

**AN ADDRESS, PRONOUNCED ON
THE FIRST TUESDAY OF MARCH,
1831: BEFORE THE MEMBER OF
THE BAR OF THE COUNTRY OF
SUFFOLK, MASSACHUSETTS**

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An Address, Pronounced on the First Tuesday of March, 1831: Before the member of the Bar of the Country of Suffolk, Massachusetts by Peter Oxenbridge Thacher

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PETER OXENBRIDGE THACHER

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BEFORE THE

Members of the Bar of the County of Suffolk,

MASSACHUSETTS.

BY PETER OXENBRIDGE THACHER,
COUNSELLOR AT LAW.

BOSTON:

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1831.

At a Meeting of the Bar of Suffolk, held in the Supreme Judicial Court Room, on the 1st Tuesday of March, 1881,

It was Voted, That the thanks of the Bar be given to the Hon. JAMES TRACONER, for the learned, classical, and interesting Address delivered by him on the present Anniversary, and that he be respectfully requested to permit a copy to be taken for the press.

From the records.

JOSIAH QUINCY, Jr.

Secretary of the Suffolk Bar.

ADDRESS.

GENTLEMEN,

The orator upon these occasions is permitted to address you on any subject connected with our profession. The difficulty which he feels is to blend novelty in his discourse, so as to excite your attention, and to reward it. But why is novelty so desirable? It is said, that there is nothing new under the sun. But experience convinces us, that there is a time when old things become new. Indeed the best knowledge consists in the power to recall old truths, and the talent to apply them to the various occasions of life. We accompany the traveller, however, into new and unexplored regions, even among the burning deserts of Africa, with increasing interest, and our curiosity is kept alive by the constant novelty of the scene. While he who visits old countries, abounding in the fruits of civilization, whose manners and institutions are familiar to us, may be well expected to improve himself, but can hardly hope by his relation to interest others. So that while at this time, all subjects are open to my choice, still, I

find myself in the condition of the rich man, who is so oppressed with his wealth, that he cannot enjoy it.

When Horace threw down his shield, and ignobly fled at the battle of Philippi, whither he had been drawn, by his friendship for Brutus, and his passion for liberty; he honestly confessed, that he was not born to be a soldier, and ever afterwards devoted himself to the service of the Muses. Like the poet, I am resolved, if I should happily escape from my present peril, to devote myself hereafter to the more congenial occupation of dispensing justice with mercy.

But a necessity is imposed upon us;—the subject must be grave, for that becomes us—and every thing must move in its own time and place. Permit me then, in a discourse, designed more particularly for my young friends, to indulge my taste, and to devote this interview to some consideration of the connexion between the moral and the professional character.

The study of morals belongs to all men, of whatever profession, age, or pursuit. Every man is bound by various relations to other beings, and the knowledge of these relations, and of the manner in which they should be discharged, is the proper business of morals. The acquisition of

some branches of knowledge seems, by common consent, to belong to one period of life in preference to any other. Thus the elements of language are taught, and it would seem, that they must be acquired in youth, if at all: for though there are some splendid exceptions, yet few have the courage, and fewer still the leisure, to learn a foreign language in advanced life. But the science of morals is with parents, the first they begin to teach their children: it is one however which varies its aspects in every successive period of life, and must therefore be the companion of every age, and of all other studies and pursuits. He may well begin to tremble for himself, who is proud of his own perfection. Whenever a man thinks himself perfect in this branch of education, and remits the study, whatever may be his age, his rank, or his occupation, and whether in the pulpit, on the bench, in the hall of legislation, or in the common walks of life, he will too soon betray the neglect. The Muses are jealous mistresses, and will not permit rivals in the affections of their votaries. But this is eminently true of wisdom and morals. These are not to be sacrificed to strength of body, activity of limbs, or grace of manners. The Muses are but the hand-maids of Minerva. While they occupy

Parnassus, and drink at the Pierian spring, she, in virgin pride, dwells in high Olympus, and her food is the ambrosia and nectar of the Gods.

We are told, that "of old it was the custom to send the youth of highest quality to Philosophers to be formed. It was in their schools, in their company, and by their precepts and example, that the illustrious pupils were inured to hardship, and exercised in the severest courses of temperance and self-denial. By such an early discipline, they were fitted for the command of others; to maintain their country's honour in war; rule wisely in the state, and fight against luxury and corruption in times of prosperity and peace."^a Philosophy is said to have derived her birth from Socrates; not the doctrine of physics which was of an earlier date, but that philosophy which treats of men and manners, and of the nature of good and evil: and we may justly apply to it, what was said by the Roman orator, of the genius of Quintius Hortensius, in his early youth, that like one of the statues of Phidias, it was no sooner beheld, than it was admired by all who had the taste to love virtue and to practise it.^b The philosophers of antiquity, especially those of the school of Socrates, delighted more

^a 1 Shaft. 104.

^b Cic. Brut.

in the study of morals than of nature. Their imperfect knowledge of the latter, and their erroneous conceptions of the causes of its phenomena, rendered the pursuit unpleasant and unprofitable. Their knowledge of nature was limited greatly to sensible objects. They were shackled too with systems founded in fancy and imagination, rather than on a patient deduction of truth from actual experiment and mathematical demonstration. It was reserved for the "Prophet of the Arts and the Father of experimental philosophy,"³⁰ in modern times, to dissolve the long continued illusions of theory, and to introduce a new principle into the study of nature, which is not inapplicable however, even to the study of moral and professional science, to which we are indebted for all the present improvement in the arts and sciences.

However highly the science of morality was esteemed in the schools of the ancients, their notions of obligation, arising from defective systems of religious truth, led them into the greatest errors both in speculation and conduct. Among the Jews, for instance, greater reverence was felt for the ceremonial than for the moral law. It was a favoured maxim of their Rabbis, "that the words of the Scribes are more amiable than

^c Lord Bacon.