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The Continental Congress:

SOME OF ITS ACTORS AND THEIR DOINGS,
WITH THE RESULTS THEREOF.

AN ADDRESS BEFORE THE

ONEIDA HISTORICAL SOCIETY,

AT THEIR ANNUAL MEETING

On the 31st Day of December, 1880.

BY WILLIAM J. BACON, LL. D.

"JUVAT ACCEDERE FONTES, ATQUE HAURIRE."

UTICA, N. Y.

ELLIS H. ROBERTS & CO., BOOK AND JOB PRINTERS, 60 GENESEE STREET.

1881.

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THE CONTINENTAL CONGRESS.

On the 20th day of January, 1775, in the British House of Lords, the illustrious Lord Chatham delivered a very memorable speech. He was the fast friend and the outspoken defender of the struggling Colonists of America in their protracted controversy with the King of Great Britain and his constitutional advisers. He was no longer the great Prime Minister, who had dominated the counsels of the Government with an almost despotic sway. He had descended from power, and had not, as he remarked in his speech "the honor of access to His Majesty." Age also was creeping upon him with its stealthy tread, and a painful malady racked his once stalwart frame with almost unendurable agony.

But neither age nor infirmity could impair the vigor of his intellect, nor quench the bold, and at times, even the defiant spirit with which he uttered his convictions. He vindicated, in the fullest and clearest manner, the right of the Colonists to refuse to be taxed, in the absence of all representation in the National councils, without their consent. "The spirit," said he, "which now resists your taxation in America, is the same which formerly opposed loans, benevolences and ship money in England; the same spirit which called all England on its feet, and by its bill of rights vindicated the English Constitution; the same spirit which established the great, fundamental, essential maxim of your liberties, that *no subject of England shall be taxed but by his own consent.*" On this great principle, and in this cause, the American Colonists, he adds, "are immovably allied; it is the alliance of God and nature, immutable, eternal, fixed as the firmament of Heaven."

The Continental Congress, of whose members, acts, and their consequences I propose to speak, was at this time in session in Philadelphia, and had barely initiated those plans and purposes, which not long afterward, found expression in the great charter of our rights and liberties, the immortal Declaration of Independence. Of this body of patriotic and illustrious men, Lord Chatham, in this speech from which I have quoted, made this memorable declaration. "When your Lordships look at the papers transmitted to us from America; when you consider their decency, firmness

and wisdom, you can not but respect their cause, and wish to make it your own. For myself I must declare and avow, that in all my reading and observation—and it has been my favorite study, I have read Thucydides, and have studied and admired the master States of the world—that for solidity of reasoning, force of sagacity and wisdom of conclusion, under such a complication of difficult circumstances, no nation or body of men can stand in preference to the General Congress assembled at Philadelphia.”

CONDITION OF THINGS PRIOR TO THE CONGRESS.

This is high eulogy; and in the mouth of an Englishman, justly proud of the name, and familiar as he was with her grand history, and the great men it had given to the world, it is exalted praise. And yet, after a pretty diligent and faithful study of the characters, the acts and the conclusions of that body of men known to us as the Continental Congress, I hardly dare call it an exaggerated estimate. Many circumstances combined to make the assembling together of these men, and the successful outcome of their deliberations quite remarkable. It was, in many respects a propitious moment for such a gathering. The ominous outlook of affairs in the Old World, the upheavings that were beginning to shake the apparently well settled foundations of ancient abuses; above all the almost universal corruption that tainted and infected public and governmental life in England, and which generated and fostered the wrongs under which the American Colonists suffered, all conduced to bring about a unity of sentiment, resulting in a unity of action that contained within itself the promise and the potency of success.

It is difficult for us to conceive, or rather it would be difficult, had we not had the good fortune to have revealed to us, in recent days, something of the inner life of those times, how universally corruption, dishonor and base-born selfishness pervaded the counsels and the Court of England. Thackeray, in his lectures on the reigns of the Four Georges, who successively occupied the throne of Great Britain, let in upon us many gleams of light from those years that inflicted many undeserved stains upon the English name, and finally tore from the third George the brightest jewel in his crown. But a still more recent work, the Life of Charles James Fox, by Trevelyan, who almost rivals Macaulay in the purity and nervousness of his style, and the incisive power of his invective, has given us a more complete and life-like portrait of

those days when patriotism was at a fearful discount, and purity an unknown equation. "Every man in Parliament," in Walpole's significant phrase, "had his price." But not in Parliament alone was venality and greed the rule of public life. Nepotism was unblushing and universal. A single extract from this admirable book will illustrate this point as clearly as many pages of dry narrative.

"At a time when trade was on so small a scale, that a Lancashire manufacturer considered himself well off on the income which his grandson now gives to his cashier, a Cabinet Minister over and above the ample salary of his office, might reckon confidently upon securing for himself, and for all who belonged to him and who came after him, a permanent maintenance, not dependent upon the vicissitudes of party, which would be regarded as handsome, and even splendid, in these days of visible and all pervading opulence. One nobleman had eight thousand a year in sinecures. Another an Auditor of the Exchequer, inside which he never looked, had eight thousand pounds in peace and twenty thousand in war, and still another bowed and whispered himself into four great employments, from which flowed, month by month, fourteen hundred guineas into the lap of his Parisian mistress."

A reversion to an office was reckoned upon as a good investment, sure to come to hand in due time, and as our author sharply and keenly puts it, "a paymaster of the works, or an auditor of the plantations, with plenty of money to buy good liquor, and plenty of time to drink it, did not live forever, and a next appointment to the civil service, in the last century, might be discounted as freely as a next presentation to a living in our own."

With the remarkable fact that the occupant of the throne, unlike some of his immediate predecessors, was pure and faithful in his domestic life, the morals of the Court were fearfully corrupt, and, in some respects, (not indeed quite as open and shameless,) resembled those of the infamous Charles the Second. The Earl of Sandwich, high in office, and trusted by his sovereign with great responsibilities, may serve as a type of many more "who carried undisguised and unabashed libertinism to the verge of a tomb," which did not close upon him until he had spent nearly half a century in office.

The bearing which these things which I have faintly outlined, have upon the condition of affairs in America, is easily seen. To secure and maintain these princely resources, plunder of all sorts and in all available places, was of course practiced. Ireland, unhappy, misgoverned Ireland had been ravaged and plucked until but little was left for avarice to covet, or greed to secure; and thus it

was that attention was turned to America, as to "fresh woods and pastures new," where an ample field was opened for these plunderers of a Nation's wealth, to enhance their own ill-gotten gains. Trevelyan very distinctly leads us to the conclusion that it was England, governed and controlled as she was, by sinecurists, pampered menials in office, and unblushing robbers that lost to Great Britain an empire in America, and with the following passage, I close this page of a history full of instruction in regard to the condition of the Mother Country and the American Colonies, at that special crisis that called the Continental Congress into being.

"When Britain had been drained dry, and there was nothing more to be squeezed from Ireland, Ministers, in an evil hour for themselves, remembered that there were two millions of Englishmen in America, who had struggled through the difficulties and hardships which beset the pioneers of civilization, and who, now that their daily bread was assured to them, could afford the luxury of maintaining an army of sinecurists. The suggestion can not be said to have originated on the other side of the Atlantic. 'It was not,' said Junius, 'Virginia that wanted a Governor, but a court favorite that wanted a salary.' Virginia, however, and her sister colonies, were not supposed to know what was best for their own interests, or, at any rate, for the interests of their masters; and plenty of gentlemen were soon drinking their claret and paying their debts out of the savings of the fishermen of New Hampshire, and the farmers of New Jersey, and talking, with that perversion of sentiment which is the inevitable outgrowth of privilege, about the 'cruelty' of a Secretary of State, who hinted that they would do well to show themselves occasionally among the people whose substance they devoured. And yet, in most cases, it was fortunate for America that her placemen had not enough public spirit to make them ashamed of being absentees. Such was the private character of many among her official staff, that their room was cheaply purchased by the money which they spent outside the country. The best things in the colonies generally fell to bankrupt members of Parliament, who were as poor in political principle as in worldly goods; and the smaller posts were regarded as their special inheritance, by the raffra of the election committee room, and the bad bargains of the servants' hall."

Nothing need be added to enforce the vividness of this description, except to recall, at this point, one of the counts in that indictment of the King of Great Britain, penned by Jefferson, in the Declaration, and thus forcibly and truly expressed: "He has erected a multitude of new offices, and sent hither swarms of officers to harrass our people, and eat out their substance." Against such exactions, enforced by such a tribe of needy advent-

urers and remorseless harpies, our fathers faithfully remonstrated, and, at length, most justly rebelled.

THE ORIGIN OF THE PROPOSED CONGRESS.

It would perhaps be a difficult matter to ascertain, as it would be unprofitable to inquire in whose brain originated the conception of the Continental Congress. Such inquiries usually end where the equally unprofitable and unsolved problem has always terminated, that is in entire uncertainty, whether the thunderous appeals of Patrick Henry at the south, or the lightning coruseations of James Otis at the north, did most to fire the national heart, and combine and consolidate the national sentiment.

As a matter of pretty universal acknowledgment, the two Colonies that led in the actual and forcible movement towards resistance, were Virginia and Massachusetts. When the first blood was shed in the conflict of arms on the soil of Lexington, Virginia responded to the call for aid and sympathy, by the clarion voice of Henry and the cordial co-operation of her leading men, and throughout all the subsequent years of struggling hope and despondency, they seem never to have been separated either in harmony of sentiment or unity of action. It may, I think, be fairly claimed that the first suggestion of a Council of the Colonies for consultation in regard to the wrongs they suffered, and what remedies were appropriate to the case, was made in a letter from the patriotic merchants of New York, addressed to the General Court in Massachusetts, and asking that body to take the lead in a movement designed to bring the Colonies together for mutual counsel and concerted action. As a matter of historical record, it is true that the first legislative resolution which suggested and recommended the assembling of and actually appointed delegates to a General Council or Congress for mutual consultation, and combined action by the Colonists, passed the House of Representatives of Massachusetts on the 17th of June, 1774, the very day which just one year thereafter, and ever since has been made memorable by the battle of Bunker Hill. This is the first resolution passed by any of the Colonial Legislative bodies, recommending such a convocation to be held on the 1st day of September, thereafter, at the City of Philadelphia, or such other place as should be deemed most suitable, and appointing delegates to represent that Colony in the proposed Congress, among whom appeared the subsequently greatly distinguished names of John and Samuel Adams.

THE TIME AND PLACE OF ASSEMBLING.

The other Colonies followed in rapid succession, until on the 2d day of August, 1774, by a resolution passed by the House of Assembly of South Carolina, eleven Colonies had taken the necessary action and appointed delegates to meet, as had been recommended by Massachusetts, in Philadelphia. The delegates from these eleven Colonies assembled at Carpenter's Hall, in the City of Philadelphia, on the 5th day of September, 1774. The delegates from North Carolina appeared on the 14th day of that month, while those from Georgia were not appointed until July of the following year, and soon thereafter appeared, and from that time the representatives of the Thirteen Colonies continued, by changes and renewals until its final dissolution.

At the first roll call on the 5th of September, 1774, forty-three delegates answered to their names. Some of them had already become conspicuous for the part they had taken in the controversies with the mother country, and the provincial authorities, and some afterwards obtained immortal renown. This is not the place, nor will the necessary limitations of this discourse permit an enumeration of these men, nor allow me to rehearse their varied and acknowledged claims to distinction. It must suffice, now, to say that Massachusetts, besides the Adams' already mentioned, was represented also by the not obscure names of Thomas Cushing and Robert Treat Paine. From Connecticut came the sturdy patriot Roger Sherman. New York presented, among others, the illustrious name of John Jay and Gen. William Floyd, a gallant soldier as well as an experienced civilian, and whose name and fame is cherished as one to which our own County of Oneida is fairly entitled. Delaware appeared in the person of Caesar Rodney, South Carolina in those of Henry Middleton and Edward Rutledge, while Virginia indicated her power and pre-eminence in what were then, and ever will be, the distinguished names of George Washington, Peyton Randolph, Patrick Henry, and Edmund Pendleton. Many men still more eminent afterwards appeared as members of the Congress. The first act was the election of a President, and the choice fell unanimously upon Peyton Randolph. His was a distinguished Virginia name, and of it he was a worthy representative. He held the position until declining health, followed by his death in May, 1775, compelled his resignation. But for this, his name, instead of the bold signa-

ture of John Hancock would have headed the roll of patriotic men that in the following year signed the immortal Declaration of Independence. This election, and that of a Secretary, with the presentation of credentials terminated the meeting of the first day, and the second was devoted to the preparation and passage of some needful rules of order, and a request that on the following day, the 7th of September, when the serious work of Congress was to begin, the session be opened with prayer by the Rev. Mr. Duche.

And here, prefacing it with the remark that I heartily dislike the whole tribe of iconoclasts, from Niebuhr down, who seem to take a grim delight in dissipating our faith in all the innocent and cherished traditions of our childhood and manhood as well, from the apple of William Tell to the hatchet of George Washington, the truth of history and regard for the pious memory of our fathers, seems to require me to correct a popular superstition which has obtained great currency, and secured large credence. The tradition tells us that no prayer had ever been heard in Congress, until after many months of anxious debate, when no conclusion having been reached, Dr. Franklin suggested that they should look for Divine guidance, and proposed that prayer should be offered by the reverend man already named. Unfortunately for the truth of this story, Dr. Franklin, when the Congress assembled, was in England, and did not appear as a delegate until the month of May, 1775. And the record, both of the request and of the prayer offered on the morning of the 7th of September, 1774, appear upon the Journal of the Congress, together with the resolution at once offered and passed, that the thanks of Congress be presented to Rev. Mr. Duche, "for the excellent prayer which he composed and delivered on that occasion."

It is meet that this record be reproduced, that we may be reminded of the piety and devotion of our fathers. It can be truthfully said of them that they were a race of earnest and God-fearing men, who believed profoundly that there was a Supreme "Divinity that shaped our ends," an Almighty Sovereign that ruled not only in the armies of Heaven but among the inhabitants of the earth, to whom devout thanksgivings were to be rendered when success crowned our arms, and before whom the people were to humble themselves when disaster came or impended. The Journals of the Congress record not less than ten occasions during their deliberations, when days of fasting alternating with days of thanksgiving were ordered by the Congress. The last

occasion for the latter was when, on the 24th of October, 1781, the glorious news came of the surrender of Cornwallis, when, as the Journal tells us, the whole Congress went in procession to the Dutch Lutheran Church "to return thanks to Almighty God for crowning the allied armies of the United States and France with success, by the surrender of the whole British army under the command of the Earl Cornwallis." And on the following day they issued a proclamation setting apart the 15th day of December, thereafter, to be observed by all the people as a day of thanksgiving and prayer for this memorable and crowning victory. Our revolutionary fathers did not fail to recognize and adore the "mighty hand and the outstretched arm," that was ever over and around them. May the day never come in all our future history when the sons shall forget their devout gratitude, or fail to imitate their heroic faith.

THE INITIAL STEPS.

I do not propose to follow the proceedings of the Congress in its daily or even yearly details. The Journal is in itself but a naked narrative of the resolutions offered and passed, and a record in full of the public documents prepared for and adopted by the Congress. I can only mention, as especially memorable, among the earliest proceedings, the two addresses, one to the people and the other to the King of Great Britain. The first is well known to have been the production of the illustrious New Yorker, John Jay. There are few brighter or purer names than his connected with our Colonial or National history. The family of Jay came from France, and was of Huguenot origin, and better blood than this never perhaps has coursed through mortal veins. And that blood still remains with us in living representatives, with its honor untarnished and its purity unstained. This address was one of remarkable power and shadowed forth some of these grievances, which subsequently were so powerfully presented in the declaration. These were among the documents that called forth the admiration of Lord Chatham, but their weighty and ominous words fell upon ears unwilling to listen, and impatient of disturbance in their schemes of outrage and plunder, and so outrage and plunder went on to their legitimate end, resistance, war and successful revolution.

THE APPOINTMENT OF WASHINGTON.

The time had now fully arrived when it was necessary that the army, which had been hastily gathered, should have a systematic organization, and, over and above all, a competent leader, and to this the attention of Congress was anxiously and even painfully directed. Local jealousies and rivalries, had to some extent already been developed, and it was needful, above all things, that the choice should fall upon one who could command the confidence of the country, as well as of the army. It so happened that the Senior Major General, then in the service, was Artemus Ward, of Massachusetts. He had attained some position, and stood fairly, as a patriot and a soldier, and if priority of rank was to be deemed controlling, he had a well founded claim to consideration. A day was assigned by Congress for action on this matter, and on the 15th of June, 1775, they proceeded to execute the order. The record in the journal, is simply this: "The Congress proceeded to the choice of a General, by ballot, and George Washington, Esq., was unanimously elected." Only this, and nothing more is recorded. But much more than this, we may be well assured, preceded and accompanied so notable an event.

It is greatly to be regretted that we possess no authentic report of the debates of this assembly of remarkable and memorable men. They would be much better and more profitable reading than "Congressional Records," that now make their annual appearance in voluminous quartos, and occupy, if they do not adorn our shelves. But in those days, there were no stenographers, no reporters, nor any of the tribe of interviewers that are now perpetually dogging the footsteps and extracting the secrets of our great men. What we know outside of the record, is to be gathered from contemporary correspondence, and the private memoranda of the men of that day, and well authenticated tradition. From some, or all of these sources, I am aware that it is claimed that the motion which preceded the action of Congress, was made by a delegate from the State of Maryland. By other authorities, it is asserted that the motion was made by John Adams, of Massachusetts. But whether or not he took the initiative in this matter, it is certain, from descriptions given by men who were present, and heard the debate, that if he did not move, he promptly seconded the motion, and supported it by what was the leading and controlling speech of the occasion. We can imagine the interest with which he was regarded, in rising to address the Congress, and the

eager curiosity with which the members hung upon his words. It might well have been supposed, that as a Massachusetts man, he would naturally have been inclined to name their own Senior Major General, as the man for the position. He proceeded, in well set and carefully considered words, to set forth what he conceived to be the qualifications of the man to whom was to be confided so great and momentous a trust, and ended by saying, that in his opinion, all these qualifications were fully met in the person of George Washington, of Virginia, whom he cordially supported as Commander-in-Chief of the American armies. What a happy surprise, and what a perfect solution of the great problem, this must have seemed to many anxious hearts, and we can almost imagine that even that grave and solemn assembly burst, involuntarily, into a shout of glad acclaim, when the name of Washington was pronounced.

It was, beyond all question, a wise and happy choice. Washington was the man for the hour, as clearly raised up,—by that Providence which equally heeds the falling sparrow and the overthrow of an empire,—for the exigent moment that called for him, as Lincoln was, for the next most momentous and trying crisis in our history. The claim of Washington to be placed high up on the roll of the great men of the world, has been the subject of much discussion, and his precise position may not even yet be clearly defined. Some things may well be received as established beyond controversy. That he was a prudent, sagacious, and with the means he had at command, a skillful General, can not fairly be denied, that he was, in counsel, wise, self-contained and conservative, and in administration, pure, just and fearless, will assuredly be conceded. To talk of him as a soldier, compared with Napoleon, is one of those questions that school-boys may debate, but grown men will not entertain. When we speak of great men, purely in the light of intellect and achievement, we are obliged to acknowledge, that in force of towering intellect, mastery of men, and extent and splendor of accomplishment, Napoleon was “the foremost man of all this world.” But on the other hand, we are equally compelled to the admission that with all these claims to supremacy, Napoleon had striking weaknesses developed in those unguarded hours when selfishness, unrestrained passion and unbridled ambition, unchecked by any moral restraints or influences, took full possession and control of his baser nature. Washington had no such weaknesses, and if there was the element of passion in his composition, he held it under wise and dignified control, and

was (antagonizing the aphorism of Napoleon) as much a hero to his valet, as he was when standing in the full blaze of the public eye.

As a general summing up of the character of Washington, we may well accept the testimony of Daniel Webster, as a competent and trustworthy witness. I quote his own well considered words :

“The character of Washington is a fixed star in the firmament of great names, shining without twinkling or obscurity, with clear, steady and beneficent light. If we think of our independence, we think of him whose efforts were so prominent in achieving it. If we think of the Constitution which is over us, we think of him who did so much to establish it, and whose administration of its powers is acknowledged to be a model for his successors. If we think of glory in the field, of wisdom in the Cabinet, of the purest patriotism, of the highest integrity, of religious feeling, without intolerance or bigotry, the august figure of Washington presents itself as the living personation of each and all of these high qualities.”

If we supplement this testimony with that of Lord Erskine, who deliberately declared that the character of Washington was the only one in all history that, in its contemplation, “filled him with awful reverence,” we may safely conclude with Webster, that the name and character of Washington are indelibly written “in the clear upper sky,” and that his, at least, is securely and forever among

“The few, the immortal names
That were not born to die.”

THE DECLARATION OF INDEPENDENCE.

Washington, upon his appointment immediately vacated his seat in the Congress, and proceeded to the performance of his great and responsible trust. But on the 21st of June, 1775, there appeared in Congress another delegate from Virginia who has exerted an influence and left an impression upon our National history and character second only perhaps to that of Washington—that man was Thomas Jefferson. He had already made his mark as a public man of great promise in his native State, and was now destined to act upon a larger theatre, and become associated with men and events that led directly in the pathway to independence, confederation, and ultimately to the crowning and glorious result of Union and Nationality, and with all these the name and fame of Jefferson are inseparably connected.

The time had now arrived when the question of independence of and separation from the mother country could no longer be de-

ferred. The history of the rise, progress and consummation of this decisive movement is somewhat familiar, and needs not to be dwelt upon minutely. A brief recapitulation however will not be inappropriate in this rapid sketch of the prominent doings of the Continental Congress. To Virginia belongs without doubt or controversy, the honor of the first introduction of the distinct question of Independence. On the 14th day of May, 1776, she instructed her delegates in Congress to propose to that body to make a declaration that the United Colonies were free and independent States, and absolved from all allegiance to the Crown or Parliament of Great Britain. The first appearance of the question in Congress was on the 7th day of June, 1776, when as the Journal states "certain resolutions concerning independency being moved and seconded," the consideration of them was deferred to the following day, accompanied by an injunction that the members be prompt in their attendance. On the 8th the resolutions were taken up, but the further consideration was deferred until the following Monday the 10th of June, and although on that day the consideration of the first resolution was deferred to the 1st day of July thereafter, yet in order, as the Journal expresses it "that no time be lost," a Committee was appointed to prepare a declaration to the effect "That these United Colonies are and of right ought to be free and independent States; that they are absolved from all allegiance to the British Crown; and that all political connection between them and the State of Great Britain is and ought to be totally dissolved." This resolution was the one originally presented by Richard Henry Lee, one of the most distinguished representatives from Virginia, and is now in existence in his own hand-writing. This motion was seconded by "glorious John Adams" as he was afterwards styled by Lee, and passed the Congress without a dissenting vote on the 2d day of July, 1776.

Thus was broken the last link in the chain of Colonial dependence, and the duty of presenting to the World the reasons which "a decent respect for the opinions of mankind" obliged the Congress to offer, in justification of the great and momentous step, was confided to a Committee composed of the illustrious names of Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman and Robert R. Livingston. To Jefferson was appropriately given the position of Chairman, and as such the duty devolved upon him of preparing the declaration. It could not have been assigned to better hands. In addition to a considerable Legislative experience, he was thoroughly familiar with the whole course of our Colonial history and the grievances under which our fathers suffered, and he

held a most facile as well as a powerful pen. In this respect he had no equal in the Congress, unless it was John Jay. Jay would in all probability have been placed upon the Committee instead of Livingston, but he had just before left his seat in the Congress to serve his own State in the Convention that gave to New York the Constitution of 1777, and although he subsequently returned to the Congress and was its presiding officer, he left it again to discharge in foreign lands great and important service for the Country in the diplomacy which closed the war and gave us final peace and National recognition.

THE TIME AND INCIDENTS OF ITS FINAL PASSAGE.

The decisive resolution which settled the question of independence was, as I have stated, passed on the 2d day of July and without a dissenting vote. This statement is literally true, and yet it requires a few words of explanation and comment. The resolution in the precise words in which it was finally passed, was introduced on the 7th of June, but its consideration was by the request of certain Colonies who were not fully prepared for action, postponed from time to time until the 1st day of July, when the debate was fully opened, and as Jefferson stated in 1787, the discussion "lasted nine hours and until evening without refreshment and without pause." Of what was uttered in this momentous debate we have in the Journal of course no record, and but little mention elsewhere except that Jefferson in speaking of it says that Adams was the "Colossus of the Congress," and Richard Stockton declared him to be the "Atlas of Independence." We have however what purports to be, on what authority is not stated, an analysis of the speech of Richard Henry Lee on introducing the resolution. The speech attributed to John Adams in the Memorial Address of Webster on the death of Adams and Jefferson, although often declaimed by school-boys as the genuine Adams speech, is the product of Webster's own brain and is merely suggested as one quite characteristic of the man. Such a speech might well have been uttered by one so prompt in action, and so admirably trained in debate as he was, and possessing as described by Jefferson himself "a power of thought and expression which often moved the members from their seats."

This debate continued through the 1st day of July and until the 2d when the final question was taken with no dissent as has been stated, except that the State of New York did not vote, her dele-

gates however expressing their entire acquiescence in the result. The reasons for the New York delegates declining to vote were entirely satisfactory, and consisted in the fact that they were waiting for instructions which they had solicited from their own Provincial Congress which was about dissolving, and therefore postponed action until the meeting of the New Congress, which assembled on the 8th of July, and on the 9th passed a resolution unanimously approving the Declaration of Independence and directing their delegates to sign the instrument, which they accordingly proceeded to do on the 15th day of July, 1776. This roll was subsequently completed as it now stands, and is indeed a most venerable document, but in point of fact it was not signed as it is popularly supposed to have been on the 4th day of July, 1776. Some document of the same import was doubtless signed on that day by the delegates then present, but there was a subsequent engrossment, and a new signing of all the names which now appear upon the parchment preserved with such scrupulous care among the Archives of the State Department at Washington.

Strictly speaking then it is an anachronism to call the 4th as we do "Independence Day." That day was the 2d and it was the day of which Adams spoke in his memorable letter to his wife written at the close of that day, as "the one that would be celebrated by succeeding generations as the *great anniversary festival*," to be solemnized by shows, parades, &c., and concerning which he predicted that through all the gloom that surrounded them he saw "the rays of ravishing light and glory" in which their posterity would bask and participate. The explanation is simply this, that as the Congress sat with closed doors the transactions of the 2d day of July and the absolute passage of the resolution were not publicly known, nor could they be until the report had been acted upon from the Committee on the Declaration which was made and adopted on the 4th, when the whole proceedings with the Declaration were publicly proclaimed from the steps of the State House.*

*I desire as a matter of justice to state that for the main facts connected with the passage of the resolution on Independence and the signing of the Declaration, I am indebted to the painstaking industry of my friend Wm. L. Stone of New York, who has made our Revolutionary history the subject of the most indefatigable research, and who as the result of many years of earnest and unrequited labor possesses in my opinion in a set of more than eighty bound volumes, a more rare and valuable collection of documents, histories, autographs, &c., concerning the campaign of Burgoyne, the battle and surrender at Saratoga and the concomitant incidents, than is contained in any public Institution or the library of any American Scholar living or dead.

It is no part of my purpose to enter upon any eulogy of the Declaration, much less to analyze its doctrines or enforce its lessons. Many of its topics were of temporary interest, and have passed away with the occasion that called them forth. One of the most able and brilliant of our recent scholars and public men, in what I must think was a burst of fancy as well as of rhetoric, once spoke of it as containing little else than "sounding and glittering generalities." If this were true of any portions of a document enshrined in the hearts and memories of all true Americans, it can not be affirmed of two of its cardinal principles, the corner-stones upon which are erected the solid structures of American, as well as of all other true freedom. They are the absolute equality of all men before the law, and in their political and class relations, and that the true source of all governmental institutions rests in the consent of the governed. These were principles before unknown, or at least unapplied, in all the feudal, hereditary and aristocratic dynasties of the earth. They struck a fatal blow not only to what Jefferson called "the right Divine of Kings to govern wrong," but to the "*Jus Divinum*" by which they assumed to govern at all, and elevating the people to the proud distinction of sovereigns, put the reins of government substantially into their hands, to be operated by such means and agencies as they had the power and inclination to create. These principles, personal and political freedom sustained and upheld by law and the enthroned empire "the world's collected will," are those that constitute our charter, as they must be the polar star of all the struggling advocates of true liberty, and when they are denied or disregarded, freedom and law together take from this world their everlasting flight.

OUR FOREIGN COADJUTORS.

Among other most encouraging and gratifying incidents connected with our struggle for freedom and independence, was the sympathy and co-operation received from the friends of liberty abroad. I allude not now to the alliance with France, which occurred at a much later period of the contest, and was the result of long-continued and admirable diplomacy conducted by some of our ablest and most sagacious men. From the moment that the spirit of resistance to unjust taxation and remorseless greed in those sent to rule over us, was developed, the interest in our cause was awakened in those strong and brave hearts that in other lands

had been summoned to action either by similar exactions, or who gladly heard the trumpet-call of freedom and the summons to defend the rights of man. It reached them across the roaring waves of the Atlantic, and called to our aid some of the choicest of Europe's best and noblest sons. The mention of these men in connection with the Continental Congress is entirely appropriate, because each of them, unless my memory fails, reported himself on his arrival to the Congress, and was publicly recognized and received with tokens of distinguished consideration, and all were very soon appointed to positions of high rank in the American army.

Did time and space permit, I should delight to dwell on the history of these men, some of whom had not only a distinguished record, but a chivalrous and even romantic story, that fairly makes the most sluggish blood tingle at its recital. As it is, I can do little more than mention the names of some five or six of the most distinguished, leaving to your own memories or the histories of that period to supply the details which my limited time will not permit. These men were not mere soldiers of fortune, the waifs thrown to the surface of the troubled waters by the love of adventure, the Dugald Dalgettys of their day, who fought under any flag and in any cause where emolument was to be secured or reputation won. They were moved to action in most cases by the highest principle, and inspired with the noblest impulses. Some of them had seen and felt the wrongs which were the outcome of the abuse of imperial and unchecked power, and some had in their own persons experienced the sharp edge of the sword that tyrants and despots love to wield over prostrate humanity. They hailed the dawn of a brighter hope for that humanity in the new world beyond the sea, and recognized the maxim that "Resistance to tyrants is obedience to God."

Poland gave to us the earliest of these coadjutors, in the persons of Count Pulaski and Thaddeus Kosciuszko. It would require a volume to recount their histories, so closely connected as both are with the history of unhappy Poland, whose story has never yet been adequately told, although it is as the poet Campbell emphasized it, "the bloodiest picture in the book of time." It is a story that stamps ineffaceable disgrace upon the three European despots who partitioned the territory between them, and upon Napoleon, who, when he had the power, in 1808, failed to restore the possessions of which Poland had been robbed, and the autonomy she had lost. Both these men came to us before

the army had been formally organized, but their services were tendered and accepted, and both performed good and valiant deeds—Pulaski yielding his life to our cause, in the attack upon Savannah, in 1779, and America gratefully commemorating the act in a monument there erected to his memory.

Kosciusko came of a noble ancestry, and was a man of princely character and attainments. Soon after Washington's appointment as Commander-in-Chief, Kosciusko became one of his aids, and in this capacity, as well as others, performed important service for our cause. But a longing desire to aid, if possible, in restoring the lost glories of his native land, carried him back to Europe, before the close of our own struggle, where, in 1794, he headed the brave revolt against the oppressive Russian power, and was, literally, "Warsaw's last champion," and, entrusted with supreme authority, he, with only ten thousand men, resisted and repelled the assault of sixty thousand troops. In the words of another, "he displayed the integrity of Washington, with the activity of Cæsar." But the effort, although almost superhuman, was vain. In the last battle, he fought with scarce one-third the force of the enemy, covered with wounds, he fell from his horse, exclaiming, "*Finis Poloniæ!*" It was, indeed, the end of the dream of Polish freedom. Kosciusko, although a prisoner, was treated by the Emperor Paul with distinguished consideration. He never again wore sword, and, although besought by Napoleon to enter his service, he declined, without an absolute promise that his country should again receive a free constitution, and be restored to its ancient boundaries. There is no nobler name than his, not excepting that of John Sobieski, in all Polish history. He died quietly, in France, after a life of storm and struggle and vicissitudes, and his body is entombed, by a royal mandate, in the mausoleum of the Kings of Poland, at Cracow, the most honored dust in that sepulchre of departed earthly greatness. The marble column that gleams on the eye of the passing traveler, from the cliffs at West Point, is only a cenotaph erected by a grateful country, to remind its sons, in all the coming generations, of one who gave to our infant liberties, the strength of a brave arm, and the impulse of a generous and noble heart.

Germany sent to us, in 1779, two grand recruits in the persons of the Barons DeKalb and Steuben. They were brave and experienced soldiers, the former having served more than forty years in the armies of France, and the latter in the wars of the great Frederick of Prussia, to whom he became an aid-de-camp. Both

were enthusiasts in the cause of American independence, and received distinguished commands in our army. DeKalb gave his life for us at the battle of Camden, and his memory was honored by a monument erected by Congress, upon the ground where he fell. Steuben rendered most invaluable service in the organization and discipline of our armies; was rewarded by Congress with a grant of 1,600 acres of land in our own county of Oneida, in the soil of which he sleeps beneath a monument which our grateful fellow-citizens recently erected and publicly dedicated, with appropriate ceremonies, to his honored name.

The most distinguished, as he was the most endeared to all Americans, was the Marquis de LaFayette, the most devoted and beloved friend of Washington. Of noble descent, of the most finished manners, the favorite of the Kingly Court of France, at the age of less than twenty he broke away from all the blandishments of that Court and the honors it had in store for him, and gave his means, his whole soul and being to our patriotic Colonists in the critical days of their struggle, and identified himself wholly with our fortunes and our cause. His history I need not repeat. It is familiar to us all as household words, and engraven on the heart of every true American, and wherever freedom finds a home and undeviating consecration to principle an honest worshipper, there will his name be found high up on the roll of the world's good and heroic men.

ARTICLES OF CONFEDERATION.

The next work of importance engaged in by the Congress was the preparation of, introduction into, and the passage by Congress, with the subsequent ratification by the States, of the Articles of Confederation. The subject was first brought to the notice of the Congress in the month of August, 1776; was debated from time to time, but the Articles did not finally pass the Congress until July, 1778, and were ratified in the following November. They were entered into by the thirteen original Colonies proclaimed States by the Declaration of Independence. They were evidently deemed matters of momentous import, and were expected to be of extended duration, for they were entitled "Articles of Confederation and perpetual Union," but in the result it turned out that they were of much less importance than was conceived, and a short experiment demonstrated their practical inutility. They did, indeed, accomplish one object, and in effect that was about all the end they subserved. They brought the States into closer bonds and culti-

vated the spirit of union, and therefore, perhaps, fitly preceded the grand work which the Constitution accomplished. They failed for the very reason that rendered the Constitution a necessity as well as a success. They had no inherent vigor and contained in themselves no power of accomplishing what they attempted. Their requisitions upon the States had no force beyond recommendations, and the States were at liberty to disobey without incurring any penalty, and with seemingly little consciousness of self-reproach.

ORDINANCE OF 1787.

Before proceeding to what was substantially the closing, as it was the crowning act of this Congress, let us spend a moment in refreshing our remembrance of an act followed, perhaps by larger results and more enduring consequences than have attended any single act of legislation before or since the birth of our nation. I allude to the celebrated Ordinance of 1787, embraced in the scheme enacted by Congress for the government of that vast tract of country that went by the name of the Northwestern Territory. It comprehended a mighty space now filled up by millions of our enterprising pioneers, but then mostly an untrodden as it was an unexplored wilderness, so far as the white man had penetrated, stretching away from the west and north of the Ohio river onwards towards the Pacific, with dimensions and capacities equally unknown. It had been acquired, so far as any title could be predicated of it, by loose claims and an occasional random settlement of wandering adventurers from various States, the largest claimants being the States of Virginia, New York and Massachusetts, all of whom ultimately made generous cessions to the confederacy, so that it became the common property of the Union. A scheme was devised for its settlement and regulation forming the organic law which should forever prevail in its government. It was entitled "An Ordinance for the Government of the Territory of the United States northwest of the river Ohio." Into this ordinance was inserted this pregnant provision: "There shall be neither slavery nor involuntary servitude in the said Territory, otherwise than in the punishment of crime, whereof the party shall have been duly convicted." This section was prepared and offered in the Committee by Nathan Dane, of Massachusetts, was adopted by them and reported to Congress, and to its everlasting honor, passed by the unanimous vote of eight States, five of the eight being at that time slave-holding States. What a beneficent provision, and how far reaching in its results who is competent to tell.

In the memorable words of Webster, "it impressed upon the very soil itself, while it was yet a wilderness, an incapacity to sustain any other than a freeman. It laid the interdiction against servitude in original compact, not only deeper than any local law, but deeper than all local constitutions." No child has been or ever will be born, throughout all that vast domain, that will not have occasion to bless the memory of Nathan Dane, and honor the good and the thoughtful men that passed that beneficent ordinance, "to the last syllable of recorded time."

THE CONSTITUTION.

And now came the closing, the supreme, the superlative work of the Congress, without which all its other labors might well have proved vain and fruitless. It did not require unusual wisdom nor a protracted experience for sensible men to perceive that a compact between independent powers each asserting its own sovereignty and perpetually disposed to fly off in its centrifugal orbit, might indeed be a confederacy, but was not a Union such as should weld us together in harmonious relations and constitute us a homogeneous people, an autonomous, a self-sustaining Nation.

It is not within the scope of my present purpose to give a history of the great Convention by which that constitution was formed, nor of the various provisions of that instrument, although I must be pardoned if in closing I say a few words concerning the character and functions of that Government which it organized. The history of the Continental Congress substantially ends with the act by which in the resolution of February 21, 1787, it called a meeting of that Convention which was to assemble in the following May for the purpose of revising the Articles of Confederation, and in the words of the resolution "render the Federal Constitution adequate to the exigencies of Government and the preservation of the Union." This Constitution, the result of the labors of this Convention, was reported to the Congress on the 28th day of September, 1787, unanimously approved on the same day, and immediately transmitted to the States, and as we all know subsequently ratified by the nine States whose assent was required, returned to the Continental Congress thus ratified, which by a resolution duly adopted, appointed the first Wednesday in March, 1789, as the time for the new Government to commence its organized existence.

And here we may appropriately terminate the history of those several assemblages which altogether constitute the Continental Congress. The delegates met indeed, from time to time, until the 2d day of March, 1789, when, only a single member appearing, it

quietly terminated its existence. The last roll-call was made on the 10th day of October, 1788, when only twenty members answered to their names, and of those only two are especially notable, to wit: Alexander Hamilton and James Madison, whose subsequent history has given to each a record of service of immeasurable worth to the new government, and to them individually an immortal name. Had the Congress survived another month, it would have had an existence of fifteen years. There was no beat of drums, no waving of standards, no noisy proclamation of heralds, when it went out of life; but what a record has it left of patriotic, self-sacrificing service, and what a legacy of priceless worth in the Constitution which, through its agency, is bequeathed to us and to our posterity forevermore.

WHAT GOVERNMENT HAS THE CONSTITUTION CREATED?

And now, let us ask what is this Constitution our fathers have given us, and what the character, the functions, or, in other words, the real import and the actual value of the Government under which we live. Is it a mere compact made by sovereign and independent powers, each one the judge of the extent of the power it has conferred, and the manner and mode of its exercise? A Government terminable at the will and subject to the capricious control of each of the high contracting powers that assented to its form, and gave it leave to be? Are we an assemblage of consenting sovereigns to a compact to which at any moment we may put an end in the exercise of that sovereignty; an aggregate of assenting atoms, agreeing indeed to unite, but capable of resolving ourselves into our original elements, and assuming at our own pleasure our primitive form and substance?

These are pregnant questions, put by some with cautious hesitation, by others with bold assurance; and yet the answer to them all seems to me most easy and satisfactory. Our Constitution is not a compact, it was and is not the creation of independent sovereignties, each competent within the very terms and in the spirit of the Constitution to place upon it their own interpretation, and of their own volition without revolution or violence to withdraw themselves from its jurisdiction. Neither the Declaration of Independence nor the Constitution was the offspring of State Sovereignty. Both instruments on their very face confute this doctrine. The Declaration affirmed that, not by the authority of the States as corporate bodies politic, but "in the name and by the authority of the good people of these colonies," they declared

themselves free and independent States; and the Constitution with equal explicitness declares that "We the People of these United States do ordain and establish this Constitution."

And it is equally clear, to state the proposition in its briefest and most comprehensive terms, that by the Constitution the people of these United States established a nation supreme over all the lesser sovereignties that constituted the separate States, ordaining a Constitution that operated upon all the States in their corporate capacity not only, but directly upon every individual within the boundaries of the nation, and endowing that Government with legislative, judicial and executive functions, adequate to the enforcement of all its provisions against all resistance, whether that resistance should be by the exertion of individual force, or should arm itself with power attempted to be wielded by instrumentalities derived from any corporate source, be it municipal or State, or assuming to be sovereign under any name whatever. In these respects, if I may use the expression, as I do with the profoundest reverence, the General Government is like Deity itself—

"Sitting serene upon the floods their fury to restrain,
And as such Sovereign Lord supreme forevermore shall reign."

This is substantially the conclusion to which the great and unanswerable argument of Daniel Webster conducted the people of these United States when he met and overthrew the doughtiest of the champions of States' rights in the great debate of 1830. It is the doctrine which inspired the heart and aroused the unconquerable courage of that sturdy patriot, Andrew Jackson, who by the favor of a gracious Providence was in the Executive chair when nullification raised its head in 1832, and was by his iron will crushed out, as by his iron heel he would have stamped out its aiders and abettors, had they dared to put in actual practice what they proclaimed to be their abstract faith.

But although the snake was scotched, it was not killed, for it required the final and supreme argument to meet the doctrine of secession on its last field, and in agony and blood subdue and overthrow it forever. War is said to be the "*ultima ratio Regum*;" and so it has often proved, and it is the final argument of Republics as well, when the issue presented is that of continued existence or speedy death. Very dear, indeed, should this our freedom and our Union be to us, for with a great price we purchased that freedom, and with a vast sacrifice we preserved that Union. Would you estimate in part that price and sum up that sacrifice? Go, then, and visit the homes and stand by desolated

hearthstones scattered through the land, and mark the vacant chairs once occupied by those who went forth to engage in that last great argument, and "whose feet departing ne'er returned." Walk through the National Cemeteries and count, if you can, the cenotaphs that lift their white heads above the graves of buried heroes, or visit the quiet rural burial-places and note the green mounds, each distinguished by the modest stars and stripes that loving hands with each returning spring has planted there, and ask who sleep beneath, and constitute a portion of that countless host who

"On fame's eternal camping-ground,
Their silent tents have spread
While honor guards with ceaseless round
The bivouac of the dead."

And then tell us what is the meaning of Union and Nationality, and what the extent and boundless comprehensiveness of the compensations that give to those sacrifices their priceless value, their inestimable worth.

THE PORTENTS AND THE OUTLOOK.

Shall this Government that our fathers gave us, and this Union we have done and suffered so much to maintain, survive and be perpetuated, or shall we follow in the track of many Nations—the wrecks and debris of whose existence are strewn all along the shores of time? There are prophets of evil, as well as of good. They have existed in all ages, and do still. Ravens, very black and very hoarse, as black and hoarse as were those that sat upon the castle of Macbeth, and croaked the fatal entrance of Duncan, under his battlements. And some of them delight to sit upon the battlements of our Constitution, and hoarsely croak of present evil and coming disaster. Believe no such birds of ill-omen, listen to no such Cassandra lamentations of impending woe. Have faith in your institutions, and have faith in the men that enjoy as well as administer them.

Much as I admire Macaulay, I do not accept his philosophy. I remember that his training, as well as that of most of the foreign thinkers that have undertaken to sit in judgment upon us and our institutions, has been under monarchical and aristocratic influences, and my answer to his prediction that our institutions will fail because we have given to the people too much freedom, and that they will ultimately turn and destroy us with the very instrument we have given them for their and our protection, is the answer that, in a memorable debate in the 45th Congress, was given by him whom the people have just called to be their chief magistrate for the

coming four years. That answer is this: Neither Macaulay, nor any of the other thinkers to whom allusion has been made, have given proper weight to two potent influences that enter largely into our civilization, and give tone and character to our institutions. One of these is our educational forces, that reach through and will ultimately permeate all classes in our community, and the other is that we have no privileged social or class distinctions that hold men down in hopeless, abject subjection, but all have liberty by the light of our institutions, to rise to the highest position within the gift of the Republic. To use his own striking illustration, "our society does not resemble the crust of the earth, with its impassable barriers of rock. It resembles rather the waters of the mighty sea, deep, broad and boundless, and yet so free in all its parts, that the drop which mingles with the sand at its bottom, is free to rise through all the mass of the superincumbent waters, until it flashes in the light on the crest of the highest wave." This is our answer. Is it not ample, and is it not enough?

For myself, standing upon the verge of three-fourths of a century of our National history, having partaken in a limited degree of the responsibilities attaching to its Legislative, Judicial and Executive functions, and gazing back through that long vista upon its varied fortunes, I avow myself in all that respects our National glory, stability and perpetuity, an Optimist in as large a sense as John Milton was in regard to England, when in that grand burst of eloquence in his plea for the liberty of unlicensed printing, he exclaimed, "Methinks I see in my mind a noble and puissant Nation rousing herself like a strong man after sleep, and shaking her invincible locks. Methinks I see her as an eagle, mewing her mighty youth, and kindling her undazzled eyes at the full midday beam purging and unsealing her long abused sight at the fountain itself of heavenly radiance, while the whole brood of timorous and flocking birds with those that love the twilight, flutter about, amazed at what she means, and in their envious gabble would prognosticate a year of Sects and Schisms."

Such was the vision that broke upon the mental eye, of one of the profoundest thinkers and noblest patriots of England. If the historian of the mother-land can not truthfully record its perfect fulfillment there, may it not be the hope and aspiration of the Nation that broke away from her control, forgetting all our sad past and burying it forever in its grave of blood, and looking cheerfully to the future with its rainbow of promise, to more than surpass the dream of the Poet in the peaceful glories that shall crown the coming history of free, united and happy America.



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