

A COMPARATIVE VIEW

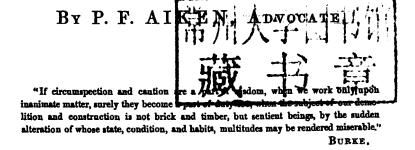
OF THE

CONSTITUTIONS OF GREAT BRITAIN

AND THE

UNITED STATES OF AMERICA,

IN SIX LECTURES.



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PREFACE.

THESE discourses were originally prepared for a literary association at Bristol, designed chiefly for the improvement of young men, by means of a select library, and lectures given by clergymen and gentlemen who take an interest in the institution. The author was afterwards invited to deliver them elsewhere; and to the numerous and most respectable audience, at whose request they are published, he has to apologize for the delay caused by his acceptance of an invitation from the principal inhabitants of Newport, in Monmouthshire, to repeat the course there, at the close of autumn. But he has thus been enabled to extend and illustrate it, by a reference to recent documents and very important events.

Great Britain and America having been reunited in amicable bonds, every sincere patriot and philanthropist will desire that their concord may be perpetual, and will mingle his aspirations for the welfare of both countries.

An Englishman, how careful soever, to derive his knowledge of the institutions of the United States, from

the best sources, should be apprehensive of error. But having thus endeavoured to guard against fallacy, it is his privilege to state unreservedly his honest convictions.

The author's design was, to compare our limited monarchy with the greatest modern republic, not in order to disparage either, but to elucidate both to a popular audience of his own countrymen. That plan would have circumscribed the limits of this work, even had he possessed the leisure and the ability to execute it in a manner more worthy of the theme. But in its present form, it may perhaps be read by those to whom a more costly and elaborate treatise would not be accessible.

The subject has an intrinsic claim to attention. It embraces a variety of topics, both entertaining and important, and historical truths of immense practical value, concerning which the people are deeply interested and too often misled.

These pages are especially dedicated to the youth and to the working classes of this kingdom. May they be happy in justly appreciating our national institutions, in cherishing true liberty and rejecting its counterfeits.

CLIFTON, 13th December, 1842.

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INTRODUCTORY.

LECTURE I.

Discovery of America and contemporaneous events—Common origin of the British and American people and their institutions—Primitive character of the colonists and their final separation from the mother country—important differences in the condition of the two nations—The American constitution was planned by Congress, is a legislative experiment, and is not a precedent to be followed by this country.

THE invention of printing, the Reformation, and the discovery of America, occurring in the order of Divine Providence very near the same period, combined to produce the most important and beneficial results to mankind. The art of printing, by which thought is transmitted rapidly and extensively from mind to mind and from age to age, performed its noblest office as an auxiliary to the Reformation. And after the Reformation had made considerable progress, the religious differences which arose in England, led many of our ancestors to seek an asylum in the recently-discovered continent of North America. Thither they carried the reformed doctrines, which are now professed by millions of their descendants in the new world, and are propagated by their missionaries in various parts of the globe.

The discovery of America tended, in connection with other causes, to render the moderns more original and more independent of antiquity. It opened a wide field for geographical and scientific discovery, for mercantile adventure, and daring enterprise. To the young, the hopeful, the disappointed, the ambitious, America was a land of promise, and for many generations innumerable emigrants from the civilized societies of the old world, have started forward in that ample region, in a new and more prosperous course. The Anglo-American colonies especially, have immensely extended commerce and manufactures, have changed the distribution of wealth, and modified the influence of hereditary rank and fortune in the parent state. Their successful struggle for independence had an important bearing on the political condition of European kingdoms; and to Englishmen especially, the study of their history and institutions is essential, and full of the most interesting and valuable instruction.

The American continent extends almost from pole to pole; its loftiest mountains surpass the highest Alps; its lakes, resembling inland seas, supply the mightiest rivers of the earth; its immense plains of exhaustless fertility yield the various productions of tropical and temperate regions; and its climate is generally far more favourable to man than that of Asia or of Africa. Such is the magnificent abode prepared from the beginning by the all-bountiful Creator, but which was reserved till these latter days, to receive the overflowing population of the ancient kingdoms of the earth.

The first settlers on the shores of the Antilles and of South America, were gladdened by the discovery of islands of extraordinary beauty, in a sea calm, clear, and sparkling beneath the glowing sky of the tropics. The peaceful inhabitants of that paradise of the South were soon subdued and enslaved, and were forced by

their avaricious conquerors to toil and perish in the mines. The colonists themselves soon became enervated and debased, and the treasures of gold and silver which they obtained by so many and so cruel wrongs, brought with them a curse. Impoverished Spain has lost her South American colonies by revolt; and those young republics, the æra of whose independence it was confidently foretold would be the commencement of a bright period of prosperity, of glory, and of happiness, have ever since their separation from the mother country been the theatre of revolutions, assassinations, and civil wars, which have disappointed the ardent hopes that were entertained of their rising greatness.

Between the Atlantic and the eastern base of the Alleghany mountains, whose mean distance from the sea is about one hundred miles, the bleak and barren shores of New England extend for nine hundred miles. that inhospitable coast the first settlers from England landed. Rocks and gloomy forests seemed to bar their Farther inland lay a wilderness, inhabited by tribes of warlike savages, where alternate vegetation and decay had for ages been preparing a richly productive soil for the plough. The great valley which lies between the eastern and western range of the mountains of North America, comprehends a space of one million three hundred and forty-two thousand square miles, being twenty-six times larger than England and Wales. Through that valley the majestic Mississippi takes its course of two thousand five hundred miles, having a mean depth of fifteen feet, even at the distance of one thousand three hundred and sixty miles from its mouth. The Rhine and the Danube are streamlets in comparison with that mighty river, whose descriptive Indian name is the "Father of waters." Fifty-seven great navigable rivers pour their tributary waters into its tide, and of these, the Missouri

flows about two thousand five hundred miles, the Arkansas one thousand three hundred miles, the Red River one thousand miles. To the west of the Mississippi the woods disappear, and there are plains of unknown extent.

If the first British settlers on the American continent had quitted their native country, either at an earlier and less enlightened period of our history, or in the present age, doubtless the character of the American people and of their institutions, would have been materially different from what they became. The colonies in New England were the exemplar of all the rest, and the primitive character of the colonists was derived from that of the mother country at the time of their departure. It is therefore important to advert briefly to the state of society in England at that period, and subsequent to the Reformation.

The great social changes of former times were generally produced by conquest, the arts of human policy, the struggles of men for power, wealth, glory, or free-The Reformation was a revolution caused by the powerful influence of truth. It gave an impulse to society which will be felt to the end of time. Several devout and humble men, in different parts of Europe, were almost simultaneously led to perceive scriptural truths, that had long been corrupted and concealed. The great theme of revelation filled their souls,—inspired them with fervent zeal and lofty courage. Their words, instinct with life and power, were eloquent to stir men's deepest and strongest feelings of attachment or of enmity. Their adversaries were confident in their numbers, in their secular and ecclesiastical power, in their scholastic theology, and controversial skill; but they could not resist nor gainsay the spirit and wisdom of the first Reformers, who believed and taught the pure gospel, who suffered, who died for it, and have handed down to us that precious treasure and inheritance, with liberty of conscience and freedom of thought.

Many of the kings of Europe combined with the Pope to arrest the progress of the Reformation in their dominions, by force. In that design they were permitted to succeed. But none may reject the truth with impunity: and doubtless those kingdoms would have made far higher attainments, and would have enjoyed greater and more uninterrupted happiness, if Christianity had shed its purest light over all Europe. For it is to a Reformation confined to a part only of Europe, that we owe our deliverance from the spiritual and intellectual bondage of the dark ages. formation, although it was partial and limited in its operation, did bring glorious light and liberty. Touched by its rays, genius and talents of the highest order sprung up in exuberant fertility, and the long imprisoned currents of thought and of enterprise flowed afresh. In England especially, the remarkable change resembled the return of spring after a long polar winter, when the renovated earth suddenly teems with luxuriant vegetation, and the frozen streams gush out, and sparkle in perpetual day.

It was not until Elizabeth ascended the throne, that the Reformation was established, either in England or in Scotland. Now, from the middle of her reign till about a century afterwards, is an unrivalled historical period, surpassing the best days of Greece, the Augustan age of Rome, the times of the Medici in modern Italy, the age of Louis the Fourteenth in France, and that of Queen Anne in England. The illustrious men of that time were of vast capacity and creative genius, who made large additions to science, or produced literary works of high and enduring excellence. Bacon, who prepared the way for all the great discoveries of modern times; Spenser, Shakspere, and Milton; Barrow

and Jeremy Taylor, Cudworth and Hobbes, Drake, Raleigh, Sydney, Coke, and Selden, Harvey, Napier, and Buchanan,—whose memorable names suggest some of the highest attainments of the human mind, in poetry, theology, philosophy, law, science, and literature. Nor should we omit to mention the publication of the first English newspaper, in Queen Elizabeth's reign,—the origin of a power of immense efficacy, both for good and for evil.

Whoever would desire to know some of the best and brightest thoughts of English writers, expressed in the full energy and beauty of our language, must study the writings of the century succeeding the Reformation. One noble and invaluable specimen of the pure racy English style of the men of those days is in the hands of all—the translation of the Bible.

From the bosom of a society so far advanced in knowledge and civilization, so rich in genius, so characterised by masculine vigour and by the unmixed peculiarities of our nation; containing so much matured excellence, and so many germs of future greatness, the first British colonists of North America went forth.

Queen Elizabeth gave a name to Virginia, but no permanent colony was established during her reign. In the year 1607 a small band of emigrants landed there. They were of the higher order of society in England, and members of the Established Church, and were accompanied by an exemplary and esteemed clergyman. Religious considerations had induced them to quit their native country; and they described their settlement on a continent, inhabited by wild Indians, as a work "which by the providence of God might tend to the glory of his Divine Majesty, and the propagating of the Christian religion." They soon built an episcopal church, on a peninsula which projects from the northern shore of James' River. Its ruins,

and the tombs around it, still remain,—the only memorial of Jamestown, the first English settlement in the New World.

The first settlers in New England landed thirteen years afterwards. The greater part of them were neither of the aristocratic nor of the lower and poorer class, but they were educated persons of the middle ranks of English society, sober, industrious, devout, and strictly moral. That system of local government in parishes and towns, which originated with our Saxon ancestors, and lies at the foundation of British liberty, then existed in considerable perfection in England. During the long-continued political contests of those times, the colonists had gained an experimental knowledge of the principles of civil liberty; and the tendency of their political opinions was towards republicanism. Religion was a subject of earnest consideration with them, and they had taken a deep interest in the theological controversies of that period. settlers in New England were Puritans, a name given to them on account of the severity of their manners, and their claims to strict purity of worship and discipline. There was a stern sincerity in their attachment to their opinions, which almost amounted to bigotry. They were ready to suffer for conscience sake; and in the school of adversity they had learned to value the rights of conscience, and to know something of the principles of toleration. They derived the elements of civil and religious liberty from the institutions of their native country. But having been oppressed and persecuted, they forsook their homes, and with their families they sought independence in the savage deserts of North America.

What sought they thus afar? Bright jewels of the mine—

The wealth of seas—the spoils of war?
They sought a faith's pure shrine.*

The Rev. Cotton Mather, an evangelical minister of Boston, in his Ecclesiastical History of New England,

* "There was in the principles of the Puritans nothing of philosophy, either in the good sense of the word or the bad. And it is also most unjust to charge them with irreverence or want of humility. They received the scriptures as God's word, and they followed them implicitly. Neither do they seem chargeable with establishing nice distinctions, in order to evade their obvious meaning; their fault seems rather to have lain in the other extreme; they acquiesced in the obvious and literal meaning too unhesitatingly. Nor yet were they wanting in respect for all human authority, as trusting in their own wisdom and piety only. On the contrary, the decisions of the earlier church with respect to the great Christian doctrines, they received without questioning; they by no means took the scriptures into their hands, and sat down to make a new creed of their own out of them. They disregarded the church only where the church departed from the obvious sense of scripture; I do not say the true sense, but the obvious one. The difference as to their moral character is considerable: because he who maintains another than the obvious sense of scripture against other men, may indeed be perfectly right, but he is liable to the charge, whether grave or frivolous as it may be, of preferring his own interpretation to that of the church. But maintaining the obvious sense, even if it be the wrong one, he can hardly be charged himself with arrogance; he may with greater plausibility retort the charge on his opponents, that they are substituting the devices of their own ingenuity for the plain sense of the word of God..... The Puritans wished to alter the existing church system for one which they believed to be freer and better; and so far they resembled a common popular party: but inasmuch as in this and all other matters their great principle was conformity to scripture, and they pushed this to an extravagant excess, because their interpretation of scripture was continually faulty, there was, together with their free political spirit, a narrow spirit in things religious which shocked not only the popular party of the succeeding age, but many even in their own day, who politically entertained opinions far narrower than theirs."-Dr. Abnold's Introductory Lectures on Modern History.

published in 1698, says:—"There were more than a few attempts of the English to people and improve the parts of New England which were to the northward of New Plymouth; but the designs of those attempts being aimed no higher than the advancement of some worldly interests, a constant series of disasters has confounded them, until there was a plantation erected upon the nobler designs of Christianity; and that plantation, though it has had more adversaries than perhaps any upon earth, yet having obtained help from God, it continues to this day." The emigrants were about one hundred and fifty in number; and after an unfavourable and tempestuous voyage, they were compelled to land on that part of the New England coast, where the town of Plymouth is now built. The rock on which they landed is an object of great curiosity and veneration in the United States. As soon as they had landed they passed the following act:—"In the name of God, amen. We whose names are underwritten, the loyal subjects of our dread Sovereign Lord. King James, having undertaken, for the glory of God, and the advancement of the Christian faith, and the honour of our king and country, a voyage to plant the first colony in the northern parts of Virginia; do by these presents solemnly and mutually, in the presence of God and one another, covenant and combine ourselves together into a civil body politick, for our better ordering and preservation, and furtherance of the ends aforesaid," &c. This social contract was drawn up in 1620, and the emigrants who founded other settlements in New England, soon afterwards acted in a similar manner.

Never was a colony planted with less apparent prospect of success, but with higher and holier aims; and the result is a glorious and instructive lesson to nations: for may not the words of the inspired prophet be applied historically to that people, "A little one shall become a thousand, and a small one a strong nation. I the Lord will hasten it in his time."

Let an American statesman, Mr. Everett, the present ambassador to England from the United States, eloquently describe the humble origin and future greatness of his country:-- "Shut now the volume of history, and tell me on any principle of human probability, what shall be the fate of this handful of adventurers? Tell me, man of military science, in how many months were they all swept off by the thirty savage tribes enumerated within the early limits of New England? Tell me, politician, how long did this shadow of a colony, on which your conventions and treaties had not smiled, languish on the distant coast? Student of history, compare for me the baffled projects, the deserted settlements, the abandoned adventures of other times, and find the parallel of this. Was it the winter's storm, beating upon the houseless heads of women and children? was it hard labour and spare meals? was it disease? was it the tomahawk? was it the deep malady of a blighted hope, a ruined enterprize, and a broken heart, aching in its last moments at the recollection of the loved and left beyond the sea? was it some, or all of these united, that hurried this forsaken company to their melancholy fate? And is it possible that neither of these causes—that not all combined, were able to blast this bud of hope? Is it possible that, from a beginning so feeble, so frail, so worthy not so much of admiration as of pity, there has gone forth a progress so steady, a growth so wonderful, a reality so important, a promise yet to be fulfilled so glorious?"

The number of settlers increased by arrivals from Europe almost every year. Rhode Island was purchased from the Indians about the year 1638. Connecticut, New Hampshire, and Maine were founded