


B71 (Web)

WILLIAMS
COLLEGE
DUPLICATE
SOLD

A
0
0
0
6
1
0
9
7
5
5



100 SOUTHERN REGIONAL LIBRARY FACILITY

INAUGURATION

OF THE

STATUE

OF

DANIEL WEBSTER.

SEPTEMBER 17, 1859.

BOSTON:

GEO. C. RAND AND AVERY, CITY PRINTERS.

NO. 3 CORNHILL.

1859.



THE WEBSTER STATUE.



Digitized by the Internet Archive
in 2007 with funding from
Microsoft Corporation

UCSB LIBRARY
X-6801)
INAUGURATION

OF THE

STATUE

OF

DANIEL WEBSTER.

SEPTEMBER 17, 1859.

BOSTON:

GEO. C. RAND AND AVERY, CITY PRINTERS.

NO. 3 CORNHILL.

1859.

PRELIMINARY PROCEEDINGS.

A MEETING of the citizens of Boston was held in Faneuil Hall on the 27th of October, 1852, "of all persons desirous of consulting together and considering what memorial of the services of Daniel Webster is due to themselves and the country.* His Honor Benjamin Seaver presided at this meeting, and addresses were made by the Mayor, by the Hon. George S. Hillard and Hon. Edward Everett. A series of resolutions was adopted on motion of John T. Heard, Esq., one of which provided that a "Committee of one hundred persons be appointed by the chair, to be selected in such a manner as to represent the citizens of every pursuit, calling, and party, whose duty it shall be to take such measures as may be deemed expedient, to provide, by the coöperation of the whole community, a permanent memorial of our illustrious and lamented fellow-citizen."

The following persons were, by the Mayor, named of this Committee:

Thos. H. Perkins, George Ticknor, Edward Everett, Nathan Appleton, Abbott Lawrence, Benj. Seaver, Amos Lawrence, Francis C. Gray, Samuel Lawrence, R. G. Shaw, John T. Heard, Franklin Haven, Chas. G. Greene, John C. Warren, John E. Thayer, Thos. W. Ward, John A. Lowell, Samuel D. Bradford, Robert B. Storer, Peter Harvey, Enoch Train, John M. Forbes, Levi A. Dowley, Moses Williams, Albert Fearing, L. W. Tappan, Henry K. Horton, Samuel T. Dana, W. W. Greenough, Daniel Safford, John P. Thorndike, William Hayden, George T. Curtis,	John H. Pearson, Samuel Hooper, John P. Ober, Vernon Brown, J. Thos. Stevenson, C. P. Curtis, Charles J. Hendee, Jas. K. Mills, Francis C. Lowell, E. F. Raymond, W. H. Larned, W. C. Barstow, S. C. Allen, Julius A. Palmer, John C. Tucker, James Cheever, Geo. B. Upton, Geo. R. Sampson, William Sturgis, Ozias Goodwin, Paran Stevens, H. J. Gardner, C. C. Felton, George T. Lyman, H. M. Holbrook, William T. Eustis, Thomas J. Whittemore, William Almy, Joseph Packard, N. A. Thompson, Charles Larkin, William Thomas, John Jeffries,	Benjamin Loring, Nathan Hale, Samuel A. Elliot, William Appleton, William Amory, Charles H. Mills, A. Hemmenway, Francis Skinner, Charles L. Woodbury, Samuel Henshaw, Benjamin F. Hallett, Samuel Kettelle, C. R. Ransom, George Peabody, Thomas B. Wales, Samuel Whitwell, P. W. Chandler, John W. Trull, James Whiting, Eliphalet Jones, Silas Pierce, George W. Crockett, Andrew Carney, H. H. Hunnewell, James Lawrence, J. W. James, Jonas Chickering, Peter Dunbar, Arthur Pickering, Henry Crocker, Benjamin Smith, Ezra Forristall, Thomas B. Curtis,
Jacob Sleeper,	Amos A. Lawrence.	

* Mr. Webster died at Marshfield on the 24th October, 1852.

A meeting of the General Committee of one hundred was held in the City Hall on the 1st of November, and in pursuance of a plan of organization adopted by them, an "Executive Committee of ten" was appointed "to report to the General Committee what memorial they recommend, and to arrange the details of its execution." This Committee consisted of the following persons, viz:

George Ticknor,
William Appleton,
Edward Everett,

J. Thomas Stevenson,
John T. Heard,
Charles P. Curtis,
C. C. Felton.

William Amory,
George W. Crockett,
Samuel Lawrence,

Messrs. G. Howland Shaw of Boston, Albert H. Nelson of Woburn, and Edward A. Newton of Pittsfield, were unanimously elected members of the Committee of one hundred, to fill the vacancies occasioned by the deaths of Messrs. R. G. Shaw and Amos Lawrence, and the resignation of Mr. Benjamin Loring of Boston.

Liberal subscriptions having been made throughout the community to effect the proposed object, a meeting of the Executive Committee of ten was held on the 5th of May, 1853, at which Messrs. Everett, Ticknor, and Amory were appointed a sub-committee to consider and report what kind of monument ought to be erected in honor of Mr. Webster. On the 23d of May, Mr. Everett made a report in favor of a statue, to be executed by some distinguished American artist, and to be set up in the open air in the City of Boston. This report was unanimously accepted by the Executive Committee, and ordered to be referred to the Committee of one hundred for their approval.

The Committee of one hundred met on the 30th of May, and the report of the Executive Committee in favor of a statue was unanimously adopted, and the Executive Committee were directed to carry it into effect. A correspondence was immediately opened by the sub-committee with Mr. Powers, and in the month of October, 1853, a contract was entered into with him, to execute a Statue of Mr. Webster in bronze, eight feet high, for the sum of twelve thousand dollars. The sub-committee were led to select Mr. Powers as the artist, not merely on the ground of his distinguished talent in modelling from life, but because he had enjoyed the opportunity of studying the face and person of Mr. Webster, at the meridian of his years, during a residence of two or three weeks at Marshfield, and had, at that time, executed a bust of him.

The statue was completed and shipped from Leghorn in the autumn of 1857, but the vessel was lost at sea. The statue was fully insured for twelve thousand dollars, at the office of the Atlantic Mutual Insurance Company, New York, and this sum, *minus* the premium, was promptly paid. As soon as the loss of the vessel was ascertained, a duplicate of the statue was ordered by the unanimous direction of the Executive Committee, for seven thousand dollars, and the work was received in good order in Boston, on the 20th of January last. It was, by the kindness of the Trustees of the Boston Athenæum, temporarily placed in the vestibule of that Institution, but unfortunately at an elevation and in a light (the premises not admitting better) where it was seen to great disadvantage.

At a meeting of the Executive Committee on the 12th February, 1859, it was voted that a meeting of the General Committee of one hundred be called, to decide on the permanent location of the statue, and that the Executive Committee recommend to the Committee of one hundred that it be placed in the State House grounds, if permission can be obtained from the Legislature.

The Committee of one hundred met on the 17th of February, and a report was submitted from the Executive Committee by its Chairman (Mr. Everett,) embodying the following resolution:

“*Resolved*, That the Executive Committee be, and they are hereby authorized and directed to make application, through His Excellency the Governor, to the Legislature of the Commonwealth, for permission to set up the statue of Mr. Webster on some suitable spot within the State House grounds, at the expense of the ‘Webster Memorial Fund;’ and, in case the application be granted, that the said committee be authorized and directed to make all suitable arrangements to carry the same into effect, provided the expense of the same shall not exceed the amount of funds in the hands of the Committee.”

The report embodying the foregoing resolution was accepted without a division.

The following vacancies were reported in the General Committee, occasioned by the deaths of Messrs. Thomas H. Perkins, Abbott Lawrence, Francis C. Gray, J. C. Warren, M. D., John E. Thayer, Thomas W. Ward, Thomas B. Wales, Jonas Chickering, Daniel Safford; and they were filled, respectively, by the election of Messrs. Thomas H. Perkins, T. Bigelow Lawrence, William Gray, J. Mason Warren, M. D., Nathaniel Thayer, Samuel G. Ward, Thomas B. Wales, Thomas E. Chickering, and Daniel Safford.

In pursuance of the instructions of the Committee of one hundred, the following letter was addressed to the Governor of the Commonwealth:

BOSTON, 19th February, 1859.

SIR:—A bronze statue eight feet in height, of Daniel Webster, executed by Powers, a distinguished American artist, has lately been received in this city. It is designed to be placed upon a pedestal of about the same height. By direction of the Executive Committee of the “Webster Memorial,” I beg leave to transmit to your Excellency a certified copy of a resolution adopted on the 17th instant, at a meeting of the General Committee of one hundred, having charge of the statue, and through you to make respectful application to the Legislature of the Commonwealth for permission, at the expense of the “Webster Memorial Fund,” to place the statue on some suitable spot within the State House grounds.

I have the honor to be, on behalf of the Executive Committee, with high consideration,
Your Excellency’s obedient servant,

EDWARD EVERETT.

His Excellency NATHANIEL P. BANKS.

This letter was communicated to the House of Representatives by the Governor, in the following message:

EXECUTIVE DEPARTMENT, COUNCIL CHAMBER, }
BOSTON, March 10, 1859. }

To the Speaker of the House of Representatives:—

SIR,—I have the honor to transmit to the House of Representatives, for the use of the Legislature, a communication from the Honorable Edward Everett, inclosing a certified copy of resolutions adopted at a meeting of the general committee having in charge the statue of Mr. Webster, and requesting permission of the Legislature to place the statue, at the expense of the Webster Memorial Fund, on some suitable spot within the State House grounds, under such regulations as in the judgment of the

Legislature may be deemed expedient, with reference to the nature of the grounds and the character of the statue.

I recommend that the request of the general committee of the friends of Mr. Webster be granted. Mr. Webster gave to the service of the Commonwealth the best years of his life. Entering the public councils in 1820, he devoted himself to public employments in the constitutional and legislative assemblies of this State, in both Houses of Congress, and in the Cabinet, until the closing hours of his life.

His eloquence, superior attainments and unsurpassed intellectual power, contributed in an eminent degree to mark the period of his public service as one of the most interesting and important that has occurred since the adoption of the Constitution.

If permission to place the statue on some suitable spot within the State House grounds shall be granted, it is probable that other works of art commemorating the services of distinguished citizens of the Commonwealth will speedily be created, and thus the Legislature will be enabled, without public expense, by a proper exercise of its power, to add to the attractive beauties of the Capitol, to elevate the public taste in works of art, and to strengthen the influences which appeal directly to the patriotism of the people.

NATHANIEL P. BANKS.

This message was referred to the appropriate committees of the two Houses, and on their report, permission was unanimously granted, to erect the statue in the State House grounds.

A spot in front of the eastern wing of the State House having been selected by a sub-committee of the Executive Committee, acting in concurrence with the commissioners on the part of the Commonwealth, the 17th day of September, the anniversary of the City of Boston, was appointed for the inauguration of the statue. The Mayor of the city having presided at the meeting of the citizens in Faneuil Hall, at which the proceedings were initiated in 1852, and the City Council having taken measures to assist in the inauguration of the first statue, the following letter was addressed to His Honor the Mayor, inviting the coöperation of the City Government on the present occasion:

BOSTON, July 25, 1859.

DEAR SIR:—On the 17th of September, 1857, a resolution passed the City Council appointing a joint committee "to inquire if any action is expedient on the part of the City in its corporate capacity, in view of the proposed inauguration of a statue of the late Daniel Webster about to be erected in this city." The loss of the statue at sea and the time required to procure a duplicate have caused delay in its erection; but I have been directed by the Committee having in charge the arrangements for that purpose, to acquaint you that they have appointed the 17th of September next for the erection of the statue in the State House grounds, the consent of the two Houses having been granted at the late session of the Legislature.

I am further directed by the Committee to acquaint you that the attendance and coöperation of the Mayor and the City Council in the ceremonial of the day will afford them great satisfaction.

I have the honor to be, on behalf of the Committee, most respectfully yours,

EDWARD EVERETT.

His Honor F. W. LINCOLN, JR., Mayor of the City of Boston.

This letter was transmitted by the Mayor to the City Council in the following message:

To the Honorable the City Council:

I transmit the following communication from the Hon. Edward Everett, respecting the proposed inauguration of the statue of the late Daniel Webster. It is proposed that the services shall take place on the seventeenth of September, the anniversary of the settlement of Boston and of the adoption of the Constitution of the United States.

The Committee of citizens who have in charge the arrangements for the occasion, desire the coöperation of the City Government, and I would respectfully suggest the appointment of a committee from your own body to confer with them on the subject.

F. W. LINCOLN, JR., Mayor.

Whereupon the following proceedings were had:

IN COMMON COUNCIL, July 28, 1859.

Read and referred to Messrs. Tyler, Bayley, Jones, Beal, and Clapp, with such as the Board of Aldermen may join, to confer with the Committee of Citizens referred to in the within communication, and to take such measures as they may deem necessary. Sent up for concurrence.

J. P. BRADLEE, *President*.

IN BOARD OF ALDERMEN, August 1, 1859.

Concurred; and Aldermen Clapp, Dennie, and Allen were joined.

SILAS PEIRCE, *Chairman*.

The following correspondence was also had with the Governor of the Commonwealth:

BOSTON, Aug. 30, 1859.

DEAR SIR:—Referring to the letter which I had the honor to address to you on the 25th ult., I beg leave to state, that it is proposed by the Committee charged with the arrangements for the erection of the Webster statue, on the 17th of September, that it should, on behalf of the subscribers to the Webster Memorial, be presented in a short address, by Prof. Felton, to His Honor the Mayor of Boston, of which Mr. Webster was for so long a time an honored citizen, and that the Mayor, in like manner, should present it to Your Excellency as the Representative of the Commonwealth, in whose public grounds, under a resolution of the two Houses of the Legislature, the Statue is to be set up, to be accepted by you on their behalf.

It would afford the Committee the highest satisfaction, should you be pleased to take the part in the ceremonial thus indicated.

I remain, dear sir, with great respect,

Very truly yours,

EDWARD EVERETT.

BOSTON, August 30, 1859.

DEAR SIR:—I received this morning your note of this date, setting forth the arrangements proposed for the inauguration of the Statue of Mr. Webster, and the part assigned me, in the ceremony.

It gives me pleasure to assure you that the arrangements are in all respects agreeable, and that I shall cheerfully undertake the duties assigned to me, on the part of the Government of the Commonwealth.

Very respectfully,

Your obedient servant,

NATH'L P. BANKS.

The procuring of the pedestal and the general charge of erecting the statue were committed to S. Greely Curtis, Esq. The pedestal is of beautiful New Hampshire granite, and is executed from drawings by Mr. Curtis, for which a sketch was furnished by Mr. Powers. Platforms were thrown over the areas in front of both wings of the State House, and an elevated stage erected in the central space between them, at the expense of the memorial fund. The weather proving very unfavorable on the 17th of September, it became necessary to perform the dedicatory exercises in the Music Hall. The organization of the procession and the other arrangements of the day took place under the auspices of the City Council. General John S. Tyler officiated as Chief Marshal, it being the third time of his occupying this position on occasions directly connected with the name of Webster, viz: Mr. Webster's Reception Home, July 9th, 1852; the Webster Obsequies, Nov. 2d, 1852; and the present occasion. The same gentlemen who assisted on these memorable days as Aids and Marshals were again invited to participate, and nearly all accepted the invitation. The list of names is as follows:

AIDS.

Fred. W. Lincoln,
Lewis W. Tappan,
W. W. Clapp, Jr.

Jos. L. Henshaw,
George B. Upton,
N. A. Thompson,

Thos. E. Chickering,
M. G. Cobb,
E. Webster Pike.

MARSHALS.

Peter Butler, Jr.,
Granville Mears,
Otis Kimball,
E. F. Hall,
Dudley H. Bayley,
R. I. Burbank,
D. F. McGilvray,
J. Fred. Marsh,
John A. Cummings,

Adolphus Davis,
G. S. Curtis,
J. Russell Spalding,
C. H. Dudley,
J. Tisdale Bradlee,
Sidney Bartlett, Jr.,
D. B. Hooper,
C. W. Frost,
John M. Wright,

H. D. Child,
J. M. Wightman,
C. H. Appleton,
Ives G. Bates,
J. H. Sleeper,
C. F. Lougee,
S. A. Bradbury,
George S. Walker,
L. B. Barnes,

W. S. Thacher,

E. G. Tucker.

The military escort duties were performed by the Second Battalion of Infantry, First Division of Massachusetts Volunteer Militia, under the command of Major C. O. Rogers. At about half-past one P. M. the Legislature, conducted by Mr. Morrissey the Sergeant-at-Arms, formed in procession in the Doric Hall at the State House, and repaired under the escort of Major Rogers' battalion to the Music Hall. They were soon followed by the civic procession from the City Hall, under the same escort. The Music Hall, of which the galleries had been filled with ladies at an earlier hour, was now thrown open to the public, and was soon crowded to its utmost capacity. Upon the platform were seated the Committee of one hundred, the subscribers to the Statue, Rev. S. K. Lothrop, chaplain for the occasion, and invited guests. Among the latter were ex-President Pierce, Gov. Ichabod Goodwin, of New Hampshire, Hon. Francis Granger, of New York, ex-Postmaster-General, Capt. Hudson, U. S. N., ex-Gov. Fish, of New York, Daniel W. Gouch, M. C. elect, Hon. Linus B. Comins, Hon. Anson Burlingame, Hon. Alexander H. Rice, Judges Lord, Wells and Russell, of the Superior Court, Hon. Chas. A. Phelps, President of the Mass. Senate, Hon. Chas. Hale, Speaker of the House, J. Thos. Stevenson, Esq., G. T. Curtis, Esq., J. W. Paige, Esq., J. P. Bradlee, Esq., President of the Common Council, Col. John T. Heard, Fletcher Webster, Esq., Peter Harvey, Esq., and many others.

SERVICES AT THE MUSIC HALL.

At precisely three o'clock, Gen. John S. Tyler, Chief Marshal of the day, introduced Rev. Mr. LOTHROP, who offered the following appropriate prayer:

PRAYER.

Almighty God, our Heavenly Father, we recognize and adore Thee before whom we are nothing, and without whom we can do nothing. In dependence upon Thee is all our strength; in the beamings of Thy glory is all our light, in prostrating our wills to Thy most holy will is our highest elevation. We thank Thee that Thou hast created man in Thine own image, that the breath of Thine inspiration endoweth him with understanding, that the Gospel of our Lord and Saviour, Jesus Christ, calleth him to glory, honor, and immortality. We thank Thee for all the great and good, the wise and useful, the men of mighty minds and noble hearts, whom Thou hast raised up, and dost raise up in all ages, in all lands, and with every generation, to shine as lights in the world, and to be guides and leaders in the great march of humanity. We thank Thee especially for Thy mercies to us of this nation, in that from the hour that our Fathers sought an asylum on these shores, all through our history, and with every generation, Thou hast never left us without those who were wise in council, persevering in effort, steadfast in purpose, devoted in patriotism, strong in faith, — men whose virtues have not been forgotten, whose names cannot perish, whose glory liveth forever. And now, O God! that we are met together to do honor to the memory of one of our illustrious dead, whose fame filled the nation and covered the earth, by setting up his image here among us, that it may speak to the eye, and utter lessons that shall reach the ear of the heart, we devoutly implore Thy blessing upon the work of our hands and the purpose of our souls.

O thou gracious God, whose inspiration giveth genius, whose wisdom imparteth understanding, we thank Thee that Thou didst give us the great and strong man whom we here commemorate, to be for so many years a guiding light in our national councils. We recall with gratitude all his eminent and varied services to his country; and we pray that all that was wise, comprehensive, and patriotic in him, as a statesman, all that was just, profound, and true in his eloquent utterances as an orator, all that was good, noble, Christian in his life and character as a man, may live in our memories, and in the memories of those who come after us; and may his statue, now placed within the shadow of the Capitol, entrusted to the guardianship of the State, speak to all beholders with something of the power of his living presence, and be to them a quickening inspiration and incentive to walk in the path of patriotism, usefulness, and honor. We ask Thy blessing upon those who are to speak to us in the further services of this occasion, that their words may be "like apples of gold in pictures of silver," giving us wisdom and strength. Let thy benediction be upon our city, upon its government, and upon all its interests; upon this ancient Commonwealth, upon its Chief Magistrate, and upon all those charged with the enactment of its laws and the promotion of its welfare; upon the President of these United States, and all called to offices of trust and authority among us. Let Thy favor abide with our people everywhere, that they may so serve Thee and be obedient unto Christ, that the righteousness that exalteth a nation shall more and more prevail, and the blessing of the Lord our God be upon us as it was upon our fathers.

We offer our prayer in the name of the Lord Jesus Christ, as whose disciples we pray. Our Father who art in heaven, hallowed be Thy name, Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread. Forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil, for thine is the kingdom and the power and the glory for ever and ever. Amen.

PROFESSOR FELTON was then introduced, and delivered the following address of presentation, on behalf of the Committee of one hundred:

MR. MAYOR:—It has been the custom of the most civilized nations, to erect bronze and marble statues in commemoration of their great men. There is a fond desire in the hearts of the living to prolong the memory, by perpetuating the form and lineaments, of those who have been distinguished in the service of God and man; and when a mourning nation has followed an illustrious citizen or ruler to the tomb, and time has softened down the first vehemence of grief, the hand of genius is employed to clothe his mortal semblance in the immortality of art.

After the death of Demosthenes, on the little island of Calauria, which looks over from the opposite coast of the classic sea that washes his native Attica, the Athenian people passed a decree to set up in the place of greatest public resort, a bronze statue of that martyr to liberty, whose fame has filled the world for more than twenty centuries. The ancient traveller, as he wandered through the Agora, surveyed that masterly work of art, standing in front of the Acropolis, and in sight of the Bema, whence his resistless eloquence had so often

“fulminated over Greece,
To Macedon and Artaxerxes' throne.”

While contemplating the wonderful force and beauty of expression the sculptor had stamped on brow and feature, he recalled the triumphs of the great statesman's life, his civil courage, his lofty virtues, his devotion to the welfare and honor of his country, and his tragic death. The same classic sea still sings his requiem below the ruined temple of Neptune, where he died.

Our great citizen, Mr. Mayor, like that illustrious ancient, consecrated his peerless genius and his mighty eloquence, his civil courage and his manly virtues, to the service of his country, and died in the midst of public cares. In silence and in sorrow we followed all that was mortal of Daniel Webster to his last resting-place, and saw him laid in the bosom of the sacred earth at Marshfield. He sleeps with Pilgrim and kindred dust, by the broad ocean; and the broad ocean he loved so well shall sing his requiem for ever.

Desirous to give a durable expression to their sense of his public greatness and of his private virtues; desirous, also, to transmit to the coming ages a monument that shall represent to them the dignity of personal bearing with which he moved among his contemporaries,

A combination and a form indeed,
Where every god did seem to set his seal,
And give the world assurance of a man,—

his fellow-citizens have thought proper to cause a statue of heroic size to be made by a most distinguished American sculptor.

The Committee charged with the honorable duty of executing their wishes, have now finished the grateful task, and with the consent of the public authorities, have placed the statue here — *here*, on the Capitol of Massachusetts, that it may stand, like a sentinel guarding the sanctuary of the Commonwealth, as during his life *he* guarded the Constitution and the laws of the Union. The stranger approaching this sacred spot, shall linger to gaze on the noble form of Webster; and, as he crosses the threshold of the State House, his eye shall behold the sculptured majesty of Washington. WASHINGTON and WEBSTER! Fortunate conjunction! August companionship of the great departed! The one established, the other defended the Constitution of the country, and their names shall live, inseparable and immortal, in the same transcendent eloquence, and in the hearts of their grateful countrymen.

The duty has been assigned to me, Mr. Mayor, of transferring this statue of Mr. Webster to your charge, as the honored Chief Magistrate of the City of Boston. For here, more than elsewhere, was the scene of his social and domestic happiness, while the whole country was the theatre of his triumphs. Here were formed many of his earliest and his

latest friendships—the glory of his opening manhood, and the joy of his advancing age. Among the tried and true, who consoled his last hours by their presence, were warm hearts from this city—some of them, alas! now cold in the grave—beloved friends who stood by his side in the battle of life, and wept around his dying bed. The greatness of Webster is an eternal acquisition to his country; but the City and the State which adopted and cherished him, share with the place of his birth, the dearest interest in his renown.

As the organ of the subscribers to this statue, and of the Executive Committee, I now formally deliver it, Mr. Mayor, to you. From this moment, it is no longer a private possession; it becomes a sacred public trust. Here let it stand, not only to perpetuate our reverence for an illustrious man, but to keep alive the principles that inspired, and the virtues that adorned his long and patriotic career.

The MAYOR received the statue on behalf of the City of Boston, and surrendered it to the keeping of the Commonwealth, as follows:

WE have assembled, fellow-citizens, on the birthday of our ancient metropolis, to celebrate the event with ceremonies appropriate to the occasion.

You have gathered at our City Hall, the home of our municipal legislation, and starting from the statue of the great Native Bostonian, have come up here under the shadow of the Capitol of the Commonwealth to assist in the inauguration of a similar memorial of the greatest of her adopted sons.

Boston at all times has delighted to honor those who have honored her, and what name on her illustrious roll of fame will shine more resplendently in the future than that of Daniel Webster?

The formalities of the present occasion require but a simple service from me — to receive on behalf of the City of Boston the Statue which is now before us, and to transfer it, in accordance with the wishes of the proprietors, to the custody of the Commonwealth.

The monarchical governments of the Old World often erect statues of their favorites, and pay for them out of the public coffers. With us the people's spontaneous love furnishes the monument and presents it to the Government of their choice.

It does not become me in this presence to enter into any eulogium on Daniel Webster. He made Boston

his home, and through his citizenship added to the renown of the city by the brilliancy of his genius and the value of his public services.

At his death, her people, in common with the whole country, bewailed his loss, and united in those public demonstrations of sorrow which were respectful to his memory. Time may temper somewhat the poignancy of our grief, but he "still lives" in those masterly expositions of American statesmanship which he has bequeathed to posterity. During his lifetime he occupied a prominent position in public observation. We would seek, if possible, by the service of art to prolong his visible presence.

The Committee of Citizens under whose auspices this Statue has been prepared, have seen fit, through their organ, in the first place to present it to the municipal authorities of Boston. In their behalf I receive it, and in turn would present it to Your Excellency, the Governor of the Commonwealth.

It was as the special representative of the Boston District that Mr. Webster took his seat in Congress, after he made our city his home. The whole State, however, soon claimed his services, and it was as a Senator of Massachusetts that he achieved the greater portion of his fame, and performed the more important labors for the public welfare.

We make this offering, sir, to our beloved Commonwealth, on our municipal anniversary, but we do not

forget that this day has other associations connected with it. It is the seventy-second anniversary of the adoption of the Constitution of the United States.

Truly no more appropriate day could be selected for the inauguration of a monument in honor of one whose popular title during his lifetime was that of the "Defender of the Constitution."

We place it in the care and custody of the Commonwealth. May it remain an ornament to the Capitol grounds so long as legislators shall go up thither to make laws for a free people. May strangers and citizens, as they gaze upon it, feel a renewed assurance in the stability of the Republic and the perpetuity of our institutions. May patriots feel a new inspiration in its presence as they behold one of the nation's greatest benefactors thus remembered and honored by the people.

GOVERNOR BANKS in behalf of the Commonwealth accepted the Statue by the following address:

THE celebration of this day, Mr. Mayor, marks two public events of immediate local interest to the people of the Commonwealth,—the birth of a city so renowned as its metropolis, and the monumental commemoration of the career of a citizen so distinguished as Daniel Webster, whose name has been made illustrious by unsurpassed strength of intellect and transcendent genius.

Greatly distinguished men may, without extravagance, be identified with the political and social communities in which they are reared, or to which, in the meridian splendor of life, they contributed of their strength and labor. Their powers are disproportionate, and their destinies dissimilar; yet, in the economy of Divine Providence, the silent but perpetual ascendancy of character, in states as in statesmen, corresponds in so many respects, and harmonizes in so many attributes, that the advent of one and the career of the other may without impropriety be celebrated together. And I congratulate myself, sir, that it is permitted me, in this public manner, as the representative of the people of Massachusetts, to make official recognition of the great honor which the municipality of Boston has conferred upon our ancient and beloved Commonwealth.

Cities, it has been truly said, I think, are the nurseries of freedom. They mark, with the towns from which they spring, the line that separates rude and wandering tribes of men from settled and civilized forms of society. It is through their contests and sorrows, in a great degree, that we have attained our now imperishable institutions of government, and enjoy, in peace and prosperity, the blessings of rational liberty.

There are no more inspiring themes among the traditions of men, than those which recount the collection of families and the creation of cities that during a succession of ages maintained forms of government, established popular rights, opened paths of Christian intercourse with each other through the avenues of commerce, enlarged the circles and elevated the mission of learning and art, and hemmed in the great middle sea of antiquity with a myriad of commercial establishments, that mark in succession the culmination and decline of the power of Phœnicians, Greeks, Carthaginians, Romans, and Venitians. It was there that civilization found its earliest and freest development, and from them we have derived much if not "all that hitherto has dignified human existence, — our arts, our arms, our letters, and our religion." Among the proudest of these, the city you represent, and which this day celebrates its two hundred and twenty-ninth anni-

versary, may without shame enrol its name and record its deeds. In patriotism, in arms, in enterprise, in invention, in art, in letters, in eloquence, in beauty, in love of regulated liberty, the animating scene we this day witness, the voice we shall hear, the history we recall, the future we anticipate, embolden us to proclaim that the proudest of Phœnician or Grecian cities contributed not more to the renown of ancient history than the metropolis of Massachusetts to the higher and nobler cause of American civilization.

She was among the first to recognize the institution of the Jury as a basis of popular government; to protest against slavery and the slave trade; to establish printing presses, and to support public journals; to denounce the tyranny of England, and to indicate resistance to her government. Her sons were the proscribed men of the colonies. Her name was a synonym for rebellion in the early days of the Revolution, and represented the American cause in the Courts of Europe, as Greece might have been represented by Athens, or the Roman Empire by the "eternal city." No municipality was ever more bounteous in her charities, or in the support of the twin causes of Education and Christianity. She drew to her shores the first steam vessel that crossed the Atlantic, and the largest sailing ship that ever rode upon the waters floated from her

docks. With a territory of less than two thousand acres originally, an area not so large as the home-farm of the great man whose memory we now commemorate, it has become the second commercial city of the American Continent. It has helped to stretch inland the interminable chain of railways that binds together all parts of the country. It has never faltered in its duty to the government, nor in its allegiance to the Union. It has yet stronger claim to our respect. Her sons and daughters never lose affection for their native city, but carry with them to the ends of the earth, and to the grave itself, the tender attachments that animate offspring and parent.

I am happy, also, to participate with you in the commemoration of the day of its nativity by the inauguration of a statue to the memory of Mr. Webster, so long one of its most distinguished citizens; who so long represented the Commonwealth in Congress and the Cabinet; to whose name, in a period of public peril, by universal consent, was added the title — Defender of the Constitution; whose love of the union of States so colored his opinions and his life, and whose fame as a jurist and orator adds lustre to American jurisprudence and American eloquence.

He was in the service of the people of Massachusetts and of the Union for an uninterrupted term

of thirty years, quite reaching the period of his death. He identified himself by important services with the reorganization of the constitutional law of the State; with the statutes relating to criminal jurisprudence; to the currency, commerce, navigation and manufactures of the Union; harmonizing by just interpretation, at the Bar, in the Senate and the Cabinet, its constitutional and congressional enactments with conflicting State constitutions and State legislation. In some respects, his services of this character have been rarely equalled, and never surpassed. It is not the fortune of men, neither of rulers nor of servants, always to receive instantaneous or universal approval in all public acts. The higher the occasion, the weightier the act, the more certain is the conflict of interest and opinion. Nature speaks through such diversities of education and constitution, by such varied personal experiences, that it is enough, and only such success as the greatest men attain, if they are able to stamp upon the body of the age in which they live the form and pressure of their own opinions; to connect the present with the future, through the silent but far-reaching influence of their own passionate emotion or uncompromising reason. In this, Mr. Webster was unlike and greater than most men of any age. His character is impressed, to an extent

rarely equalled, upon the manners, language, ideas, legislation, and constitutional lore of his time.

The people of the Union will cherish their recollections of him as one of the grand representatives of American intellect and character. New England will be proud of his birth and his honors; Massachusetts of his identification with her history. Over his grave they will discontinue the controversies connected with his life, remembering the broad-hearted and reverential love he bore his country and its people, and gather lessons of wisdom from his career. Every breeze that sweeps from the south, over the haven of the Pilgrims, from his tomb by the sad-sounding sea, will be forever sharpened by a poignant regret, will be forever freighted with a weighty admonition to the youth of our land, that in the contests of men concession does not always secure peace.

It is fit that for such men monuments of bronze or marble should be planted upon the foundations of the earth. They are the landmarks of the ages. They represent the transitions of thought, the conquests of experiment. It is from such men that students of history, doubting mariners on the sea of time, take new observations, and "thence make progression."

In a life of threescore and ten years of great activity, encountering in hot contests the advocates

and assailants of all social and political problems of the time, treating all with distinguished ability, and encountering many with extraordinary manifestations of power, it is apparent that different impressions as to his character will have been made upon different generations of men. It is a question of some interest which of the generations participating in a life like Mr. Webster's shall claim the privilege of indicating its leading characteristics, and to which belongs the right to demand that its personification in bronze or marble shall conform to the image impressed upon its own faculty of observation. The response must be different, as it is applied to different men. Precocity of intellect would indicate the period of youth as the proper era for delineation. Age alone could represent a life whose honors rested upon accumulation. But for a life signalized by impetuous and heroic achievement, no representation satisfies enlightened curiosity unless it be of that period made illustrious by startling manifestations of power. It is as Cromwell appeared at Marston Moor, or Naseby, to the rapt vision of a squadron of the Ironsides, that he should be represented. Our conception of Wellington is as he conquered at Waterloo, and not as he died at Apsley House: of Napoleon, as he appeared in the eyes of the Old Guard at Austerlitz or Marengo, and not as in his controversies with Sir Hudson

Lowe at St. Helena: of Washington, as he looked to the Sons of Liberty, when in the darkest hours of the Revolution, with more than Napoleonic vigor, he stormed the lines of British troops, or with higher patriotism than that of Greek or Roman fame, in the zenith of his power, he surrendered at Annapolis his commission as Commander-in-chief of the American army.

Heroic characters may rightly demand so much as this. It is ill content with the portraiture that satisfied Cromwell—who demanded a representation of personal and physical deformities—and seeks the elevation, the idealization of an artistic, devotionalistic conception.

Such seems to me to be the Statue that the distinguished American artist has presented. It is Webster in the pride of intellect, the plenitude of power, who at Plymouth portrayed the results of Puritan civilization in the New World, and hurled Demosthenic anathemas at the reviving slave trade. It is the Senator who described, as language of description was never before used, the military power of Great Britain. It is the orator who felt that he could speak for all the receding and advancing generations: who imprinted upon every American heart, in a burst of forensic eloquence that has no fellow in the Saxon language, a triumphant vindication of the honor of Massachusetts, and wrought a

conviction in all hearts of the inseparable natures of Liberty and Union! It is him! ah him! as he looked — as he lived — as we might desire him to be represented — as he might wish to be remembered.

As such I accept the Statue at your hands, Mr. Mayor, in the name of the people, and shall ask for it the protection of the Commonwealth of Massachusetts. May it stand upon its firmly planted pedestal as long as monuments shall stand, until the earth crumble, and the dome and column of the Capitol mingle in the dust together. May it every day in the year, and every hour in the day, incite youth and age to a love of country and of liberty. May it stimulate a patriotic public taste in works of art, until the public grounds of State and City shall smile with the effigies of the worthiest sons and daughters of the Commonwealth, whether it be of the founders of States, like Winthrop; of those who meet death in the column of battle, like Warren; of the princes of the forum, like Choate; or who, like Mann, sink sweetly into the sleep of a better life, overtaken in the work of training the youthful mind to a full appreciation of the grandeur of its mission and power.

The following Eulogy was then pronounced by Mr. Everett; considerable portions, however, being omitted in the delivery, in consequence of its length.

E U L O G Y .

MAY IT PLEASE YOUR EXCELLENCY:

ON behalf of those by whose contributions the Statue of Mr. Webster has been procured, and of the Committee entrusted with the care of its erection, it is my pleasing duty to return to you, and through you to the Legislature of the Commonwealth, our dutiful acknowledgments for the permission kindly accorded to us, to place the statue in the Public Grounds. We feel, sir, that in allowing this monumental work to be erected in front of the Capitol of the State, a distinguished honor has been paid to the memory of Mr. Webster.

To you, sir, in particular, whose influence was liberally employed to bring about this result, and whose personal attendance and participation have added so much to the interest of the day, we are under the highest obligations.

To you, also, Mr. Mayor, and to the City Council, we return our cordial thanks for your kind consent to act on our behalf, in delivering this cherished memorial of our honored fellow-citizen into the cus-

tody of the Commonwealth, and for your sympathy and assistance in the duties of the occasion.

To you, our distinguished guests, and to you, fellow-citizens of either sex, who come to unite with us in rendering these monumental honors, who adorn the occasion with your presence, and cheer us with your countenance and favor, we tender a respectful and grateful welcome.

The inclemency of the weather has made a change in our arrangements for your reception necessary, and compelled us to flee from the public grounds to this spacious hall. But we will not murmur at this slight inconvenience. We are not the only children for whom the Universal Parent cares. The rain, which has incommoded and disappointed us, is most welcome to the husbandman and the farmer. It will yield their last fulness to the maturing fruits and grains; it will clothe the parched fields with autumnal verdure, and revive the failing pasturage; it will replenish the exhausted springs, and thus promote the comfort of beast and of man. We have no reason to lament that while, with these simple ceremonies, we dedicate the statue of Daniel Webster within these walls, the work of human hands, the genial skies are baptizing it with gentle showers, beneath the arch of heaven.

It has been the custom, from the remotest antiquity, to preserve and to hand down to posterity,

in bronze and in marble, the counterfeit presentment of illustrious men. Within the last few years, modern research has brought to light, on the banks of the Tigris, huge slabs of alabaster, buried for ages, which exhibit in relief the faces and the persons of men who governed the primeval East in the gray dawn of history. Three thousand years have elapsed since they lived and reigned, and built palaces, and fortified cities, and waged war, and gained victories, of which the trophies are carved upon these monumental tablets,—the triumphal procession, the chariots laden with spoil, the drooping captive, the conquered monarch in chains,—but the legends inscribed upon the stone are imperfectly deciphered, and little beyond the names of the personages and the most general tradition of their exploits is preserved. In like manner the obelisks and the temples of ancient Egypt are covered with the sculptured images of whole dynasties of Pharaohs,—older than Moses, older than Joseph,—whose titles are recorded in the hieroglyphics, with which the granite is charged, and which are gradually yielding up their long concealed mysteries to the sagacity of modern criticism. The plastic arts, as they passed into Hellas, with all the other arts which give grace and dignity to our nature, reached a perfection unknown to Egypt or Assyria; and the heroes and sages of Greece and Rome, immortalized by the sculptor, still

people the galleries and museums of the modern world. In every succeeding age, and in every country in which the fine arts have been cultivated, the respect and affection of survivors have found a pure and rational gratification in the historical portrait and the monumental statue of the honored and loved in private life, and especially of the great and good who have deserved well of their country. Public esteem and confidence and private affection, the gratitude of the community and the fond memories of the fireside, have ever sought, in this way, to prolong the sensible existence of their beloved and respected objects. What, though the dear and honored features and person, on which, while living, we never gazed without tenderness or veneration, have been taken from us;—something of the loveliness, something of the majesty abides in the portrait, the bust, and the statue. The heart, bereft of the living originals, turns to them, and cold and silent as they are, they strengthen and animate the cherished recollections of the loved, the honored, and the lost.

The skill of the painter and sculptor which thus comes in aid of the memory and imagination, is, in its highest degree, one of the rarest, as it is one of the most exquisite accomplishments within our attainment, and in its perfection as seldom witnessed as the perfection of speech or of music. The plas-

tic hand must be moved by the same ethereal instinct as the eloquent lips or the recording pen. The number of those who, in the language of Michael Angelo, can discern the finished statue in the heart of the shapeless block, and bid it start into artistic life,—who are endowed with the exquisite gift of moulding the rigid bronze or the lifeless marble into graceful, majestic, and expressive forms, is not greater than the number of those who are able, with equal majesty, grace, and expressiveness, to make the spiritual essence,—the finest shades of thought and feeling,—sensible to the mind, through the eye and the ear, in the mysterious embodiment of the written and the spoken word. If Athens in her palmiest days had but one Pericles; she had also but one Phidias.

Nor are these beautiful and noble arts, by which the face and the form of the departed are preserved to us,—calling into the highest exercise as they do all the imitative and idealizing powers of the painter and sculptor,—the least instructive of our teachers. The portraits and the statues of the honored dead, kindle the generous ambition of the youthful aspirant to fame. Themistocles could not sleep for the trophies in the Ceramicus; and when the living Demosthenes to whom you, sir, (Mr. Felton,) have alluded, had ceased to speak, the stony lips remained to rebuke and exhort his degenerate

countrymen. More than a hundred years have elapsed since the great Newton passed away; but from age to age his statue by Roubillac, in the ante-chapel of Trinity College, will give distinctness to the conceptions formed of him by hundreds and thousands of ardent youthful spirits, filled with reverence for that transcendent intellect which, from the phenomena that fall within our limited vision, deduced the imperial law by which the Sovereign Mind rules the entire universe. We can never look on the person of Washington, but his serene and noble countenance, perpetuated by the pencil and the chisel, is familiar to far greater multitudes than ever stood in his living presence, and will be thus familiar to the latest generation.

What parent, as he conducts his son to Mount Auburn or to Bunker Hill, will not, as he pauses before their monumental statues, seek to heighten his reverence for virtue, for patriotism, for science, for learning, for devotion to the public good, as he bids him contemplate the form of that grave and venerable Winthrop, who left his pleasant home in England to come and found a new republic in this untrodden wilderness; of that ardent and intrepid Otis, who first struck out the spark of American independence; of that noble Adams, its most eloquent champion on the floor of Congress; of that martyr Warren, who laid down his life in its de-

fence; of that self-taught Bowditch, who, without a guide, threaded the starry mazes of the heavens; of that Story, honored at home and abroad as one of the brightest luminaries of the law, and, by a felicity of which I believe there is no other example, admirably portrayed in marble by his son? What citizen of Boston, as he accompanies the stranger around our streets, guiding him through our busy thoroughfares, to our wharfs, crowded with vessels which range every sea and gather the produce of every climate, up to the dome of this capitol, which commands as lovely a landscape as can delight the eye or gladden the heart, will not, as he calls his attention at last to the statues of Franklin and Webster, exclaim:—"Boston takes pride in her natural position, she rejoices in her beautiful environs, she is grateful for her material prosperity; but richer than the merchandise stored in palatial warehouses, greener than the slopes of sea-girt islets, lovelier than this encircling panorama of land and sea, of field and hamlet, of lake and stream, of garden and grove, is the memory of her sons, native and adopted; the character, services and fame of those who have benefited and adorned their day and generation. Our children, and the schools at which they are trained, our citizens, and the services they have rendered:—these are our monuments, these are our jewels, these our abiding treasures."

Yes, your long rows of quarried granite, may crumble to the dust; the cornfields in yonder villages, ripening to the sickle, may, like the plains of stricken Lombardy, a few weeks ago, be kneaded into bloody clods by the madding wheels of artillery; this populous city, like the old cities of Etruria and the Campagna Romana, may be desolated by the pestilence which walketh in darkness, may decay with the lapse of time, and the busy mart, which now rings with the joyous din of trade, become as lonely and still as Carthage or Tyre, as Babylon and Nineveh; but the names of the great and good shall survive the desolation and the ruin; the memory of the wise, the brave, the patriotic, shall never perish. Yes, Sparta is a wheat-field:—a Bavarian prince holds court at the foot of the Acropolis;—the travelling virtuoso digs for marbles in the Roman Forum and beneath the ruins of the temple of Jupiter Capitolinus; but Lycurgus and Leonidas, and Miltiades and Demosthenes, and Cato and Tully “still live”; and HE still lives, and all the great and good shall live in the heart of ages, while marble and bronze shall endure; and when marble and bronze have perished, they shall “still live” in memory, so long as men shall reverence Law, and honor Patriotism, and love Liberty.

EULOGIES AT THE TIME OF MR. WEBSTER'S DECEASE.

Seven years, within a few weeks, have passed since he, whose statue we inaugurate to-day, was taken from us. The voice of respectful and affectionate eulogy, which was uttered in this vicinity and city at the time, was promptly echoed throughout the country. The tribute paid to his memory, by friends, neighbors, and fellow-citizens, was responded to from the remotest corners of the Republic by those who never gazed on his noble countenance, or listened to the deep melody of his voice. This city, which in early manhood he chose for his home; his associates in the honorable profession of which he rose to be the acknowledged head; the law school of the neighboring university speaking by the lips of one so well able to do justice to his legal preëminence; the college at which he was educated and whose chartered privileges he had successfully maintained before the highest tribunal of the country; with other bodies and other eulogists, at the bar, in the pulpit, and on the platform, throughout the Union, in numbers, greater I believe than have ever spoken on any other similar occasion, except that of the death of Washington, joined with the almost unanimous Press of the country, in one chorus of admiration of his talents,

recognition of his patriotic services, and respect and affection for his memory.

Nor have these offerings been made at his tomb alone. Twice or thrice since his death, once within a few months,—the anniversary of his birthday, has called forth, at the table of patriotic festivity, the voice of fervid eulogy and affectionate commemoration. In this way and on these occasions, his character has been delineated by those best able to do justice to his powers and attainments, to appreciate his services, to take the measure, if I may so say, of his colossal mental stature. Without going beyond this immediate neighborhood, and in no degree ungrateful for the liberality or insensible to the ability with which he has been eulogized in other parts of the country, what need be said, what can be said in the hearing of those who have listened to Hillard, to Chief Justice Parker, to Cushing, and to our lamented Choate, whose discourse on Mr. Webster at Dartmouth College appears to me as magnificent a eulogium as was ever pronounced?

What can be said that has not been better said before;—what need be said now that seven added years in the political progress of the country, seven years of respectful and affectionate recollection on the part of those who now occupy the stage, have confirmed his title to the large place, which, while

he lived, he filled in the public mind? While he yet bore a part in the councils of the Union, he shared the fate which, in all countries, and especially in all free countries, awaits commanding talent and eminent position:—which no great man in our history,—not Washington himself,—has ever escaped; which none can escape, but those who are too feeble to provoke opposition, too obscure for jealousy. But now that he has rested for years in his honored grave, what generous nature is not pleased to strew flowers on the sod? What honorable opponent, still faithful to principle, is not willing that all in which he differed from him should be referred, without bitterness, to the impartial arbitrament of time; and that all that he respected and loved should be cordially remembered? What public man, especially who, with whatever differences of judgment of men or measures, has borne on his own shoulders the heavy burden of responsibility,—who has felt how hard it is, in the larger complications of affairs, at all times, to meet the expectations of an intelligent and watchful, but impulsive and not always thoroughly instructed public; how difficult sometimes to satisfy his own judgment,—is not willing that the noble qualities and patriotic services of Webster should be honorably recorded in the book of the country's remembrance, and his statue set up in the Pantheon of her illustrious sons?

POSTHUMOUS HONORS.

These posthumous honors lovingly paid to departed worth are among the compensations, which a kind Providence vouchsafes, for the unavoidable conflicts of judgment and stern collisions of party, which make the political career always arduous, even when pursued with the greatest success, generally precarious, sometimes destructive of health and even of life. It is impossible under free governments to prevent the existence of party; not less impossible that parties should be conducted with spirit and vigor, without more or less injustice done and suffered, more or less gross uncharitableness and bitter denunciation. Besides, with the utmost effort at impartiality, it is not within the competence of our frail capacities to do full justice at the time to a character of varied and towering greatness, engaged in an active and responsible political career. The truth of his principles, the wisdom of his counsels, the value of his services must be seen in their fruits, and the richest fruits are not those of the most rapid growth. The wisdom of antiquity pronounced that no one was to be deemed happy until after death; not merely because he was then first placed beyond the vicissitudes of human fortune, but because then only the rival interests, the discordant judgments, the hostile passions of contemporaries

are, in ordinary cases, no longer concerned to question his merits. Horace, with gross adulation, sang to his imperial master, Augustus, that he alone of the great of the earth ever received while living the full meed of praise. All the other great benefactors of mankind, the inventors of arts, the destroyers of monsters, the civilizers of states, found by experience that hatred and envy were appeased by death alone.*

That solemn event which terminates the material existence, becomes by the sober revisions of contemporary judgment, aided by offices of respectful and affectionate commemoration, the commencement of a nobler life on earth. The wakeful eyes are closed, the feverish pulse is still, the tired and trembling limbs are relieved from their labors, and the aching head is laid to rest on the lap of its mother earth; but all that we honored and loved in the living man begins to live again in a new and higher being of influence and fame. It was given but to a limited number to listen to the living voice, and they can never listen to it again, but the wise teachings, the grave admonitions, the patriotic exhortations which fell from his tongue, will be gathered together and garnered up in the memory of millions. The cares, the toils, the sorrows; the conflicts with others, the conflicts of the fervent spirit with

* *Comperit invidiam supremo fine domari.*

itself; the sad accidents of humanity, the fears of the brave, the follies of the wise, the errors of the learned; all that dashed the cup of enjoyment with bitter drops, and strewed sorrowful ashes over the beauty of expectation and promise; the treacherous friend, the ungenerous rival, the mean and malignant foe; the uncharitable prejudice which withheld the just tribute of praise; the human frailty which wove sharp thorns into the wreath of solid merit;—all these, in ordinary cases, are buried in the grave of the illustrious dead; while their brilliant talents, their deeds of benevolence and public spirit, their wise and eloquent words, their healing counsels, their generous affections, the whole man, in short, whom we revered and loved, and would fain imitate, especially when his image is impressed upon our recollections by the pencil or the chisel, goes forth to the admiration of the latest posterity. *Extinctus amabitur idem.*

THE OBSEQUIES OF MR. CHOATE.

Our city has lately witnessed a most beautiful instance of this reanimating power of death. A few weeks since, we followed towards the tomb the lifeless remains of our lamented Choate. Well may we consecrate a moment, even of this hour, to him who, in that admirable discourse to which I have already alluded, did such noble justice to himself and the great subject

of his eulogy. A short time before the decease of our much honored friend, I had seen him shattered by disease, his all-persuasive voice faint and languid, his beaming eye quenched; and as he left us in search of health in a foreign clime, a painful image and a sad foreboding, too soon fulfilled, dwelt upon my mind. But on the morning of the day when we were to pay the last mournful offices to our friend, the 23d of July, with a sad, let me not say a repining, thought, that so much talent, so much learning, so much eloquence, so much wit, so much wisdom, so much force of intellect, so much kindness of heart, were taken from us, an engraved likeness of him was brought to me, in which he seemed to live again. The shadows of disease and suffering had passed from the brow, the well-remembered countenance was clothed with its wonted serenity, a cheerful smile lighted up the features, genius kindled in the eye, persuasion hovered over the lips, and I felt as if I was going not to his funeral but his triumph. "Weep not for me," it seemed to say, "but weep for yourselves." And never, while he dwelt among us in the feeble tabernacle of the flesh; never while the overtasked spirit seemed to exhaust the delicate frame in which it sojourned; never as I had listened to the melody of his living voice, did he speak to my imagination and heart with such a touching though silent eloquence, as when we followed his

hearse along these streets, that bright midsummer's noon, up the *via sacra* in front of this capitol, slowly moving to the solemn beat of grand dead marches, as they rose and swelled from wailing clarion and muffled drum, while the minute-guns from yonder lawn responded to the passing bell from yonder steeple. I then understood the sublime significance of the words which Cicero puts into the mouth of Cato, that the mind, elevated to the foresight of posterity, when departing from this life, begins at length to live; yea, the sublimer words of a greater than Cicero, "O death, where is thy sting? O grave, where is thy victory?" And then, as we passed the abodes of those whom he knew, and honored and loved, and who had gone before; of Lawrence here on the left; of Prescott yonder on the right; this home where Hancock lived and Washington was received; this where Lafayette sojourned; this capitol, where his own political course began, and on which so many patriotic memories are concentrated, I felt, not as if we were conducting another frail and weary body to the tomb, but as if we were escorting a noble brother to the congenial company of the departed great and good; and I was ready myself to exclaim, "*O præclarum diem, cum ad illud divinum animorum concilium cætumque profisciscar, cumque ex hac turba et colluvione discedam.*"

THE PERIOD IN WHICH MR. WEBSTER LIVED.

It will not, I think, be expected of me to undertake the superfluous task of narrating in great detail the well-known events of Mr. Webster's life, or of attempting an elaborate delineation of that character, to which such ample justice has already been done by master hands. I deem it sufficient to say in general, that, referred to all the standards by which public character can be estimated, he exhibited, in a rare degree, the qualities of a truly great man.

The period at which he came forward in life, and during which he played so distinguished a part, was not one in which small men, dependent upon their own exertions, are likely to rise to a high place in public estimation. The present generation of young men are hardly aware of the vehemence of the storms that shook the world at the time, when Mr. Webster became old enough to form the first childish conceptions of the nature of the events in progress at home and abroad. His recollection, he tells us, in an autobiographical sketch, went back to the year 1790,—a year when the political system of continental Europe was about to plunge into a state of frightful disintegration, while, under the new constitution, the United States were commencing an unexampled career of prosperity; Washington just entering upon the first Presidency of the new-born

republic; the reins of the oldest monarchy in Europe slipping, besmeared with blood, from the hands of the descendant of thirty generations of kings. The fearful struggle between France and the allied powers succeeded, which strained the resources of the European governments to their utmost tension. Armies and navies were arrayed against each other, such as the civilized world had never seen before, and wars waged beyond all former experience. The storm passed over the continent as a tornado passes through a forest, when it comes rolling and roaring from the clouds, and prostrates the growth of centuries in its path. England, in virtue of her insular position, her naval power, and her free institutions, had, more than any other foreign country, weathered the storm; but Russia saw the Arctic sky lighted with the flames of her old Muscovite capital; the shadowy Kaisers of the House of Hapsburg were compelled to abdicate the crown of the Holy Roman Empire, and accept as a substitute that of Austria; Prussia, staggering from Jena, trembled on the verge of political annihilation; the other German States, Italy, Switzerland, Holland, and the Spanish Peninsula, were convulsed; Egypt overrun; Constantinople and the East threatened; and in many of these states, institutions, laws, ideas, and manners were changed as effectually as dynasties. With the downfall of Napoleon, a partial reconstruction of the old forms took place; but the

political genius of the continent of Europe was revolutionized.

On this side of the Atlantic, the United States, though studying an impartial neutrality, were drawn at first to some extent into the outer circles of the terrific maelstrom; but soon escaping, they started upon a career of national growth and development of which the world has witnessed no other example. Meantime, the Spanish and the Portuguese Viceroyalties south of us, from Mexico to Cape Horn, asserted their independence; that Castillian empire on which the sun never set was dismembered, and the golden chain was forever sundered, by which Columbus had linked half his new-found world to the throne of Ferdinand and Isabella.

Such was the crowd and the importance of the events in which, from his childhood up, the life of Mr. Webster, and of the generation to which he belonged, was passed; and I can with all sincerity say, that it has never been my fortune, in Europe or America, to hold intercourse with any person, who seemed to me to penetrate further than he had done into the spirit of the age, under its successive phases of dissolution, chaos, reconstruction, and progress. Born and bred on the verge of the wilderness, (his father a veteran of those old French and Indian wars, in which, in the middle of the eighteenth century, wild men came out of the woods, to wage war with

the tomahawk and the scalping knife, against the fireside and the cradle), with the slenderest opportunities for early education, entering life with scarce the usual facilities for reading the riddle of foreign statecraft, remote from the scene of action, relying upon sources of information equally open to all the world, he seemed to me, nevertheless, by the instinct of a great capacity, to have comprehended in all its aspects the march of events in Europe and this country. He surveyed the agitation of the age with calmness, deprecated its excesses, sympathized with its progressive tendencies, rejoiced in its triumphs. His first words in Congress, when he came unannounced from his native hills in 1813, proclaimed his mastery of the perplexed web of European politics, in which the United States were then but too deeply entangled; and from that time till his death, I think we all felt, those who differed from him as well as those who agreed with him, that he was in no degree below the standard of his time; that if Providence had cast his lot in the field where the great destinies of Europe are decided, this poor New Hampshire youth would have carried his head as high among the Metternichs, the Nesselrodes, the Hardenbergs, the Talleyrands, the Castlereaghs of the day, and surely among their successors, who now occupy the stage, as he did among his contemporaries at home.

HIS CONTEMPORARIES.

Let me not be thought, however, in this remark, to intimate that these contemporaries at home were second-rate men; far otherwise. It has sometimes seemed to me that, owing to the natural reverence in which we hold the leaders of the revolutionary period,—the heroic age of the country,—and those of the constitutional age who brought out of chaos this august system of confederate republicanism, we hardly do full justice to the third period in our political history, which may be dated from about the time when Mr. Webster came into political life, and continued through the first part of his career. The heroes and sages of the revolutionary and constitutional period, were indeed gone. Washington, Franklin, Greene, Hamilton, Morris, Jay, slept in their honored graves. John Adams, Jefferson, Carroll, though surviving, were withdrawn from affairs. But Madison, who contributed so much to the formation and adoption of the constitution, was at the helm; Monroe in the cabinet; John Quincy Adams, Gallatin and Bayard negotiating in Europe; in the Senate were Rufus King, Christopher Gore, Jeremiah Mason, Giles, Otis; in the House of Representatives, Pickering, Clay, Lowndes, Cheves, Calhoun, Gaston, Forsyth, Randolph, Oakley, Pitkin, Grosvenor; on the bench of the Supreme Court, Marshall, Livingston,

Story; at the bar, Dexter, Emmet, Pinkney, and Wirt; with many distinguished men not in the general government, of whom it is enough to name DeWitt Clinton and Chancellor Kent. It was my privilege to see Mr. Webster associated and mingling with nearly all these eminent men, and their successors, not only in later years, but in my own youth, and when he first came forward, unknown as yet to the country at large, scarcely known to himself, not arrogant, nor yet wholly unconscious of his mighty powers, tied to a laborious profession in a narrow range of practice, but glowing with a generous ambition, and not afraid to grapple with the strongest and boldest in the land. The opinion pronounced of him, at the commencement of his career, by Mr. Lowndes, that the "South had not in Congress his superior, nor the North his equal," savors in the form of expression of sectional partiality. If it had been said, that neither at the South or the North had any public man risen more rapidly to a brilliant reputation, no one, I think, would have denied the justice of the remark. He stood from the first the acknowledged equal of the most distinguished of his associates. In later years he acted with the successors of those I have named, with Benton, Burges, Edward Livingston, Hayne, McDuffie, McLean, Sergeant, Clayton, Wilde, Storrs, our own Bates, Davis, Gorham, Choate, and others who still

survive; but it will readily be admitted that he never sunk from the position which he assumed at the outset of his career, nor stood second to any man in any part of the country.

THE QUESTIONS DISCUSSED IN HIS TIME.

If we now look for a moment at the public questions with which he was called to deal in the course of his career, and with which he did deal, in the most masterly manner, as they successively came up, we shall find new proofs of his great ability. When he first came forward in life, the two great belligerent powers of Europe, contending with each other for the mastery of the world, despising our youthful weakness, and impatient of our gainful neutrality, in violation now admitted of the Law of Nations, emulated each other in the war waged upon our commerce and the insults offered to our flag. To engage in a contest with both, would have been madness; the choice of the antagonist was a question of difficulty, and well calculated to furnish topics of reproach and recrimination. Whichever side you adopted, your opponent regarded you as being, in a great national struggle, the apologist of an unfriendly foreign power. In 1798 the United States chose France for their enemy; in 1812, Great Britain. War was declared against the latter country on the

18th of June, 1812;—the orders in Council, which were the immediate, though not the exclusive, cause of the war, were rescinded five days afterwards. Such are the narrow chances on which the fortunes of States depend.

Great questions of domestic and foreign policy followed the close of war. Of the former class were the restoration of a currency which should truly represent the values which it nominally circulated; a result mainly brought about by a resolution moved by Mr. Webster;—the fiscal system of the Union and the best mode of connecting the collection, safe-keeping, and disbursement of the public funds, with the commercial wants, and especially with the exchanges of the country;—the stability of the manufactures, which had been called into existence during the war; what can constitutionally be done, ought anything as a matter of policy to be done by Congress, to protect them from the competition of foreign skill, and the glut of foreign markets; the internal communications of the Union, a question of paramount interest before the introduction of railroads;—can the central power do anything, what can it do, by roads and canals, to bind the distant parts of the continent together; the enlargement of the judicial system of the country to meet the wants of the greatly increased number of the States; the revision of the criminal code of the United States,

which was almost exclusively his work; the administration of the public lands, and the best mode of filling with civilized and Christian homes this immense domain, the amplest heritage which was ever subjected to the control of a free government; connected with the public domain, the relations of the civilized and dominant race to the aboriginal children of the soil; and lastly, the constitutional questions on the nature of the government, which were raised in that gigantic controversy on the interpretation of the fundamental law itself. These were some of the most important domestic questions which occupied the attention of Congress and the country, while Mr. Webster was on the stage.

Of questions connected with foreign affairs, were those growing out of the war, which was in progress when he first became a member of Congress,—then the various questions of International Law, some of them as novel as they were important, which had reference to the entrance or the attempted entrance of so many new States into the family of nations; in Europe,—Greece, Belgium, Hungary;—on this continent, twelve or fourteen new republics, great and small, bursting from the ruins of the Spanish colonial empire, like a group of asteroids from the wreck of an exploded planet;—the invitation of the infant American Republics to meet them in Congress at Panama;—our commercial relations with the British

Colonies in the West Indies and on this continent;—demands on several European States for spoliations on our commerce during the wars of the French Revolution;—our secular controversy with England relative to the boundary of the United States on the north-eastern and Pacific frontiers;—our relations with Mexico, previous to the war; the immunity of the American flag upon the common jurisdiction of the ocean;—and more important than all other questions, foreign or domestic, in its influence upon the general politics of the country, the great sectional controversy,—not then first commenced, but greatly increased in warmth and energy,—which connected itself with the organization of the newly acquired Mexican territories.

Such were the chief questions on which it was Mr. Webster's duty to form opinions; as an influential member of Congress and a political leader, to speak and to vote; as a member of the Executive government, to exercise a powerful, over some of them, a decisive control. Besides these, there was another class of questions of great public importance, which came up for adjudication in the Courts of the United States, which he was called professionally to discuss. Many of the questions of each class now referred to, divided, and still divide opinion; excited, and still excite the feelings of individuals, of parties, of sections of the country. There are some of them,

which in the course of a long life, under changing circumstances, are likely to be differently viewed at different periods, by the same individual. I am not here to-day to rake off the warm ashes from the embers of controversies, which have spent their fury and are dying away, or to fan the fires of those which still burn. But no one, I think, whether he agreed with Mr. Webster or differed from him, as to any of these questions, will deny that he treated them each and all as they came up in the Senate, in the Courts, or in negotiation with foreign powers, in a broad, statesman-like, and masterly way. There are few who would not confess, when they agreed with him, that he had expressed their opinions better than they could do it themselves; few, when they differed from him, who would not admit that he had maintained his own views manfully, powerfully, and liberally.

HIS CAREER AS A STATESMAN.

Such was the period in which Mr. Webster lived, such were the associates with whom he acted, the questions with which he had to deal as a statesman, a jurist, the head of an administration of the government, and a public speaker. Let us contemplate him for a moment in either capacity.

Without passing through the preliminary stage

of the State Legislature, and elected to Congress in six years from the time of his admission to the Superior Court of New Hampshire, he was on his first entrance into the House of Representatives, placed by Mr. Speaker Clay on the Committee of Foreign Affairs, and took rank forthwith as one of the leading statesmen of the day. His first speech had reference to those famous Berlin and Milan decrees and Orders in Council, to which I have already alluded, and the impression produced by it was such as to lead the venerable Chief Justice Marshall, eighteen years afterwards, in writing to Mr. Justice Story, to say, "At the time when this speech was delivered, I did not know Mr. Webster, but I was so much struck with it, that I did not hesitate then to state that he was a very able man, and would become one of the very first statesmen in America,—perhaps the very first." His mind at the very outset of his career, had, by a kind of instinct, soared from the principles which govern the municipal relations of individuals, to those great rules which dictate the law of nations to independent States. He tells us, in the fragment of a diary kept while he was a law student in Mr. Gore's office, that he then read Vattel through for the third time. Accordingly, in after life, there was no subject which he discussed with greater pleasure, and I may add, with greater power, than

questions of the Law of Nations. The Revolution of Greece had from its outbreak, attracted much of the attention of the civilized world. A people, whose ancestors had originally taught letters and arts to mankind, struggling to regain a place in the great family of independent States; the convulsive efforts of a Christian people, the foundation of whose churches by the apostles in person, is recorded in the New Testament, to shake off the yoke of Mohammedan despotism, possessed a strange interest for the friends of Christian Liberty throughout Europe and America. President Monroe had called the attention of Congress to this most interesting struggle, in December, 1823, and Mr. Webster, returning to Congress after a retirement of eight years, as the Representative of Boston, made the Greek Revolution the subject of a motion and a speech. In this speech he treated what he called "the great question of the day,—the question between absolute and regulated governments." He engaged in a searching criticism of the doctrines of the "Holy Alliance," and maintained the duty of the United States as a great free power to protest against them. That speech remains, in my judgment, to this day the ablest and most effective remonstrance against the principles of the allied military powers of continental Europe. Mr. Jeremiah Mason pronounced it "the best sample of

parliamentary eloquence and statesmanlike reasoning which our country had seen." His indignant protest against the spirit of absolutism, and his words of sympathy with an infant people struggling for independence, were borne on the wings of the wind throughout Christendom. They were read in every language, at every court, in every cabinet, in every reading room, on every market place; by the republicans of Mexico and Spanish South America, by the patriots of Italy and of Poland; on the Tagus, on the Danube, as well as at the head of the little armies of revolutionary Greece. The practical impression which it made on the American mind was seen in the liberality with which cargoes of food and clothing, a year or two afterwards, were despatched to the relief of the Greeks. No legislative or executive measure was adopted at that time in consequence of Mr. Webster's motion and speech,—probably none was anticipated by him; but no one who considers how much the march of events in such cases is influenced by the moral sentiments, will doubt that a great word like this, spoken in the American Congress, must have had no slight effect in cheering the heart of Greece, to persevere in her unequal but finally successful struggle.

It was by these masterly parliamentary efforts that Mr. Webster left his mark on the age in which he lived. His fidelity to his convictions kept him for

the greater part of his life in a minority—a position which he regarded not as a proscription, but as a post of honor and duty. He felt that in free governments and in a normal state of parties, an opposition is a political necessity, and that it has its duties not less responsible than those which attach to office. Before the importance of Mr. Webster's political services is disparaged for want of positive results, which can only be brought about by those who are clothed with power, it must be shown that to raise a persuasive and convincing voice in the vindication of truth and right, to uphold and assert the true principles of the government under which we live, and bring them home to the hearts of the people, to do this from a sense of patriotic duty, and without hope of the honors and emoluments of office, to do it so as to instruct the public conscience and warm the public heart, is a less meritorious service to society, than to touch with skilful hand the springs of party politics, and to hold together the often discordant elements of ill-compacted majorities.

The greatest parliamentary effort made by Mr. Webster, was his second speech on Foote's resolution,—the question at issue being nothing less than this: Is the Constitution of the United States a compact without a common umpire between confederated sovereignties; or is it a government of

the people of the United States, sovereign within the sphere of its delegated powers, although reserving a great mass of undelegated rights to the separate State governments and the people? With those who embrace the opinions which Mr. Webster combated in this speech, this is not the time nor the place to engage in an argument; but those who believe that he maintained the true principles of the Constitution, will probably agree, that since that instrument was communicated to the Continental Congress, seventy-two years ago this day, by George Washington as President of the Federal Convention, no greater service has been rendered to the country than in the delivery of this speech. Well do I recollect the occasion and the scene. It was truly what Wellington called the battle of Waterloo, a conflict of giants. I passed an hour and a half with Mr. Webster, at his request, the evening before this great effort; and he went over to me, from a very concise brief, the main topics of the speech which he had prepared for the following day. So calm and unimpassioned was the memorandum, so entirely was he at ease himself, that I was tempted to think, absurdly enough, that he was not sufficiently aware of the magnitude of the occasion. But I soon perceived that his calmness was the repose of conscious power. He was not only at ease, but sportive and full of anecdote; and as he told the Senate play-

fully the next day, he slept soundly that night on the formidable assault of his gallant and accomplished adversary. So the great Condé slept on the eve of the battle of Rocroi; so Alexander slept on the eve of the battle of Arbela; and so they awoke to deeds of immortal fame. As I saw him in the evening, (if I may borrow an illustration from his favorite amusement,) he was as unconcerned and as free of spirit, as some here have often seen him, while floating in his fishing boat along a hazy shore, gently rocking on the tranquil tide, dropping his line here and there, with the varying fortune of the sport. The next morning he was like some mighty Admiral, dark and terrible, casting the long shadow of his frowning tiers far over the sea, that seemed to sink beneath him; his broad pendant streaming at the main, the stars and the stripes at the fore, the mizzen, and the peak; and bearing down like a tempest upon his antagonist, with all his canvas strained to the wind, and all his thunders roaring from his broadsides.

AS A JURIST.

Mr. Webster's career was not less brilliant as a jurist than as a statesman. In fact, he possessed in an eminent degree, a judicial mind. While performing an amount of congressional and official labor suf-

ficient to fill the busiest day, and to task the strongest powers, he yet sustained with a giant's strength, the Herculean toils of his profession. At the very commencement of his legal studies, resisting the fascination of a more liberal course of reading, he laid his foundations deep in the common law; grappled as well as he might with the weary subtleties and obsolete technicalities of Coke Littleton, and abstracted and translated volumes of reports from the Norman French and Latin. A few years of practice follow in the courts of New Hampshire, interrupted by his service in Congress for two political terms, and we find him at the bar of the Supreme Court of the United States at Washington, inaugurating in the Dartmouth College case, what may be called a new school of constitutional jurisprudence.

It would be a waste of time to speak of that great case, or of Mr. Webster's connection with it. It is too freshly remembered in our tribunals. So novel at that time, were the principles involved in it, that a member of the Court, after a cursory inspection of the record in the case, expressed the opinion that little of importance could be urged in behalf of the plaintiff in error; but so firm is the basis on which, in that and subsequent cases of a similar character, those principles were established, that they form one of the best settled, as they are

one of the most important, portions of the constitutional law of the Union.

Not less important, and, at the time, not less novel, were the principles involved in the celebrated case of Gibbons and Ogden. This case grew out of a grant by the State of New York to the assignees of Fulton, of the exclusive right to navigate by steam the rivers, harbors and bays of the Empire State. Twenty-five years afterwards, Mr. Justice Wayne gave to Mr. Webster the credit of having laid down the broad constitutional ground, on which the navigable waters of the United States, "every creek and river and lake and bay and harbor in the country," were forever rescued from the grasp of State monopoly. So failed the intention of the Legislature of New York to secure a rich pecuniary reward to the great perfecter of steam navigation; so must have failed any attempt to compensate by money the inestimable achievement. Monopolies could not reward it; silver and gold could not weigh down its value. Small services are paid with money and place; large ones with fame. Fulton had his reward, when, after twenty years of unsuccessful experiment and hope deferred, he made the passage to Albany by steam; as Franklin had his reward when he saw the fibres of the cord which held his kite stiffening with the electricity they had drawn from the thunder-cloud;

as Galileo had his when he pointed his little tube to the heavens and discovered the Medicean stars; as Columbus had his when he beheld from the deck of his vessel a moving light on the shores of his new found world. That one glowing unutterable thrill of conscious success is too exquisite to be alloyed with baser metal. The midnight vigils, the aching eyes, the fainting hopes turned at last into one bewildering ecstasy of triumph, cannot be repaid with gold. The great discoveries, improvements and inventions which benefit mankind, can only be rewarded by opposition, obloquy, poverty, and an undying name.

Time would fail me, were I otherwise equal to the task, to dwell on the other great constitutional cases argued by Mr. Webster; those on State insolvent laws, the Bank of the United States, the Sailor's Snug Harbor, the Charlestown Bridge Franchise, or those other great cases on the validity of Mr. Girard's will, in which Mr. Webster's argument drew forth an emphatic acknowledgment from the citizens of Washington, of all denominations, for its great value "in demonstrating the vital importance of Christianity to the success of our free institutions, and that the general diffusion of that argument among the people of the United States is a matter of deep public interest;" or the argument of the Rhode Island charter case in 1848,

which attracted no little public notice in Europe at that anxious period, as a masterly discussion of the true principles of constitutional obligation.

It would be superfluous, I might almost say impertinent, to remark, that if Mr. Webster stood at the head of the constitutional lawyers of the country, he was not less distinguished in early and middle life, in the ordinary walks of the profession. From a very early period he shared the best practice with the most eminent of his profession. The trial of Goodridge in 1817, and of Knapp in 1829, are still recollected as specimens of the highest professional skill; the latter, in fact, as a case of historical importance in the criminal jurisprudence of the country.

But, however distinguished his reputation in the other departments of his profession, his fame as a jurist is mainly associated with the tribunals of the United States. The relation of the Federal Government to that of the States is peculiar to this country, and gives rise to a class of cases in the Supreme Court of the United States, to which there is nothing analogous in the jurisprudence of England. In that country nothing, not even the express words of a treaty, can be pleaded against an act of Parliament. The Supreme Court of the United States entertains questions which involve the constitutionality of the laws of State legislatures, the validity of the decrees of State courts, nay of the constitutionality

of acts of Congress itself. Every one feels that this range and elevation of jurisdiction must tend greatly to the respectability of practice at that forum, and give a breadth and liberality to the tone with which questions are there discussed, not so much to be looked for in the ordinary litigation of the common law. No one needs to be reminded how fully Mr. Webster felt, and in his own relations to it, sustained the dignity of this tribunal. He regarded it as the great mediating power of the Constitution. He believed that while it commanded the confidence of the country, no serious derangement of any of the other great functions of the government was to be apprehended; if it should ever fail to do so, he feared the worst. For the memory of Marshall, the great and honored magistrate who presided in this court for the third part of a century, and did so much to raise its reputation and establish its influence, he cherished feelings of veneration second only to those which he bore to the memory of Washington.

AS A DIPLOMATIST.

In his political career Mr. Webster owed almost everything to popular choice, or the favor of the Legislature of Massachusetts. He was, however, twice clothed with executive power, as the head of an

Administration, and in that capacity achieved a diplomatic success of the highest order. Among the victories of peace not less renowned than those of war which Milton celebrates, the first place is surely due to those friendly arrangements between great powers, by which war is averted. Such an arrangement was effected by Mr. Webster in 1842, in reference to more than one highly irritating question between this country and Great Britain, and especially the North-eastern Boundary of the United States. I allude to the subject, not for the sake of reöpening obsolete controversies, but for the purpose of vindicating his memory from the charges of disingenuousness and even fraud which were brought against him at the time in England, and which have very lately been revived in that country. I do it the rather as the facts of the case have never been fully stated.

The North-eastern Boundary of the United States, which was described by the treaty of 1783, had never been surveyed and run. It was still unsettled in 1842, and had become the subject of a controversy which had resisted the ability of several successive administrations, on both sides of the water, and had nearly exhausted the resources of arbitration and diplomacy. Border collisions, though happily no bloodshed, had taken place; seventeen regiments had been thrown into the British Provinces; General

Scott had been despatched to the frontier of Maine; and our Minister in London (Mr. Stevenson,) had written to the commander of the American squadron in the Mediterranean, that a war, in his opinion, was inevitable.

Such was the state of things when Mr. Webster came into the Department of State in the spring of 1841. He immediately gave an intimation to the British government that he was desirous of renewing the interrupted negotiation. A change of ministry took place in England, in the course of a few months, and a resolution was soon taken by Sir Robert Peel and Lord Aberdeen, to send a special Envoy to the United States, to make a last attempt to settle this dangerous dispute by negotiation. Lord Ashburton was selected for this honorable errand, and his known friendly relations with Mr. Webster were among the motives that prompted his appointment. It may be observed that the intrinsic difficulties of the negotiation were increased by the circumstance, that, as the disputed territory lay in the State of Maine, and the property of the soil was in Maine and Massachusetts, it was deemed necessary to obtain the consent of those States to any arrangement that might be entered into by the general government.

The length of time for which the question had been controverted had, as usually happens in such

cases, had the effect of fixing both parties more firmly in their opposite views of the subject. It was a pledge at least of the good faith with which the United States had conducted the discussion, that everything in our archives bearing on the subject had been voluntarily spread before the world. On the other side, no part of the correspondence of the ministers who negotiated the treaty of 1783 had ever been published, and whenever Americans were permitted for literary purposes to institute historical inquiries in the public offices in London, precautions were taken to prevent anything from being brought to light, which might bear unfavorably on the British interpretation of the treaty.

The American interpretation of the treaty had been maintained in its fullest extent, as far as I am aware, by every statesman in the country, of whatever party, to whom the question had ever been submitted. It had been thus maintained in good faith by an entire generation of public men of the highest intelligence and most unquestioned probity. The British government had, with equal confidence, maintained their interpretation. The attempt to settle the controversy by a reference to the King of the Netherlands had failed. In this state of things, as the boundary had remained unsettled for fifty-nine years, and had been controverted for more than twenty; as negotiation and arbitra-

tion had shown that neither party was likely to convince the other; and as in cases of this kind it is more important that a public controversy should be settled than how it should be settled, (of course within reasonable limits,) Mr. Webster had from the first contemplated a conventional line. Such a line, and for the same reasons, was anticipated in Lord Ashburton's instructions, and was accordingly agreed upon by the two negotiators;— a line convenient and advantageous to both parties.

Such an adjustment, however, like that which had been proposed by the King of the Netherlands, was extremely distasteful to the people of Maine, who, standing on their rights, adhered with the greatest tenacity to the boundary described by the treaty of 1783, as the United States had always claimed it. As the opposition of Maine had prevented that arrangement from taking effect, there is great reason to suppose that it would have prevented the adoption of the conventional line agreed to by Mr. Webster and Lord Ashburton, but for the following circumstance.

This was the discovery, the year before, by President Sparks, in the archives of the Bureau of Foreign Affairs, at Paris, of a copy of a small map of North America, by D'Anville, published in 1746, on which a red line was drawn, indicating a boundary between the United States and Great Britain

more favorable to the latter than she herself had claimed it. By whom it was marked, or for what purpose, did not appear, from any indication on the map itself. There was also found, in the Bureau of Foreign Affairs, in a bound volume of official correspondence, a letter from Dr. Franklin to the Count de Vergennes, dated on the 6th of December, 1782, (six days after the signature of the provisional articles,) stating that in compliance with the Count's request, and on a map sent him for the purpose, he had marked, "with a strong red line, the limits of the United States, as settled in the preliminaries."

The French archives had been searched by Mr. Canning's agents as long ago as 1827, but this map either escaped their notice, or had not been deemed by them of importance. The English and French maps of this region differ from each other, and it is known that the map used by the negotiators of the treaty of 1783, was Mitchell's large map of America, published under the official sanction of the Board of Trade in 1754. D'Anville's map was but eighteen inches square; and on so small a scale the difference of the two boundaries would be but slight, and consequently open to mistake. The letter of the Count de Vergennes, transmitting a map to be marked, is not preserved, nor is there any endorsement on the red-line map,

to show that it is the map sent by the Count and marked by Franklin. D'Anville's map was published in 1746, and it would surely be unwarrantable to take for granted, in a case of such importance, that, in the course of thirty years, it could not have been marked with a red line, for some other purpose, and by some other person. It would be equally rash to assume as certain, either that the map marked by Franklin for the Count de Vergennes was deposited by him in the public archives; or, that if so deposited, it may not be concealed among the sixty thousand maps contained in that depository. The official correspondence of Mr. Oswald, the British negotiator, was retained by the British minister in his own possession, and does not appear ever to have gone into the public archives.

In the absence of all evidence to connect Dr. Franklin's letter with the map, it could not, in a court of justice, have been received for a moment as a map marked by him; and any presumption that it was so marked was resisted by the language of the treaty. This point was urged in debate, with great force, by Lord Brougham, who, as well as Sir Robert Peel, liberally defended Mr. Webster from the charges, which the opposition journals in London had brought against him.

Information of this map was, in the progress of the negotiation, very properly communicated to Mr.

Webster by Mr. Sparks. For the reasons stated, it could not be admitted as *proving* anything. It was another piece of evidence of uncertain character, and Mr. Webster could have no assurance that the next day might not produce some other map equally strong or stronger on the American side; which, as I shall presently state, was soon done in London.

In this state of things, he made the only use of it, which could be legitimately made, in communicating it to the commissioners of the State of Maine and Massachusetts, and to the Senate, as a piece of conflicting evidence, entitled to consideration, likely to be urged as of great importance by the opposite party, if the discussion should be renewed, increasing the difficulties which already surrounded the question, and thus furnishing new grounds for agreeing to the proposed conventional line. No one, I think, acquainted with the history of the controversy, and the state of public opinion and feeling, can doubt that, but for this communication, it would have been difficult, if not impossible, to procure the assent either of Maine or of the Senate to the treaty.

This would seem to be going as far as reason or honor required, in reference to an unauthenticated document, having none of the properties of legal evidence, not exhibited by the opposite party,

and of a nature to be outweighed by contradictory evidence of the same kind, which was very soon done. But Mr. Webster was at the time, severely censured by the opposition press in England, and was accused of "perfidy and want of good faith," (and this charge has lately been revived in an elaborate and circumstantial manner), for not going with this map to Lord Ashburton; entirely abandoning the American claim, and ceding the whole of the disputed territory, more even than she asked, to Great Britain, on the strength of this single piece of doubtful evidence.

Such a charge scarcely deserves an answer; but two things will occur to all impartial persons,—one, that the red-line map, even had it been proved to have been marked by Franklin (which it is not), would be but one piece of evidence, to be weighed, with the words of the treaty, with all the other evidence in the case, and especially with the other maps; and, secondly, that such a course, as it is pretended that Mr. Webster ought to have pursued, could only be reasonably required of him, on condition that the British government had also produced, or would undertake to produce, all the evidence, and especially all the maps in its possession, favorable to the American claim.

Now, not to urge against the red-line map, that,

as was vigorously argued by Lord Brougham, it was at variance with the express words of the treaty, there were, according to Mr. Gallatin, the commissioner for preparing the claim of the United States, to be submitted to the arbiter in 1827, at least twelve maps, published in London, in the course of two years after the signature of the provisional articles in 1782, all of which give the boundary line precisely as claimed by the United States; and no map was published in London, favoring the British claim, till the third year. The earliest of these maps were prepared to illustrate the debates in Parliament on the treaty; or to illustrate the treaty in anticipation of the debate. None of the speakers on either side intimated that these maps are inaccurate, though some of the opposition speakers attacked the treaty as giving a disadvantageous boundary. One of these maps, that of Faden, the royal geographer, was stated on the face of it to be "drawn according to the treaty." Mr. Sparks is of opinion that Mr. Oswald, the British envoy by whom the treaty was negotiated, and who was in London when the earliest of the maps were engraved, was consulted by the map-makers on the subject of the boundary. At any rate, had they been inaccurate in this respect, either Mr. Oswald, or the minister, "who was vehemently assailed on account of the large concession of the

boundaries," would have exposed the error. But neither by Mr. Oswald nor by any of the ministers was any complaint made of the inaccuracy of the maps.

One of these maps was that contained in "Bew's Political Magazine," a respectable journal, for which it was prepared, to illustrate the debate on the provisional articles of 1782. It happened that Lord Ashburton was calling upon me, about the time of the debate in the House of Commons on the merits of the treaty, on the 21st of March, 1843. On my expressing to him the opinion, with the freedom warranted by our intimate friendly relations, that his government ought to be much obliged to him, for obtaining so much of a territory, of which I conscientiously believed the whole belonged to us, "What," asked he, "have you to oppose to the red-line map?" I replied that, in addition to the other objections already mentioned, I considered it to be outweighed by the numerous other maps which were published at London at the time, some of them to illustrate the treaty; and, among them, I added, "the map in the volume which happens to lie on my table at this moment," which was the volume of "Bew's Political Magazine," to which I called his attention. He told me that he was unacquainted with that map, and desired that I would lend him the volume, to show to Sir Robert Peel. This I did, and in his

reply to Lord Palmerston, in the House of Commons, Sir Robert Peel, holding this volume of mine in his hand, referred to the map contained in it, and "which follows," said he, "exactly the American line," as an offset to the red-line map, of which great use had been made by the opposition in England, for the purpose of showing that Lord Ashburton had been overreached by Mr. Webster. In the course of his speech, he defended Mr. Webster in the handsomest manner, from the charges brought against him in reference to this map, by the opposition press, and said that in his judgment "the reflections cast upon that most worthy and honorable man are unjust."

Nor was this all. The more effectually to remove the impression attempted to be raised, in consequence of the red-line map, that Lord Ashburton had been overreached, Sir Robert Peel stated,—*and the disclosure was now for the first time made*,—that there was, in the library of King George the Third, (which had been given to the British Museum by George the Fourth), a copy of Mitchell's map, in which the boundary as delineated "follows exactly the line claimed by the United States." On four places upon this line are written the words, in a strong, bold hand, "The boundary as described by Mr. Oswald." There is documentary proof that Mr. Oswald sent the map used by him in negotiating the treaty to King George the Third, for his information; and Lord

Brougham stated in his place, in the House of Peers, that the words, four times repeated in different parts of the line, were, in his opinion, written by the king himself! Having listened, and of course with the deepest interest, to the debate in the House of Commons, I sought the earliest opportunity of inspecting the map, which was readily granted to me by Lord Aberdeen. The boundary is marked, in the most distinct and skilful manner, from the St. Croix all round to the St. Mary's, and is precisely that which has been always claimed by us. There is every reason to believe that this is the identical copy of Mitchell's map officially used by the negotiators, and sent by Mr. Oswald, as we learn from Dr. Franklin, to England. Sir Robert Peel informed me that it was unknown to him till after the treaty; and Lord Aberdeen and Lord Ashburton gave me the same assurance. It was well known, however, to the agent employed under Lord Melbourne's administration in maintaining the British claim, and who was foremost in vilifying Mr. Webster for concealing the red-line map!*

* Sir Robert Peel, with reference to the line on Oswald's map, observes, "I do not say that that was the boundary, ultimately settled by the negotiators." Such, however, is certainly the case. Mr. Jay's copy of Mitchell's map (which was also discovered after the negotiation of the treaty), exhibits a line running down the St. John's to its mouth, and called "Mr. Oswald's line." This is the line which Mr. Oswald offered to the American negotiators on the 8th of October. It was, however, not approved by the British Government, and the line indicated in the map of King George the Third, as the "Boundary as described by Mr. Oswald," was finally agreed to.

AS A PUBLIC SPEAKER.

I had intended to say a few words on Mr. Webster's transcendent ability as a public speaker on the great national anniversaries, and the patriotic celebrations of the country. But it would be impossible, within the limits of a few paragraphs, to do any kind of justice to such efforts as the discourse on the twenty-second December, at Plymouth; the speeches on the laying the corner-stone, and the completion of the Bunker Hill Monument; the eulogy on Adams and Jefferson; the character of Washington; the discourse on laying the foundation of the extension of the Capitol. What gravity and significance in the topics, what richness of illustration, what soundness of principle, what elevation of sentiment, what fervor in the patriotic appeals, what purity, vigor, and clearness in the style!

With reference to the first-named of these admirable discourses, the elder President Adams declared that "Burke is no longer entitled to the praise—the most consummate orator of modern times." And it will, I think, be admitted by any one who shall attentively study them, that if Mr. Webster, with all his powers and all his attainments, had done nothing else but enrich the literature of the country with

these performances, he would be allowed to have lived not unworthily, nor in vain. When we consider that they were produced under the severe pressure of professional and official engagements, numerous and arduous enough to task even his intellect, we are lost in admiration of the affluence of his mental resources.

GENERAL CHARACTERISTICS OF STYLE AND MANNER.

In all the speeches, arguments, discourses, and compositions of every kind proceeding from Mr. Webster's lips or pen, there were certain general characteristics which I am unwilling to dismiss without a passing allusion. Each, of course, had its peculiar merits, according to the nature and importance of the subject, and the care bestowed by Mr. Webster on the discussion; but I find some general qualities pervading them all. One of them is the extreme sobriety of the tone, the pervading common sense, the entire absence of that extravagance and overstatement which are so apt to creep into political harangues, and discourses on patriotic anniversaries. His positions are taken strongly, clearly, and boldly, but without wordy amplification, or one-sided vehemence. You feel that your understanding is addressed, on behalf of a reasonable proposition, which rests neither on sentimental refinement or

rhetorical exaggeration. This is the case even in speeches like that on the Greek Revolution, where in enlisting the aid of classical memories and Christian sympathies, it was so difficult to rest within the bounds of moderation.

This moderation not only characterizes Mr. Webster's parliamentary efforts, but is equally conspicuous in his discourses on popular and patriotic occasions, which, amidst all the inducements to barren declamation, are equally and always marked by the treatment of really important topics, in a manly and instructive strain of argument and reflection.

Let it not be thought, however, that I would represent Mr. Webster's speeches in Congress or elsewhere, as destitute, on proper occasions, of the most glowing appeals to the moral sentiments, or wanting, when the topic invites it, in any of the adornments of a magnificent rhetoric. Who that heard it, or has read it, will ever forget the desolating energy of his denunciation of the African slave trade, in the discourse at Plymouth; or the splendor of the apostrophe to Warren, in the first discourse on Bunker Hill; or that to the monumental shaft and the survivors of the Revolution in the second; or the trumpet-tones of the speech placed in the lips of John Adams, in the eulogy on Adams and Jefferson; or the sublime peroration of the speech on Foot's resolution; or the lyric fire of the imagery by which he illustrates

the extent of the British empire; or the almost supernatural terror of his description of the force of conscience in the argument in Knapp's trial? Then, how bright and fresh the description of Niagara! how beautiful the picture of the Morning, in his private correspondence, which, as well as his familiar conversation, were enlivened by the perpetual play of a joyous and fertile imagination! In a word, what tone in all the grand and melting music of our language is there, which is not heard in some portion of his speeches or writings; while reason, sense, and truth compose the basis of the strain? Like the sky above us, it is sometimes serene and cloudless, and peace and love shine out from its starry depths. At other times the gallant streamers, in wild, fantastic play,—emerald, and rose, and orange, and fleecy white,—shoot upward from the horizon, mingle in a fiery canopy at the zenith, and throw out their flickering curtains over the heavens and the earth; while at other times the mustering tempest piles his lowering battlements on the sides of the north, a furious storm-wind rushes forth from their blazing loop-holes, and volleyed thunders give the signal of the elemental war!

Another quality, which appears to me to be very conspicuous in all Mr. Webster's speeches, is the fairness and candor with which he treats the argument of his opponent, and the total absence of offensive

personality. He was accustomed, in preparing to argue a question at the bar, or to debate it in the Senate, first to state his opponent's case or argument in his own mind, with as much force and skill as if it were his own view of the subject, not deeming it worthy of a statesman discussing the great issues of the public weal, to assail and prostrate a man of straw, and call it a victory over his antagonist. True to his party associations, there was the least possible mingling of the partisan in his parliamentary efforts. No one, I think, ever truly said of him, that he had either misrepresented or failed to grapple fairly with the argument which he undertook to confute. That he possessed the power of invective in the highest degree is well known, from the display of it on a few occasions, when great provocation justified and required it; but he habitually abstained from offensive personality, regarding it as an indication always of a bad temper, and generally of a weak cause.

I notice, lastly, a sort of judicial dignity in Mr. Webster's mode of treating public questions, which may be ascribed to the high degree in which he united, in the range of his studies and the habits of his life, the jurist with the statesman. There were occasions, and those not a few, when, but for the locality from which he spoke, you might have been at a loss, whether you were listening to the accom-

plished senator unfolding the principles of the Constitution as a system of government, or the consummate jurist applying its legislative provisions to the practical interests of life. In the Dartmouth College case, and that of Gibbons and Ogden, the dryness of a professional argument is forgotten in the breadth and elevation of the constitutional principles shown to be involved in the issue; while in the great speeches on the interpretation of the Constitution, a severe judicial logic darts its sunbeams into the deepest recesses of a written compact of government, intended to work out a harmonious adjustment of the antagonistic principles of federal and state sovereignty. None, I think, but a great statesman could have performed Mr. Webster's part before the highest tribunals of the land; none but a great lawyer could have sustained himself as he did on the floor of the Senate. In fact, he rose to that elevation at which the law, in its highest conception, and in its versatile functions and agencies, as the great mediator between the state and the individual; the shield by which the weakness of the single man is protected from the violence and craft of his fellows, and clothed for the defence of his rights with the mighty power of the mass; which watches, faithful guardian, over the life and property of the orphan in the cradle; spreads the ægis of the public peace alike over the crowded streets of great cities and the solitary pathways of the wil-

derness; which convoys the merchant and his cargo in safety to and from the ends of the earth; prescribes the gentle humanities of civilization to contending armies; sits serene umpire of the clashing interests of confederated states, and moulds them all into one grand union;—I say Mr. Webster rose to an elevation at which all these attributes and functions of universal law,—in action alternately executive, legislative, and judicial; in form successively constitution, statute, and decree,—are mingled into one harmonious, protecting, strengthening, vitalizing, sublime system; brightest image on earth of that ineffable Sovereign Energy, which, with mingled power, wisdom, and love, upholds and governs the universe.

THE CENTRAL IDEA OF HIS POLITICAL SYSTEM.

Led equally by his professional occupations and his political duties to make the Constitution the object of his profoundest study and meditation, he regarded it, with peculiar reverence, as a Covenant of Union between the members of this great and increasing family of States; and in that respect he considered it as the most important document ever penned by the hand of uninspired man. I need not tell you that this reverence for the Constitution as the covenant of union between the States was the central idea of his political system, which,

however, in this, as in all other respects, aimed at a wise and safe balance of extreme opinions. He valued, as much as any man can possibly value it, the principle of State sovereignty. He looked upon the organization of these separate independent republics—of different sizes, different ages and histories, different geographical positions, and local interests, as furnishing a security of inappreciable value for a wise and beneficent administration of local affairs, and the protection of individual and local rights. But he regarded as an approach to the perfection of political wisdom, the moulding of these separate and independent sovereignties, with all their pride of individual right and all their jealousy of individual consequence, into a well-compacted whole. He never weighed the two principles against each other; he held them complementary to each other, equally and supremely vital and essential.

I happened, one bright starry night, to be walking home with him at a late hour, from the Capitol at Washington, after a skirmishing debate, in which he had been speaking, at no great length, but with much earnestness and warmth, on the subject of the Constitution as forming a united government. The planet Jupiter, shining with unusual brilliancy, was in full view. He paused as we descended Capitol Hill, and unconsciously pursuing the train of thought which he had been enforcing in the Senate, pointed

to the planet and said,—“‘Night unto night showeth knowledge;’ take away the independent force, emanating from the hand of the Supreme, which impels that planet onward, and it would plunge in hideous ruin from those beautiful skies into the sun; take away the central attraction of the sun, and the attendant planet would shoot madly from its sphere; urged and restrained by the balanced forces, it wheels its eternal circles through the heavens.”

HE CONTEMPLATES A WORK ON THE CONSTITUTION.

His reverence for the Constitution led him to meditate a work in which the history of its formation and adoption should be traced, its principles unfolded and explained, its analogies with other governments investigated, its expansive fitness to promote the prosperity of the country for ages yet to come developed and maintained. His thoughts had long flowed in this channel. The subject was not only the one on which he had bestowed his most earnest parliamentary efforts; but it formed the point of reference of much of his historical and miscellaneous reading. He was anxious to learn what the experience of mankind taught on the subject of governments, in any degree resembling our own. As our fathers, in forming the Confederation, and still

more the members of the Convention which framed the Constitution, and especially Washington, studied with diligence the organization of all the former compacts of government,—those of the Netherlands, of Switzerland, and ancient Greece,—so Mr. Webster directed special attention to all the former leagues and confederacies of modern and ancient times, for lessons and analogies of encouragement and warning to his countrymen. He dwelt much on the Amphyctyonic league of Greece, one of the confederacies to which the framers of the Constitution often referred, and which is frequently spoken of as a species of federal government. Unhappily for Greece, it had little claim to that character. Founded originally on a confraternity of religious rites, it was expanded in the lapse of time into a loose political association, but was destitute of all the powers of an organized efficient government. On this subject Mr. Webster found a remark in Grote's History of Greece, which struck him as being of extreme significance to the people of the United States. Occasionally, says Grote, "there was a partial pretence for the imposing title bestowed upon the Amphyctyonic league by Cicero, 'Commune Græciæ Concilium,' but we should completely misinterpret Grecian history, if we regarded it as a federal council habitually directing, or habitually obeyed." "And now," said Mr. Webster, "comes a passage, which ought

to be written in letters of gold over the door of the Capitol and of every State Legislature: 'Had there existed any such "Commune Concilium" of tolerable wisdom and patriotism, and had the tendencies of the Hellenic mind been capable of adapting themselves to it, the whole course of later Grecian history would probably have been altered; the Macedonian kings would have remained only as respectable neighbors, borrowing their civilization from Greece, and exercising their military energies upon Thracians and Illyrians; while united Hellas might have maintained her own territory against the conquering legions of Rome.'"* A wise and patriotic federal government would have preserved Greece from the Macedonian phalanx and the Roman legions!

Professional and official labors engrossed Mr. Webster's time, and left him no leisure for the execution of his meditated work on the Constitution,— a theme which, as he would have treated it, tracing it back to its historical fountains, and forward to its prophetic issues, seems to me, in the wide range of its topics, to embrace higher and richer elements of thought, for the American statesman and patriot, than any other not directly connected with the spiritual welfare of man.

* Grote's History of Greece. Vol. II. p. 336.

MAGNITUDE OF THE THEME. THE FUTURE OF THE UNION.

What else is there, in the material system of the world, so wonderful as this concealment of the Western Hemisphere for ages behind the mighty veil of waters? How *could* such a secret be kept from the foundation of the world till the end of the fifteenth century? What so astonishing as the concurrence, within less than a century, of the invention of printing, the demonstration of the true system of the heavens, and this great world-discovery? What so mysterious as the dissociation of the native tribes of this continent from the civilized and civilizable races of men? What so remarkable, in political history, as the operation of the influences, now in conflict, now in harmony, under which the various nations of the Old World sent their children to occupy the New: great populations silently stealing into existence; the wilderness of one century swarming in the next with millions,—ascending the streams, crossing the mountains, struggling with a wild, hard nature, with savage foes, with rival settlements of foreign powers, but ever onward, onward? What so propitious as this long colonial training in the school of chartered government? And then, when the fulness of time had come, what so majestic, amidst all its vicissitudes, and all its trials, as

the Grand Separation, — mutually beneficial, in its final results, to both parties, — the dread appeal to arms, that venerable Continental Congress, the august Declaration, the strange alliance of the oldest monarchy of Europe with the infant Republic? And, lastly, what so worthy the admiration of men and angels, as the appearance of him the expected, him the hero, raised up to conduct the momentous conflict to its auspicious issue in the Confederation, the Union, the Constitution?

Is this a theme not unworthy of the pen and the mind of Webster? Then consider the growth of the country, thus politically ushered into existence and organized under that Constitution, as delineated in his address on the laying the corner-stone of the extension of the Capitol, — the thirteen colonies that accomplished the revolution multiplied to thirty-three independent States, a single one of them exceeding in population the old thirteen; the narrow border of settlement along the coast, fenced in by France and the native tribes, expanded to the dimensions of the continent; Louisiana, Florida, Texas, New Mexico, California, Oregon, — territories equal to the great monarchies of Europe — added to the Union; and the two millions of population which warmed the imagination of Burke, swelled to twenty-four millions, during the lifetime of Mr. Webster, and in seven short years, which have since elapsed, increased to thirty!

With these stupendous results in his own time as the unit of calculation ; beholding under Providence with each decade of years a new people, millions strong, emigrants in part from the old world, but, mainly bone of our bone and flesh of our flesh, the children of the soil, growing up to inhabit the waste places of the continent, to inherit and transmit the rights and blessings which we have received from our fathers ; recognizing in the Constitution and in the Union established by it the creative influence which, as far as human agencies go, has wrought these miracles of growth and progress, and which wraps up in sacred reserve the expansive energy with which the work is to be carried on and perfected,—he looked forward with patriotic aspiration to the time when, beneath its ægis, the whole wealth of our civilization would be poured out, not only to fill up the broad interstices of settlement, if I may so express myself, in the old thirteen and their young and thriving sister States, already organized in the West, but, in the lapse of time to found a hundred new republics in the valley of the Missouri and beyond the Rocky Mountains, till our letters and our arts, our schools and our churches, our laws and our liberties, shall be carried from the Arctic circle to the tropics ; “from the rising of the sun to the going down thereof.”

VIEWS OF THE PRESENT.

This prophetic glance, not merely at the impending, but the distant future, this reliance on the fulfilment of the great design of Providence, illustrated through our whole history, to lavish upon the people of this country the accumulated blessings of all former stages of human progress, made him more tolerant of the tardy and irregular advances and temporary wanderings from the path of what he deemed a wise and sound policy, than those fervid spirits, who dwell exclusively in the present, and make less allowance for the gradual operation of moral influences. This was the case in reference to the great sectional controversy, which now so sharply divides and so violently agitates the country. He not only confidently anticipated, what the lapse of seven years since his decease has witnessed and is witnessing, that the newly acquired and the newly organized territories of the Union would grow up into free States; but, in common with all, or nearly all, the statesmen of the last generation, he believed that free labor would ultimately prevail throughout the country. He thought he saw that, in the operation of the same causes which have produced this result in the Middle and Eastern States, it was visibly taking place in the States north of the cotton-growing region; and he inclined to the opinion that there

also, under the influence of physical and economical causes, free labor would eventually be found most productive, and would, therefore, be ultimately established.

For these reasons, bearing in mind what all admit, that the complete solution of the mighty problem which now so greatly tasks the prudence and patriotism of the wisest and best in the land, is beyond the delegated powers of the general government; that it depends, as far as the States are concerned, on their independent legislation, and that it is, of all others, a subject in reference to which public opinion and public sentiment will most powerfully influence the law; that much in the lapse of time, without law, is likely to be brought about by degrees, and gradually done and permitted, as in Missouri at the present day, while nothing is to be hoped from external interference, whether of exhortation or rebuke; that in all human affairs controlled by self-governing communities, extreme opinions and extreme courses, on the one hand, generally lead to extreme opinions and extreme courses on the other; and that nothing will more contribute to the earliest practicable relief of the country from this most prolific source of conflict and estrangement, than to prevent its being introduced into our party organizations,—he deprecated its being allowed to find a place among the political issues of the day, north

or south; and seeking a platform on which honest and patriotic men might meet and stand, he thought he had found it, where our fathers did, in the Constitution.

It is true, that in interpreting the fundamental law on this subject, a diversity of opinion between the two sections of the Union presents itself. This has ever been the case, first or last, in relation to every great question that has divided the country. It is the unfailing incident of constitutions, written or unwritten; an evil to be dealt with in good faith, by prudent and enlightened men in both sections of the Union, seeking, as Washington sought, the public good, and giving expression to the patriotic common sense of the people.

Such, I have reason to believe, were the principles entertained by Mr. Webster; not certainly those best calculated to win a temporary popularity in any part of the Union, in times of passionate sectional agitation, which, between the extremes of opinion, leaves no middle ground for moderate counsels. If any one could have found, and could have trodden such ground with success, he would seem to have been qualified to do it, by his transcendent talent, his mature experience, his approved temper and calmness, and his tried patriotism. If he failed of finding such a path for himself or the country,—while we thoughtfully await what time and an all-

wise Providence has in store for ourselves and our children,—let us remember that his attempt was the highest and the purest which can engage the thoughts of a statesman and a patriot,—peace on earth, good will toward men; harmony and brotherly love among the children of our common country.

And oh, my friends! if among those, who, differing from him on this or any other subject, have yet, with generous forgetfulness of that which separated you, and kindly remembrance of all you held in common, come up this day to do honor to his memory, there are any who suppose that he cherished less tenderly than yourselves the great ideas of Liberty, Humanity, and Brotherhood; that because he was faithful to the duties which he inferred from the Constitution and the Law, to which he looked for the government of civil society, he was less sensible than yourselves to the broader relations and deeper sympathies which unite us to our fellow-creatures, as brethren of one family, and children of one Heavenly Father,—believe me, you do his memory a grievous wrong.

PERSONAL CHARACTER.

This is not the occasion to dwell upon the personal character of Mr. Webster, on the fascination

of his social intercourse, or the charm of his domestic life. Something I could have said on his companionable disposition and habits, his genial temper, the resources and attractions of his conversation, his love of nature, alike in her wild and cultivated aspects, and his keen perception of the beauties of this fair world in which we live; something of his devotion to agricultural pursuits, which, next to his professional and public duties, formed the occupation of his life; something of his fondness for athletic and manly sports and exercises; something of his friendships, and of his attachments closer than friendships,—the son, the brother, the husband, and the father; something of the joys and sorrows of his home; of the strength of his religious convictions, his testimony to the truth of the Christian revelation; the tenderness and sublimity of the parting scene. Something on these topics I have elsewhere said, and may not here repeat.

Some other things, my friends, with your indulgence, standing here to perform this last office to his memory, I would say; thoughts, memories, which crowd upon me,—too vivid to be repressed, too personal, almost, to be uttered.

On the 17th of July, 1804, a young man from New Hampshire arrived in Boston, all but penniless, and all but friendless. He was twenty-two years of age, and had come to take the first steps in the

career of life at the capital of New England. Three days after arriving in Boston, he presented himself, without letters of recommendation, to Mr. Christopher Gore, then just returned from England, after an official residence of some years, and solicited a place in his office, as a clerk. His only introduction was by a young man as little known to Mr. Gore as himself, and who went to pronounce his name, which he did so indistinctly as not to be heard. His slender figure, striking countenance, large dark eye, and massy brow, his general appearance indicating a delicate organization,* his manly carriage and modest demeanor, arrested attention and inspired confidence. His humble suit was granted, he was received into the office, and had been there a week before Mr. Gore learned that his name was DANIEL WEBSTER! His older brother,—older in years, but later in entering life,—(for whose education Daniel, while teacher of the Academy at Fryeburg, had drudged till midnight in the office of the Register of Deeds), at that time taught a small school in Short street (now Kingston street), in Boston; and while he was in attendance at the commencement at Dartmouth, in 1804, to receive his degree, Daniel supplied his place. At that school, at the age of ten, I was then a pupil, and there commenced a

* Description by Mrs. Eliza Buckminster Lee, "Webster's Private Correspondence," i. 438.

friendship which lasted, without interruption or chill, while his life lasted ; of which, while mine lasts, the grateful recollection will never perish. From that time forward, I knew, and as I knew, I respected, I honored, I loved him. I saw him at all seasons and on all occasions, in the flush of public triumph, in the intimacy of the fireside, in the most unreserved interchange of personal confidence ; in health and in sickness, in sorrow and in joy ; when early honors began to wreath his brow, and in after-life through most of the important scenes of his public career. I saw him on occasions that show the manly strength, and, what is better, the manly weakness of the human heart ; and I declare this day, in the presence of Heaven and of men, that I never heard from him the expression of a wish unbecoming a good citizen and a patriot,—the utterance of a word unworthy a gentleman and a Christian ; that I never knew a more generous spirit, a safer adviser, a warmer friend.

Do you ask me if he had faults ? I answer, he was a man. Do you again ask me the question ? Look in your own breast, and get the answer there. Do you still insist on explicit information ? Let me give it to you, my immaculate friend, in the words which were spoken eighteen hundred years ago to certain who trusted in themselves that they were righteous and despised others :—

Two men went up into the temple to pray; the one a Pharisee, and the other a publican.

The Pharisee stood and prayed thus with himself: God, I thank thee that I am not as other men are, extortioners, unjust, adulterers, or even as this publican.

I fast twice in the week, I give tithes of all that I possess.

And the publican standing afar off, would not lift up so much as his eyes unto heaven, but smote upon his breast, saying, God, be merciful to me a sinner.

I tell you, This man went down to his house justified rather than the other.

Yes, he had some of the faults of a lofty spirit, a genial temperament, an open hand, and a warm heart; he had none of the faults of a grovelling, mean, and malignant nature. He had especially the "last infirmity of noble mind," and had no doubt raised an aspiring eye to the highest object of political ambition. But he did it in the honest pride of a capacity equal to the station, and with a consciousness that he should reflect back the honor which it conferred. He might say, with Burke, that "he had no arts but honest arts;" and if he sought the highest honors of the state, he did it by unsurpassed talent, laborious service, and patriotic devotion to the public good.

It was not given to him, any more than to the other members of the great triumvirate with whom his name is habitually associated, to attain the object of their ambition; but posterity will do them justice, and begins already to discharge the debt of respect and gratitude. A noble mausoleum in honor of Clay,

and his statue by Hart, are in progress ; the statue of Calhoun, by Powers, adorns the Court House in Charleston, and a magnificent monument to his memory is in preparation ; and we present you this day, fellow-citizens, the Statue of Webster, in enduring bronze, on a pedestal of granite from his native State, the noble countenance modelled from life, at the meridian of his days and his fame, and to his own satisfaction, and his person reproduced, from faithful recollection, by the oldest and most distinguished of the living artists of the country. He sleeps by the multitudinous ocean, which he himself so much resembled, in its mighty movement and its mighty repose ; but his monumental form shall henceforward stand sentry at the portals of the Capitol,—the right hand pointing to that symbol of the Union on which the left reposes, and his imperial gaze directed, with the hopes of the country, to the boundless West. In a few short years, we, whose eyes have rested on his majestic person, whose ears have drunk in the music of his clarion voice, shall have gone to our rest ; but our children, for ages to come, as they dwell with awe-struck gaze upon the monumental bronze, shall say, Oh that we could have seen, oh that we could have heard, the great original !

Two hundred and twenty-nine years ago, this day, our beloved city received, from the General Court of the Colony, the honored name of Boston. On the

long roll of those whom she has welcomed to her nurturing bosom, is there a name which shines with a brighter lustre than his? Seventy-two years ago, this day, the Constitution of the United States was tendered to the acceptance of the people by George Washington. Who, of all the gifted and patriotic of the land, that have adorned the interval, has done more to unfold its principles, maintain its purity, and to promote its duration?

Here, then, beneath the walls of the Capitol of old Massachusetts; here, within the sight of those fair New England villages; here, in the near vicinity of the graves of those who planted the germs of all this palmy growth; here, within the sound of sacred bells; here, in the presence of this vast multitude,— we raise this monument, with loving hearts, to the Statesman, the Patriot, the Fellow-Citizen, the neighbor, the friend. Long may it guard the approach to our halls of council! long may it look out upon a prosperous, a happy, and a united country! and, if days of trial and disaster should come, and the arm of flesh should fail, doubt not that the monumental form would descend from its pedestal, to stand in the front rank of the peril, and the bronze lips repeat the cry of the living voice,—“Liberty and Union, now and forever, one and inseparable.”

REPETITION OF THE FOREGOING EULOGY.

On motion of Hon. E. G. Parker, in the Senate of Massachusetts, the following order was adopted, inviting a repetition, in the presence of the two Houses, of the foregoing Eulogy.

Commonwealth of Massachusetts.

STATE HOUSE, SENATE CHAMBER. }
BOSTON, Sept. 19, 1859. }

Ordered, That the President of the Senate and the Speaker of the House of Representatives be requested, in behalf of the Legislature, to invite the Honorable Edward Everett to deliver his oration on the inauguration of the Statue of Daniel Webster, before the Legislature of the Commonwealth, in the grounds of the Capitol, on Wednesday next, at 3 o'clock P. M., or at such time as may suit his convenience.

Sent down for concurrence.

(Copy.)

House of Representatives, Sept. 19, 1859.

Concurred.

WILLIAM STOWE, *Clerk.*

To this invitation the following answer was returned by Mr. Everett:

BOSTON, Sept. 19, 1859.

Hon. C. A. PHELPS, President of the Senate, and Hon. CHARLES HALE, Speaker of the House of Representatives.

GENTLEMEN:—I have received the copy of a Resolution passed this day, by the two Houses in concurrence, requesting me, through their presiding officers, to deliver before the Legislature, in the Capitol grounds, my oration on the inauguration of the statue of Daniel Webster.

It will afford me great pleasure to comply with the wishes of the Legislature, on Thursday next, at 3 o'clock P. M., and I beg leave, through you, to express to them my grateful sense of the honor done me, by their invitation.

I remain, gentlemen, with the highest respect, truly yours,

EDWARD EVERETT.

The weather proved unfavorable on the day first appointed, and on several successive days. At length on Tuesday the 27th, in a remarkably propitious state of the weather, and in the presence of an immense multitude, the repetition took place. The members of the Executive and Legislature having been seated on the spacious platform, erected in front of the principal entrance of the State House, Mr. Everett was introduced by the Committee of Arrangements, and by their Chairman, Hon. E. G. Parker, of the Senate, presented to the presiding officer of that body, Hon. C. A. Phelps, in the following terms:

MR. PRESIDENT:—As Chairman of the Committee of Arrangements, I have to introduce to you the orator of this occasion. He has been invited by the Legislature to deliver his address inaugurating the statue of Daniel Webster before them. He is here, prepared to address you. I need not introduce him to you; I have but to name the Hon. EDWARD EVERETT.

Mr. Everett was then introduced to the members of the two Houses by Hon. C. A. Phelps, President of the Senate, in the following brief address:

Gentlemen of the Senate and House of Representatives:

The two branches of the Legislature have assembled in conformity with a vote passed on the 19th inst., to listen to an oration on the inauguration of the statue of Daniel Webster.

No official action of ours was necessary to perpetuate the fame of Webster. But our predecessors of a former generation invoked the eloquence of Adams to give utterance to their then recent sorrow on the death of the beloved and illustrious Washington, and those of a more recent day invited our distinguished fellow-citizen, who is about to address us, to speak to them of the life and character of John Quincy Adams.

In obedience to this high example, it has seemed eminently fit and proper that to-day in the portals of the Capitol, we should honor the memory of *one* whose name and fame must be forever associated with the historic glories of our beloved Commonwealth. I have now the pleasure of presenting to you the Honorable Edward Everett.

To this address, Mr. Everett replied in the following manner:

Mr. President, Gentlemen of the Senate and of the House of Representatives:

In rising to repeat, in your presence and at your request, the discourse prepared for the dedication of the statue of Daniel Webster, my first duty is one of grateful acknowledgment. I esteem it a very distinguished honor to have received an invitation of this kind and for the second time. When, eleven years ago, one of the most illustrious of the native sons of Massachusetts, John Quincy Adams, was, in the Capitol at Washington, stricken down by the last enemy, before whom he quailed as little as he ever did before the face of human adversary, I was unanimously requested, by the two Houses, to speak for them on the melancholy occasion, in Faneuil Hall. You have now called upon me, under unusual circumstances, demanding my warmest thanks, to repeat the eulogy lately delivered by me on the most distinguished of the adopted sons of Massachusetts, under the auspices of her Legislature; on such a rostrum as speaker never trod before; in the presence of this magnificent audience; and beneath the arch of these favoring heavens. I stand before you almost subdued by the grandeur of the scene. Deeply penetrated with a sense of my inability to do full justice to either of these occasions, I may yet account it a very signal honor and happiness of my life, that, having enjoyed to the last the friendship of each of these great men, and having acted in harmony with them on many important public occasions, I have been permitted, by the repeated call of the Legislature of Massachusetts, to pay the last funeral and monumental honors to their memory, and to connect my humble name with theirs, in these public services of respectful and grateful commemoration.

Mr. Everett then repeated the address as delivered in the Music Hall on the 17th instant. On both occasions, about one-half of the Eulogy, as published in the Saturday Evening Gazette of the 17th instant, was necessarily omitted, on account of its length. On the occasion of the Repetition in the Public Grounds, the entire passage headed "Mr. Webster as a Diplomatist," was also, for the same reason, omitted. The manuscript having been in the printer's hands a week before its delivery, a few passages of the Eulogy, as spoken, are wanting in the newspaper editions. They are found, in their places, in the preceding pages.

Commonwealth of Massachusetts.

IN SENATE, Oct. 8, 1859.

Ordered, That the thanks of the Legislature be tendered to the Hon. Edward Everett for his Address, dedicating the Statue of Daniel Webster, delivered before them, on the 27th of September, in compliance with their request.

Sent down for concurrence.

S. N. GIFFORD, *Clerk.*

Concurred.

House of Representatives, Oct. 10, 1859.

(Signed)

WILLIAM STOWE, *Clerk.*

UC SOUTHERN REGIONAL LIBRARY FACILITY



A 000 610 975 5

