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THE PAST AND THE PRESENT.

A

DISCOURSE,

DELIVERED BEFORE

THE EROSOPHIC SOCIETY

OF THE

UNIVERSITY OF ALABAMA.

BY BENJAMIN FANEUIL PORTER.

“ Among themselves all things
Have order; and from hence the form, which makes
The universe resemble God. In this
The higher creatures see the printed steps
Of that eternal worth, which is the end
Whither the line is drawn. All natures lean,
On this their order, diversely; some more,
Some less approaching to their primal source.
Thus they to different havens are moved on
Through the vast sea of being, and each one
With instinct given, that bears it in its course:
This to the lunar sphere directs the fire,
This moves the hearts of mortal animals
This the brute earth together knits and binds.”

DANTE—*Paradise. Canto I.*

TUSKALOOSA:

PRINTED BY M. D. J. SLADE.

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EROSOPHIC HALL, December 11th, 1845.

Dear Sir :

We have been appointed a Committee in behalf of the Erosophic Society of the University of Alabama, to tender you their grateful acknowledgments for the very able, appropriate, and deeply instructive Address, delivered by you before that Association on the occasion of its Fourteenth Anniversary. and to request a copy of the same for publication.

Permit us to add to the undivided wishes of the body we represent, our personal solicitations.

We respectfully subscribe ourselves,

Your's, &c.

N. ALFRED AGEE,	} Committee,
C. D. GRAHAM,	
A. H. HOPE,	

HON. B. F. PORTER.

Gentlemen :

Your invitation, on the part of the Erosophic Society, to furnish a copy of my Discourse, on the occasion of its Anniversary, for publication, will be complied with, as soon as I can have it copied.

Be pleased to return my thanks to the Society, for the gracious estimate placed on that effort to serve its high interests; and receive, personally, the assurances of my

Devoted respect,

BENJAMIN F. PORTER.

TUSCALOOSA, 28th December, 1844.

A few facts, simple in themselves, but wonderful in their connexion and results, make up the entire history of man, and explain his relation to the planet he inhabits. The earth, itself, is but a vast tomb of buried matter, man but the rudiment of a future. Both are destined to a more perfect and useful state. The one to become the base of mighty physical changes, the other the source of moral and intellectual reforms. If, on the one hand, all is destruction, so, on the other, all is re-production. Nothing lives or perishes without its purpose. No variation in nature occurs in vain. If fires burst forth from the centre of our globe, and heave, and twist, and break into fragments, immense beds of rock ; if the fountains of the great deep are broken up, and the winds rushing from their prison house, overturn the barriers between sea and land ; if empires are destroyed ; if whole races of men become extinct, and the records of their sciences crumble to dust ;—it is only that new seas and new lands, new races of beings, and new civilization, may rise in their places. All, from the land we stand upon, to the most refined intelligence, is in a state of progression. Each atom of existence forms a part of that great system, which evolves the destiny of man, and advances him nearer and nearer towards his God.

There may be discovered in many of the writers and speakers of the day, a disposition to undervalue the times in which we live. They condemn the present, as degenerate, and mourn the future as beset with disas-

trous revolutions. Even poetry and eloquence lend their aid to the abuse of every thing modern. The orator, amidst the ruins of Rome awakens generous sympathies for her fate, and recalls the age of her Scipio and Marcellus. The Poet, at Marathon, narrates in plaintive verse the beauty of the institutions of Greece, and utters mournful judgments upon her oppressors. They forget, that the germ of a new being reposes in every perishing husk. The nations, the institutions, the men of one age, are but dead bodies to the souls of succeeding times. Death is the sleep from which another existence wakes up. Like the green Ivy, which reaches its utmost height only through time-broken crevices, each era lives and advances upon the ruins of the last. The flame which burned so brilliantly on the altars of the Grecian, it is true, is extinguished there; but it enlightens lands boasting a more rational and widely diffused liberty. The towers of the nodding Illion, it is true, cannot be traced by the traveler, and the Rome of Augustus is no more; but the verse of Homer and of Virgil, and the history of the Gracchi and of Socrates survive: The Senate house and the hill of Mars no more sound to the voices of Demosthenes and Cicero; but their language still imparts lessons of eloquence, and excites eternal enmity to tyranny. The monument of art which once hailed the morning sun in mysterious tones, echoes now but to the labors of a Champollion and Rossellini; but still it records the vanity of man, and exists as the vindicator of the awful providences of God. It is folly, my friends, to regard as calamities, events, which give impulses to religion, morals, the arts, and the sciences. In the history of nations and men destroyed and dead, truth

stands defined. Each existence as it passes away, is but the precursor of others, constantly throwing off their defects, and assuming nobler capacities, in the wonderful plan of nature.

When it is considered, that all the arrangements of this mighty scheme end, so far as we can judge, in this existence, with man ; that every revolution of mind and matter brings about some change in the condition of his life ; that, as if to seize upon the moment of such change, still further to benefit his race, providence has endowed him with capacities of thought and language, superior to all animals ; it would seem that he would present, in every age, some distinguishing trait of moral beauty. That there would be something apparent in his nature, at all times and under all circumstances, elevating him, in the pride of mental power, above inanimate and brute creation ; that his constant occupation would be to cultivate his nobler faculties, refine his intellectual gifts, and raise his moral far beyond the influence of his physical relations. But, alas ! in unfolding the map of his history, we are humbled at the view of man's varied condition ; sometimes in the height of civilization ; sometimes in the depths of misery. The race, whether regarded as societies or individuals, appears to have reached certain elevations, only to decline. From the rudest assemblages of robbers and outcasts, they have advanced to improved societies. Again these have become slaves of barbarians or remnants of scattered tribes. We have seen them rise great in the arts of war and peace, achieving splendid victories, attaining unlimited power, only to violate the rights of their associates, and waste, in the extravagance of a prodigal ambition, the blood

of millions of men. We have seen the mass, at the bidding of one, no way their superior, except in fancied station or impudent enterprise, driven, in war, to the slaughter, like herds of unresisting cattle; in peace, expending the labors of their generation, to sustain the glare and consequence of a few interested rulers. Why this? Is it possible that man is placed on the earth for these purposes only? Is war his natural element; a contest with his fellow men his pleasure? Are fraud, hypocrisy, sensuality, his chief qualifications? Surely not. The triumphs of vice and crime over virtue, the success of falsehood over truth, the advantage of power over justice, are but convulsions of the moral world, fruitful in the noblest moral reformatations. Man, the object of all revolution, constantly improves. In defiance of his opposition, nature vindicates her laws. Notwithstanding his destruction, all is life; independent of his sloth, all is progression.

To prove these truths, go with me, if you please, into a detail of some of the physical and intellectual processes, through which the state of Progression, to which I have adverted, is unfolded.

1. The first evidence to which I call attention, is the phenomena presented in the structure of the earth.

When we examine the composition and arrangement of the materials forming the mass of matter on which we live, we discover rocks, minerals, and, in a popular sense, earths of various qualities. In some places we see a loose, red, brown, and white soil, crumbled into powder, and forming the general surface. In others we find horizontal masses of rock spread out in strata or beds, one resting upon the other. Again, we see these strata twisted and raised up from their

flat position, and cones of harder and chrystallated rock, in which no strata are discoverable, forced up through them. In some of these we notice remains of vegetable matter; in others of animals. In some places we find rocks rolled and rounded as if by some violent action; in others we see particles deposited as if by the gentlest motion. Cutting into beds of some rocks, we behold viens of metal injected into fissures. Often the rocks themselves seem melted as if by suppressed fires. When we descend into the interior of the earth, we have a sensation of heat increasing at the rate of one degree for every fifty feet; when we examine its surface we find something like two hundred mouths vomiting forth internal fires. But to illustrate these phenomena further:—If we see in the bosom of the earth, a body of rock, not spread out into layers, having the appearance of being once melted by fire; if this rock presents no sign of animal or vegetable remains, it is no strained conclusion, that it was moulded amidst intense fires, and surrounded by an atmosphere of too high temperature for the existence of organised life.

Again—If we discover rocks of different chemical composition, lying in strata, having the appearance of the deposits we now see formed from water, if of great thickness, and full of the remains of vegetables,—it is a just conclusion that these also are deposits from water, the work of ages; and that heat and moisture, the chief conditions of vegetable life, prevailed.

If in the strata of other rocks, we find the remains of organised life, which could not have existed in an atmosphere necessary to the vegetation last considered, it is but just to believe, that a lower temperature,

sued to their habits of life and capacities, must have existed.

If coming nearer, in supposition, to our own times, we see evidences of ungovernable floods of water having rushed in many directions, rolling fragments of rocks into globes, again reducing them to gravel, again cutting grooves into granite—if we see remains of animals of vast physical powers, whose existence could be safely subjected to an atmosphere of intense temperature, and then, after their races had become extinct, we see the first proofs of man's appearance on the earth, can it be called a wild mental scheme to assert, that in different times and places, the earth was subjected to a deluge of water; that physical life gradually declined as a cooler atmosphere and other circumstances combined, to prepare the way for a more intellectual being.

Lastly,—if reviewing all these things we find nothing lost amidst the revolutions of earth; if lead, sulphur, mercury, zinc, volatilized, or rising into vapor and floating in air, through the influence of heat, have on the cooling of the atmosphere, been precipitated on the earth, and by fiery eruptions ejected in veins throughout the crust of the globe; if fires or other causes, have raised up the mouths of these veins to exhibit their treasures and invite the labor of man; if gigantic vegetation, produced by superabundant heat and moisture, instead of being suffered to rot and pollute the atmosphere, has been pressed down by superincumbent masses, and, by the slow action of suppressed fires, consumed into coal; if animal matter, instead of sending forth, in dying, putrescent vapors, has been changed to saltpetre, bitumen, and other substances; if

astronomical calculations show that a mass of burning matter revolving for a succession of ages would assume the shape of an oblong sphere, oblate or flattened at the extremities of a presumed axis, the very shape of the earth; if new mountains have risen from seas, and continents disappeared to give place to new seas; if, in connexion with all these vicissitudes, the physical and the moral condition of nature has improved, what let us ask here, results from these facts and indications? Simply the truths of Geology—one of the most sublime, because the most natural of sciences; one whose volume is the great globe itself, unfolding its noble pages of granite and crystal, and metal, as if to disclose in characters of fire, the awful truths of nature, and reveal to the present age their once incomprehensible narrations.

Such being the facts of Geology, such its evidences, such its conclusions, such its lessons of wisdom, go with me, if you please, through such further enquiries, testing its principles and inferences, as bear upon the plan and object of my discourse.

1. You are told by this Science that in the first epoch of the phenomena, the earth was surrounded by an atmosphere too dense for animal life. The first enquiry prompted, is, Why should such an atmosphere exist?

Various substances, such as water, lead, sulphur, mercury, and zinc, are easily reduced to an æriform state. We have many chemical affinities to prove, that such substances must have existed in connexion with the earth, during the period of its primitive revolutions. Apply the chemical law, that the higher the temperature, the more rapid the evaporation, and it is evident, that the greater the heat of the surface of the

crust of the earth, the more extensive must have been the volatilization of these substances. Thus was produced the density of the atmosphere.

2. It is said, that the cooling crust, formed by the gradual retreat of the fires to the centre of the earth, continued to augment, as the cooling process advanced. Why should this mass augment?

If the materials mentioned as producing, by volatilization, a dense atmosphere, were kept by the high temperature of the earth in a sublimated or æriform state, it follows that they would be brought to their original condition, through the influence of cold. The water, lead, sulphur, mercury, and zinc, rendered æriform, by heat, assumed their first form, when that heat subsided. Too weighty to be kept in the air, they were precipitated on the earth, and thus they augmented its volume. When the temperature was still further lowered, water, permitted to remain in its liquid state, produced new accessions, by precipitation and crystalization.

The materials thus cast upon the earth, in cooling, assumed various positions. Thus—the water is separated from land, and poured into permanent basins: the lead, sulphur, mercury, zinc, are branched off into arteries throughout the body of the rocks. Why this? A pressure of fluids, interior contractions, possibly the influence of electricity, induced ruptures of the solid crust of the earth. Thus deep chasms were formed, and the water deposited upon adjacent parts, rushing to these depressions, formed lakes and seas. Internal fires, breaking forth from the centre of the earth, melted rocks and metals, sent granites violently upwards through superincumbent materials, effused the fluid

mass through various fissures of the reposing superstructure, and ejected the metallic veins throughout the convulsed body of our planet.

3. It is further said, that the first organic developments upon the crust of the earth, were an abundant and gigantic race of vegetables, to which were denied, in a great degree, the means of re-production.*

Why was this ?

We always find present in the atmosphere, a fluid known as carbonic acid. If the atmosphere were mixed with more than eight per cent. of this fluid, it would be unfit for respiration, and therefore fatal to ordinary animal life. Still, this fluid, so deleterious to animals, is essential to plants, which absorb it by their leaves and roots. Another fluid, oxygen, without which animals cannot live, forms a large portion of the atmosphere. Now this, when vegetables decay, is given to the atmosphere. Thus we see the existence of plants improves the atmosphere by disposing of the carbonic acid, which is fatal to the lives of animals, and renewing oxygen, without which they cannot exist. If we now suppose the presence of an atmosphere too highly impregnated with carbonic acid for the existence of animal life, and deficient in the necessary oxygen, we can perceive that the readiest way of decomposing the one, and of supplying the other, would be the production of a race of vegetables. Now carbonic acid exists in the different varieties of limestone, marble, and chalk, and is separated by combustion. When

* Cryptogamia, Linnaeus—Class, Acotyledonous—Class, Monocotyledonous.

it is remembered that the secondary formations of the crust of the earth, were of rocks of this character, and that the earth's temperature was high, it is seen that an immense quantity of carbonic acid must have been discharged from the earth, and filled the atmosphere with an element well calculated to nourish a numerous and gigantic race of plants. Looking into the remains found among the rocks of this period, we see that such a race was produced ; that it was limited in the capacity of re-production, and not suitable as food for man. This race seems, therefore, to have been formed for the single occasion. While nourished by a superabundant carbonic acid, it consumed it, gradually reducing its volume, and thus preparing the way for animal life.

4. If the vegetation of which we have spoken, was designed for the occasion, of course, as the quantity of carbonic acid was thus gradually consumed, the vegetation became useless. If it had died and rotted, new carbonic acid would have resulted from its slow decomposition, and the end of its consumption been defeated. How was it disposed of ?

1. By Providence calling into existence, as we see by their various remains, a race of gigantic animals,* by their habits and capacities, adapted to the destruction of vegetable matter ; and capable of living in an excess of heat and moisture, unaffected by the poisonous atmosphere of the period.

2. By producing various convulsions, submerging this vegetation under accumulations of mud and sand, subjecting it to subterraneous heat, and thus giving rise

* Palæotherium, Anoplotherium, &c.

to the strata of mineral coal, extending in beds of various thickness throughout our own country and others, and supplying millions with fuel. What a beautiful illustration of the truth, that nature does nothing in vain ; determines that none of her works shall be useless ; gives even to decaying matter its business and function in that well organized machinery, which holds a world together in perfect and dependant harmony.

5. It is said that all these phenomena depend, for the most part, on the destruction of rocks, the alteration of whole races of vegetables, the immolation of entire classes of animals. Why was this ?

The reply is in the soil, which is but the rotted rock, detached by air and water from the mountain, crumbled and rolled into the cultivated valley. Again, it is found in the freezing water, which expanding, tears these rocks asunder, the better to undergo the process of decomposition. Again, see the answer in the coal beds, and metallic veins whose mouths are raised up and expanded to the view by heat and electricity, and for the convenience of man ; in the salts resulting from animal remains, so necessary to the purposes of life, so extensively used in chemistry, the trades and sciences of men ; again, see the reply in the beautifully variegated marble of your pallaces and portico's, the streaks and tints of which owe their beautiful combination to bitumen, the refuse of animal and vegetable matter. Will it now be asked why did nature destroy all these, that man might live ? Has man, who asks the question, destroyed nothing, he who singles out from the great scheme, a single exception on which to rest his objections to a Providence governing

a world of millions of beings in numberless relations? Will the effects of the slaughter of the hosts butchered for pride, ambition, and vengeance, compare with what the Ruler of the universe has brought forth out of his destructions? In the providence of God every thing is useful. Nature illustrates, even in her desolations, the sublime sentiment, "From the tops of the rocks I see Him, and from the hills I behold Him."

Before leaving this interesting Science, permit me to indulge in a few reflections upon its wonderful adaptations.

If the phenomena we have considered, were only partially developed, good grounds of objection to the science would exist. But on the contrary, every part of the world presents striking proofs, that the scheme supposed by its advocates is universal, and runs beautifully parallel with the life and employments of man.

Thus—In England, iron ore, coal to reduce it, limestone, used to fuse it, clay for the furnace, are found inter-stratified within short distances. The mountains of Sweden and Norway contain extensive beds of magnetic iron ore: the only fuel fit for its manufacture, wood charcoal, nature supplies in immense forests of pines. All over the earth we find granites. This arrangement will not be considered without design, when it is stated on the authority of able chemists, that they are the natural depositories of the alkalis, so essential to the fertility of the soil; so necessary to the support of both the vegetable and animal economy. Again, between animals and vegetables, there seems to be constantly going on a process, by which certain qualities are produced and assimilated. A table of these prepared by an eminent writer, beautifully exhibits

this "chain of vital phenomena." Thus—the vegetable functions produce neutral azotised substances, fatty substances, sugar, starch, and gum: The animal functions consume them. The vegetable functions decompose carbonic acid, water, and ammoniacal salts, the animal functions produce these; the vegetable functions disengage oxygen, the animal absorb it; the first absorb heat and electricity, the last produce them; the one is the apparatus of reduction, the other of oxidation; the first is stationary, the other locomotive.—Is it more a draft upon the imagination, to assert that all these things were designed to prepare the earth and its materials for the abode of man, than to conclude from the appearances of the monuments of Egypt or the sculptured walls of Petræ, that they were the work of human beings in a state of high mechanical improvement?

II. We have so far traced the physical organization of nature. We have seen our planet a burning mass cooling gradually, and forming a crust upon its surface; we have noticed the first organic formations from the crude plant to the latest form of irrational animal matter. We have seen them produced and perish in their successions, and changed into rocky and mineral substances. Lastly, upon their tombs, we have seen man, an intellectual and moral being, appear. Why does he live; why does he die?

Man bears the relation to the moral world that the primitive rocks, the foundations of the earth, bear to physical nature. Both have been gradually developed; both have served, in their turn, the eternal purposes of truth and justice. In the one case, we have seen the rocks raised up amidst awful convulsions, on-

ly to crumble beneath external influences and fertilize the plain ; we will now trace, in the other, the process of mental developments, as they have gradually, but certainly advanced towards perfection and usefulness.

In this point of view, we proceed to institute a comparison of various characteristics of the religion, philosophy, laws, scientific improvements, and social manners of the human race.

• Among various traits distinguishing the present, from past ages, we may mark, as most appropriate to our subject, the fact that every modern improvement, every new institution, every triumph of mind, indicates a remarkable adaptation to the useful purposes of life. We may therefore repeat the trite saying, that the age of chivalry and romance is gone, without mourning its absence. Endowed by nature with a peculiar veneration for antiquity, we all indulge ourselves in a species of poetic frenzy, with regard to the men and institutions of the olden time. This may arise from the fact, that our first conceptions of these are obtained in youth, when the mind, full of warm hope, and brilliant imagination, seizes hold upon the circumstances having a tendency to excite these faculties. A simple truth of history, like a single ray of light separated in the phenomena of polarization, thus produces various colors calculated to amuse the fancy. It is reserved for an age, deeply reflective upon the character of events to appreciate the assertion, that taking the same number of persons, and separating from the history of former times their brilliant pageantry—Take from their religion, its superstitious horrors, and gorgeous ceremonies ; from war, its martial music and splendid decorations ; from their orators, the oc-

casian ; and from their manners, their pleasures ; and the whole scene in comparison with the habits and inventions and institutions of the last fifty years will fade like the evanescent cloud breathed upon a mirror.— We wish not to be understood as depreciating the facts or the men of other ages. On the contrary, we single out exceptions, and say, they furnish examples from whence moderns have derived many, very many of their best lessons, and most valuable principles in every branch of knowledge. We only say, that as a mass, men of this day as much exceed in mind and morals, those living two hundred years ago, as those living two hundred years hence, will exceed the present generation.

For the proof, compare in the first place, the religion of men.

1. That beautiful system of religious duty, so extensively adopted by the civilized world, and so remarkably preserved amidst the most extraordinary convulsions of time, has depended, for its propagation, upon the simplest truths. Unlike every other system, it has been established in peace ; without force, and without money. No war, no human sacrifices, no political connexions, lie at the base of its structure. Its promoters have been disinterested ; its sentiments couched in the sublimest simplicity of language. It has interfered with the authority of no government ; with no man's social duty : It has taught obedience to the law ; embraced among its commands every regulation necessary in life ; enforced benevolence ; united the family circle ; and even required the slave to obey his master. We are struck as we contemplate its history with two remarkable facts connected with its rise and

progress. At first, we see it established in a part of the world, then the centre of civilization, knowledge, and power. We perceive a race selected for its preservation separated by peculiar religious tenets and singular nationality from the rest of mankind. We see it preserved through various ages; and every eminent guardian or head of this race, devoting himself to a propagation of its sentiments. The Jews, the depositories of this system, seem in all their history up to the time of Christ, to be the singular object of God's providence and guard. If the Phœnicians threaten Palestine; a Joseph rises in Egypt to give them an asylum; if subjected to persecution and oppression and change of religion there; a Moses comes to lead them to the sight of the promised land. If intercourse with strangers pollute the race, another descendant of the house of Israel appears to rebuild the temple on the simple basis of reason and faith. When, after a series of years, its guardians become corrupt and treacherous, again in the centre of population and civilization of that age, a new reformation occurs in Europe; and when again Europe in her turn, becomes, by reason of her tyrannies, her civil wars, and her crimes, an unsafe depository, translated across the seas by a few determined men, we see it spreading over a western continent, and blessing millions in its progress.

Here we may see, rising from the earliest ages, like noble granite formations, primitive truth; which, through successive generations of men, and events of time, amidst the destruction of millions of human beings, the ruin of magnificent empires, and the changes of the face of nature herself, has overturned dynasties, outlived persecutions, stood firm over oceans of blood,

repelled flames, only to spread upon the bosom of nature the fertilizing mold whence man reaps the bread of life; only to pour the rich treasures of virtue over the whole extent of civilized lands.

Now take in connexion with the objects and establishment of this system, any of the ancient religions. View their unmeaning mysteries; their senseless pagantry; their horrid sacrifices; their connexion with the most sensual and vicious pleasures. Take, indeed, the strange superstitions and wild opinions of their wisest men. One declares that nature and chance govern the universe, and that all courage to support a renunciation of truth, arises from the excitement of a spacious theatre, and numerous spectators. Some, that matter, by viciousness, occasions evil. Others, that the divine influence extends in its full effect to the sphere of the moon, but acts feebly in inferior regions; and others that God governs matters of consequence, but neglects those of small moment. Some deny altogether a God, but say there is a something without beginning or end; a pure spirit; a subtile matter, an intelligent fire, which governs the universe.—Hear the divine Plato reasoning upon the creation. God he says is single, immutable and infinite. He existed in the profundity of eternity: Matter, equally eternal, subsisted in fearful fermentation: At God's command the whole mass was agitated by a fructifying motion: To direct the four elements he prepared a soul, partly etherial, partly material. Placed in the centre of the world it assumed a spherical figure, the most perfect of forms.

It was well said by one, not supposed very devout, that the religion of some is in their minds, some in their

hearts. What clear ideas the ancients had of religion, was in their minds. It was reserved for Revelation to touch the heart.

2. Nor is the philosophy of the ancients less a subject of comparison, in view of the question of utility. What idea, what clear conception of truth, what practical benefit, arose from the various opinions of ancient philosophers—some contending that fire is composed of pyramidical, others spherical particles—That the element of earth tended to the centre; the water to rise above earth, air above water, and fire above air. That nature acts by contrary effects; that when earth loses its frigility it turns to fire; deprived of dryness, it is turned to water.

Can any one in his senses contend that such ideas as these, are entitled to any regard, when placed by the side of the well defined, simple rules of the philosophy of the present day? Will the vague notions of Aristotle, compare with those of a Cuvier, a Herchell, a Watt, or a Franklin? Will the opinions of even Plato, in the scale of human benefits, rank with the systems of Newton, or Lock? Will the idea of one, that man is an untamable beast of prey, compare, in just sentiment, and benevolent feeling, with the mind that animated a Howard?

3. We pass from these enquiries to a consideration of constitutions and laws.

Take the case of Egypt—

In Egypt all power of government was concentrated in a hereditary monarchy, which combined both civil and religious functions. If that country had judges and legislators, they were priests of a false religion, dependant for appointment and compensation

on the pleasure of a King. The national tribunal was composed of men drawn from the same caste. It is easy to see that the political institutions of a country will be of the lowest order when administered by men whose station and pay depend on a head, himself the weak issue of hereditary descent; or a bold adventurer, whose ambition is for conquest, whose pleasure is blood. Egypt, therefore, with all her numerous population, her learning, her resources, was wanting in that widely diffused idea of justice and utility which alone stems the torrent of luxury and arrests national crimes. She therefore declines and makes way for Greece.

Greece makes one step in the system of government. She establishes a guard upon the power of public station. Solon, regarding taxation as the most dangerous of all authority, provided a check in the ratification of the people (*Aristot. de. Rhet.*) but that people were a lawless rabble, with no check upon themselves. He instituted lawgivers; but they administered the law. (*Plut. in Solon.*) He forbade the acquisition of lands by purchase or gift, and confined its acquirement to inheritance and marriage:—Thus he encouraged population, but crippled commerce, a necessary means of its support. The right of citizenship was dependent sometimes on proof of descent through two generations, (*Heeren*); sometimes on the fact that one was a foreigner of influence. In this way the most valuable privilege which can be conferred by a State, was influenced by fortune, not public services, or private virtues. With respect to representation, instead of the only safe rule, that a few good and wise men should be selected to represent the mass, that mass itself, with all

its ignorance and crime, possessed an equality of voices in the legislative assemblies. Thus, folly and vice neutralized probity and wisdom. Bæotian dullness and Cretan falsehood, stood by the side of a Socrates, and destroyed the influence of his justice and intelligence. These and other defects, all exhibit alike, the inertness of rules, upon a mass, incapable of moral sentiment. The populace governed through fear, are dangerous subjects. It is the free, and virtuous, who can be trusted with power.

Rome, during the periods of her kingdom, her republic, and her empire, was constantly trembling with convulsions and deluged with blood. Still she advanced in the knowledge of government and laws. The times were, however, not yet ripe for that moral developement in the minds of her people, necessary to insure a permanent and happy constitution. The most dreadful, but fruitless revolutions, therefore, soon sprang up in her bosom. If the violation of the chaste Lucretia induced the expulsion of a Tarquin, it was followed by submission to an intollerant democracy: if the wrongs done a beautiful and artless Virginia roused the vigilance of sleeping liberty, it was only that it might slumber, again, on the bosom of luxury and pleasure: if the pride of a plebian's wife induced the elevation of that class to public honors, it was only to exalt ignorance, and corrupt what remained of the innocence of humble life.

The state of the laws of ancient times, also forcibly illustrates our position. These, like all human institutions, have varied; at one time challenging the admiration, at another, the abhorrence of men, frequently surrounded with a venerable mystery, into

which the unprofessional eye has not dared to obtrude; often displaying unmeaning and useless forms eliciting only the contempt of men. The antiquarian finds much that is curious and interesting, in the history of courts of justice and their procedure, as well as in the spirit of the laws of those times. The word court, for instance, synonymous among us with events and scenes of such familiar character, owes its name to the enclosed space surrounding the tent first, and afterwards the castle of the Lord, when his retainers met to settle their controversies. In early times the Semnons held courts in a forest, consecrated by the Augurs; and under the shade of a venerated oak, the Druids of ancient Britain administered justice. In Germany it was the practice of the peasants to assemble under a tree, and settle conflicting rights. "Upon a high place under the beech, a judge ought to hold his sittings." (Origenes du Droit Francais, Michelet.) These sittings were accompanied with singular ceremonies. One tribunal is said to have held its sessions in a boat, two hundred feet from the shore: When the judge pronounced sentence, he caused his right foot to touch the water. Justice was also, often, administered in caverns, and upon tombs; still more frequently upon a mountain. Thus we derive the terms, "The mountain of right." "The rock of law and justice." In Upland, the jury to decide causes, placed themselves upon twelve stones; often they sat in the court of the church, sometimes in the porch of the mill; under the Linden tree in summer, and within a mill or barn in winter. The prayer of a certain petition was, that a count would construct a mansion in such manner that neither rain or sun would impede the public

justice (Michelet.) In a direction given for building the judge's seat, instructions were given to build up on three sides, with bars in front; lest some rude cavalier should violate the authority of the judge. The Areopagus, truly the most perfect of the courts of former times, is often referred to as an example. But how shall we reconcile its incongruous judgments with the idea of law founded on reason and the rights of men. I will cite a few. A poor bird, from fear, had taken refuge in the bosom of a Senator, and was stifled by him. The assembly unanimously decreed his punishment; for said they, he who has his heart shut against pity, should not be allowed to have the lives of citizens at his mercy. A woman was brought before this court accused of procuring death by poison. The proof was, that loving tenderly an individual, she endeavored to gain his affections by a philter of which he died. She was dismissed without punishment, the court deeming her more unfortunate than culpable. On another occasion, a woman, exasperated at the barbarity of a second husband and his son, who slew a youth she had borne a former spouse, determined to poison them both: The Areopagus, after a long *advise*, ordered the prosecutor and accused to appear again before the court, one hundred years from that time. But how shall we harmonise the judgments of these cases, in which nature and mercy softened the firmness of the judge, with that which I now relate? A leaf of gold having fallen from the crown of Diana, it was taken by an infant. The child was so very young, that it was necessary to make trial of its discernment. The leaf of gold, some dice and other play things, and a piece of money, were presented to it. The child gave

the preference to the money, and the judges declaring this sufficient proof of capacity for guilt, it was put to death. Trials in the Areopagus were conducted thus:—Parties were placed amid the bleeding members of the victims, and there they took an oath, confirmed by awful imprecations on themselves and families.

Three thousand brass tablets were necessary to sustain the early statutes of the Senate and popular assemblies; some of which embraced a hundred chapters. Marriage was solemnised by presenting fire and water. Divorce by delivery of keys. Manumission was denoted by a blow upon the cheek; and one was forbidden to commit a trespass, by the casting of a stone. A pledge or deposit was the clenched fist; a covenant, a broken straw; and possession of lands was made adverse by breaking a twig.

Coming down later into history, we see not much to boast of, until after the age of Elizabeth. With our glorious Saxon ancestry, murder was not capital, but paid for in money. In 1600, oral testimony was excluded from the trial of persons criminally charged, and even the appeal of battle existed to the year 1818. Jurors were sworn to speak, not to ascertain the truth. Evidence against a prisoner was taken in his absence. He heard the charge against him for the first time, when brought from prison for trial, and was then required instantly to plead. He was not allowed counsel, and was frequently put to the rack to compel him to criminate himself. Even the learned and virtuous Chief Justice Hale condemned innocent women to death for witchcraft, on proofs furnished by ignorance and superstition.

But I cannot expect you to bear with me while I press these illustrations further. Will any man, nevertheless, pretend that, so far as stated, they do not furnish ample proof of the superiority of our own times, over all that have preceded it. Take a few facts in comparison.

1. With respect to government and laws—

The principles of our social compact, our constitution, and our laws are well defined, reduced to plain, unambiguous rules, and administered and checked in such manner, as to give a law and a remedy to every man, whether high or low. Public morals regulate the decision of the judge, and force him, even if a bad man, from his dependence, to decide the law correctly. A jury, of which the citizen cannot be deprived, stands between the judge and the accused, as well as the civil suitor. An appeal court, regulates the errors of inferior tribunals, and even the generalities of the law, are corrected by a court of chancery.

2. With respect to philosophy, science and the mechanic arts.

View the rapid strides of discoveries in these, and their application to the means of feeding and clothing men. A philosopher ascertains that sulphur, nitre, and charcoal, form a combustible substance—our ancestors applied it to murder each other; we to the arts. Gunpowder blasts rocks, cuts through mountains, and excavates tunnels for the use of rail roads, and to supply cities with building materials. Other instances—one ascertains that steam is expansive, that thrown into a tube in a particular way, it will move a piston rod, and produce action. On this a Fulton applies the principle to machinery, and a Watt builds a steam en-

gine. A plant is found bearing a woolly substance.—Whitney invents a machine, which on turning a crank, separates the seed from the wool. A Hargraves invents a spinning jenny; a Cartwright the power loom. What effect have these things had on the population, the wealth, the trade, the comfort of the world?

In 1790, one steam engine was erected at Manchester in England; in 1824, there were two hundred in operation; and in the British empire in 1837, 668 steam vessels. In 1807, one steam boat, "The North River," built by Fulton, ran on the Hudson in New-York. In 1838, there were 800 steam boats in the United States. The Mississippi valley alone employs now, six hundred steamboats, having an aggregate tonnage of 130,000 tons, and navigated by 21,000 men. These boats are not worth less than \$10,400,000, and are navigated at an annual expense of \$12,000,000, while the value of merchandise embarked in them is not less than \$200,000,000 annually. In 1831, steam was applied to locomotives on rail roads in this country. In 1838, it was applied to vehicles on 1500 miles of rail way. The power of 501,893 men is now supplied by this power. In 1784 eight bales of cotton sent from America were seized at Liverpool, through distrust of their being produced here: in 1837 the United States exported 444,211,537 pounds. In 1814 there was not a single power loom at Manchester; in 1824 there were 30,000—and the total value of cottons manufactured in Great Britain now, is 34,000,000 pounds sterling annually; of which 10,000,000 are paid for wages, 4,000,000 for the raw material, and 20,000,000 for machinery, edifices, &c. In 1764 the population of Manchester was 41,032, in 1831 it was 187,-

019. In 1700 Liverpool had a population of 5,145; in 1831 it was 165,175. In 1780 the city of Glasgow contained a population of 42,832; in 1831 it amounted to 203,000. In England the cotton manufacture furnishes subsistence to 1,400,000 persons. In the United States, directly and indirectly, to 800,000 persons. As a most prominent instance of the improvement of the age, resulting from the influence of steam, let me refer you to one other instance.

The town of Birkenhead (England) lies on the shore opposite to Liverpool, occupying the site of the ancient village of the same name, Woodside, Tramere and Monk's Ferry. A century ago Birkenhead did not contain three houses; in 1801 the number was sixteen; the next ten years added one more, and the ten that followed *three*, making the whole number of houses in 1821, twenty. Now there are 2300 houses. The works now in progress include a series of docks, tidal harbor, harbor of refuge, with beaching ground for small craft, a vast floating pool of 130 acres opening out of the tidal harbor, presenting a fine and water level of 800 yards applicable to the purposes of wharfs, yards, landing places, graving docks, warehouses and other incidents of a great mercantile harbor—a noble market and town hall, a railway tunnel, &c. Eight railways are to have their centre in Birkenhead, uniting with all parts of the kingdom; and the dock accommodation, as laid down in the plans now in progress of execution, exceeds in extent that of the first commercial port of the world. "Enormous streets," it is said, "have been projected, and duly sewered, prepared for water, and all the luxuries that modern refinement could conceive, before a single house was

erected." The sewerage so provided by anticipation, exceeds, it is said, in extent the entire length of sewerage, contained up to this time in the united towns of Liverpool and Manchester; and in the very heart of their rising city, where the value of the ground may be reckoned by the inch—with a noble contempt of economy, in providing for the well being of the humble—the commissioners have given it away by the acre, to lay out an extensive park for the recreation of the laboring man.

Thus it is seen that anciently, moral as well as mental energy, like wealth, confined to a few, slumbered without producing in the course of centuries, what is now, in the period of a few months, unfolded in the minds and occupations of the great mass. Therefore, industry is awake, because it brings fortune and honor to the laborer; ignorance declines, because education is more general, wealth is more useful because more extensively distributed.

This being the state of our conclusions, it is time to ask ourselves, how are we affected, and what work shall we perform, in this state of material and intellectual progression?

As we have advanced, we have seen nature developed, destroyed, and reproduced. We have traced the progress of man in his government, his laws, his arts, and his philosophy. Shall we, by analogy, determine the character and destiny of that race, which stands between us, and the revolutions of a time equal to the whole past? Observe:—vegetables decay; a race of minute animals soon quickens in the dissolving mass. Observe these:—you will find them connected link by link with successive races, until the chain ends

with man. Does man bear the same relation to other more perfect beings above, which he does to those less perfect beneath him? Is there a race yet to appear, whose intellectual and moral developments will as far exceed ours, as ours the Infusoria which our eyes behold agitating the putrescent mass? Oh awful contemplation—Oh wonderful future. From it, let us turn, and be content to know ourselves—Know that as the rock which dissolves into soil at our feet, and produces the mould whence we reap our daily bread; and the insect that lives its wonted time and dies, to accomplish the work assigned it by their Creator; we have great moral and intellectual offices to perform. Shall we in view of our high destinies lie down and care only for ourselves? Let each man be up and active in his appropriate sphere. Let not the advancing age reproach us, that while the rocks, the minerals, the brutes, are active and busy in the great occupations of nature, man only is slothful, useless, and indifferent.

And will any one say, "I am but a small part in the great system of the universe,—Let those who have talents, and influence, and wealth, be the actors; I will be a passive spectator while nature advances in her truths, and evolves the destiny of the earth and of man." Nature will vindicate her laws on you who hold these sentiments. The decree will go forth—"cut them down, why cumber they the ground." There is no escaping the dreadful judgments visited upon those, who, having understanding, are sluggards in their times and opportunities. Over such a nation will be heard the wail of outcast freedom; from their women will go forth the shrieks which rose from the burning Isles of Scio; from their men the lamentations of Persia

over her annihilated armies. War will desolate your land; factions will tear into fragments your government; rebellion will defy your laws; disease and famine will visit your people.

“Crushed beneath the assailing foe
Her golden head must Cissia bend,
While her pale virgins frantic with despair,
Through all her streets awake the voice of woe,
And flying with their bosoms bare
Their purple stoles in anguish rend;
For all her youth in martial pride,
In battle slain,
By Cycreas craggy shore forsaken lie
All pale and smeared with gore.”^a

But you will say what others have said—our land is safe from this fate—our government, founded on a written constitution, cannot be violated without detection—our laws, within the control of the people, can always be corrected; our institutions free; our resources extensive; our people intelligent—what shall harm us?

This very self confidence will harm, and, if not checked, will ruin us. Free as we are, happy as may be our institutions, well defined as may be the laws, populous as is our country, there are loose and dangerous opinions sowing the seeds of dreadfully criminal revolutions in the bosom of our country. They are seen manifested in the doctrine that what the people will, however destructive of constitutions, social compacts, private rights, public laws, must be obeyed by a public servant. Public servants owe a higher duty to the law, than they do to the people. “Obedience

^aFragments of Æschylus—The Persians.

is as much a duty, and rebellion as black a sin, when the people have the sovereign sway, as when a single person is King."^a They are also seen in the opinion, that necessity justifies a violation of law; again, in that odious political maxim, that if to the interest of a party, to support a bad man for office, the scruples of virtuous men of the party must yield; in the prostitution of the praise and abuses of the press; and in the vile and forever damned and damning sin and shame of repudiation, by a State, of its promises to pay a debt.

We now ask, who are to assist in averting these evils, and who are to be looked to as leaders in the glorious work of improving the destinies of men?

You, who annually meet to represent the sovereign interests of Alabama, nature calls on you for your part. Shall your time be spent in fruitless disquisitions as to who shall fill this office and who that? Shall political success alone distinguish you, the law makers and statesmen of your time? Shall the perfection with which you discipline your parties; and the prosperity with which you imitate the policy of a Talleyrand, establish alone your title to a page of the State's history? God forbid!—see—social and individual happiness are gradually expanding under the benign influence of knowledge and morality, and all nature bespeaking you to become the protectors of virtue, of literature, of science, and of the arts. Happy the age which exhibits its utmost strength in the cause of ethicks and mind. Happy the men who are patrons of the efforts producing new developments, in these attributes of hu-

^aUse and abuse of Parliaments.

man nature. Will you leave those who are to become the actors in the great business of the future, to struggle without aid, and without means, towards the improved condition of their day? Look at the youth of the land now awaiting the action of the State, providing for the universal education of her sons. Is it necessary, at this day, to remind you, or to enforce by argument, that the foundation of our government is virtue, that virtue springs from education, and that a state of ignorance is the worst of all states, a state successively of superstition, barbarity, despotism, crime? Are there none of you proud of the patronage of the virtue and talent which will issue from the galleries of this University? Are there none looking forward to the time when your memories will be blest as the consistent and popularity, sacrificing friends of an institution which nurtures youthful wisdom, and assists poverty, stricken genius? When a long line of illustrious men will claim their *alma mater* here; when a Socrates will die to vindicate truth; when a Washington will rise to save a bleeding country; when a Franklin will exalt science and philosophy to the portals of the firmament; who would not be proud in the reflection, that he bore some part in the glorious patronage of their virtue, their patriotism, and their genius? When some of these, before us, will prove the Howards of your country's charities, the vindicators of your religion, the martyred advocates of your political liberty. When your children will stand admiring, while these brilliant lights in the nation's history rise resplendent in their orbits, will they turn blushing from the pageantry of a nation's triumphs, and say, my parent did nothing towards all this? Awake men of a meridian age—arouse states-

men and patriots ! A young and noble generation stands ready to receive from you, the trusts of the past age.

And you, gentlemen of the Society, by whose command I speak, you, who, at the portals of a new age, curb a generous ambition, and anxiously view the ground of contest before you,—Do not your hearts burn at the thought, that you stand one step nigher the future than ourselves ? Think of that noble condition which awaits you, when morals and mind shall receive new impulses in your time ; when science shall be promoted, the arts advanced, philosophy expanded, and human nature exalted. What part each of you is to act in the scene, may be of great moment to the world. Providence may be reserving you for stations further in advance of this age, than a generation may expect. To each of you nature gives a duty to be performed in the vast business of creation. Then press onward. You cannot stand still. You must either advance or recede, grow wiser and better, or more ignorant and vicious. Exert every nerve to know your part, and then perform it. Be neither ashamed of its humility, nor fearful of its responsibility. Some may get before you—some may reach loftier eminences ; but will you in mean jealousy and care-worn envy, retire from the contest of life, and fail in your part ? If one is higher in station, is he not still useful to society ? Does he not add to that stock of knowledge and morals which blesses you in your generation ? Reason, gentlemen, as well as the rights of men, alike reject the idea of personal distinction resting on gifts of fortune ; but if allowed so to express the thought, there must be an aristocracy of mind, there will be a nobility of morals,

there shall be a triumph of truth and justice ! Continue then, not only to encourage hopes of high stations in these moral and intellectual casts, but to deserve them. Explore, industriously, the mines of knowledge to which your studies here introduce you ; and dispense their treasures with patient and generous labors to your fellow men.

Gentlemen, I would leave an important part of my task undone, were I to close without reminding you, that however valuable may be the knowledge we have been considering, integrity is the best of its fruits.—Your pursuits have made you acquainted with many eminent men of ancient and modern times. Among them all we see a few looming out from the darkness of ages of ignorance and crime, whose memories, men regard with most pious reverence. Are they warriors, stained with the blood of many conquests ; politicians, famous for Machiavellian falsehood and treachery ; are they orators who have prostituted eloquence to purposes of oppression and injustice ; judges who have sold the highest attribute of virtue ; priests, who have cheated religion of its vestments to mask the worst practices ? Not so—they are those, who, like the pious and humble Stilling, have gone about, active in the business of devoting their talents to the good of men, physically and morally ; fearless in doing right, crying Jehovah Jireh—Like Socrates, justly called the most religious, the most virtuous, the most happy of men. I pity the man who can rise from the contemplation of this noble character, and not wish he were a better man. Condemned, as you remember, on the falsehood of Melitus, he left the court for his prison, manifesting no alteration in his countenance or gait.

To his friends, who melted into tears, he said, "Why weep, are you ignorant that nature, when she gave me life, condemned me to resign it?" To Appollodorus, who replied, that he mourned because he would die innocent, he said, "Would you, I should die guilty?" Taking the cup from his weeping jailor, he prayed to the Gods, and drank the poison. At the scene, dismay seized his friends, and their lamentations broke forth. "For shame," said he, without emotion. "We are placed on the earth as soldiers, at a post assigned by their General. We may not quit our stations without the permission of the Gods, (but be ready when they call.) Resume your courage my friends. Death should be accompanied with happy omens."^a

Gentlemen, the period approaches when you will be called upon, under new auspices, to imitate the lives and deaths of such men. Look back a moment at *their* times and then at your own. Trace the progress of man's mind during the intervening eras, and conjecture what will be its state, when, fifty years hence, you stand on the Pisgah of another age, and view the glorious scene beyond; when pointing to another race, whom your talents and virtues have led onward in sight of new promised lands of knowledge, you will see the whole world spread out before you, encompassed by a more refined atmosphere, and still nearer, and nearer yet, approximating to the sphere of the Deity;—Universal peace blessing its happy plains; Religion resting on calm faith and unclouded reason; Social life, a rational association of good men; Poli-

^a Plato in Phædon.

tics, Patriotism ; the Arts, usefulness ; and Literature, truth ?

Gentlemen, your lot and destiny, as I have said, may be important in the development of the scene. Be ready then to do all, and suffer all, in the cause of virtue and mind. Be superior to poverty, to pride, to indolence. Learn to love labor, it brings the bread that is eaten without dependence. Encounter ridicule with fortitude ; it schools true courage, and teaches patience. Shrink not from slanders and evil tongues ; they are the lot of merit, and the test of truth.

Gentlemen, I take leave of you in the language of Socrates to his disciples—It is time that we should part—We to die—You to live.

[REDACTED]