops. We have been surprised by the glory which surrounds our arms. We can now unite to the greatest success over the hostile savages, the more surprising defeat of the best troops from a European enemy. The same man who has prevented any future danger from savages on this side of the Mississippi, has been able to teach the civilized world, that, in the career of ambition, the sons of freedom can defend their soil against the best troops that can be sent to disinherit them. * * * * The news of General Jackson's victory was received in Salem with every expression of public joy. The circumstances were so extraordinary, that the public astonishment, over-raised by the great success of this hero, would have been equal to the highest praise our country has ever bestowed, by a less glorious action. The greatness of the victory was not incredible, from *the unbounded confidence and expectation of the nation.* But even what at first might seem exaggerated praise, was found, from the dispassionate history of the conqueror,

far short of the unrivalled glory of the event. THE HERO IS IMMORTAL, AND OUR COUNTRY HAS THE BLESSING.'

But however striking may be the resemblance in the character and history of the heroes of the two wars, the brilliant consummation of the last arduous contest more naturally suggests to our minds our own Massachusetts battle, with which the first struggle opened after the prelude at Lexington and Concord. The commencement of the first war with Great Britain made our Independence inevitable, even before the Declaration was published; the conclusion of the last war with Great Britain secured it forever. These two events are the pivots on which our history turns; let them, therefore, be indissolubly connected in our memories.

Ask a Yankee when absent from his native land, what thrice holy spot of all New England's hallowed soil rises readiest to his recollection, if ever the foreigner tells him tauntingly that the American continent is barren of historical monumental scenes? With a swelling heart, and a beaming eye, he will answer, BUNKER HILL. Put the same question to the hunter of the West, or to the quick and fiery Southron, and you know his answer well: it is NEW ORLEANS.

It is fortunate for us, gentlemen, that the two great battles in our history, happened in opposite extremities, almost, of our Union. The North cannot reproach the South, neither can the South vaunt it over the North. Each possesses one imperishable glory, before which the lustre of the brightest victories, won in battles between contending tyrants, turns pale; but neither can assert and neither attempts to arrogate peculiar and exclusive possession of either portion of the splendid inheritance. Both claim a common property in the trophies of these two memorable days, the seventeenth of June and the Eighth of January; the first of which cut out work for the Fourth of July, and the last completed it. Both walk together in the light of these two glowing beacon fires, kindled on that stormy coast where liberty has taken up her eternal abode, to illuminate, with the cheering radiance of hope, her benighted pilgrims, who can look nowhere else for hope but to this Western World.

Yes, my friends, Warren falling in his prime, in a sad and

sanguinary defeat—sad, yet more glorious than any victory the muse of history had ever yet recorded,—Jackson, balancing at New Orleans the account that was opened at Bunker Hill—closing the last act of the bloody drama of our strife with the mother country, with a fitting catastrophe for so sublime a tragedy—Jackson, achieving a victory doubly disastrous to the invaders, more than satisfying the highest expectations of a confiding country, putting to silence for awhile the clamorous tongue of envy, and extorting sincere and heartfelt praise from the vanquished brave—these are names that are, and ever must be, dear to the whole people of the Republic. No sectional jealousy shall be suffered to monopolize them; no party madness shall shut our eyes against their lustre. Their fair fame is the nation's common property; priceless, for gold could not buy it; secure, for no reverse of fortune can tear it from us. So long as language shall be faithful to its trust; so long as tradition shall preserve the outline, after history has forgotten the detail; so long as one generous emotion shall warm the human heart; after the monument shall have crumbled, but while Bunker Hill shall stand; after New Orleans shall have sunk in the dust, but while the Mississippi shall flow, Warren and Jackson shall be watchwords in the armies of liberty—the memory of our two great battles shall eternally be renewed to cheer the fainting courage of desponding patriotism, to revive and invigorate hope when almost extinguished in the breast of the despairing lover of his kind, and to restore and reanimate his confidence in God.

To return to our parallel. Our two great commanders had not only the same success in bringing the respective wars triumphantly to a close, but their success was mainly owing to the same cause: they had both learned the same wisdom in the same school of suffering, the school of Indian warfare. It was in this that they were trained to arms, and taught that ever-watchful circumspection, prudence in council with energy in action, which they both exhibited throughout their whole career, and which occasioned 'the unbounded confidence and expectation of the nation' to concentrate itself upon them. So implicit was the reliance on the Western Hero, that its influence extended even to the other side of the Atlantic. When Gouldbourn,

the British Commissioner at Ghent, remarked, 'by this time New Orleans is ours;' Henry Clay could boldly answer, for he knew the man, 'No: New Orleans is safe: ANDREW JACKSON IS THERE.'

The two military chieftains dismissed from the toils of war longed eagerly for retirement and repose: to neither could it be permitted. Their country still had claims upon them, claims which none but they could satisfy.

A dissolution of the bonds which held together the sister States, has twice since our separation from the mother country seemed to be almost inevitable. Twice we have been rescued from the danger, by these two patriot heroes, both strong in the unbounded confidence of the people, both enjoying that confidence from the same causes, both using it in the same way and for the same ends, both eclipsing the lustre of their military glory, by the brighter splendor of their civic fame, and both embalming the memory of their greatness in the applause, the gratitude and devotion of their contemporaries, who witnessed the salvation of their country, and of all posterity who shall inherit the legacy of the free institutions which their hands established and perpetuated.

At the outset of our career of self-government the experiment of a confederation was tried, and resulted, as every experiment of that kind always had resulted, in a total failure. Incompetent to govern, and too weak to preserve its own existence, it seemed about to tumble into ruins, and anarchy, from which there is a natural progression to tyranny, stared us full in the face. The impossibility of propping up the rotten fabric was apparent, yet the jealous patriotism of the people could hardly endure the organization of a government strong enough to sustain itself amidst the collisions of sectional interests, and to maintain order at home, the dignity of the nation and the security of its property and its citizens abroad, and to preserve peace with all the world.

There would have been just cause for jealousy and alarm, had not Providence preserved for this great occasion the Savior of his Country, George Washington, the first military chieftain in the annals of the world, whose unapproachable purity was perfectly proof against all the seductions of ambition. The

whole people as one man, called upon him to direct the new and national government, while it should develope its untried, its necessary, yet much dreaded energies. He promptly undertook the arduous office, though in his address, at his inauguration as President of the United States, on the 30th of April, 1789, he tells us with characteristic modesty, that 'the magnitude and difficulty of the trust to which the voice of his country called him, being sufficient to awaken in the wisest and most experienced of her citizens a distrustful scrutiny into his qualifications, could not but overwhelm with despondence, one, who, inheriting inferior endowments from nature, and *unpractised in the duties of civil administration*, ought to be peculiarly conscious of his own deficiencies.' In their answer to this address the Senate tell him truly and emphatically, 'We rejoice, and with us all America, that in obedience to the call of our common country, you have returned once more to public life. In you all parties confide; in you all interests unite; and we have no doubt that your past services, great as they have been, will be equalled by your future exertions; and that your prudence and sagacity as a statesman will tend to avert the dangers to which we were exposed, to give stability to the present government, and dignity and splendor to that country which your skill and valor as a soldier so eminently contributed to raise to independence and to empire.' Their expectations were fulfilled and exceeded. Washington performed more than he had promised. The pledges given at the opening of the first Congress were amply redeemed, 'that the foundations of our national policy should be laid in the pure and immutable principles of private morality, and the preeminence of a free government be exemplified by all the attributes which can win the affections of its citizens and command the respect of the world—since there is no truth more thoroughly established than that there exists, in the economy and course of nature, an indissoluble union between virtue and happiness,—between duty and advantage,—between the genuine maxims of an honest and magnanimous policy, and the solid rewards of public prosperity and felicity—since we ought to be no less persuaded that the propitious smiles of Heaven can never be expected on a nation that disregards the eternal rules of order and right,

which Heaven itself has ordained, and since the preservation of the sacred fire of liberty, and the destiny of the republican model of government, are justly considered as deeply, perhaps as finally staked, on the experiment intrusted to the hands of the American people.' The government being conducted upon these principles, the tongue of discord was hushed, the apprehension of danger was forgotten, a period of universal prosperity followed, and so long as George Washington continued at the head of the administration, 'the propitious smiles of Heaven' continued to bless his 'honest and magnanimous policy.'

Since that time however, with the exception of a particular interval, the action of the general government has been constantly and irresistibly enlarging itself. The ominous progress of this series of encroachments upon our liberties, becoming every day more rapid, could only be arrested by a man possessing a personal popularity second to none since Washington, and disposed to use the power which his hold on the hearts of his fellow citizens gave him, to reform the corruptions of the government, and restore it to its original purity.

Fortunately for us, the times which required, as before, produced that man. Respected for his talents and energy of character, and trusted for his integrity and the soundness of his political views; illustrious for the crowning victory of the last war, which obliterated the memory of many defeats, and outshone our other numerous victories; having on a former occasion received a plurality of electoral votes, he was at last called by an overwhelming majority of suffrages to fill the Presidential chair. Unappalled by the difficulty of the task, he proceeded steadily to his great purpose, and obstacles seemingly insurmountable gave way before him. The growth of deep-rooted abuses was stayed at once, and he exerted all his sagacity and decision to eradicate them from our system. His reforms in office reduced to practice the great truth, that placemen are not possessors of office for their own emolument, but holders of a trust to be administered for the benefit of the people; and in every department, method, order, punctuality and economy superseded negligence, carelessness, procrastination and prodigality.

In his intercourse with foreign nations, he built upon the

foundation of National Policy laid by Washington, 'the immutable principles of private morality,'—proclaiming it at the outset as a fundamental rule of his conduct 'to ask nothing but what was clearly right, and to submit to nothing that was wrong.' To this golden rule he has unalterably adhered, and 'the smiles of Heaven have abundantly approved his honest and magnanimous policy.' His frank and manly advances to other governments have met a ready and a cordial reception, and obtained for his country advantages which the tortuous diplomacy of former administrations either dared not attempt, or attempted in vain.

Though holding the highest place in the affections of the Western States, he dared to put his veto upon the log-rolling system of corruption, which threatened to make Congress an Exchange, where political brokers should be sent to barter money laid out and expended for promotion had and received. By this bold act he put a stop to the squandering of the millions on millions of treasure annually drained from the seaboard, and applied our superabundant resources to the payment of the national debt, which he was thus enabled to cancel; and now, those who two years ago predicted that the revenue would 'fall short one half, or at least one third,' have no other ground of complaint left than the rapid accumulation of surplus funds in the Treasury. Yet while the expenses of the government have been kept so far within its income, by the prostration of Mr Calhoun's internal improvement system, the taxes of the people have been diminished to the amount of eighty five millions of dollars, on goods imported for their use, within the last five years, or more than one hundred millions of dollars including the present year.

The system of unequal taxation, of pampering the producers of a particular article, who are few, at the cost of the consumers, who are many, has been a fruitful source of misery in most of the civilized nations of modern times. After it had become the object of the abhorrence of the friends of freedom everywhere else, it was introduced, chiefly under the auspices of Mr Clay, into the United States. The tariff of 1828, justly styled by Mr Webster 'a bill of abominations,' carried this system to its height, and the consequent reaction at the South

produced the baneful heresy of nullification. This brought into jeopardy our Union, and Republican Institutions; and there were those at the North who promulgated the unchristian sentiment, 'our danger lies in concession,' while the arch nullifier brandished before the South the torch of discord; and the dogs of war, almost loosed from their leash, already seemed to snuff the blood of brethren, deluging the land devoted to civil strife. But the administration had taken for its motto, 'the Federal Union, it must be preserved:' concession was made, liberal concession, though the Catalines preferred Disunion, Civil War, and Anarchy to concession. We have steered clear of the rocks and quicksands that beset us, and in spite of the conspiring mutineers that would have run her on a lee shore, that they might take command of the wreck and parcel out the plunder, the ship of state stands steadily on her proud course, —thanks to the firm hand that has never let go the helm. May a thousand ages roll away before our country is again environed with perils imminent as she then escaped! Her escape she owes, under God, to the far-seeing wisdom and unwavering patriotism which presided over her destinies—a statesmanship which will couple his name alone with that of Washington in the memory of our remotest posterity.

When Andrew Jackson was first elected to the Presidency of these United States we knew his patriotism and appreciated his talents; but who could then have anticipated that the crisis would come so soon which would put in requisition all his patriotism and all his talents, and which without those high qualities might have proved fatal to us. Eighteen long years before he had glory enough for one man, but now his cup is filled to overflowing.

Each of the Hero Presidents received the sanction of the approbation of his fellow-citizens, after his system of administration had been distinctly developed, by a re-election for a second term of service, with a high degree of unanimity. And as if to carry out and complete the parallel, each during his second term found himself harassed by the embarrassing nature of our relations with France. Both alike maintained an independent attitude towards that power, both commanded her respect; and the voice of congratulation rising from the whole

continent witnesses the universal satisfaction with which America has welcomed the final adjustment of the late difficulties.

The resemblance is not confined to the history, but it extends through the personal character of these two great men. Judge Marshall in sketching the character of Washington observes that in his civil administration, as in his military career, were exhibited ample proofs of that practical good sense and sound judgment which is perhaps the most rare, as it is certainly the most valuable quality of the human mind. We are told that he sought to acquire all the information which was attainable, and to hear without prejudice all the reasons which could be urged for or against a particular measure. His own judgment was suspended until it became necessary to determine; and his decisions, thus maturely made, were seldom if ever to be shaken. No man has ever appeared upon the theatre of public action whose integrity was more incorruptible, or whose principles were more perfectly free from the contamination of those selfish and unworthy passions which find their nourishment in the conflicts of party. Having no views which required concealment, his real and avowed motives were the same; and his whole correspondence does not furnish a single case from which even an enemy would infer that he was capable under any circumstances, of stooping to the employment of duplicity. No truth can be uttered with more confidence than that his ends were always upright, and his means always pure. He exhibits the rare example of a politician to whom wiles were absolutely unknown, and whose professions to foreign governments, and to his own countrymen, were always sincere. In him was fully exemplified the real distinction which forever exists between wisdom and cunning, and the importance as well as truth of the maxim, that honesty is the best policy. Intrigue was never employed as the means to gratify his ambition, nor was personal aggrandizement its object. The various high and important stations to which he was called by the public voice, were unsought by himself; and in consenting to fill them, he seems rather to have yielded to a general conviction, that the interests of his country would be thereby promoted, than to his particular inclination. Neither the extraordinary partiality of the American people, the extravagant

praises which were bestowed upon him, nor the inveterate opposition and malignant calumnies which he experienced, had any visible influence upon his conduct. The cause is to be looked for in the texture of his mind.

It is impossible to contemplate the great events which occurred in the United States under the auspices of Washington, without ascribing them, in some measure, to him. If we ask the causes of the prosperous issue of a war, against the glorious termination of which there were so many probabilities; of the good which was produced and the ill which was avoided, during an administration fated to contend with the strongest prejudices that a combination of circumstances and of passions could produce; of the constant favor of the great mass of his fellow-citizens, and of the confidence which, to the last moment, they reposed in him,—the answer, so far as the causes may be found in his character, will furnish a lesson well meriting the attention of those who are candidates for political fame. Endowed by nature with a sound judgment, and an accurate, discriminating mind, he feared not that laborious attention which made him perfectly master of those subjects, in all their relations, on which he was to decide; and this essential quality was guided by an unvarying sense of moral right, which would tolerate the employment only of those means that would bear the most rigid examination; by a fairness of intention which neither sought nor required disguise, and by a purity of virtue which was not only untainted, but unsuspected. Such are almost the exact words of his biographer. How else could one adequately describe the character of Jackson, than by repeating what has been said of Washington?

His enemies, even, have established this to be his reputation by the nature of the charges they have brought against him. More solid than brilliant judgment, rather than genius constituted the most prominent feature of the character of Washington. Often has our present President been reproached because he never exhibited that brilliant oratorical genius which distinguishes some of his senatorial rivals. Often has his disposition to deliberate and consult been charged upon him as the hesitation of an old man in his dotage, or the subserviency of a weak-minded man to his leaders; though this calumny long

since disappeared before the full blaze of evidence to the contrary, as snow dissolves under the noonday sun. Of late years, the pertinacity with which he adheres to his matured decisions, has been a much more frequent topic, and it is represented as the obstinate perversity of an iron headed soldier.

The incorruptibility which withstood the approaches of intrigue, in the Presidential campaign of 1824, as well as in all other situations, is fresh in the recollection of all. Often has he been rebuked for the noble advice which he gave to Mr Monroe, in 1816, to disregard mere party feelings, and select 'characters most conspicuous for their probity, virtue, capacity, and firmness, without any regard to party,' and his own liberal practice in this particular long furnished the pretence for much abuse. The frankness and openness of his manner, many have derided as undignified in a public station; and his want of diplomatic cunning was one of the prominent objections to his election; yet the maxim that honesty is the best policy was never more happily exemplified than in his unprecedented and unanticipated success in our foreign relations. That flattery could not seduce him, nor the malignant fury of party rage intimidate him, is now so universally acknowledged that it seems almost too trite to be repeated. For these qualities he stands before the people with a fame imperishable as monumental marble—

The man resolved and steady to his trust,
Inflexible to ill and obstinately just;
Like Teneriffe or Atlas unremoved,
The stubborn virtue of his spirit proved:
Should the whole frame of nature round him break,
In ruin and confusion hurled,
He unconcerned would view the mighty wreck,
And smile secure amidst a falling world.

'In more instances than one,' as Judge Marshall has remarked of Washington, 'we find him committing his whole popularity to hazard, and pursuing steadily, in opposition to a torrent, which would have overwhelmed a man of ordinary firmness, that course which had been dictated by a sense of duty.' 'Trusting to the reflecting good sense of the nation for approbation and support, he had the magnanimity to pursue its real

interests, in opposition to temporary prejudices; and though far from being regardless of popular favor, he could never stoop to retain by deserving to lose it.'

The great events in which he has been concerned are justly ascribed to his personal agency. The purity of his intentions, and his elevated purposes are attested by his immediate predecessor, and now that the hoarse roar of party animosity is hushed, no voice is heard to impeach them.

The State Papers of the first administration were numerous, highly important and much admired; and the farewell address is among the richest of the legacies of wisdom which we inherit from the revolutionary worthies. The State Papers of the present administration will suffer nothing by the comparison. The Maysville Road Bill Veto—The Bank Veto—the Proclamation—the views of the President read to the Cabinet on the 18th of September, 1833—the Protest—the several messages, especially those on Nullification, the Bank, and the French Affairs—have been a New Orleans battery of heavy ordinance—the close columns of the British party have never been able to make head against them. It is to be hoped that the close of the Presidential term will be signalized by the appearance of A FAREWELL ADDRESS, to embody the parting counsels of the Restorer of the Constitution.

There is another point of resemblance in the possession by Washington, of a trait of character often attributed by his enemies to Jackson—liability to passion. An eloquent panegyrist of General Washington, the Hon. Francis C. Gray, thus speaks of this peculiarity,—' History demands the whole truth, and will ask if he had no failings. If he had any—for he was a man—they have left no trace in the annals of his country, and no speck upon his own bright fame. His enemies could never find any; for all the shafts of calumny seemed to be directed against the strongest points of his character.' ' His friends could never find any, excepting one. The frailty which reminded him of his nature, was the possession of such violent passions, as rarely inhabit the human breast. By minute scrutiny, a few instances may be discovered, in the course of his active and varied life, in which, when he was surprised by the gross cowardice or misconduct of individuals on whom he had relied, the storm gathered on his

brow, usually so serene, and wrath flashed forth like lightning; terrible as transient; for, in an instant he was himself again.' No more will General Jackson's failings, be they what they may, leave any trace in the history of his country.

America might be supposed a partial judge of the fame of her favorites—but we find them respected abroad no less highly than at home. The champion of the rights of juries at the English bar, the great master of forensic eloquence, confessed, that he stood in awe of Washington. The Prime Minister of the most liberal administration Great Britain has ever yet seen, pronounced Jackson to be the first of American Statesmen. Already a transatlantic reputation, which no one living, save himself, can claim, associates his name with that of Washington, and anticipates the sure award of coming generations.

I have already extended these remarks too far to allow time for the parallel which might easily be drawn between our present Chief Magistrate and Thomas Jefferson. Their character as bold reformers, their common sentiments on all the great political questions, the venomous but impotent abuse which assailed both, while candidates, and followed all their measures after their election, the amazing increase of their popularity, by the very means employed to diminish it, the clamor excited by removals from office, the opposition which their efforts at retrenchment encountered, not to go through the whole catalogue of subjects acted on during their administrations, afford abundant materials for an instructive comparison. It was urged, that Jefferson could not be a practical Statesman, because, said the British party, he is nothing but a whimsical philosopher; that Jackson could not be a practical Statesman, because, said the whigs, he is nothing but an ignorant soldier. Loud, long, and vehement was the outcry against them, that they were filling all subordinate offices with incompetent men. Yet both succeeded, both grew stronger and stronger in the confidence of the people, and before they reached the accomplishment of their mission, were greeted with a general chorus of applause. A few still denounce Jackson, but they are those who believe that 'history is a mere fable, if Thomas Jefferson would not have made his will the only law of the land, if opposition had not wrought upon his fears;' and who admit, while they condemn them both, that 'Jacksonism is but a revival of Jeffersonism.'

These three illustrious pioneers of genuine independence, have, by their whole career of arduous service well rewarded, demonstrated the proposition, that the American people will sustain the Statesman, who maintains American principles; and, that nothing can be more grateful to their feelings, than whatever is perfectly suited to our own institutions, character and situation; free, equal, liberal, and manly.

Did time permit, I should delight to follow out ideas so appropriate to the present occasion, and to show why it is that we have scarcely anything that deserves to be called an American literature, and endeavor to point out some means to encourage the development of native genius in natural and independent forms, instead of subjecting it, for the most part, to the constraint of servile imitation of foreign models, and repetition of foreign notions. The masculine and republican dignity of style in which our state papers were composed, during, and even before the revolution, as well as at later periods, must exempt these documents from the general censure. There are other brilliant exceptions; and, far as the nation may be below the independent station which she ought to hold in the literary world, it cannot be denied, that Massachusetts has done her share towards throwing off the yoke of foreign influence. Without derogating from the merits of others, a single name may be mentioned here with commendation. A citizen of this Commonwealth, George Bancroft, of Springfield, is doing away the reproach, which rested on us so long, that we have no history of our country, worthy of her greatness. He has produced a work, unexceptionable for the accuracy of its statements, patriotic in sentiment, delightfully interesting, admirable for the purity and elegance of its diction, and the skilful conduct of the story, and which, so far as it is published, leaves nothing to be desired. Let all our educated men, whom nature has endowed with a capacity for the higher walks of literature, employ their powers with the same laudable zeal, and judicious choice of object, with which this gentleman exerts his fine talents, and we might soon pay off the immense debt we owe to the old world, in intellectual coinage, stamped with the impress of original genius.

True independence requires us to forbear from longer aping foreign manners, when inconsistent with republican simplicity. It requires the corrupt portion of the population of our great cities,

to be kept in check by our sound, substantial yeomanry, our intelligent mechanics, and our hardy tars. These, we may safely trust, are uncontaminated.

Our legislation, also, should be of indigenous growth. The laws should be intelligible to all, equal in their operation; and should provide prompt and cheap remedies for their violation. The Revision of the Statutes of this Commonwealth, just completed, has done something towards this great end—how much, the public are hardly yet aware. It would have been worth all the time, expense, and labor spent upon it, even though they had been ten times greater than they were. It is the most important act of our legislation since the Revolution. Not only is the whole mass systematized, condensed, simplified, modernized, and made consistent with itself; but improvements, almost innumerable, have been introduced into every part, more in number and greater in value, than our General Court would have elaborated, in their ordinary mode of legislation, for many years.

But the Revised Statutes, excellent as they are, contrasted with the chaos for which they are substituted, still cover but a small part of the ground. We are governed, principally, by the Common Law; and this ought to be reduced, forthwith, to a uniform written Code.

It is said, by writers on the subject, that there are numerous principles of the Common Law, which are definitely settled and well known, and that the questionable utility of putting these into the form of a positive and unbending text, is not sufficient to outweigh the advantages of leaving them to be applied by the Courts, as principles of Common Law, whenever the occurrence of cases should require it.

How can that which is definitely settled and well known, be applied otherwise than as a positive and unbending text? It is because Judge-made-law is indefinitely and vaguely settled, and its exact limits unknown, that it possesses the capacity of adapting itself to new cases, or, in other words, admits of *judicial legislation.*

Imperfect Statutes are, therefore, commended because they leave the law, in the omitted cases, to be enacted by the Judges. Why not carry the argument a little further, and repeal the existing Statutes, so that the Judges may make all the laws? Is it be-

cause the Constitution forbids Judges to legislate? Why, then, commend the legislation of Judges?

The law *should be* a positive and unbending text, otherwise the Judge has an arbitrary power, or *discretion*; and the discretion of a good man is often nothing better than caprice, as Lord Camden has very justly remarked, while the discretion of a bad man is an odious and irresponsible tyranny.

Why is an ex post facto law, passed by the Legislature, unjust, unconstitutional, and void, while Judge-made-law, which, from its nature, must always be ex post facto, is not only to be obeyed, but applauded? Is it because Judge-made-law is essentially aristocratical? It is said, the Judge only applies to the case the principles of Common Law which exist already; but the Legislature applies to a whole class of cases, the principles of common sense and justice, which exist already, and which have existed from a much more remote antiquity.

The Common Law sprung from the dark ages; the fountain of justice is the throne of the Deity. The Common Law is but the glimmering taper by which men groped their way through the palpable midnight in which learning, wit, and reason were almost extinguished; justice shines with the splendor of that fulness of light which beams from the ineffable presence. The Common Law had its beginning in time, and in the time of ignorance; justice is eternal, even with the eternity of the allwise and just Lawgiver and Judge. The Common Law had its origin in folly, barbarism, and feudality; justice is the irradiance of Divine Wisdom, Divine Truth, and the Government of Infinite Benevolence. While the Common Law sheds no light, but rather darkness visible, that serves but to discover sights of woe,—justice rises, like the Sun of Righteousness, with healing on his wings, scatters the doubts that torture without end, dispels the mists of scholastic subtilty, and illuminates with the light that lighteth every man that cometh into the world. Older, nobler, clearer, and more glorious, then, is everlasting Justice, than ambiguous, base-born, purblind, perishable Common Law. That which is older than the creation may indeed be extolled for its venerable age; but among created things, the argument from antiquity is a false criterion of worth. Sin and Death are older than the Common Law; are they, therefore, to be preferred to it? The mor-

tal transgression of Cain was anterior to the Common Law: does it therefore furnish a better precedent?

Judge-made-law, is ex post facto law, and therefore unjust. An act is not forbidden by the Statute Law, but it becomes by judicial decision, a crime. A contract is intended and supposed to be valid, but it becomes void by judicial construction. The Legislature could not effect this, for the Constitution forbids it. The Judiciary shall not usurp legislative power, says the Bill of Rights: yet it not only usurps, but runs riot beyond the confines of legislative power.

Judge-made-law, is special legislation. The Judge is human, and feels the bias which the coloring of the particular case gives. If he wishes to decide the next case differently, he has only to *distinguish*, and thereby make a new law. The Legislature must act on general views, and prescribe at once, for a whole class of cases.

No man can tell what the Common Law is; therefore it is not law: for a law is a rule of action; but a rule which is unknown, can govern no man's conduct. Nothwithstauding this, it has been called the perfection of human reason.

The Common Law is the perfection of Human Reason—just as alcohol is the perfection of sugar. The subtle spirit of the Common Law, is Reason double distilled, till what was wholesome and nutritive, becomes rank poison. Reason is sweet and pleasant to the unsophisticated intellect; but this sublimated perversion of reason bewilders, and perplexes, and plunges its victims into mazes of error.

The Judge makes law, by extorting from precedents, something which they do not contain. He extends his precedents, which were themselves the extension of others, till, by this accommodating principle a whole system of law is built up without the authority or interference of the Legislator.

The Judge labors to reconcile conflicting analogies, and to derive from them a rule to decide future cases. No one knows what the law is, *before* he lays it down; for it does not exist even in the breast of the Judge. All the cases carried up to the tribunal of the last resort, are capable of being argued, or they would not be carried there. Those which are not carried up, are not law, for the Supreme Court might decide them differently. Those which

are carried up, argued, and decided, might have been decided differently, as will appear from the arguments. It is, therefore, often optional with the Judge to incline the balance as he pleases. In forty per cent of the cases carried up to a higher Court, for a considerable term of years, terminating not long ago, the judgment was reversed. Almost any case, where there is any difference of opinion, may be decided either way, and plausible analogies found in the great storehouse of precedent to justify the decision. The law, then, is the final will or whim of the Judge, after counsel for both parties have done their utmost to sway it to the one side or the other.

No man knows what the law is, *after* the Judge has decided it. Because, as the Judge is careful not to decide any point which is not brought before him, he restricts his decision within the narrowest possible limits; and though the very next case that may arise, may seem, to a superficial observer, and even upon a close inspection, by an ordinary mind, to be precisely similar to the last, yet the ingenuity of a thorough-bred lawyer may detect some unsuspected shade of difference, upon which an opposite decision may be founded. Great part of the skill of a Judge consists in avoiding the direct consequences of a rule, by ingenious expedients and distinctions, whenever the rule would operate absurdly: and as an ancient maxim may be evaded, but must not be annulled, the whole system has been gradually rendered a labyrinth of apparent contradictions, reconciled by legal adroitness.

Statutes, enacted by the Legislature, speak the public voice. Legislators, with us, are not only chosen because they possess the public confidence, but after their election, they are strongly influenced by public feeling. They must sympathize with the public, and express its will: should they fail to do so, the next year witnesses their removal from office, and others are selected to be the organs of the popular sentiment. The older portions of the Common Law, are the work of Judges, who held their places during the good pleasure of the king, and of course decided the law so as to suit the pleasure of the king. In feudal times, it was made up of feudal principles, warped to be sure, according to the king's necessities. Judges now are appointed by the Executive, and hold their offices during good behavior—that is for life, and are consequently out of the reach of popular influence. They are

sworn to administer Common Law as it came down from the dark ages, excepting what has been repealed by the Constitution and the statutes, which exception they are always careful to reduce to the narrowest possible limits. With them, wrong is right, if wrong has existed from time immemorial: precedents are everything: the spirit of the age is nothing. And suppose the Judge prefers the Common Law to the Constitutions of the State and of the Union; or decides in defiance of a statute; what is the remedy? An astute argument is always at hand to reconcile the open violation of that instrument with the express letter of the Constitution, as in the case of the United States Bank—or to prove an obnoxious statute unconstitutional, as would have happened in the case of the Warren Bridge, but for the firmness of Judge Morton. Impeachment is a bugbear, which has lost its terrors. We must have Democratic Governors, who will appoint Democratic Judges, and the whole body of the law must be codified.

It is said, that where a chain of precedents is found running back to a remote antiquity, it may be presumed that they originated in a statute, which through lapse of time, has perished. Unparalleled presumption this! To suppose the legislation of a barbarous age richer and more comprehensive than our own. It was without doubt a thousand times more barren. But what if there were such statutes? The specimens which have survived do not impress us with a favorable opinion of those that may have been lost. Crudely conceived, savage in their spirit, vague, indeterminate and unlimited in their terms, and incoherent when regarded as parts of a system, the remains of ancient legislation are of little use at present, and what is lost was probably still more worthless. If such laws were now to be found in our statute book, they would be repealed at once; the innumerable judicial constructions which they might have received would not save them. Why then should supposed statutes, which probably never had any but an imaginary existence, which if they ever existed were the rude work of barbarians, which cannot now be ascertained, and if they could be, would be despised and rejected as bad in themselves, and worse for our situation and circumstances—why should such supposed statutes govern, in the nineteenth century, the civilized and intelligent freemen of Massachusetts?

These objections to the Common Law have a peculiar force in America, because the rapidly advancing state of our country is continually presenting new cases for the decision of the judges; and by determining these as they arise, the bench takes for its share more than half of our legislation, notwithstanding the express provisions of the Constitution that the Judiciary shall not usurp the functions of the Legislature. If a Common Law system could be tolerable any where, it is only where everything is stationary. With us, it is subversive of the fundamental principles of a free government, because it deposites in the same hands the power of first making the general laws, and then applying them to individual cases; powers distinct in their nature, and which ought to be jealously separated.

But even in England, Common Law is only a part of a system, which, as a whole, would be incomplete without *Equity*. We strive to make the part supply the place of the whole. Equity is the correction of that wherein the law by reason of its generality is deficient; yet we have taken the law, deficient as it confessedly is, without the correction, except in certain cases, where by degrees, and almost without the knowledge of the people, equity powers have been given to the courts. A court of chancery would not be tolerated here, for reasons which I have not time to enter upon; and without that adjunct, the Common Law system would not be tolerated in England. The remedy is to fuse both into one mass, adopting such principles of equity as are really necessary, simplifying the whole, enacting the result in the form of statutes, and, from time to time, supplying defects and omissions, as they are discovered. It is hardly necessary to observe, that in doing this, opportunity should be taken to reform and remodel the great body of the law, which stands in need of such a revision more than any other science. Some immense advances, it is true, have been made within the last two years, of which the total abolition of special pleading is not the least remarkable. But instead of being satisfied with what has been gained, it should only encourage us to step forward more boldly in what remains to do. All American law must be statute law.

In our state policy, the principles of civil and religious free-

dom are the only sure foundation to build on. Existing laws grossly inconsistent with these principles should be repealed. The democracy of the State have already struggled hard to repeal them. They have had some success, and hope for more.

In our national policy, free trade, no bank, no debt, light taxes, and an economical government are the American doctrines. The government must be confined within its proper sphere; the supply of a sound currency free from fluctuations, the care of our foreign relations, the defence of the national honor, and the preservation of the Union. It should be restricted within the narrowest constitutional limits, and where any power is doubtful, it should not be exercised.

The leading idea of the American policy is Freedom. The sole purpose of Government is to prevent the rights of the citizen from being infringed or encroached upon. Every man should be left in the full enjoyment of his natural liberty, so long as he does not thereby interfere with any of the natural rights of his neighbor. When he invades the hallowed boundary of another's rights, then the Government should put forth its strong arm to protect them: but so long as he refrains from any such invasion, an American citizen may claim, as his birthright, perfect and unrestrained liberty of action. Within these limits, wherever his interests, wherever his inclination may lead him, he may take his own course, and Government has no right to place in his path the very slightest impediment. He may rove free as the free air which he breathes, calling no man his master, acknowledging no power above him but in heaven, subject to no other restraint but the obligations of virtue and the dictates of conscience and honor, unshackled by arbitrary, vexatious, and galling restrictions, untrammelled by human legislation, so long as he obeys the guidance of an enlightened monitor within. For him the whole object of government is negative. It is to remove, and keep out of his way all obstacles to his natural freedom of action. So long as it performs this duty, he cheerfully contributes towards its support. If it fails in the performance, he sets his shoulder to the wheel to bring about the requisite reform: he removes the inefficient, or incompetent, or unfaithful agents, and substitutes in their place those who understand and will take care to effect

the object of their appointment. But if his agents have exceeded their commission; if the power entrusted to them, to guard and to protect his liberty, has been employed insidiously to steal from his possession, or forcibly to wrest from his grasp that liberty, then indeed he no longer lives under a free government, but under a despotism; and it should be his nightly prayer and daily endeavor to burst asunder the chains it will fasten around him before they are riveted too strongly to be broken. I want no government to prescribe to me when, and where, and how I may enjoy my natural rights. That is my own affair. I only ask the Government to stand by, a watchful sentinel, a mighty guardian, to take care that I am not interrupted in the enjoyment of them. It should be our presiding genius, ever near us and around us to avert all evil from us: covering us with the broad ægis of its protection, yet at the same time, unseen, unfelt, unknown, leaving us with our unrestricted energies to work out, in our own way, our own highest happiness.*

It is in these particulars, features indeed more striking than any other, that our constitutions are peculiarly American and purely democratic. The great dividing line between our parties originally was, generally has been, and for the most part will be, between the friends of arbitrary power on the one hand, and the friends of constitutional freedom on the other—between those who wish, by wholesome limitations originally imposed, and by a strict construction of them, to confine governments to the few objects which have been specified, and to leave the people otherwise individually free to govern themselves, and those who by a lavish grant of power originally, and a broad latitude of interpretation, and a free use of implication afterwards, would enable the government to control and regulate every action, and would make it, in fine, a mere engine for the aggrandizement of the few at the expense of the

* The nature and purpose of government are discussed much more at large in a report on the subject of Capital Punishment, made in the House of Representatives of Massachusetts, February 22d, 1836, printed as document of the House No. 32, from the eighth to the thirtieth page. In several of the above paragraphs free use has been made of the discussion in that report, to which the reader is referred.

many, like every other government upon the face of the globe. The first constitute the democratic or constitutional party—the latter are the aristocratic or consolidationist party, who seem to be governed by British rather than American principles.

The aristocratic party seem never to have abandoned the doctrine that the people could not safely be trusted with political power. They consider the popular will too sandy a foundation to uphold the structure of government. For this reason, after failing in the attempt to establish a government whose leading features should be a President to serve during good behavior—a Senate to serve during good behavior, *and to have the sole power of declaring war*—the Governor of each State to be appointed by the Federal head and to have a negative on the laws of the State—they set about building a consolidated government under the forms of a democratic constitution. In many respects the attempt has been alarmingly successful. One who observes the little consideration which the States now command, and how completely the central government absorbs and draws into its vortex every interest and all ambition, cannot but feel some misgivings lest the States may have committed the same fatal error in consenting to the Federal Government, which the forest committed in giving the axe wood enough to furnish a handle. Such misgivings would have been but too well founded had not the Roman energy of Andrew Jackson arrested, before it was too late, the progress of consolidation, and redressed the wrongs of the violated constitution.

The original plan of the consolidationists was an elective monarch, with elective lords appointing their lieutenants in the provinces. Such a scheme differed more in name than in principle from the British monarchy. After the failure of that scheme, it was natural that its author, and the other friends of a strong government, when contriving how to fortify and enlarge the Federal powers so as to overawe, and to hold the people in subjection, should still continue to copy after British models. The first auxiliary institution to prop up the fabric of an energetic government was a copy of the Bank of England. In 1693 the whigs of Great Britain patronized a scheme for a

National Bank, which they promised should be fruitful of vast advantages of every conceivable description. A strong party affirmed,* that it would become a monopoly, be subservient to government views, be employed to the worst purposes of arbitrary power, produce a swarm of brokers and jobbers to prey upon their fellow creatures, encourage fraud and gaming and corrupt the morals of the nation. The short sighted and selfish William, then tenant of the British throne, affixed his signature to the charter. The predictions of its opponents were fulfilled to the letter. None of those splendid promises which ushered in the magnificent delusion were ever realized. The evils which were apprehended followed, in a lengthened and gloomy train; and Great Britain is still smarting under their effects, which will not cease to plague her so long as her fast-anchored island shall remain the seat of an independent empire. That mammoth monopoly, so diametrically opposed to the spirit of our institutions, the United States Bank, is the legitimate progeny of its transatlantic prototype. Like that, it has performed none of the many promises it made to the people. It is now sinking under the weight of that universal odium which its multiplied and aggravated offences have justly brought down upon it. It is now about to receive the just reward for all its trangressions—the wages of its sin will be its death. Wickedness may prosper for awhile, but justice will overtake it at last. In the nature of events, and in the wise ordination of providence, crime, whether secret or in high places, brings after it necessarily, though sometimes slowly, its own appropriate retribution. The scarlet mother of corruption, who so long sat secure within her marble palace, in vain looked to be exempted from this universal law. The gilded Juggernaut that drove, as it were but yesterday, her cruel car over prostrate and groaning misery, to grind the poor man to powder, and overwhelm us with the double curse of want and slavery, that, when she had withered and blasted far and wide with her pestilential breath, she might tower supreme amid the desolation she had made, is soon to be hurled from her lofty throne, and trampled, in her turn, in the dust where she crushed her victims.

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* Continuation of Hume by Smollet.

Assyria fell beneath the rod of Divine wrath. Rome—guilty Rome—saw an avenging world overrun, and dismember, and extinguish her Empire. Mammon, with his paper dynasty, is doomed like these to fall, never again to lift his horrid head—more fatal to liberty than Moloch—more hateful to the sight of men than the brand on the forehead of Cain.

Yes, Mammon is dethroned, and shall be banished from our borders, amidst the exulting shouts and anthems of the free. Bitter is the taunt with which millions mock the paralized and powerless monster. 'How art thou fallen, O Lucifer, son of the morning! How art thou brought low, thou that didst trouble the nations!'

The Bank whose death-warrant has been signed by Andrew Jackson, was only one, though indeed the first and mightiest, of those British engines of influence which were transplanted to supply the supposed deficiencies of our own Constitution, and to accumulate power in the hands that could wield them. A splendid system of consolidated government, copied *in all its prominent features* from the practice of the British government, was devised, which held up glittering prizes for ambition, and was calculated to enlist in the service of the leaders all the wealth and all the talent in the nation that was not restrained by principle. It was the conspiracy of avarice against liberty, a system of partial privileges, partial taxes, and universal restrictions.

The highest democratic authority in America, fully sustains this view of the whig policy. Thomas Jefferson thus characterized it in a letter to William B. Giles. CONSOLIDATION opens with a vast accession of strength from their younger recruits, who having nothing in them of the principles of '76, now look to a splendid government of an aristocracy—riding and ruling over the plundered ploughman and beggared yeomanry. This will be to them a next best blessing to the MONARCHY OF THEIR FIRST AIM, and perhaps the surest stepping stone to it. I see as you do, says the venerable patriarch, and with the deepest affliction, the rapid strides with which the Federal branch of our government is advancing towards the usurpation of all the rights reserved to the States, and the consolidation in itself of all powers foreign and domestic; and that

too by constructions which if legitimate, leave no limits to their power. It is but too evident, that the three ruling branches of the Federal Department are in a combination to strip their colleagues, the State authorities, of the powers reserved by them, and to exercise themselves all functions, foreign and domestic. '*And what*' he exclaims—'*is our resource for the preservation of the Constitution?* Reason and argument? You might as well reason with the marble columns encircling them!'

There was but one resource for the preservation of the Constitution, and that was an energetic, democratic chief magistrate. Providence, which in great perils raises up great deliverers, has given us the man. He has fulfilled his destiny, and routed the consolidationists as effectually as he did their British friends at New Orleans.

To return to the character of the whig or British party. We need not resort to democratic authority to learn what was the original distinction of sentiment, I do not say between every member of the two great parties, but between the leaders; a distinction which still continues the same. The late Rufus King, before he resigned his seat in the Senate, asserted in a very remarkable speech which he delivered, that the people would never have adopted the Federal Constitution if they could have imagined the extent of power that would be claimed and assumed under it. This assertion every impartial reader of our history knows to be undeniably true. James A. Bayard, in 1804, declared, that the question between the two parties was by no means the executive power, which he was not disposed to enlarge, but what amount of power should be given to the Federal Government, and how much left to the States. It may be demonstrated from history that this view also was correct. Chief Justice Marshall tells us that the Bank was the rock on which our parties split; a fact perfectly consistent with, and no more to be doubted than the preceding. Gouverneur Morris, hearing some one speak favorably of the new Constitution, answered that that was according as it might be construed; an answer pregnant with meaning, when we consider the high toned politics of the man—a true whig as we were assured on the 3d of July last, by the Salem Gazette, the highest whig authority in Essex. In 1811, while Henry Clay was yet a

democrat, he believed, and justly too, that the recharter of the United States Bank, upon the ground of precedent, would make our Constitution 'as diffused and intangible as the pretended Constitution of England.' He probably still holds the same opinion; and for this reason doubtless among others, he has been, ever since his apostacy, one of the most zealous advocates of the recharter of that institution upon a much grander scale than was proposed in 1811.

The whig *champion of the Constitution*, Daniel Webster, explained to the world his notions of the nature of government in his speech in the Massachusetts Convention *against basing the Senate on population, and in favor of the basis of wealth.* 'It would seem,' said that gentleman, 'to be the part of political wisdom TO FOUND GOVERNMENT ON PROPERTY'*— 'property being the true basis and measure of power.' He maintains that a government founded on property, is legitimately founded, and that a government founded on the disregard of property, IS FOUNDED IN INJUSTICE.' These purely British notions come quite up to Mr Jefferson's idea of the 'splendid government of an aristocracy.' Such a government would be very certain to *take care of the rich*, and let the rich take care of the poor, in whatever way might suit their own interest. No wonder that a statesman holding such principles should desire to build up our House of Lords into an irresponsible oligarchy, capable of controlling every other branch of the government. No wonder that he should look with peculiar favor upon every British feature in our institutions, and that he should aim especially to make A NATIONAL BANK the main pillar of that government, which he thinks it 'the part of political wisdom TO FOUND ON PROPERTY.' The candidate of our Boston politicians should adopt for his motto the British maxim, 'Liberty and Property!' It would be the most plausible version of his creed, and make an admirable rallying cry for those friends of a consolidated *national* Republic, who after so many discomfitures have folded up their tattered banners, whose broken ranks were marshalled under the Bank flag only to be routed worse than ever, and who had exhausted the American vocabulary

*See Journal of Debates, page 143.

before they sheltered their British principles under a British name. 'The immortal spirit of the wood-nymph LIBERTY DWELLS ONLY IN THE BRITISH OAK,' said Fisher Ames, whose opinions must have coincided very nearly, one would think, with those quoted from the Boston candidate. Alexander Hamilton pronounced the British Government, *with all its corruptions*, to be the best government ever established by the wisdom of man. A whig orator of some reputation, while addressing an assembly of the manworshippers of the city, dared to profane Faneuil Hall—the cradle of Liberty—with the sentiment, that 'this Government, *as now administered*, is the worst Government that God ever suffered to exist on the face of the earth!' A party that believes the British Government, with all its corruptions, to be the best, and our own Government, under a democratic administration, to be the worst of all possible governments, must be British to the core and deserves a British name. Every member of such a party might respond cordially to the exclamation of Tristam Burges, the whig leader of a neighboring state, 'I thank my God heartily that I am not a democrat, nor do I wish ever to be one!'

The democratic party, on the other hand, holds fast those purely American principles which have already been described. Again and again have they been put forward as our distinguishing doctrines, and it is upon the faithfulness with which they have supported and applied these doctrines, that those who stand foremost in our ranks must rest their claims to public confidence. As no man has practically illustrated this creed more consistently or with happier effect than our present chief magistrate, so no man has given the theory a more beautiful expression. 'The ambition which leads me on'—these were the words of that venerated patriot, uttered upon a memorable occasion, with that noble frankness which only conscious rectitude could inspire—'the ambition which leads me on is an anxious desire and a fixed determination, to return to the people, unimpaired, the sacred trust they have committed to my charge—to heal the wounds of the Constitution and preserve it from further violation; to persuade my countrymen, so far as I may, that it is not in a splendid government, supported by powerful monopolies and aristocratic establishments, that they

will find happiness or their liberties protection, but in *a plain system, void of pomp,—protecting all and granting favors to none—dispensing its blessings like the dews of heaven, unseen and unfelt save in the freshness and beauty they contribute to produce.* If the Almighty Being, who has hitherto sustained and protected me, will but vouchsafe to make my feeble powers instrumental to such a result, I shall anticipate with pleasure the place to be assigned me in the history of my country, and die contented with the belief, that I have contributed, in some small degree, to increase the value and prolong the duration of American Liberty.'

To increase the value and prolong the duration of American Liberty, there are three essential requisites—a strict observance of its sacred charter the Constitution, the supremacy of the laws under the Constitution, and the preservation of the Federal Union. If the Constitution should be violated by the adoption of the whig policy, of plundering the many to pamper the few, consolidation would either bring on the dead calm of Despotism, or provoke a tempest of resistance, ending in Nullification, and Revolution. If the laws may with impunity be set at defiance, either by a Corporation exalting itself above law, and gathering its strength to break down our constituted authorities; or by a band of factious demagogues, disappointed, revengeful, and disorganizing; or by seditious mobs instigated to violence and outrage by the incendiary harangues of the Catalines who preach panic, create distress, and cry to arms, because they would willingly welcome war, pestilence, and famine, rather than endure the prevalence of democracy—in either case, anarchy, misrule and civil discord would stalk through the land. If bold bad men, struggling to pull down the virtue they cannot rise to emulate, should burst asunder the bands of our National Union, the days of our Independence would soon be numbered, and Liberty could not hope to survive. These three fundamental truths, the President, in his usual comprehensive and emphatic language, has condensed into an aphorism—'THE CONSTITUTION AND THE LAWS ARE SUPREME AND THE UNION INDISSOLUBLE.'

This grand and simple annunciation of democratic doctrine would have been a mere form of words without meaning, if

their author had not redressed the first and most fearful infraction of the Constitution. The duty of the administration, as to this point, was fully expressed in the sentiment of Mr Van Buren—'Unqualified and uncompromising opposition to the Bank of the United States.—The interest and the honor of the People demand it.'

No one that knew the bold heart and the firm hand that guided the helm of state could doubt for a moment that the interest and the honor of the people were safe. The opinion of the early friend of Washington, the adopted child of America, the apostle of universal liberty, the lamented of both Worlds, THE GREAT AND GOOD LAFAYETTE, was also the opinion of the democrats of America, as 219 electoral votes bestowed upon the author of the Bank Veto, against the 49 votes of the Bank or whig party, may amply testify. The illustrious worthy to whose opinion I have just alluded, shortly before he closed his sublunary pilgrimage, and went joyfully to receive the reward of a long life of suffering, toil and virtue, expressed himself in words which ought to be forever remembered. I quote them, because they cannot be repeated too often, and because this occasion ought not to pass without recalling freshly to our recollection the sainted memory of Lafayette, by presenting to our minds some one at least, of his recorded acts or sayings most worthy of the man.

'General Jackson is the very man fitted for the present crisis'—said that keen, judicious, and experienced observer of human character. 'His stern and uncompromising republicanism, and high sense of honor, will prove the best security for our republican institutions—(for he calls every thing American his own) For a long time I saw with pain the advances of an aristocratic moneyed institution, which threatened to cast a poisonous mildew over our precious liberties. They would have rendered our fair country a passive instrument in their hands, in which case freedom would have vanished from among us. General Jackson possesses the honesty of a Regulus, the patriotism of a Washington, and the firmness of a Timoleon—in fact, I am unacquainted with any character in ancient or modern history, which combines so much excellence with so few of the errors of humanity.'

Such was the reliance of the wise Lafayette upon the Hero who *before the battle of New Orleans* possessed 'the unbounded confidence and expectation of the nation,' which confidence he carried with him into his contest with the Bank. The event showed that his sagacity was not deceived. The United States Bank, having been chartered in defiance of the Constitution, had become the most formidable foe of our liberties, and put forward pretensions which amounted to a claim to perpetuity. It took the field openly, and used the people's money to electioneer against the President of the people's choice. It did all that money could do. It bought the venal, cajoled or intimidated the weak, and deceived the simple. After the veto had inflicted a wound that will finally prove mortal, it contracted with the convulsive energy of despair. That vile monopoly was locking in its vaults every dollar it could grasp, and pressing with gigantic strength to break the safety fund banks, to break the merchants, to prostrate credit, and to lay the enterprise and prosperity of the country in ruins, that it might rebuild its own hated power on its only possible foundation hereafter, UNIVERSAL RUIN. Then it was that the President, taking upon himself the responsibility, stepped in and stayed the wave of desolation, before it could sweep over and engulf all in common destruction, and annihilate at once all means and hope of future resistance or relief. He did this by enabling the local banks to discount many millions without delay, at the points of greatest pressure, in the very crisis of the distress. The movement was decisive—it saved the country, and filled full the measure of the hero's glory. It is enough for one man that his administration has enlarged our commerce, recovered our claims, vindicated our honor, redeemed our Constitution from repeated violations, preserved the Union from threatened dissolution, preserved property and credit from universal prostration, preserved liberty from universal subjection, preserved equality from the despotic reign of paper wealth condensed into one vast monopoly, whose central throne is in a marble palace, but whose fangs reach every where, grasping, controlling, subduing, over-ruling all.

> From foul oppression, and from Mammon's ban,
> Who hath redeemed aspersed democracy ?

King-loathed Columbia's brave and wise old man.
Rejoice, oh world! God said, let Jackson be,
And at his feet died swoln monopoly.
Rejoice! His triumph saves no single State,
But every State. It bids all lands be free.
Lone Washington! Another, good, and great,
Hath earned a deathless name, and every villain's hate.

The burning vehemence of poetical inspiration has branded the enemy of the patriot with a harsh epithet. We may rejoice in the conviction, however, that there are none of those villains anywhere in Massachusetts: most assuredly, my friends, there cannot be. Some of us may judge of this from the evidence of our own senses. With our own eyes, we saw the aristocracy of the City of Boston welcome the old hero with the homage of the heart—for it could not have been all mere lip service. We heard them send up the universal shout that almost rent the blue concave. We saw them thronging his antechamber—besieging his bed chamber—scarcely leaving uninvaded his refuge on the couch of sickness—so eager were they to pour into his ear the testimony of their respect, their gratitude, and their love. Our ancient university of Harvard bestowed her highest honors upon her illustrious visiter, thereby honoring herself more than she honored him. And at Bunker Hill, the scene of the first great battle in the long struggle with British power which he himself had closed so gloriously at New Orleans, one of our most eloquent orators exhausted the language of panegyric to do justice to his virtues and his valor, for which appropriate tribute, in conjunction with his other merits, the orator has been nominated and elected by the lately dominant party in the Commonwealth to the office of Governor. Oh no, gentlemen! King-loathed Columbia's brave and wise old man cannot have earned the hatred of any citizen of Massachusetts. We have no bold, bad men—no senators—like Cataline the Roman Senator when he aspired to the Consulship, striving to pull down the virtue they cannot rise to emulate. Thousands witnessed the affection, it might almost be said the adoration, which the whigs of Boston manifested in 1833, for the defender and restorer of the Constitution, and since that time he has done much, very much to strengthen their devotion, having

prostrated that deadly enemy whom we most hated and feared, the United States Bank Monopoly. Nobody therefore within the sound of my voice, even if it could reach the limits of the State, can possibly entertain any ill will towards our democratic President; and the lines quoted cannot have any personal bearing: so at least we would fain believe.

But their bearing upon the comparison between the democratic, American, Independent policy, and the aristocratic, British or Whig policy, and the distinguished merit of the most prominent champion of American principles, is quite direct enough to justify the quotation. It might not be proper, in this place, and on this occasion, to express, even if it were altogether charitable to entertain the belief, the opinion avowed by the great statesman of New England, so long the acknowledged head and leader of the party in opposition to which the present administration came into power. That gentleman, lately President of the United States, with the concurrence, if not with the positive good will of the whigs of Massachusetts, has told us what he thinks of the party 'so rotten with the corruption of both its elements.' He bears testimony, and he ought to know, for he has the most intimate familiarity with their designs and views, and with their whole history, that 'they have no honest principle to keep them together.' 'Their only cement is a sympathy of *hatred* to every man of purer principles than themselves.' It is to be hoped that this sweeping condemnation may be far from universally applicable, notwithstanding the almost irresistible weight of authority with which it comes to us. Yet the sentiment of hatred may have been, it would almost seem must have been engendered in the hearts of many who have found their interests, involved in special legislation, sacrificed without scruple to the general welfare, by the unflinching firmness with which our Hero maintained the great contest between swoln monopoly and exclusive privileges on the one hand, and aspersed democracy with equal rights on the other. In many hearts, too, envy rankles; for the success with which he came out of that critical contest stung to the quick those who looked enviously on his former fame; and alas for human nature, they were but too numerous, the more so as his glory was more dazzling.

He who ascends to mountain tops shall find,
The loftiest peaks most wrapt in clouds and snow;
He who surpasses or subdues mankind
Must look down on the HATE of those below.
Though high *above* the sun of glory glow,
And far *beneath* the earth and ocean spread,
Round him are icy rocks, and loudly blow
Contending tempests on his naked head,
And thus reward the toils which to those summits led.

Can it be, my countrymen, that there is any one among us who would tarnish the splendor of the Nation's brightest jewels, who would blot out the proudest pages from our annals, and recompense with scorn and contumely, services which applause and honor cannot adequately reward? There is but too much cause to apprehend it. Envy which stands by the urn of the great man, ages after he has gone, stirring his ashes with her poisoned dagger,—Envy, which never ceased to revile the illustrious Jefferson while alive, and which has never ceased to water his grave with the wormword and gall of calumnious falsehood,—Envy could not spare, whom Providence has spared, to be the last survivor of a noble race, our last Roman—Envy could not suffer to go down in peace to his final resting place, the time honored head of him 'who filled the measure of his country's glory.'

Is it credible, you ask, that there crawls upon the surface of the earth a wretch capable of entertaining so despicable a sentiment?

We have too much evidence that there are many: evidence which we would, but cannot, forget. There is no word or act of the Hero's life that has not been misrepresented,—no dazzling achievement of his that has not been depreciated,—no grand and original measure of a bold and wise policy that has not been received with rancorous invective,—no benefit, no blessing bestowed at his hands, but it has rankled in the breast of black ingratitude, till derision of disinterestedness and hatred of all good have burst out in loud and bitter curses. Nothing that bears his honorable name, but the mention of it ministers occasion for jeering and for imprecation. No lifeless block that is carved into the likeness of his venerable features,

can be secure, for a moment, from insult and outrage, even here, in sober New England.

Do we live in a Christian land? Are those who originate and countenance such speech, and such behavior, civilized and educated men, members of a party laying claim to ALL THE DECENCY? Is this the gratitude of Republics?

The sole purpose of Government is the good of the whole people, and the gratitude and love of the people will reward him whom the enmity of the few would in vain strive to load with dishonor. He has fought the good fight faithfully, and let the disappointed and the envious detractor say what they may, fifteen millions of freemen have already awarded to him the meed of an undying fame.

My friends, the conflict which we have hitherto carried on victoriously under his auspices, is still to be continued; and soon other leaders must be placed in the van. Perpetual vigilance is the price of liberty. Let no neglect of ours forfeit the rich inheritance. In Union there is strength. Let us march shoulder to shoulder to the decisive onset. Let us present to the foes of the democratic cause, a concentrated, and therefore a formidable front.

In our candidate for the first office in the gift of the people, we can have nothing more to desire. The distinguished son of the Empire State is the adopted favorite of the whole Union. The arrows of his assailants have fallen harmless at his feet, and our clear sighted yeomanry do justice to the leading traits of his well balanced character.

To form a perfect statesman, the Knowledge of History, the Wisdom of Experience, and the Inspiration of Genius must combine to illuminate his understanding; while Courage to dare, and Fortitude to suffer in the cause of humanity, must arm him with an impenetrable panoply for that warfare against the common enemies of our race, to which a generous philanthropy will incessantly impel him. In which of these requisites does not Martin Van Buren excel?

'Who'—said Mr Wilde of Georgia, no partial witness—'who was a more dexterous debater? Better versed in the politics of our country; or deeper read in the HISTORY of others; above all, who was more thoroughly imbued with the idiom of

the English language, and its beauty, and delicacy, or more capable of breathing thoughts of flame in words of magic, and tones of silver?'

From the momentous crisis of the war to this day, holding the most important trusts, and filling the most responsible stations, in state and nation, in a continued though varied career of active and arduous duty, who can have reaped a richer harvest of EXPERIENCE?

At the outset of his public life, he stepped at once into the front rank of the New York bar, where the Spencers, Keats, and Livingstons, and Hamilton had established the standard of talent. At the time which tried men's souls, the darkest period of the war, on his first entrance to the senate of that state, he, a youth, gave the efficient impulse to that body. Mounting to higher theatres of fame, in every part he is called to act, he distances all rivalship. When his enemies look for his eclipse and downfall, they behold him shining brighter and soaring higher, with the brilliancy of transcendent intellect, and the buoyancy of paramount merit. His intrigues the service of the people, his arts the faithful performance of duty, he has run rapidly through a series of promotion, shedding lustre on every post he occupies. Who can exhibit proofs more unequivocal of GENIUS of the highest order?

In the Legislature, the Senate, the Cabinet, through the war, the great northern defection, and the struggle for the renewed ascendancy of democratic principles, through the death grapple with the monied power, the COURAGE he has manifested cannot be called in question; neither can the FORTITUDE with which he smiles upon the systematic detraction, virulent beyond example except in the history of Jefferson and Jackson, by which he has been tried as by fire, but under which no man ever saw him quail or waver.

'Uncompromising hostility to the United States Bank, the interest and the honor of the people demand it,' has been the maxim of his faith and practice. We have, with his express pledge, the guaranty of his uniform course, from his first entrance upon the political arena, that he will follow in the footsteps of Andrew Jackson.

In politics men are put forward to represent principles, and

to effect the will of the masses. Let us elevate Martin Van Buren to the chair of state, that we may not only maintain the ground we have gained already, but during his Presidency, soon about to open so auspiciously, eradicate from our system and institutions, every vestige of foreign policy, introduced by servile imitation, and discordantly combined with the original home growth of freedom, only to mar its simplicity and unity.

When this, his destined work, shall have been fully accomplished and his high mission performed to the end, then may we celebrate without misgivings the Fourth of July; for then shall we have secured the permanent stability of American Liberty. Then may we exult in the assurance that Independence is ours forever.