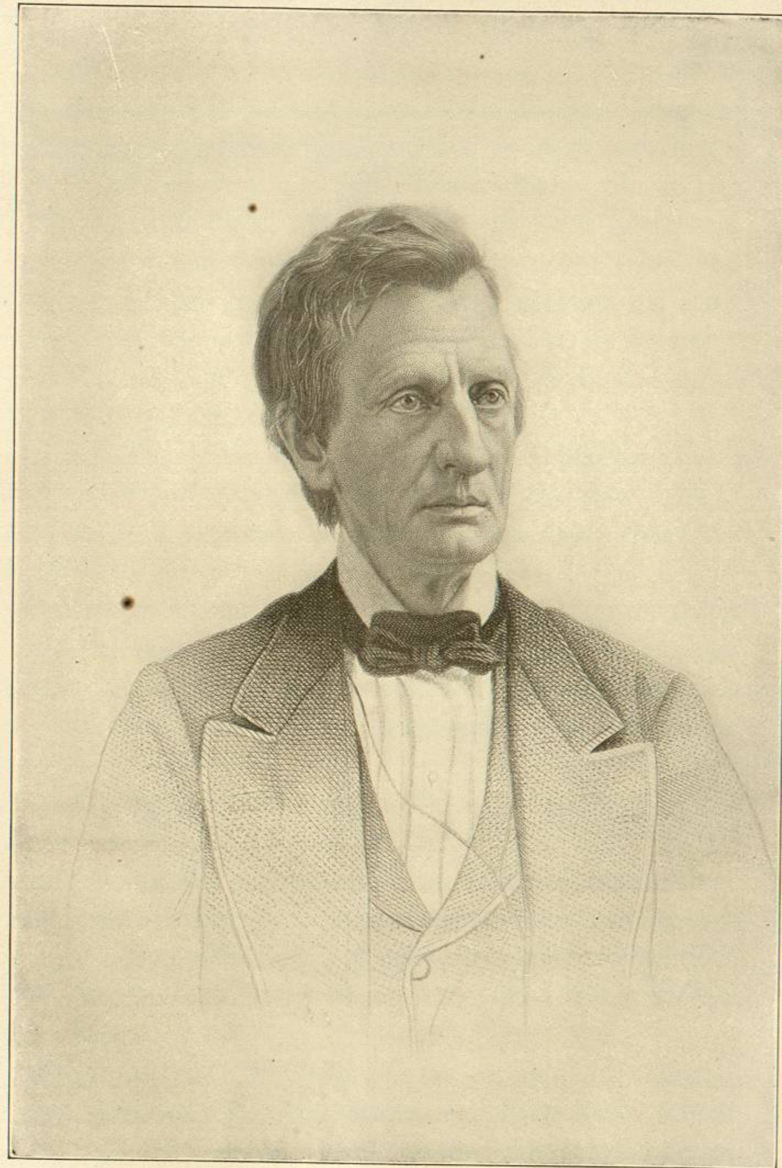
WILLIAM M. EVARTS

WILLIAM MAXWELL EVARTS, LL. D., eminent American statesman, jurist, and orator, was born at Boston, Feb. 6, 1818, and died at New York city, Feb. 28, 1901. Educated at Yale University, he studied law at the Harvard law school, was admitted to the Bar of New York, and began practice in the latter city in 1841. He soon became known as learned in his profession, being frequently consulted by other lawyers in difficult cases, and was district attorney in New York city (1849-53). He took an active interest in political affairs and was one of the earliest members of the Republican party. He was chief counsel for President Johnson in the impeachment trial of the latter, and from July, 1868, to March, 1869, was Attorney-General of the United States. In 1872, Evarts was counsel for the United States in the Geneva arbitration tribunal respecting the "Alabama" claims, and in 1875 was senior counsel for Henry Ward Beecher in the famous Tilton-Beecher case. He appeared for the Republican party before the Electoral Commission in 1877, and held the post of Secretary of State during the administration of President Hayes. From 1885 to 1891 he was a member of the United States Senate. He was a brilliant speaker and an eloquent orator, and was greatly in request at high social functions, and on occasions such as the unveiling of statues of Webster and Seward at New York. Among his notable orations are his eulogy on Chief-Justice Chase in 1873, his address at the opening of the Centennial Exposition in Philadelphia (1876), besides those delivered before many prominent societies. Several of his important addresses have been separately published.

WHAT THE AGE OWES TO AMERICA

FROM CENTENNIAL ORATION DELIVERED AT PHILADELPHIA, JULY 4, 1876

FELLOW CITIZENS,—The event which to-day we commemorate supplies its own reflections and enthusiasms and brings its own plaudits. They do not at all hang on the voice of the speaker nor do they greatly depend upon the contracts and associations of the place. The Declaration of American Independence was when it occurred a capital transaction in human affairs; as such it has kept its place in history; as such it will maintain itself while human interest in human institutions shall endure. The scene and the actors for their profound impression upon the



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world at the time and ever since have owed nothing to dramatic effects, nothing to epical exaggerations.

To the eye there was nothing wonderful, or vast, or splendid, or pathetic in the movement or the display. Imagination or art can give no sensible grace or decoration to the persons, the place, or the performance which made up the business of that day. The worth and the force that belong to the agents and the action rest wholly on the wisdom, the courage, and the faith that formed and executed the great design, and the potency and permanence of its operation upon the affairs of the world, which, as foreseen and legitimate consequences, followed.

The dignity of the act is the deliberate, circumspect, open, and serene performance by these men in the clear light of day, and by a concurrent purpose of a civic duty, which embraced the greatest hazards to themselves and to all the people from whom they held this disputed discretion, but which to their sober judgments promised benefits to that people and their posterity from generation to generation exceeding these hazards and commensurate with its own fitness.

The question of their conduct is to be measured by the actual weight and pressure of the manifold considerations which surrounded the subject before them and by the abundant evidence that they comprehended their vastness and variety. By a voluntary and responsible choice they willed to do what was done and what without their will would not have been done.

Thus estimated, the illustrious act covers all who participated in it with its own renown and makes them forever conspicuous among men, as it is forever famous among events. And thus the signers of the Declaration of our Independence

"wrote their names where all nations should behold them and all time should not efface them." It was "in the course of human events" intrusted to them to determine whether the fulness of time had come when a nation should be born in a day. They declared the independence of a new nation in the sense in which men declare emancipation or declare war; the Declaration created what was declared.

Famous always among men are the founders of States, and fortunate above all others in such fame are these, our fathers, whose combined wisdom and courage began the great structure of our national existence, and laid sure the foundations of liberty and justice on which it rests. Fortunate, first, in the clearness of their title and in the world's acceptance of their rightful claim. Fortunate, next, in the enduring magnitude of the State they founded and the beneficence of its protection of the vast interests of human life and happiness, which have here had their home. Fortunate, again, in the admiring imitation of their work, which the institutions of the most powerful and most advanced nations more and more exhibit; and, last of all, fortunate in the full demonstration of our later time, that their work is adequate to withstand the most disastrous storms of human fortunes, and survives unwrecked, unshaken, and unharmed.

This day has now been celebrated by a great people at each recurrence of its anniversary for a hundred years, with every form of ostentatious joy, with every demonstration of respect and gratitude for the ancestral virtue which gave it its glory, and with the firmest faith that growing time should neither obscure its lustre nor reduce the ardor, nor discredit the sincerity of its observance. A reverent spirit has explored the lives of the men who took part in the great transaction; has unfolded their characters and exhibited to an ad-

miring posterity the purity of their motives; the sagacity, the bravery, the fortitude, and the perseverance which marked their conduct, and which secured the prosperity and permanence of their work.

Philosophy has divined the secrets of all this power and eloquence emblazoned the magnificence of its results. The heroic war which fought out the acquiescence of the Old World in the independence of the New; the manifold and masterly forms of noble character, and of patient and serene wisdom which the great influences of the times begat; the large and splendid scale on which these elevated purposes were wrought out and the majestic proportions to which they have been filled up; the unended line of eventful progress, casting ever backward a flood of light upon the sources of the original energy, and ever forward a promise and a prophecy of unexhausted power,—all these have been made familiar to our people by the genius and the devotion of historians and orators.

The greatest statesmen of the Old World for this same period of one hundred years have traced the initial step in these events, looked into the nature of the institutions thus founded, weighed by the Old-World wisdom and measured by recorded experience, the probable fortunes of this new adventure on an unknown sea. This circumspect and searching survey of our wide field of political and social experiment no doubt has brought them a diversity of judgment as to the past and of expectation as to the future. But of the magnitude and the novelty and the power of the forces set at work by the event we commemorate no competent authorities have ever greatly differed. The contemporary judgment of Burke is scarcely an over-statement of the European opinion of the immense import of American independence. He de-

clared: "A great revolution has happened—a revolution made, not by chopping and changing of power in any of the existing States, but by the appearance of a new State of a new species in a new part of the globe. It has made as great a change in all the relations and balances and gravitations of power as the appearance of a new planet would in the system of the solar world."

It is easy to understand that the rupture between the colonies and the mother country might have worked a result of political independence that would have involved no such mighty consequences as are here so strongly announced by the most philosophic statesman of his age. The resistance of the colonies, which came to a head in the revolt, was led in the name and for the maintenance of the liberties of Englishmen against parliamentary usurpation and a subversion of the British constitution.

A triumph of those liberties might have ended in an emancipation from the rule of the English Parliament and a continued submission to the scheme and system of the British monarchy, with an American Parliament adjusted thereto upon the true principles of the English constitution. Whether this new political establishment should have maintained loyalty to the British sovereign or should have been organized under a crown and throne of its own the transaction would then have had no other importance than such as belongs to a dismemberment of existing empire, but with preservation of existing institutions. There would have been to be sure a "new state," but not "of a new species," and that it was "in a new part of the globe" would have gone far to make the dismemberment but a temporary and circumstantial disturbance in the old and settled order of things.

Indeed, the solidity and perpetuity of that order might have been greatly confirmed by this propagation of the model of the European monarchies on the boundless regions of this continent. It is precisely here that the Declaration of Independence has its immense importance. As a civil act, and by the people's decree, and not by the achievement of the army or through military motives, at the first stage of the conflict it assigned a new nationality with its own institutions as the civilly pre-ordained end to be fought for and secured. It did not leave it to an after fruit of triumphant war, shaped and measured by military power, and conferred by the army of the people. This assured at the outset the supremacy of civil over military authority, the subordination of the army to the unarmed people.

This deliberative choice of the scope and goal of the Revolution made sure of two things which must have been always greatly in doubt if military reasons and events had held the mastery over the civil power. The first was that nothing less than the independence of the nation and its separation from the system of Europe would be attained if our arms were prosperous; and the second that the new nation would always be the mistress of its own institutions. This might not have been its fate had a triumphant army won the prize of independence, not as a task set for it by the people, and done in its service, but by its own might and held by its own title, and so to be shaped and dealt with by its own will.

There is the best reason to think that the Congress which declared our independence gave its chief solicitude, not to the hazards of military failure, not to the chance of miscarriage in the project of separation from England, but to the grave responsibility of the military success—of which they

made no doubt—and as to what should replace as government to the new nation the monarchy of England, which they considered as gone to them forever from the date of the Declaration.

Nor did this Congress feel any uncertainty, either in disposition or expectation, that the natural and necessary result would preclude the formation of the new government out of any other materials than such as were to be found in society as established on this side of the Atlantic. These materials they foresaw were capable of and would tolerate only such political establishments as would maintain and perpetuate the equality and liberty always enjoyed in the several colonial communities. But all these limitations upon what was possible still left a large range of anxiety as to what was probable and might become actual.

One thing was too essential to be left uncertain, and the founders of this nation determined that there never should be a moment when the several communities of the different colonies should lose the character of component parts of one nation. By their plantation and growth up to the day of the Declaration of Independence they were subjects of one sovereignty, bound together in one political connection, parts of one country, under one constitution, with one destiny. Accordingly the Declaration by its very terms made the act of separation a dissolving by " one people " of " the political bands that have connected them with another," and the proclamation of the right and of the fact of independent nationality was " that these United Colonies are and of right ought to be free and independent States."

It was thus, that at one breath, " independence and union " were declared and established. The confirmation of the first by war, and of the second by civil wisdom, was but

the execution of the single design which it is the glory of this great instrument of our national existence to have framed and announced. The recognition of our independence, first by France, and then by Great Britain, the closer union by the Articles of Confederation and the final unity by the federal constitution were all but muniments of title of that " liberty and union, one and inseparable," which were proclaimed at this place and on this day one hundred years ago, which have been our possession from that moment hitherto, and which we surely avow shall be our possession forever. . . .

What half a century ago was hopefully prophesied for our far future goes out to its fulfilment. The prophecy then uttered has become a truth—a realization.

" As the sun rises one Sabbath morning and travels westward from Newfoundland to the Oregon, he will behold the countless millions assembling, as if by a common impulse, in the temples with which every valley, mountain, and plain will be adorned. The morning psalm and the evening anthem will commence with the multitudes on the Atlantic coast, be sustained by the loud chorus of ten thousand times ten thousand in the valley of the Mississippi, and be prolonged by the thousands of thousands on the shores of the Pacific."

What remains but to search the spirit of the laws of the land as framed by, and modeled to, the popular government to which our fortunes were committed by the Declaration of Independence? I do not mean to examine the particular legislation, State or general, by which the affairs of the people have been managed, sometimes wisely and well, at others feebly and ill, nor even the fundamental arrangement of political authority, or the critical treatment of great junctures in our policy and history. The hour and the occasion concur to preclude so intimate an inquiry.

The chief concern in this regard to us and to the rest of the world, is, whether the proud trust, the profound radicalism, the wide benevolence which spoke in the Declaration, and were infused into the constitution at the first, have been in good faith adhered to by the people, and whether now these principles supply the living forces which sustain and direct government and society.

He who doubts needs but to look around to find all things full of the original spirit, and testifying to its wisdom and strength. We have taken no steps backward, nor have we needed to seek other paths in our progress than those in which our feet were planted at the beginning. Weighty and manifold have been our obligations to the great nations of the earth, to their scholars, their philosophers, their men of genius and of science, to their skill, their taste, their invention, to their wealth, their arts, their industry. But in the institutions and methods of government; in civil prudence, courage, or policy; in statesmanship, in the art of "making of a small town a great city," in the adjustment of authority to liberty; in the concurrence of reason and strength in peace, of force and obedience in war; we have found nothing to recall us from the course of our fathers, nothing to add to our safety or aid our progress in it.

So far from this all modifications of European politics accept the popular principles of our system and tend to our model. The movements toward equality of representation, enlargement of the suffrage, and public education in England; the restoration of unity in Italy; the confederation of Germany under the lead of Prussia; the actual republic in France; the unsteady throne of Spain; the new liberties of Hungary; the constant gain to the people's share in government throughout all Europe; all tend one way, the way pointed out in the Declaration of Independence.

The care and zeal with which our people cherish and invigorate the primary supports and defences of their own sovereignty have all the unswerving force and confidence of instincts. The community and publicity of education at the charge and as an institution of the State is firmly embedded in the wants and desires of the people. Common schools are rapidly extending through the only part of the country which has been shut against them, and follow close upon the footsteps of its new liberty to enlighten the enfranchised race. Freedom of conscience easily stamps out the first sparkles of persecution and snaps as green withes the first bonds of spiritual domination. The sacred oracles of their religion the people wisely hold in their own keeping as the keys of religious liberty, and refuse to be beguiled by the voice of the wisest charmer into loosing their grasp.

Freedom from military power and the maintenance of that arm of the government in the people; a trust in their own adequacy as soldiers when their duty as citizens should need to take on that form of service to the State; these have gained new force by the experience of foreign and civil war, and a standing army is a remoter possibility for this nation in its present or prospective greatness than it was in the days of its small beginnings.

But in the freedom of the press and the universality of the suffrage as maintained and exercised to-day throughout the length and breadth of the land we find the most conspicuous and decisive evidence of the unspent force of the institutions of liberty, and the jealous guard of its principal defences. These indeed are the great agencies and engines of the people's sovereignty. They hold the same relations

to the vast Democracy of modern society that the persuasions of the orators and the personal voices of the assembly did in the narrow confines of the Grecian States. The laws, the customs, the impulses, and sentiments of the people have given wider and wider range and license to the legislations of the press, multiplied and more frequent occasions for the exercise of the suffrage, larger and larger communication of its franchise.

The progress of a hundred years finds these prodigious activities in the fullest play—incessant and all powerful—indispensable in the habits of the people and impregnable in their affections. The public service and their subordination to the public safety stand in their play upon one another, and in their freedom thus maintained. Neither could long exist in true vigor in our system without the other. Without the watchful, omnipresent, and indomitable energy of the press the suffrage would languish, would be subjugated by the corporate power of the legions of placemen which the administration of the affairs of a great nation imposes upon it and fall a prey to that "vast patronage which" we are told, "distracted, corrupted, and finally subverted the Roman Republic."

On the other hand, if the impressions of the press upon the opinions and passions of the people found no settled and ready mode of their working out through the frequent and peaceful suffrage, the people would be driven to satisfy their displeasure at government or their love of change to the coarse methods of barricades and batteries, by the force of arms, as it were.

We cannot then hesitate to declare that the original principles of equal society and popular government still inspire the laws, live in the habits of the people and animate their

purposes and their hopes. These principles have not lost their spring or elasticity. They have sufficed for all the methods of government in the past; we feel no fear for their adequacy in the future. Released now from the tasks and burdens of the formative period, these principles and methods can be directed with undivided force to the everyday conduct of government, to the staple and steady virtues of administration.

The feebleness of crowding the statute-books with unexecuted laws; the danger of power outgrowing or evading responsibility, the rashness and fickleness of temporary expedients, the constant tendency by which parties decline into factions and end in conspiracies, all these mischiefs beset all governments and are part of the life of each generation. To deal with these evils, the tasks and burdens of the immediate future, the nation needs no other resources than the principles and the examples which our past history supply. These principles, these examples of our fathers, are the strength and the safety of our State to-day: *Moribus antiquis, stat res Romana, virisque.*

Unity, liberty, power, prosperity—these are our possessions to-day. Our territory is safe against foreign dangers; its completeness dissuades from further ambition to extend it, and its rounded symmetry discourages all attempts to dismember it. No division into greatly unequal parts would be tolerable to either. No imaginable union of interests or passions large enough to include one half the country, but must embrace much more. The madness of partition into numerous and feeble fragments could proceed only from the hopeless degradation of the people, and would form but an incident in the general ruin.

The spirit of the nation is at the highest—its triumph over

the inborn, inbred perils of the constitution has chased away all fears, justified all hopes and with universal joy we greet this day. We have not proved unworthy of a great ancestry; we have had the virtue to uphold what they so wisely, so firmly established. With these proud possessions of the past, with powers matured, with principles settled, with habits formed, the nation passes as it were from preparatory growth to responsible development of character and the steady performance of duty. What labors await it, what trials shall attend it, what triumphs for human nature, what glory for itself, are prepared for this people in the coming century, we may not presume to foretell. "One generation passeth away and another generation cometh, but the earth abideth forever," and we reverently hope that these, our constituted liberties, shall be maintained to the unending line of our posterity and so long as the earth itself shall endure.

SIR LEONARD TILLEY

SIR SAMUEL LEONARD TILLEY, K.C.M.G., Canadian statesman and financier, was born at Gagetown, New Brunswick, May 8, 1818, and died at St. John, New Brunswick, June 25, 1896. He attended the grammar school in his native town for some years, but at the age of twelve was apprenticed to an apothecary, and subsequently set up in business as a druggist. Before setting out in public life, he joined a debating society and was a warm advocate of temperance, remaining a total abstainer all his life. In 1850, he entered the New Brunswick legislature as member for St. John, and for the remainder of his career was rarely out of public life. From 1857 to 1865 he was premier of the province of New Brunswick, and after the union of the British provinces in the Dominion of Canada he was appointed the first minister of customs in the Dominion cabinet. He subsequently held the posts of minister of public works and minister of finance, and was lieutenant-governor of New Brunswick, 1873–78. During the administration of Sir John A. Macdonald, he was again minister of finance, 1878–85, and in 1879 received the honor of knighthood. On account of ill health he retired from the cabinet in the summer of 1885, but in the following November was persuaded to accept the post of lieutenant-governor of New Brunswick for a second period, holding office until 1893. Sir Leonard Tilley during his long public career instituted many public measures of importance, the chief of which was the act relating to the readjustment and reorganization of the customs tariff, besides taking an active and prominent part in bringing about Canadian Federation.

ON NATIONAL POLICY

DELIVERED MARCH 14, 1879

MR. CHAIRMAN,—It is only recently that I have quite realized the great changes that have taken place throughout the Dominion of Canada since I last had the honor of a seat in Parliament. To-day I fully realize them, and the increased difficulties devolving upon me as finance minister, compared with the position of affairs when I submitted my financial statement in 1873. Then my work was a very easy one indeed. Honorable ministers on the opposite benches were pleased on that occasion to compliment