

**ADDRESS AND POEM DELIVERED  
BEFORE THE ASSOCIATE  
CHAPTERS  
OF THE SIGMA PHI FRATERNITY  
AT GENERAL THEIR CONVENTION**

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Address and Poem Delivered Before the Associate Chapters of the Sigma Phi Fraternity at  
general their convention by Various

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**VARIOUS**

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DELIVERED BEFORE THE

ASSOCIATE CHAPTERS

OF THE

SIGMA PHI FRATERNITY,

AT THEIR GENERAL CONVENTION

HELD IN WILLIAMSTOWN, MASS.

AUGUST 16, 1853.

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WILLIAMSTOWN:

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1854.

ADDRESS,

BY

THOMAS T. DAVIS,

OF THE BETA OF NEW YORK.

H87602-1

## ADDRESS.

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GENTLEMEN OF THE SIGMA PHI:

I propose to address you to-day, on the theme of Civil Liberty in England and our own country; to sketch its history, to speak of its value, and to present some considerations which should bind you to its support *here*, under the UNION and the CONSTITUTION.

This subject, not specially appropriate perhaps to a literary occasion, I have selected, because I deem it well that they to whom, from education and position, the destinies of the Republic may soon be committed, should bear in mind the dangers which threaten and the fortunes which await it.

Civil Liberty in England was the child of Civil Despotism,—the offspring of that oppression which the leader of the conquest visited alike upon the Saxon victim and the Norman victor. As the head of the army, William directed all military power; as the head of the state, he claimed not only the sovereignty but the *title* of the soil. He appropriated the forests to the chase for his exclusive pleasure, and divided the fair fields of England into military fiefs, to be distributed as the rewards of prowess and devotion. The Norman barons held estates limited by his favor. The church, governed by Roman legates and imported priests, became his instrument; the courts pronounced no judgment, save subject to his review and reversal; the person of the

highest in the realm was thus subjected to his control, and a tyranny more exacting than any which England since has suffered, testified to the Norman and Saxon race, that throughout every rank and department of society, liberty breathed not, save for him who, at the head of all, sat despotic and alone.

The oppression of the two races, merging their mutual hatred, created a desire for union and resistance ; and though not in William's time, nor in that of his immediate successor, did its fruits appear, still scarcely forty years had elapsed from the conquest, when Henry I. yielded to the stern demand of a united people, concessions essential to the security of his crown. He repealed the obnoxious forest laws, granted greater facilities to the alienation and just descent of estates, greater security to property, greater liberty to the person, and relaxed the rigors of the feudal service. The very tyranny of William resulted in that Norman and Saxon union, by which these first restraints were placed on the prerogative of kings. Had William been generous to the Saxon blood, had he been just to those whose valor won for him the field of Hastings, perchance e'en now, a Norman prince might wear Victoria's crown, and the dukes of Northumberland and Kent claim feudal service from men as servile as Russian vassals.

Next came the triumph of the Magna Charta, not as the gift, but as the necessity of monarchy. It was an important but not a perfect acknowledgment of popular right. The right to be FREE, existing from the first organization of society as a fundamental and glorious truth, had been forgotten amid the ignorance and violence of the world's earlier history ; not even the great charter, nor the great revolution, brought it perfectly to the recollection of mankind. It was destined to a complete development, only in those nearer times of which there are yet living witnesses, when on our own shores, they of our own blood asserted the absolute



liberty of men to elect their own rulers, and to determine the laws by which those rulers should be controlled.

The Magna Charta was a popular victory over prerogative; it confirmed and extended the privileges extorted from Henry I., and gave to each the sacred right of trial by his peers; but it was more a victory in theory than in practical results. Despotism in the days of John, the Tudors, and the Stuarts, was what Absolutism now is, where Napoleon issues his edicts on the Seine, and Nicholas marshals his Cossacks on the Danube. It never breathed the first sentiment of freedom, and it never will. The history of Europe, and especially of England, from the reign of John to the accession of William and Mary, is often but the story of a contest between right and prerogative, in which prerogative sought to regain conceded power, or to compensate itself for the loss of one, by the acquisition of another. Edward I. promised to his people relief from immoderate imports. War with Wales, war with France, war for the crown of Bruce, brought ruinous taxation and wide-spread distress. The nobles murmured and remonstrated; they were rich and powerful, and before their united strength even the valiant and wily monarch, unaided by other classes, might fall discomfited. Edward decreed the election of popular representatives, to consult with the lords and the crown, on the affairs of the kingdom. But that act which resulted in the final establishment and paramount authority of the House of Commons, was dictated by no love of liberty or liberality; it was a measure of *policy* to crush the refractory spirit of the nobles, by bringing to the aid of the throne a new class of men, whose importance and dignity should be due only to royal grace, and who, as the creatures of Edward's power, should yield passive obedience to his will. Edward's is not the only reign, nor England the only country, in which rank and office have converted even the opponents of a government, into its most obsequious tools.

But whatever was the motive of Edward, the assembly thus created became in time a most important feature in the British government ; it gave the people representation and a voice,—that voice, first heard only as a still small voice, became gradually greater in its power and deeper in its tone, till it startled tyranny from its dream, and proclaimed throughout the British Isles, that the majesty of the PEOPLE was greater than the majesty of KINGS, and that the sovereignty of kings was but the delegated SOVEREIGNTY OF THE PEOPLE.

There was yet, however, to be a long and fearful struggle, before the theory of the divine right of kings to govern, and the divine duty of the people to obey, was to be discarded. Despotism, assailed by the spirit of freedom, found a new ally, and the Church, which the Redeemer planted for the enfranchisement of the physical and intellectual man, cast the ligatures of superstitious fear around the mind, while civil authority bound the body, and Church and State together, tortured and burned for political and religious heresy, on joint account of profits and glory !

Rome, in her spiritual dominion, sprang up from the soil which martyrdom had consecrated with a divine faith and an immortal devotion. The purity of her youth faded away in the increase of her years ; pomp and pride lighted the censers of her worship, and anthems due to Heaven alone, were chanted in honor of her saints and her priesthood. Standing by the gates of Paradise, she claimed the custody of its portals ; admitting the believer to its rest, but consigning to perdition all who denied the infallibility of the church, or the supremacy of princes. The vicegerent of Heaven became the sovereign of kings, and potentate and subject owned obedience to a power which held the life hereafter in its hand, and by its judgment in this world, fixed the destiny of mortals in the next. It was not strange that a system founded on false ideas of political power,

should seek alliance with another system, based on the hopes and fears of a future being, and which, while it exacted homage from kings, might for them enforce obedience from subjects. Nor was it strange that the spiritual should conciliate the temporal power, that thus the two, conscious perhaps of mutual infirmities, might aid and abet each other, in the suppression of political and spiritual independence. Thus Civil Freedom, based on principles older than Rome, and coeval with society, had yet to struggle with things temporal and things spiritual, until the nations, incapable of longer endurance, revolted first against the despotism of the church, and then against the tyranny of the throne. Luther lived. Jura and the Alps were tinged with the dawning rays of the Reformation; the gilded robes of a corrupt hierarchy were torn away; Heaven was entered by a countersign which Rome knew not; and that mighty power, which, spanning the earth from the Eastern Indies to the Western Isles, overshadowed its empires,—which in every former combat with the rulers of the world had come off more than conqueror,—was humbled and broken, before the high purpose and the unwavering faith of a lowly monk, who, with Truth for his weapon and Heaven for his shield, went forth amid beleaguering foes, to do proud service for FREEDOM and for MAN.

The indignant protest uttered in the fourteenth century by Wickliffe against Rome, had not been everywhere forgotten, and even before the rise of Luther, there were those in Britain who sighed for emancipation from the spiritual supremacy of Popes Pius and Popes *impious*. When, therefore, the strife began between the Papacy and Luther, the believers in Wickliffe, and all who saw danger in the foreign domination, sympathized with the Reformer and his cause.

Henry VIII. was a papist, and according to Leo a good one. He waged with Luther a polemical war in behalf of Rome and the real presence. The campaign ended, Henry