

# OREGON SPECTATOR.

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Mr. Editor—I was requested by my fellow-citizens of Tualatin county, to deliver an oration on the "glorious fourth"; and herewith, by their request, send you a copy of the same for publication.

PETER H. BURNETT.

## GENTLEMEN & LADIES:

There has been read in your hearing this day, the most remarkable human production of any age or country. In the beauty and grandeur of its style, and in its most sublime and expansive sentiments, this great Declaration stands unrivalled and pre-eminent. It is a just rule of criticism, that he, who writes most sublimely upon the most sublime subject, is the greatest author; and, judged by this rule, the immortal Jefferson, the author of this declaration, must stand at the head of the great and distinguished writers of the world. This remarkable production was first proclaimed to the world seventy-two years ago, in the city of Philadelphia. The American Congress—called the Congress of Independence—met at that city, in the ever-memorable year 1776, and, after mature and appropriate deliberation, resolved to declare the then colonies "free and independent states." For this purpose a committee was appointed, consisting of Thomas Jefferson, chairman, Benjamin Franklin, John Adams, and others of the most able of American statesmen. The Declaration was drawn up by Mr. Jefferson, justly denominated in after days, "the Apostle of Liberty"; and after undergoing a few verbal alterations, was unanimously adopted by that Congress of patriots. There is no piece of eloquence so perfect, and the only production that can rival it, is the last speech of the martyred Irish patriot Emmett; and this is not its equal.

The declaration sets out by assuming certain great and leading principles to be self-evident, founded and implanted in man by nature and nature's God—not to be torn from him by force, or fraud; and which he, himself, has not the right to sell, alien, or convey. No attempt is made in this great instrument to fortify these inviolable truths by argument, or to strengthen them by proof—they are like axioms or first principles, self-evident. Among the great and noble principles thus assumed to be true, we may notice these: "that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed." The latter proposition seems necessarily to flow from the former, "that all men are created equal." And these great, free, and glorious principles, in the beautiful language of the Declaration, "are formidable to tyrants only." The great and prominent doctrine of that immortal instrument is this, that government, like society, is a sort of political partnership, in which each man of sound mind and memory, has an equal interest, and owes to it an equal obligation and duty. There is something, not only true, but noble, natural and expensive in this beautiful sentiment, that, in its wide and untrammelled sweep, takes in all humanity, regards all men as brothers, and gives equal privileges to, and imposes equal duties upon, all; and this sentiment forms the basis of all our American institutions, unquestionably the most free, pure, and happy in the world.

Among the many causes that gave rise to the American Revolution, was the assumed right of the mother country to tax us without representation. It was not the paltry amount of the taxes imposed, but the flagrant violation of the pure principles of justice and liberty, that served the arms and steered the swords of our revolutionary forefathers. They saw too clearly, that this invasion of the first principles upon which society is based, and free governments instituted, if unresisted, would lead inevitably to the overthrow of all liberty. They had therefore to decide either to tamely become slaves, or to win their way to freedom and independence by the sword. They intrepidly preferred death to chains; and you and I, and every American citizen, are this day enjoying the happy results of that great struggle.

The American Revolution was distinguished, not only for the unbending integrity, the pure honesty, and unyielding heroism of its adherents; but it was equally marked by patient and long endurance, and directed by consummate wisdom and talent. It called into action all the best and noblest powers of the best of men; and such was the pervading sense of the unquestioned justice of their cause, which filled the souls of those great patriots, that only one instance of treason occurred among the officers high in command; and that was the ever infamous Arnold. It is not my purpose, on this occasion, to notice the events of that perilous contest, that may emphatically be said to have "tried men's souls." They are found upon the page of truthful history, and talked of in every hamlet in this wide spread Republic; known to every American school-boy, and diffused throughout the civilized world. At this distance of time, when the patriots of that day, have been gathered to their fathers, and now repose in the dreamless grave—when we have no living link to connect us with the soul-stirring scenes

of that mighty struggle, in which Washington fought, Warren fell, and Montgomery bled—we cannot fully appreciate the feelings, perils, and hardships of that eventful period. Had some child of genius and of art, but placed upon the living, breathing canvass, a fair and just picture of that patriot band under Washington, as they marched, after crossing the Delaware, with torn and tattered garments and bare feet, over the frozen earth, to vanquish the hireling slaves of tyranny—if we could only see here to-day, an adequate representation of their bloody feet-prints, their patient devotion, and the unconquerable love of liberty that must have filled their hearts, and beamed in their eyes, what a burst of enthusiasm would fill the bosoms of this audience! "There were no Sabbath-baths in those days." It was a period of war and peril; when no soldier thought he would ever return to his family. There were not only enemies without, but enemies within—there were traitors as well as foreign mercenaries to vanquish. A man's enemies were his own neighbors—perhaps, of his own household. But those days are past, and we enjoy their results.

And now, my fellow-citizens, let me turn your attention to another point. As our government is a great political partnership, in which you and I, and all others of its free citizens, are equal partners, it becomes us all to know something of the distinctive nature and character of that peculiar and happy system of government under which we live. We may all be well satisfied of the superiority of our beautiful system; but that is not enough; we should understand in what respects this superiority consists. This undeniable truth ought never to be forgotten, that while we are admitted to enjoy the privileges of freedom, we owe a corresponding duty to our country. It is not my purpose to play the orator, or make a display. I wish to utter an intelligible discourse, combining instruction with liberal feelings and charitable sentiments. It is our highest duty as American citizens, and a happy privilege to learn some of the leading features of the Constitution and Laws of our country. The political power of the country is in the hands of the people, and unless THEY qualify themselves, to exercise it rightfully and justly, TITTY disgrace the cause of free principles, and bring reproach upon republican institutions.

The result of the Revolution was the final establishment of the government of the United States. Many great and curious difficulties in the formation of our Constitution had to be met and overcome. Not a few of our gifted statesmen were for forming a limited monarchy, others for a strong government, with senators chosen for life. They urged the inability of all republican systems. The page of authentic history had told us, that of all the great and flourishing republics of ancient times, none now remained; and it was only from history, and the mouldering but stately monuments of their departed greatness, that we could know they ever did exist. But the friends of freedom urged the fact, that we were about to try the experiment under new and more favorable circumstances; and a republican system was finally adopted. And surely the circumstances for another experiment, were most favorable. We were, in a new world, just beginning, untrammelled by old and long established forms of tyranny, to which the people had become accustomed by time, habit, and education. We had thrown off the yoke of colonial vassalage, and had resisted successfully the tyrannical doctrine of "taxation without representation, no tyranny." Placed as our forefathers were, in new and independent circumstances, being at the same time familiar with other systems of government, whatever was true, just, and excellent, in the common law of England, they adopted; while, with a prudent and cautious hand, they pruned it of all those features not in harmony with republican principles. The peculiar characteristics of the American government, as distinguished from the governments of other nations, consist—

In its popular character. We believe that, in reasoning upon any subject, there are certain great and fixed truths, immutable and self-evident, and not, in the very nature of things, susceptible of any further proof. One of these fundamental truths we hold to be, "that all men are created equal;" and if governments be instituted for the common good of all, it follows, as an inevitable consequence, that all have equal rights in such government. It follows also, that, as governments cannot be administered without officers, the governed, being all equal, have the equal right to select their officers. There is something so consonant to nature, in this great fundamental principle, that it cannot be condemned in theory; and the only attempt to evade its force, is to question its practicability. It would seem to be an evident truth, that the more harmony there exists between the laws of nature and the political institutions of a country, the more practical the latter would be, and if republican institutions have anywhere failed, it must have been owing to the defective manner in which the experiments were tried, and not to any inherent and radical fault in the system itself. In our country a man's rights do not depend upon the amount or kind of his property. We value the soul of man as pure, and his rights as free. In the useful mechanic or farmer, as

in the great and useful mechanic, or the distinguished statesman. We have no artificial distinctions, and all the differences we know among men, in that respect, are the result of their own industry, and talents, which their own fellow-citizens spontaneously accord to him, for his own individual merit. We care not for patronage or rank, for we have seen too many of our greatest men spring from the paths of humble life, not to know that talents and virtue are not confined to birth, rank, or station, but may be found eminent and purest among the great and toiling millions. And we know more that poverty, in America, does not chill the independent soul of man. This gratifying fact results from this plain principle of human nature; that when a government bestows honors and favors upon its citizens, it does so in the character of all. A man of sound mind and memory will, as a general rule, set up his privileges and responsibilities, and his genuine interests.

3. In our liberal constitution. "See, in the Declaration of Independence," was alleged, among other things, against the present King of Great Britain, that "he had endeavored to prevent the population of these states; for that purpose obstructing the laws of naturalization of foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands." So soon as the United States government went into operation, among its first and most important acts, laws of the most liberal and enlightened character, were passed by Congress, under the provisions of which foreigners might become citizens of the United States, upon taking the appropriate oath of allegiance and fixing their residence among us. We have discarded the low and slavish doctrine of perpetual allegiance. We hold that man, in the pursuit of happiness, is free; and that the accidental circumstance of his birth, does not, and of right, should not, bind him and his descendants forever to the worst of tyranny. We say that he has the right to change his domicile and his government, and we have no fears of the consequences of such a doctrine. We believe that there is such an irresistible and overwhelming influence in pure and holy truth, as must and will find its way to the hearts and judgments of men; and while we think our government the purest and happiest on earth, we have no fears that our citizens will ever separate themselves from their country. And we think further, that our government, by its equal and just principles, so commendable itself, to the approval of others, that we can safely open its portals to the suffering and oppressed of other lands.

3. Its freedom in religion. By the Constitution of the United States, Congress can pass no act prohibiting the free exercise of religion; nor can it pass any law for the establishment of religion; and this most tolerant and just sentiment has been embodied in all the State Constitutions. All are left perfectly free in their religious opinions, without tax, fine, or forfeiture. We regard the Union of Church and State as base, unnatural, and adulterous, tending to degrade the pure spirit of christianity. There is something abhorrent in the very idea, that the meek and charitable religion of Jesus, should seek to ally itself with mere temporal power, forcing itself upon unwilling minds, and subjecting its ministers to a servile dependence upon persons in power and place. That any person of a community should be compelled by law to pay taxes for the support of a religion, which they do not believe to be true, seems at once to be a palpable violation of man's free agency, and of the first principles of justice. We hold that, in relation to the exercise of religion, men should be left perfectly free; and no human government has any right, by earthly penalties, to force it upon the human mind. It is true that in most countries where there is an established religion, dissenters are tolerated; but they are compelled to contribute tithes to the support of that form of religion which they conscientiously condemn. They can enjoy their opinions by paying a penalty for the privilege; but liberty enjoyed under a penalty, is no liberty at all. In our free country the right is held sacred; and the two systems of Church and State are considered as totally separate and distinct, and independent of each other.

4. Its exemption from a third nobility. Our Constitution forbids Congress to establish any privileged order of nobility; for this would be but a plain, unequivocal, and palpable violation of the great principle of equality that lies at the basis of our institutions. Other nations have fastened upon them a weak, luxurious, and indolent nobility, who transmit their titles and privileges to their descendants, as we do our property, without regard to virtues or talents.

5. The freedom of speech, and of the press. The first article of the amendments to the Constitution of the United States, provides, among other things, that "Congress shall make no law abridging the freedom of speech, or of the press." This great privilege may justly be called the "foundation of human liberty." The power of speech is a faculty bestowed upon man, by his Creator, for the noblest purpose, and he is not to be restrained from its use, but he is to be free, in the useful mechanic or farmer, as

every freeman to discuss the principles and policy of measures proposed for the general good, and to watch with prudent and jealous care the conduct of those intrusted with the making of laws, and the administration of government. It has grown into an American maxim, that "eternal vigilance is the price of liberty," and also, that "error of opinion may be tolerated, while reason is left free to combat it." For the abuse of this liberty, a man may be held responsible by our laws; but so long as he confines himself to truth, he may freely speak and publish his opinions upon all subjects.

Such, my fellow-citizens, are the leading distinctive characteristics of the American government, in theory. I own I may have trespassed upon your patience and good nature in this, to some, dry detail; but in the opinion of the humble speaker who addresses you, it is a matter of the first importance that American citizens should well understand the fundamental principles of their own government. The importance of this reflection arises from this consideration, that we are now making a great experiment whether republican government be practicable at all; and surely we should first understand our own principles, and then be careful that we do not, in our own individual conduct, violate the very principles upon which our government and all our freedom are based. It is often done, and has subjected us to just reproach abroad. Intelligent foreigners have often asserted that, although Americans are free from legal tyranny, there was a tyranny of public opinion equally as inexorable. Although I cannot admit the justice of this remark to its full extent, I am well satisfied there is some foundation for making it.

Having thus, very briefly, glanced at some of the leading features of the theory of our system, let us inquire a little into its practical operation. In doing so, I may say, with all truth, that no system of government is worth any thing unless it be practical. It may be beautiful in theory, and afford eloquent themes for declamation and display; but when brought to the test of talents and of time, it must fail to answer the ends of its creation. In looking into the practical working of our free system, we are not doomed to mortification and disappointment. It has been, and is still the wonder and admiration of the liberal and enlightened minds of the world. It has operated like a piece of beautiful machinery—harmonious in all its parts. It will grant me your attention, I will go a little into detail, to show what has been the practical success of that great and free government, based, as it is, upon the principles set forth in the Declaration of Independence; and I do this for our instruction, as well as our gratification. In doing so, I shall speak of the success of our government in relation to—

1. Its foreign policy. Our course towards foreign countries has ever been characterized by the utmost good faith, and been governed by the most liberal and enlightened views. We have promised nothing that we have not performed, and asked nothing but what we deemed to be clearly right. We have, in pursuance of the last advice of the immortal Father of his country, kept ourselves free from all entangling foreign alliances. We have interfered with the internal concerns of no other nation; but have left the people of other countries free to reform or abolish their own systems of government, at their pleasure. We have carried out the charitable and liberal spirit of our institutions, and have not sought to extend our principles by fraud or force—we have sacked no cities, laid waste no cultivated districts, and have not left a path of ruin and desolation behind us. The wars that we have had, were either wars of self-defence, or wars necessary to protect the dignity and rights of our country, and have been conducted in the most humane spirit prevalent among the most enlightened nations.

2. Its internal administration. The internal administration of our government has been most satisfactory, and eminently successful. We have had ten Presidents, and the eleventh is now in office, all men of distinguished ability and acknowledged standing—not one of whom has ever been impeached for misdemeanor in office. Their administrations have all been guided by the most enlightened views, and have done honor to the American name. Most of these patriots are now no more; and I trust you will excuse me for mentioning, in this connection, the name of the illustrious John Quincy Adams, of whose decease we have just been informed by the late arrivals. His last exclamation, when suddenly and unexpectedly stricken from his seat in the House of Representatives, shows the greatness of his mind, and the meekness of his piety, and deserves to be written in letters of gold—"THIS IS THE END OF EARTH, I AM CONTENT." This should be engraved upon his tomb-stone—be needs no other eulogy.

Our legislative history presents the same satisfactory results. The legislation of Congress has been characterized by the most scrupulous regard to the rights of all, and has generally reflected the public will. In only one instance, I believe, has the great principle of human liberty been violated by that body. I allude to the Alien and Sedition laws, which were long since openly and universally condemned. We may, indeed, refer to the general legisla-

tion of our American Congress, with triumphant satisfaction. In reference to our judicial history, I may well ask, where can be found a judiciary, in which justice has been so ably, promptly, and impartially administered! Among the great number of judges of the different courts of the United States, not one, to my recollection, has been successfully impeached for corruption in office. And if we go to the state judiciaries, we shall find the same honesty, ability, and integrity among the judges. A few cases, perhaps, have occurred, where a judge of some of the state courts has been convicted for misdemeanor in office; but such instances are so rare, as to be scarcely known. In England, where the administration of justice is purer than in most countries of Europe, from my Lord Bacon, who, as Pope says, was

"The greatest, brightest, moment of mankind," down to a justice of the peace, instances of judicial delinquency have not been so few nor uncommon. It has been a happy circumstance attending the administration of our system, that our government has not had to enforce its authority by cruel and bloody inflictions. If I am not mistaken, the records of our courts show no instance of a conviction for treason. In the Revolution we had but one distinguished traitor, and we have had fewer since; and those accused were imprisoned for alleged aid to our enemies, and not for any vicious attempt to destroy the government itself. Our people have been marked for their general obedience to the laws; and in proportion to numbers, we have had fewer mobs, and less irregularity, than perhaps any nation in the world. Our country's history has not been disfigured by slaughters, massacres, and riots, and we have never seen an instance of such wide-spread villainy as those that have stained the annals of other nations. Our experience has demonstrated that the popular principle in our government is eminently practical, as well as beautiful in theory. Our history will conclusively show, that the American people have, in the main, selected the most able and upright men for public office, and this, without regard to religious, or professional, or business distinctions. And the reason of this is plain. Every citizen has a direct interest in an honest and just administration of the government; and although the people may, on some occasions, dismiss an able and upright officer for unpopular reasons, they are certain not to retain an unfaithful incumbent in office, when they know it. It may be safely said, that in any civilized community, where there is honesty enough to obey a judicious system of laws, there is always intelligence enough to appreciate them. The nature of our popular institutions has taught men to know their rights; it has made them acquainted with the limits of power—has brought the governors and the governed into so close a union and dependence, that there is that politeness and attention to the wants of the community, observable among our officers, that does not exist among the officers of other governments. But this principle has not only taught our people to resist oppression on the part of those in power, and to watch with jealous vigilance the administration of their government; but it has led them to resist imposition, even in private life, come from what quarter it may. And the freedom of speech and of the press, in our country, though sometimes abused, has had the most beneficial influence upon society. Public censure is a great check upon vice, and public approbation is a great rewarder of virtue. The honest mind, conscious of its own integrity of purpose, will not be driven from its course by ill-timed and undeserved censure; but the dishonest man, equally conscious of his own turpitude, will tremble before that public censure that he knows he too well merits.

3. Its freedom from oppressive taxation. Perhaps in no respect have the fundamental principles of our happy system, operated more beautifully, than in their influence upon the financial administration of our government. As all political power is lodged with the people, and as they pay all the taxes, they have the most direct and certain interest in preserving and enforcing the most economical expenditure of the public funds. It has therefore grown into a favorite maxim with the American people, that no more money should be collected from them by government than such amount as the public service may require, when justly and economically administered. While the administration of our public affairs has been the most successful and efficient, we have been less taxed than any people in the world. We have no established religion to support by taxation, no large standing army, no swarms of internal police to preserve public quiet and order, and no pensioned favorites. This freedom from oppressive taxation, is one of the true secrets of our advancing greatness as a nation. Our government affords every encouragement to mechanical ingenuity and literary talent, by granting patents to the first, and securing copy-rights to the second; but she grants no pension, except to the faithful soldier who has fought the battles of his country. If the system of taxation in force in Great Britain, were imposed upon the people of the United States, they would then be enabled to appreciate our freedom in this respect. Every article of use or ornament is there taxed. Every thing that a man wears, sleeps or feeds upon, or enjoys in any way,

in food, must be taxed. In reference to our judicial history, I may well ask, where can be found a judiciary, in which justice has been so ably, promptly, and impartially administered! Among the great number of judges of the different courts of the United States, not one, to my recollection, has been successfully impeached for corruption in office. And if we go to the state judiciaries, we shall find the same honesty, ability, and integrity among the judges. A few cases, perhaps, have occurred, where a judge of some of the state courts has been convicted for misdemeanor in office; but such instances are so rare, as to be scarcely known. In England, where the administration of justice is purer than in most countries of Europe, from my Lord Bacon, who, as Pope says, was

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