A PLEA FOR THE UNIVERSITY OF ALABAMA.

AN ADDRESS
DELIVERED BEFORE
THE EROSOPHIC AND PHILOMATHIC
SOCIETIES
OF NON-CIRCULATING
ROOM USE ONLY
THE UNIVERSITY OF ALABAMA.

ON THEIR ANNIVERSARY OCCASION,
AUGUST 9, 1847.

BY
JOSEPH W. TAYLOR, ESQ.

TUSCALOOSA
PRINTED BY M. B. J. SLADE
1847.
CORRESPONDENCE.

UNIVERSITY OF ALABAMA, August 9, 1847.

Dear Sir:—We have been appointed Committees from the Philomathic and Erephonic Societies of the University of Alabama, to tender to you the thanks of these bodies, for the very able, argumentative, and appropriate Address, delivered by you before them this morning, and to request a copy of the same for publication.

Permit us, Sir, to add our personal acknowledgments to those of the Societies we represent.

JOHN A. FOSTER.

ALEX. G. DAVIDSON.

JAS. T. KILLOUGH.

ELMORE J. FITZPATRICK.

THAD. H. PERRY.

A. A. ARCHIBALD.

Committees of the Philomathic Society.

Committee of the Erephonic Society.

TO JOSEPH W. TAYLOR, Esq.

TUSCALOOSA, August 10, 1847.

Gentlemen: I place, at your disposal, a copy of the Address alluded to in your polite note of yesterday.

I feel grateful for its flattering reception, being well aware that it is attributable more to the partiality of those before whom it was delivered, than to the merits of the production itself.

I tender to yourselves, and to those whom you represent, my acknowledgments for your and their kind consideration.

With sentiments of high respect, I am, Gentlemen, yours respectfully,

JOSEPH W. TAYLOR.

To Messrs. FOSTER, FITZPATRICK, &c., COMMITTEES, &c.

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UNIVERSITY OF ALABAMA, Aug. 11th, 1847.

Joseph W. Taylor, Esq.

Dear Sir: The Trustees of the University, at a meeting on the 10th inst., Resolved unanimously, that they, as a body, felt very great pleasure and high gratification in listening to your able and interesting Address before the Literary Societies of the University, on Monday last; and that you be respectfully requested to permit a copy to be taken for publication.

The undersigned were appointed a committee to convey to you the sentiments and wishes of the Board of Trustees.

In discharging that pleasing duty, you will permit us to add our individual congratulations at the successful accomplishment of the object of your Address in making an able and powerful plea for the Institution; and our sincere desire that you will comply with the wishes of the Board of Trustees.

Very respectfully, your ob't serv'ts,

JAS. GUILD

RICH. T. NOTT

F. G. NORMAN.

TUSCALOOSA, August 12th, 1847.

Gentlemen: I take great pleasure in complying with the request of the Trustees of the University, contained in your note of the 11th inst.

Please convey to them my grateful acknowledgments for so flattering a mark of their approval of my Address before the Literary Societies of the University, and accept, for yourselves, my thanks for the complimentary terms in which you have communicated the wishes of those whom you represent.

Very respectfully, your ob't serv't,

JOSEPH W. TAYLOR.

To Messrs. JAS. GUILD, RICH. T. NOTT, F. G. NORMAN,
Committee of the Trustees, &c.
ADDRESS.

GENTLEMEN OF THE ERYSOPHIC
AND PHILOMATHE SOCIETIES:

An interesting occasion has convened us here to-day. The University of Alabama holds its annual festival, and we have come to bear our several parts in the attractive ceremonial. The Trustees of the University are here to perform their high duties as the guardians of its interests and the patrons of its fortunes. The honorable Faculty of the University are here to exhibit, like the Roman matron, the true jewels of the commonwealth—its educated sons; and to receive the congratulations of the public, on the success of their labors. Here are the students, fresh from the fields of intellectual strife, laden with the spoils of the conquered realms of mind, come to enjoy a triumph more grateful to patriotism, and more honorable to them, than that accorded in Greece and Rome to laureled chieftains for deeds of heroism and feats of arms. Here, too, are the people, the young and the old, the beauty and the chivalry of the State, assembled to witness the struggles of rival combatants on the arena of mind, to bind with laurel the brows of the conquerors in the bloodless encounter, and to hang with garlands the altars dedicated, in these halls, to literature and science.

Before this brilliant and enlightened assembly you have called me, gentlemen, to act an important part in the festivities of the 'day.' Sincerely grateful for the flattering distinction, I am not insensible to the magnitude of the responsibility which it imposes. I am to address an American audience, in language and sentiments not unsuited to American ears. I am to speak in the high cause of letters and mind, before an assembly peculiarly qual-
ified, by their habits and pursuits, to appreciate what is excellent, and to detect what is faulty in a literary effort. Conscious, therefore, of what is due to the occasion and to the expectation of the audience, I rise, with unaffected diffidence and apprehension, to perform the task which the kind partiality of the Societies has imposed upon me.

I have chosen, gentlemen, as the theme of my address—
-a Plea for the University of Alabama.

Before an auditory like this, and on an occasion like the present, I trust the appropriateness of my subject will need but a brief vindication. The selected guardians of the University, the honored occupants of its chairs, the favored individuals who enjoy its facilities for improvement, and the enlightened citizens of the State blessed by its mild and humanizing influences, compose an audience upon whose attention the subject has immediate and powerful claims. Nor could a more fitting occasion than the present be selected for its discussion. The day is dedicated by the two Societies to exercises conducive to the advancement of the cause of letters and mind. The prosperity of that cause in Alabama is, in the judgment of your speaker, inseparably identified with the success and the perpetuity of this University. An effort, therefore, in its behalf, howsoever humble it may be, is an offering fit to be laid upon the altar enriched already with the annual gifts of the eloquent representatives of the two Societies.

And here allow me to enter a disclaimer due to the merits of the subject, and which finds in this its most appropriate place of utterance. I enjoy, as you are aware, no official connection with the University of Alabama, either as Professor, Tutor, or Trustee. In my advocacy of its claims I am influenced by the unbiased suggestions of my individual judgment, and by considerations which address themselves with equal directness and force to all the citizens of the State. As a friend to the cause of learning, I desire to see this institution enjoying a popularity commensurate with its merits, and exerting an influence coextensive with the limits of Alabama. But the hearts of the friends of learning all over the State, kindle with the same aspirations for its fame and usefulness. As a citizen of Alabama, I regard the University with pride, as a noble foundation to secure the blessings of knowledge to the present and to future generations. But every Alabamian may contemplate it in the same light, and share in the emotion which the view inspires. I approach the discussion of my subject, therefore, with no interest to bias my judgment or to impair the credibility of my statements. As one of the people alone, dwelling in their midst and sharing with them in the immunities and burdens of a common citizenship, I stand before these respected Societies, and through them in the audience of the people of Alabama, and ask that both you and they will accord to me that candid and impartial bearing due to the dignity of my subject, the disinterestedness of my motives, and the magnitude of the interests involved in the final decision of the great question which I am now to discuss.

The perspicuous and orderly development of the subject demands a brief review of the origin, the progress and the present condition of the University. Fortunately, the materials for such an undertaking are abundant and authentic. The University of Alabama owes its origin to a noble and elevated policy adopted by the United States at an early period of their national existence; and pursued, with inflexible constancy, throughout their whole career, down to the present day. By succession to the rights of the British crown, by voluntary cessions from individual States, and by purchases made of other nations, they became the proprietors of a magnificent and almost boundless public domain. Stretching from the lakes on the north to the Gulf of Mexico on the south, and extending westward through many degrees of longitude, this extensive territory comprehended that fair and fertile portion of our country which lies west of the thirteen original States of the confederacy. From time to time, territorial governments were established over distinct portions of this beautiful region, which in due time, and in the prescribed mode, were superseded by the regularly modeled constitutions of independent States. Emerging, one by one, like stars from the wilderness, they clustered, in bright succession, within the embrace of the federal constellation. By the acts of Congress for the admission of these States into the Union, it was made a specific condition, which was accepted in fundamental ordinances by them all, that a portion of their territory should be set apart and permanently applied for the use of public schools within their several limits. As remarked by a celebrated American statesman, this was "a noble and beautiful idea of providing wise institutions for the unborn millions of the West; of anticipating their good by a sort of parental providence; and of associating together the social and territorial development of the peo-
ple, by incorporating these provisions with the land titles derived from the public domain." We may congratulate ourselves that our own State originally formed a part of the territory to which this elevated policy of the General Government extended. By the act of Congress for the admission of Alabama into the Union, two propositions, among others, relating to various important objects, were submitted for the free acceptance or rejection of the Convention of the Territory of Alabama, to be assembled under the provisions of the act to form a Constitution and State Government. One of these propositions was, that "the sixteenth section in every township in the State should be granted, in fee simple, to the inhabitants of the townships for the use of schools." The other proposition was, that "thirty-six sections, or one entire township, together with the one theretofore reserved for the same purpose, should be reserved for the use of a seminary of learning," and vested in the Legislature of the State, to be applied solely to the use of such a seminary. The Convention of the Territory of Alabama, which met in a few months after the passage of this act of Congress, accepted, in behalf of the people of the State, both these propositions, in an ordinance which is incorporated among the fundamental provisions of the Constitution of the State. The people of Alabama, by this act of their Convention, kept apart and inviolably dedicated a portion of their territory to the use of schools and the support of a seminary of learning. The sixteenth section, in every township, was passed, by virtue of the act of Congress and the Ordinance of the Convention, to the inhabitants of the several townships for the use of schools; and the seventy-two sections, given for the use of a seminary of learning, vested in the Legislature of the State. That body entered promptly on the discharge of the duty thus devolved upon them, and an act was passed, in 1820, establishing a seminary of learning, under the denomination of "the University of the State of Alabama," and creating a Board of Trustees vested with all the civil and corporate powers necessary and usual in corporations, for all purposes. The seventy-two sections of land were brought into market and sold, and the proceeds of the sales, amounting to about $350,000, constituted the endowment of the seminary thus established by the Legislature. In due time the necessary buildings were erected on a site chosen by joint ballot of both Houses of the General Assembly; a President and a number of Professors were elected by the Board of Trustees; and, on the 17th day of April, 1831, the University of Alabama commenced operations. Such was its origin. It cost the people of Alabama not one dollar of their money, but was the free and noble gift of the Congress of the United States, for the common benefit of them and their posterity.

The progress of the University has been marked by that vicissitude and uncertainty incident to great enterprises projected under circumstances not peculiarly propitious to their success. A State just emerged from the wilderness, and a people addicted to the primitive habits of an emigrant population, were not likely to appreciate the value of a high seminary of learning, which had risen, like the palaces mentioned in the fictions of the Arabian Nights, a sudden and beautiful creation before their eyes, and which had not that strong claim upon their affections which a participation in the expense of erecting it would have it in their favor. Hence we find that the University enjoyed but a limited popularity among the people, during the first years of its existence. The administration of its first President, the Rev. A. Woods, extended from the first organization of a faculty in 1831, down to the middle of the year 1837. During this period, the average number of students in the University was about one hundred; thirty-six young men were graduated; and something was done to attract public attention to the claims of the institution. But at the close of the year 1837, owing to circumstances which I need not here detail, the number of students was reduced to thirty; the President and all the Professors had resigned in the previous July; and the jar of the revolution echoed loudly over the State, shaking the confidence of the public in the University, and casting a cloud upon the horizon of its morning skies. Immediately after the resignation of the Faculty, the Board of Trustees elected a new President, reinstated one of the old Professors, and made temporary arrangements for carrying on the business of the institution, until the period of their annual meeting in December, 1837. At that time they re-organized the Faculty; the Rev. Basil Manly, the President elect, was publicly installed; and the new officers of the institution entered on the discharge of their respective duties. From this period we may date the revival of the hopes of the friends of the University, and the commencement of that prosperous career which has placed it high in rank among the literary institutions of the Union. Great exertion was
necessary to relieve it from the embarrassments thrown in the way of its progress by the reverses of 1837. But the new Faculty were equal to the emergency of its fortunes. The ground lost in public confidence was soon recovered, and a more elevated position attained. During the ten years which have elapsed since the reorganization of the Faculty, the number of students has been steadily on the increase; seventy-eight young men have been graduated; and the University has continued to prosper down to the present time. Such has been its progress. Commencing necessarily under unpropitious circumstances, oppressed with reverses, and emerging, at length, through gloom and doubt, into complete and merited success, it offers a strange, but, in some particulars, a marked similitude in its fortunes to those of the government from whose liberality it derived its existence.

The present condition of the University affords great cause for felicitation and pride to the people of Alabama. It has a liberal fund, constituting its endowment, placed in the custody of the State, under the protection of the public faith and credit pledged for its security. Its location is fortunate for its healthfulness, its natural beauty, and its accessibility from all portions of the State. Its buildings consist of a central and beautiful Rotunde, around which are located, in convenient arrangement, dormitories for students, dwellings and offices for the President and Professors, and public rooms for the purposes of a laboratory, cabinets, philosophical apparatus, and of recitations and lectures. The immediate management of the institution is committed to a Board of Trustees triennially elected by joint ballot of both Houses of the General Assembly, one member being chosen from each judicial circuit in the State, except those in which the University is located, from which two are elected; the Governor and the Judges of the Supreme Court being, ex officio, members of the Board. The Faculty consists of a President, who is also Professor of Moral and Mental Science; a Professor of Chemistry and Natural History; a Professor of Ancient Literature; a Professor of Mathematics, Natural Philosophy and Astronomy; a Professor of Modern Languages and Foreign Literature; a Professor of English Literature; a Professor of Geology, Mineralogy and Agricultural Chemistry; a Tutor in Mathematics, and a Tutor in Ancient Languages. The course of studies prescribed in the University is comprehensive and thorough, embracing a wide range through all the depart-
its priesthood, and now invokes the attendance of the worshippers.

The usefulness of seminaries of learning must be estimated by the number and the magnitude of the benefits which they confer. Tried by this standard, the University of Alabama deserves to be regarded as an institution of pre-eminent usefulness. A specification of the prominent benefits which it confers, or will ultimately confer upon the State, if it be properly sustained by the Legislature and the people of Alabama, will establish the truth of the remark, and develop this important branch of my subject.

1. The University is useful in developing a high order of intellect in the State, and in elevating the great mass of its mind.

The attentive reader of the history of the past, and the philosophic observer of the present, cannot fail to notice the numberless illustrations, which ancient and modern times afford, of the remarkable influence exerted by high seminaries of learning in developing the gifted minds of nations, and in producing the diversities of their moral and intellectual characters. The Academies of Greece were the nurseries of her great orators, poets, historians and philosophers. Founded and presided over by the most learned and illustrious men of the times, they exerted a commanding influence in every department of Grecian mind and morals. Making due allowance for the effect of the democratic institutions of that celebrated country, the salubrity of its climate, the loveliness of its scenery, the comparative purity of its mythology, and the natural susceptibility and genius of its people, we may, with safety, attribute to the schools of its philosophers, the universities of the time, that intellectual pre-eminence which it enjoyed over all contemporary nations. Rome, though less conspicuously than Greece, illustrates, in her literary history, the same truth. The establishment of schools, in which all the learning of the day was taught by distinguished foreigners or native professors, was the inception of her intellectual exaltation, and did more for the mind and the morals of her people than all her boasted conquests and splendid military achievements. England is indebted to her two universities for the mighty intellect and the massive learning which have raised her to the pinnacle of fame, and which will transmit her name, in splendor, to the remotest posterity. Subtract from the aggregate number of her great minds all who owe their development to the universities of Oxford and Cambridge, and transfer them to another nation, and what darkness would spread over her moral skies! The Mistress of the Seas, falling from the heights of her intellectual pre-eminence, like an ill-fated star stricken from its dazzling sphere, would become the mere carrier of nations, distinguished alone for her wealth and the vastness of her commercial operations. Pass to continental Europe, and cumulative proofs meet us on every hand. The universities of Germany have developed a race of intellectual giants, beneath whose stately tread the empire of mind jars to its remotest extremities. France, and, indeed, every nation in Europe which has produced many illustrious minds, proves the inseparable connection between the existence of high seminaries of learning and the development of great intellects in a nation. Look to our own country, and illustrations of the invariability of this connection may be found equally impressive, if not so abundant. To what, but her more numerous and better endowed colleges and universities, is New England indebted for her admitted intellectual pre-eminence over other portions of the Union? Her barren soil, her unequal climate, and the continuance of manual toil exacted from her people by the wants of a teeming population, are surely not the instrumentalities which have achieved, or even aided in her elevation, but only the impediments over which these institutions have enabled her to triumph in her march to that bright eminence on which she sits, the intellectual cynicalosure of our country. Take another illustration, furnished by the history of a neighboring State. South Carolina stands pre-erident, among the Southern States, for the number, the celebrity, the genius and the learning of her distinguished men. In the walks of literature, in the halls of legislation, at the bar, on the bench, and in all the departments of mental effort, we see her sons excelling in versatility of talent, splendor of eloquence, and variety and extent of learning. What is the secret of this wonderful superiority? She has a splendid college, supported by an annual tax upon her citizens, at which her gifted minds are developed and fitted for the exalted career which sheds lustre upon themselves and honor upon the State. A large majority of her eminent men are alumni of the College of South Carolina.

But it is needless to multiply examples in support of a truth established by the philosophy of the intellect and the dictates of enlightened reason. Mind, unlike its fabled
patroness, comes not forth, at once, a perfect and matured creation. Though of celestial lineage, its alliance with the dust, through the form which it inhabits, subjects it to the law of progressive development. Like the material tenement in which it dwells, it passes by slow and imperceptible degrees from its age of helplessness to that of its matured strength. Nor can it, by one bold effort alone, as the eagle mounts to his eyrie, scale the steep ascent which leads to the cerulean heights of knowledge. On the contrary, like alluvial soils which gather their richness from the annual deposits of fertilizing streams, it amasses its treasures by the slow accretions of laborious years. But in its progress to the maturity of its powers, and in its career of new and bright achievement, it must be aided by fit appliances and auxiliary instrumentalities. Each new acquisition which it makes—every expansion of its powers exhausts the utility of inferior helps, and calls for a higher scaffolding from which it may mount to other and still loftier attainments; and wing a bolder flight through the bright empyrean of mind. The recumbent pillar is raised to a vertical position by instruments which increase in length with the increasing elevation of the ascending column. So mind must be raised from the level plain of mediocrity to the eminence of admitted superiority by facilities augmenting in number and variety with the increase of its expanding energies and enlarging acquisitions. The common school furnishes help enough for its first operations; academies and endowed colleges afford additional facilities; but universities alone can supply it with instruments fit to conduct its inquiries into the broad domain of thought. In the very nature of things, such institutions are indispensably necessary for producing a high grade of intellectual development. Unendowed academies and colleges, however fit for the purposes of elementary education, have not the means for high mental culture. Numerous professors, costly cabinets, extensive libraries, and varied apparatus are needed for the purpose. But where, except in the college or the university sufficiently endowed, can we expect to find these numerous and indispensable aids?

But high seminaries of learning do more for a nation than to develop its gifted intellects; they elevate the great mass of its mind, and give it new impulses and nobler aspirations. As the moon in her transit over the ocean raises the whole volume of waters, reaching and drawing up, by her attractive energy, the lowest as well as the uppermost particles; so these institutions extend their influence down into the great depths of the ocean of mind, elevating all its grades, developing its hidden treasures, and drawing up the gems of genius which, but for their agency, might have lain dim and lustreless in their unseen retreats below. Examine the cause, and you need not be astonished at its legitimate effect. Is one great mind developed and sent forth from the University? It becomes a sun in the intellectual firmament, illuminating the valleys as well as the mountain tops of society. Thousands of inferior minds rejoice in its brightness and are led by its guidance. From the halls of these institutions go forth teachers and mental guides for the masses of the people. They carry with them the treasures of knowledge amassed by years of studious toil, and scatter the precious store broad-cast throughout society. In this way all who may not be able to visit the fountain source, may yet drink of its cooling waters percolating through channels which pour the refreshing tide through all the ramifications of the social edifice. As in the economy of nature, light and heat are distributed by reflection from bodies,—so well as by direct transmission from luminous centres; so, in the world of mind, knowledge is diffused by the moral reflection of social intercourse, as well as by direct transmission from its original sources. The moral atmosphere of a nation blessed with a high seminary of learning fills gradually with the invisible elements of knowledge, which, like cooling dews upon parched plains, into the thirsting minds of the masses. This diffusible quality of knowledge constitutes the agrarian law of the kingdom of mind, by which its riches are distributed, in due proportion, among all the inheritors of reason. Under its equalizing and powerful action intellectual monopolies are destroyed; the estates of the Barons of mind are broken and divided among the masses; and all become the common proprietors of the mental wealth of the entire community. And in these ways it is that high seminaries of learning benefit all grades of mind.

Let us now apply the principle deducible from these illustrations and arguments to the case of the University of Alabama. It is an institution of a high grade, located in the very midst of an active, enterprising and teeming population. In due time and under proper direction, it must exert that influence accorded, by reason and observation, to high seminaries of learning. It will raise up a large number of powerful and cultivated minds in the State.
to add to the stock of its intellectual glory. And has not Alabama an interest in the development of her gifted intellects? Would not the lustre of their great abilities, eloquence and learning, be grateful to her pride and make her an object of more commanding interest among her sister States of the Union? Are not the great minds of her ‘sons her true wealth, her noblest ornament and her surest defence?’ Is she content with the measure of greatness afforded by numerous laborers, abundant harvests and increasing resources? Alas! alas! for her, if, neglecting her University and the development of her gifted intellects, she abandons herself to the dominion of selfishness, and seeks by material greatness to compensate for the immortal glories of mind!

But, for the reasons already adduced, and for others which it may be proper here to notice, the University must extend a beneficial influence to the entire mind of the State. Its liberal endowment enables it to afford its facilities at rates which bring them within the reach of our whole population. There is not a young man in Alabama, possessed of ordinary industry, energy and economy, who may not procure a University education. Besides, one young man from each county in the State, if of good character and in straitened circumstances, may receive his education here free of all college charges. A permanent release of the University from its pecuniary embarrassments would enable the Board of Trustees to reduce the expenses of tuition to still lower rates than the present; or even, as they proposed, in the compromise offered to the Legislature, at their annual meeting in 1845, ‘to abolish them entirely, and thus throw open the doors of the institution for the gratuitous instruction of all our young men.’ In these several modes, the influence of the University is or may be transmitted to the entire mind of the State, and, if properly sustained, its effects upon it will be wonderful indeed.

Forth from the cabins and the workshops, from the hedges of neglect and the retreats of poverty in Alabama, it will call all her gifted sons of genius, and fit them for their high mission of adorning and blessing the State, and will elevate the popular mind to a higher standard of mental cultivation.

2. The University is useful in its effects upon individual and public morals in the State.

Far be it from me to assert the startling doctrine that seminaries of learning are, or may be made, the moral re-generators of mankind. I subscribe, in all its latitude, to the belief that Christianity alone is competent to achieve the redemption of men from the captivity of moral evil. Let the Bible stand confessed the august purifier and civilizer of the world! Let the pulpit sentinel the march of immortal beings to the retributions of eternity, and call men, by the sublime mystery of faith, from the bondage of sense to the liberty of the spiritual and indestructible life which is within them. But the recognition of the utility of auxiliary and inferior agencies is not incompatible with the loyalty, due to the dignity and supremacy of prime instrumentalities. In this belief, and under the restriction stated, I announce the proposition that the University is useful in its effects upon individual and public morals in the State. I might, in support of this position, advert to the moralizing influence of high seminaries of learning as exhibited in the history of ancient and modern times. I might adduce the remarkable fact, attested by the statistics of crime, that of the thousands who are annually executed or imprisoned for high offences against society, not one is the alumnus of a university or the graduate of a college. But the importance of the argument demands a more ample elucidation than these facts afford. Individuals are the rudiments of communities, and as is their moral character, so will be that of the communities of which they are members. Public morals are but the aggregate of the virtues and the vices, the good and the bad habits of individuals. Hence the problem of the effect of high seminaries of learning upon public morals is most readily solved, by regarding their influence upon individual character. That is beneficial in an eminent degree. The restrictions imposed upon the conduct of individuals in these institutions, either as conditions of entrance and continuance, or of admission to academic honors, are eminently promotive and conservative of good morals, and gradually superinduce habits of self-restraint favorable to the formation of a vigorous and healthful moral character. Accustomed for a series of years to restrain their passions, young men learn the invaluable art of governing them, and, come, in time, to appreciate the tranquility of a virtuous life as of more value than the ephemeral pleasures of lawless appetites and brutal indulgences. There is something, also, so ennobling and refining in intellectual pursuits that the taste for them, when once established, destroys the relish for the inferior gratifications of sense, and creates a lively sensibility to the charms of elevated moral conduct. Besides, these pur-
suits create within the mind resources for enjoyment which are perennial, and remove that vacuity which is the fatal avenue of evil in uncultivated minds. They confer, too, a nobility of soul which scorns the littleness of base actions, and a sensibility of feeling which shrinks from the pollution of known and admitted evil. These ameliorating influences of letters and philosophy upon individual character are beautifully illustrated in the blameless lives of the great majority of literary men. Let it be borne in mind, also, that it is a truth attested by all history, and admitted by every writer upon the philosophy of morals, that ignorance is the parent of vice among individuals and among communities; and that the number and the enormity of the crimes which they commit are in the inverse ratio of the knowledge which they possess. Nor must it be overlooked, in this estimate of operative causes, that the University of Alabama is located in a Christian community; that a system of morality founded upon the Bible is taught in its regular course of study; that public prayers and lectures are constantly attended to; that a wholesome discipline is mildly but inflexibly enforced; and that a majority of its officers are members of some Christian Church. Every reflecting mind will comprehend, at a glance, the prodigious influence which such an institution is capable of exerting, in the way now pointed out, in the formation of individual character and morals. And how wide and how vast must be its influence upon the public morals in the State! In the manner designated above, it moralizes the primitive elements of society, influencing, through a succession and an increasing number of individuals, the great body of the people. Year after year it is yielding to the State a tribute of educated and moral young men, who, become, in their respective spheres, the centre of influences which must be beneficially felt in all the walks of social, professional and political life. What process of moral arithmetic will enable us to compute the increasing benefits which, in this form alone, the University is capable of bestowing upon the people of Alabama? Each addition to the number of its students will spread its influence over still augmenting circles, until the whole State is brought within the sphere of its moralizing agency. Nor is the principle contended for in these remarks at all affected by the occurrence of occasional irregularities, or the existence of isolated cases of individual depravity among the students. The former happen in all cases where large numbers of young men are collected together, and the latter are not confined to the purdians of the University. And the very fact that young men are placed, in a high seminary of learning, on a conspicuous eminence before the public eye, infames the offences which they commit, and gives them an extended publicity; while equal excesses, committed elsewhere, either pass entirely unnoticed by the community, or elicit only the casual animadversions of village moralists and neighborhood censors. But, above all the irregularities of the many and the depravity of the few, the principle, above maintained, asserts its supremacy, and works its sure results.

3. The University is useful in aiding in the popular enlightenment of the State.

I do not intend to claim for the University the eminence of being the sole educator of the mind of our State. There are other institutions which are co-workers with it in this noble enterprise. Township schools, unendowed academies, the Howard College at Marion, La Grange College in North Alabama, and the Tuskegee Institute at Macon, each and all, in their respective spheres and according to their several ability, are aiding in the education of the popular mind. But I do claim for the University the post of pre-eminent usefulness in this great and important work. It is an institution magnificently endowed, and provided with abundant facilities for intellectual culture. Located in an accessible portion of the State, it must attract within its walls a large and still increasing number of the young men of Alabama. A glance at its annual catalogues of students discloses the fact that a large majority of them are citizens of our own State. They come from the eastern and the western, from the northern and the southern counties. Of the one hundred students now in the University, only five are from other States and ninety-five from Alabama. Now, these young men are destined, in due time, to return to the several counties from which they came, cultivated in mind and elevated in the tone of their moral character. But their places here will be filled by others coming, perhaps, from the same neighborhoods or counties, who, having received equal benefits from the University, will, in turn, be succeeded by still other young men from different parts of the State. Thus a constant succession will be kept up, the educated young men falling back into the communities whence they came, adding immensely to the stock of their intelligence, and others coming thence to take their places in
the mists of the years to come, I behold a long procession issuing from the walls of a venerable edifice. Without banners or music, they march solemn-browed and silent, like men meditating some high resolve and destined on a noble mission. Who are they? They are the Alumni of the University of Alabama going forth from its walls to educate the people. Into all the counties of the State they march, bearing the torch of knowledge. Light springs up in the desolate neighborhoods, and in the cabins of the poor. In mountain fastnesses and in wilderness retreats, the merry laugh of the school boy is heard ringing amid the solitude, and a sweeter anthem than the minstrelsy of the woodland choir. The voices of all the children of the State diligently conning their tasks, make holy music in the ears of patriotism, and a general mental illumination falls, like a radiance from the skies, over all the borders of Alabama. This vision may be fully realized, if we appreciate our present advantages aright and direct and unfold the mighty capacities of the University of Alabama for the work of popular education in the State.

4. The University is useful in enabling the State to perform its duties as a member of the Union, and to maintain its relative equality in the national councils.

We, in America, are making a great political experiment. We have reared our fabrics of government upon the basis of popular sovereignty. Our constitutions are but organic agencies which enable the people to perform the function of self-government. Our laws are but emanations of the popular will clothed with the sanctions of constitutional enactments. The people rule, in all the departments of the General and State Governments, either by agents vested with derivative and limited powers, or by a direct exercise of sovereignty in the primary elections. The political organism, through which they act, is wisely and beautifully modeled. A federal constitution spreads its protecting shield over all the parts, and gives them the impress of a common nationality. State Governments, with more limited, but ample powers, provide for all the exigencies of local wants, and sectional interests. So, in the solar system, one central sun spreads a common radiance over all the planets, while inferior orbs distribute light to their own peculiar spheres. But a government administered by the people implies that they shall be both intelligent and moral. Without intelligence they have not the capacity, and without morality they have not the principle to govern. Knowledge and virtue are as
inseparable from the idea of a well-regulated popular sovereignty as are light and heat from the great orb of day. Divest the action of the people of either of these essential elements of safety, and the Republic degenerates into the despotism of mobs or the anarchy of uncontrolled majorities. Now, the Government of the United States is a representative Republic, and requires, for its proper administration, intelligence and virtue in the great mass of American citizens. But by whom and by what instrumentalities are these essential qualifications to be communicated to the people? By the theory of the Government, and in the very nature of the case, Congress cannot become the educator of the national mind. The duty devolves necessarily, upon the individual States of the Union. Each is a component part of the great national Republic; and the citizens of each State compose an integral portion of the great national community. Hence, as the State alone can educate the minds of its own citizens, each stands pledged, by the very theory of the federal association, to furnish an intelligent and moral population as its contribution to the national mass, and its tribute for the general welfare of all the States. Alabama is a member of this Federal Union. She came into it of her own free will, and voluntarily assumed the responsibilities which membership imposes. She is bound, therefore, by her own act to furnish, for the common good, an intelligent and moral population as her contribution to the mass of the great national community. But her membership imposes another duty upon her. She is under obligation to provide able, virtuous and intelligent men, as her representatives in the national legislature. That body, the most august deliberative assembly in the world, is charged with the performance of the most numerous, the most arduous and the most momentous duties that can be confided to a human tribunal. Common with these exalted duties should be the intelligence, the virtue and the abilities of the members. But as each State elects its own representatives, the character of the body will depend upon the men in each State that is elected. Each man who discharges that duty. Hence, as able, virtuous and intelligent men alone can worthily discharge the high duties devolved upon Congress, each State is bound to furnish such men as its representatives. As a member, then, of the Union, Alabama stands pledged, by the implied stipulations of the federal compact, to contribute an educated and moral population to the national community; and a competent delegation to

the national legislature. But it has been already shown that the University is useful in moralizing and educating the masses of the people and in developing great intellects in the State, from whom the choice of representatives may be made. The first branch of my proposition is, therefore, incontrovertibly established. The second does not call for very extended remark. As Alabamians we must desire to see our State raised to an equality of influence in the national councils with the most favored States in the Union. How can so desirable a consummation be attained? South Carolina furnishes the answer. What State in the Union wields more influence in the national councils than she does? The Representatives of which State are more command ing in eloquence, more powerful in argument, more influential in Congress, or more successful in touching the auditory nerve of the entire nation? Where did she get these illustrious orators? Her College raised them up, mailed them from the armory of mind and gave them to her, invincible battalions, to be marshaled on the fields of her intellectual glory. The Alumni of that institution have been her most able, devoted and distinguished representatives. Let Alabama sustain her University; and, ere long, she will reap an equal harvest of fame and influence. Forth from its halls will come the monarchs of mind who, in the national councils, will fight her battles and achieve her conquests; bearing aloft, in one hand, the glittering banner of her fame, and wielding, with the other, the bright weapons of the principalities and powers of intellect. If it be objected that these gifted minds may not be the objects of popular favor in the elections, I answer, that will not be the fault of the University which raised them up, but of the people who fail to employ them.

5. The University is useful in enabling the State to protect the peculiar rights and institutions which belong to it, as one of the Plantation States of the South.

Start not, Gentlemen, at the apparent sectionality of this proposition. I am not about to announce a doctrine inimical to the Union, or grateful to the sentiment of sectional jealousy. I love the Union far too well to entertain, much less to utter, an opinion unfriendly to its perpetuity. It was bought with the blood of too many martyred heroes; it has been sanctified by the labors of too many canonized statesmen, and it has vindicated its value by too many signal blessings, to be assailed even with the whisper of a reasonable thought. Never may its proud banner flutter
out, with diminished stars and stripes, beneath skies blushing red with the hue of blood shed in the fratricidal conflicts of the warring fragments of a once united and powerful confederacy!

Next to the dismemberment of the Union itself, I deplore that illiberal creed which teaches that the interests of its different portions are not in harmony with each other; and which seeks, in that way, to kindle the fires of sectional animosity. Experience, political philosophy, the opinions of great and good men, and the verdict of common sense concur in the proof that no real antagonism exists. Even did some slight opposition of interest prevail between different portions of the Union, there are memories alone, connected with their mutual and individual part, which will forever obliterate its impression on genuine American hearts. New England's revolutionary dead moulder on the battle fields of the South, and Southern blood fertilizes the barren heaths of New England! The bones of the sons of the North, and of the West, and of the South lie crossed on the bloody heights of Cerro Gordon and in the 'scarred defiles of Buena Vista!

I do not, then cherish, and therefore, I cannot announce a doctrine, inimical to the integrity of the Union, or to the fraternal harmony of its various sections. But patriotism may properly begin its vigils and its ministrations at home. We may love other portions of the Union well, but we must love our own portion of it more. They help to compose our country, the latter is our home. Now, we here in the South have certain delicate and peculiar institutions ingrained into every element of our social polity, and which constitute the very life-blood of our physical greatness. We are not responsible for their origin; that, under Providence, rests with our progenitors. The Constitution of our country guarantees them to us, and the seal of its sanctity is impressed upon every mummery of our title. They have grown up with us, and have become an element of our social life, which cannot be, harmlessly, removed. We believe them to be lawful, judged either by the laws of reason or by the canons of Revelation. If mistaken in our judgments, the error can affect none but ourselves! We fearlessly announce our belief, and ask only an impartial investigation of the grounds on which we rest its vindication. Other portions of the Union and other nations, not regarding these institutions in their proper light, misled by false notions of duty, or stimulated by the suggestions of a misguided philanthropy, have begun a fierce war upon them. A crusade has been proclaimed against the rights of the entire South. Individuals in their own selected way, and combinations of men acting by organized associations, have entered the lists of the combatants. The pulpit and its instrumentalities, the press and its agencies, are the weapons they wield. The world is the field of battle, mankind the spectators; institutions, vital to the South, the guardian of the victor, God and the right the arbiters of the final issue. As the assailed party, the South stands upon the defensive. She neither invited the aggression, nor covers beneath the number of her aggressors or the fierceness of their assault. Conscious of being in the right, and strong in the rectitude of her cause, she exhibits, in her attitude of proud defiance, the nobility of her Anglo-Saxon blood, and the dignity of a forbearance justified only by the tremendous consequences of a prompt retaliation upon her foes. But who are to be her champions in this great moral battle; with what weapons are they to fight, and in what schools are they to learn to use them with skill and effect? I answer, the champions of the South must be her sons, their weapons the pulpit and the press, their schools of discipline our own Colleges and Universities. We may not, without pressing to the issue of blood, change the weapons of our defence. Even that issue, should it be madly and criminally forced upon us, we are ready to meet. But we will not, at present, a moral battle with moral instruments in our hands. In such a contest, the South cannot safely trust her interests to any but her own sons. A hireling soldiery are as mercenary in a moral as in a physical contest. They may turn their weapons against their employers, and help the other party. A native heart alone, in every emergency of fortune, beats true to the honor and the interests of its father-land. The sons of the South are its legitimate, its reliable, and its appointed defenders; and, in the Universities of the South, must they be inducted with the skill and force in the use of the weapons of reason necessary to the high encounter to which they are called. If they be educated elsewhere, may they not imbibe the doctrines of our assailants, and thus, returning to us in the guise of friends, help to drag over the walls and into the very citadel of our domestic Troy, some fatal horse pregnant with the implements of fanatic propagandists and unreformed reformers? Or if they sink not to the utter abandonment of such open shame, may there not be that treason in the heart which will make them nerveless in the hour of trial?
The South wants none but true men on her side in this contest—men who, believing her to be in the right in this matter of her peculiar institutions, will use all fair and proper means to make that right triumphant in the judgment of the world. Nor is it one champion she needs, but a multitude of them—to sentinel and defend the whole line of assault.

And is Alabama, alone of all the Southern States, to be a disinterested spectator of this contest? May she safely assume the attitude of neutrality; send no champions to the field, and yet share in the glory and security of the victory which is destined to crown the efforts of the South? That would be to act the Achilles in his tent, to her own detriment; and, shame. Such a position suits neither the duty nor the inclination of Alabama. She has great interests at stake, nor is she wanting in the willingness to defend them. But the great and important question is, will she send forth, as her champions, mere raw recruits drawn from the walls of Village Academies and unestablished Colleges, who would soon be driven in rabble rout from the field of argument by the stalwart warriors of our assailants or map of powerful intellectual frames, veterans in the armies of mind, trained up amid the robust exercises of the University, to bear the burden of the most arduous mental campaign, and to grapple steel to steel with the Goliaths of the foe? I tremble, not for the response nor for the fate of the University, if, with an enlightened appreciation of her interests and her duty as a Southern State, Alabama addresses herself seriously to the task of protecting the one and of discharging the high requirements of the other. Considering herself, equally bound with her Southern allies, to furnish able champions for the contest, she will cherish this Institute as the nursery of them, and guard it as vigilant as did the fabled dragon the golden apples of the Hesperides.

6. The University is useful in creating and sustaining the minds of the people a just and salutary State pride.

The influence of literary institutions in developing a just pride of country in a people, is unquestionably very great, and deserves the attentive consideration of political philosophers and practical legislators. The Greek was proud of his country, not only because it was Greece—a classic, imaginative, philosophic, enthusiastic Greece, rich in historic associations and bright with the lustrous divinities of an ideal mythology—but he was proud of it, also, because it was the seat of those celebrated Academies in which Plato reasoned and Aristotle taught, and which made it the intellectual Palestine, to which the Pilgrims of Literature came, from every clime, to receive the baptism of Letters and Philosophy. How glows the pride of every Englishman over the fame of the venerable foundations of Oxford and Cambridge! How warms the heart of New England, amid her icy hills, towards her Harvard and her Yale! How kindles the patriotic fervor of the sons of the Palmetto State, at the mention of her splendid College! Even the citizens of villages point, with pride, to their flourishing Academies, and neighborhoods reckon their thriving schools among the attractions of their several localities. The feeling of gratulation indulged in these instances is perfectly natural. Man, by the cunning sorcery of his powerful self-love, appropriates to himself a portion of the glory and the fame which belong to his country. In this way the lustre of the arts and the arms of the commonwealth is made to fall, in due proportion, upon its obscurest citizen, thus compensating him for his individual insignificance by the grandeur of the community of which he is a member. Hence, distinguished literary institutions become exquisites of patriotic attachment, as each citizen regards their fame as a part of that heritage which, by virtue of his citizenship, he takes in all the fortunes of his country. Now, the University of Alabama is admirably fitted to excite a noble State pride in all our citizens. It is not the offspring of private magnificence, and therefore under denominational influence or sectional control. On the contrary, it is a great State institution, deriving its existence from the liberality of Congress, and is governed by officials directly chosen by the Legislature or elected by the appointees of that body. It stands high already among the literary institutions of the Union, and might soon, by the proper economy of its funds and direction of its affairs, be placed in the very front rank of American Universities. It belongs to the people of Alabama in common, and extends its favors, with impartial hand, to all the sons of the State; inviting them, by the cheapness of its prices and the amplitude of its educational facilities, to enter and explore the alluring fields of knowledge. Say not that, an institution so well fitted to inspire State pride, will never kindle it in the hearts of Alabamians. We are not barbarians, that we should be insensible to the glory, the fame and the influence, which mind, literary eminence and noble institutions
confer upon the State. And what have we here in Alabama, except this University, in the way of public seminaries and improvements, to excite our State pride? We have no railroads and canals linking together and facilitating the intercourse between the various sections of the State. We have no Lunatic Asylums, no Insane Retreats, no Institutions for the Blind, no Seminaries for the Mute, endowed by the State, in which, like a kind parent, she collects her unfortunate children, to reanimate the lamp of reason and to pour the radiance of knowledge into the darkened minds of the stricken ones of God. We have no sculptured monuments, reared by public or private munificence, to perpetuate the memory of the State's distinguished dead; no marble columns towering to the skies to mark the battle-fields on which American valor triumphed over Indian prowess. Barren as the State is thus shown to be in all those public institutions and improvements which inflame the pride and increase the attachment of the citizen to its soil, the University will, very naturally and in due time, become a powerful excitant of the one and greatly increase the other, and it deserves consideration whether, even on this ground alone, it does not merit the countenance of all who regard the welfare and prosperity of Alabama. For this State pride, which the University already begins to inspire, is manifest in its uses, and exceedingly powerful in its influence upon the conduct of individuals and the destiny of communities. It attaches the people to the State, and thus gives stability to its population, securing thereby the numerous advantages which result from having a large number of proprietors devoted to its fortunes and permanently interested in its improvement. It stimulates to efforts and sacrifices in the public service, since, under its influence, the citizen becomes identified with his State, and regards each accession to its greatness and fame as an addition to his individual importance. It is, in fine, identical with, and must produce all the effects of, that elevated sentiment which, under the name of a love of country, has been celebrated, in ancient and in modern times, and which has produced some of the noblest manifestations of national and individual character. Regarded, then, in its influence in developing this sentiment, the University deserves the cordial support of every Alabamian who desires to see the State prosperous in its fortunes and dear in the affections of its citizens.

7. The University is useful in securing to the State

the benefits which result from educating its young men at home, under home influences, and in the midst of home institutions.

Give me, said a great Master of Men, the composing of the popular ballads of a nation, and I care not who may legislate or what laws may be made, I will govern the people. If this remark be true, and doubtless it is so, with how much greater force of reason might one State of this Union say to a sister State, Give me the educating of your young men in my own institutions and in the midst of my own people, and I care not what your local legislators may do, I will shape your destiny and govern your policy by my own. Should the experiment ever be made, the truth of the assertion would be speedily verified by abundant results. Now, were the domestic institutions and the social character of the people of the different States the same or nearly so, the question as to the best place for educating the young men of any particular State, might be regarded as one of mere expediency, to be decided by considerations particularly applicable to the case. But when it is remembered that the most marked differences exist, in both the particulars mentioned, the question assumes a new aspect, and becomes one of vast importance to the individual States. If young men be educated in the institutions of a State differing, in the character and the domestic policy of its people, from their own, there is danger of their being unsuitably educated for the duties which are to devolve upon them at home. During the impressive period which they spend at college, they imbibe, insensibly but surely, in all their lights and shades, the opinions, the prejudices and the principles which float in the moral atmosphere they breathe. These, incorporating with their minds, become regulating principles of conduct and controlling sources of action through life. And should there be opinions and prejudices, current at the place of education, unfriendly to the policy which prevails at home, imbibing these also, they may return to become dangerous citizens in their own State. Take one illustration, which will serve to abridge the argument and to fortify the position assumed. A distinguished Kentuckian, now serving his country in the war with Mexico, was educated at one of our Northern Colleges. Talented and ardent, with a keen sensitiveness to the real or supposed evils of society, and with the impressibility natural to the young, he imbibed, with the learning of her college, the dangerous social heresy of New England. At the end of
his collegiate term, he returned to Kentucky a confirmed abolitionist; where, for years, he has been directing all the energies of his powerful mind to the overthrow of the peculiar institutions of his native State. True, he has not been able to accomplish that object, though he has produced much excitement and one mob, as the fruits of his labors. His great abilities are lost to his State, and, as when Lucifer fell from the bright sphere of heaven, there is one less in the ranks of the champions of God and the right, and one fallen spirit more to tempt others to rebel violence and foul revolt against the institutions and the rights of the South. But suppose one hundred or five hundred such erring minds were to turn loose their energies in the mad work of fanaticism in the State, how long would it be before Kentucky would see her blooming fields redden with blood shed in a servile war? And may not the same causes which misled that one mind, mislead a hundred or five hundred more? Nor must it be forgotten that, other opinions and prejudices, foreign to the policy and detrimental to the interests of the State, may be imbibed, and that the evil is aggravated in proportion to the number of minds which receive them. What, then, is the wise and the safe course for the people of Alabama to pursue, as indicated by these remarks? Is it to send their sons to be educated in the colleges of other States, that they may return with dangerous heresies coiled, like serpents, in their hearts, which will leap forth some day, instinct with a powerful vitality, to destroy the peace and to endanger the institutions of the State? No! It is the wise and the safe policy for them to have a University of their own, in which they may educate their sons here at home, where home influences and in the midst of home institutions. They cannot, if they would, in the condition matters have come to, avoid a choice between the danger now pointed out and the supporting of a State University. For a large and rapidly increasing number of the young men of Alabama desire, and, having the means, will procure a University education. If they cannot get it at home, they will seek it abroad. Legislative restrictions and popular resolves can neither extinguish the laudable ambition nor prevent its gratification. Either, then, Alabama must furnish a University for these sons of hers, inflamed with a generous love of high mental cultivation, and smitten with the charms of letters and philosophy; or other States will. The alternative cannot be avoided, and the necessity of a choice is immediate and pressing. But by furnishing one herself, she will not only effectually guard against the evils and dangers which would be imported from abroad in the minds of her young men educated in foreign institutions, but will reap, besides, many additional benefits. The large amount of capital which would be carried out of the State to procure educations in foreign universities, will remain at home to add to the wealth of our own citizens. The young men will cherish a warmer feeling of attachment for the State. Born on its soil, and educated at its University, they will regard it as an object of affectionate veneration, to be loved, honored and obeyed, in all its lawful commands, with the unhesitating promptitude of a filial acquiescence. They will remain true to the peculiar institutions of the State. Being withdrawn from the contaminating atmosphere of fanaticism, they will form a just estimate of the nature and value of these institutions, and will thus be prepared to maintain them on the field of argument, with a clear conviction of their lawfulness; and, if need be, of a sterner arbitrament, to defend them with still harder weapons, under the belief that right and duty sanctify the dread appeal to arms. They will continue identified in feeling and opinion with the people of the State. Coming out only temporarily from the mass of the citizens to enjoy the benefits of the University, and breathing, while in it, the moral atmosphere of their own State, they will return into the community, at the end of their collegiate term, with feelings true to the popular impulses, and opinions loyal to the popular standard. Nor is it inappropriate to advert, in this connection, to an advantage personal to the young men themselves, which will result from their being educated together at the University of their own State, instead of the different colleges of other States. Attachments are formed and friendships cemented by the associations and pursuits of college life, which are permanent and valuable when the parties are destined to reside in the different portions of the same State. The young men go forth from the University linked together by a thousand tender ties which distance cannot sever nor time destroy. A bright brotherhood of educated men will soon rise up, all over the State, whose emblems and cabalistic formulas will be the memories and associations of that mutual part which lies, like moonlight, on the troubled waters of life, and whose influence will be felt in the enlarged sympathies and the more abundant charities of the social life of the State. That will be an aus-
picious day for Alabama which witnesses the extension of this social brotherhood into all her counties. For never yet have the Alumni of the same institution, as a mass, proved false to each other or untrue to the commonwealth. On the contrary, discharging, with fidelity, the duties of private friendship among themselves, they make the ablest counselors of the country in peace, and its staunchest defenders in war.

8. The University is useful in furnishing the means for a Geological Survey of the State, and the development of its mineral resources.

Beneath the sunny hills and the umbrageous valleys of Alabama, there lies a glittering kingdom, populous with the rich subjects of the mineral world. Accidental discoveries and partial explorations prove that its opulent treasures are distributed throughout a large portion of the State. Coal, of superior quality and in great quantity, has been already found, iron ore, of a richness that promises an abundant yield to the smelter, has been discovered, marble, of fine grain and admitting of elegant polish by the chisel of the artist, is procured in the quarries of Talladega. Gold has been found in Randolph and in other counties of the State. Mineral springs abound, which bear to the scientific analyst of their waters the intelligence of the existence of valuable medicinal substances deep down in the subterranean strata through which they have risen to the surface. Localities exist, in which the eye of the geologist detects the store-houses of inexhaustible supplies of marl and limestone, the best fertilizing agents for replenishing exhausted soils, and re-deeming, from natural sterility, large bodies of land in the State now valueless to the owners. These, however, are but glimpses which, like flashes of light along the darkened chambers of a sumptuous palace, serve only to reveal the fact that magnificent elements of wealth lie undeveloped beneath our feet. I will not pause to prove the importance of developing these great mineral resources of the State. The vast addition which they would make to its commerce, its agricultural productiveness and its physical greatness, is too apparent to need either argument or illustration. The only matter for inquiry is, what are the instrumentalities which, like the fabled lamp of Aladdin, will evoke the genius of wealth from her hidden retreats beneath the hills and the valleys of Alabama. The chief in importance and the first to be employed, is a geological survey of the State, to be made by scientific
the mineral resources and the agricultural capacities of Alabama. These gratuitous contributions of the institution will compensate, to some extent, for the want of a more minute geological survey of the State, and will be productive of benefits far transcending in value the annual interest of its fund.

9. The University is useful in furnishing the knowledge necessary for an improved system of Agriculture in the State.

The condition of the large majority of the people of Alabama must continue to be that of cultivators of the soil. The inherent position of the State, and the paucity and infancy of its manufacturing establishments, do not encourage the idea that much of the capital and labor of our people is destined to be employed in commerce and manufactures. Regarding it, then, in its true and unchangeable character, of a plantation State, the present condition and the future prospects of its agriculture, present a subject of startling interest for the contemplation of the Legislature and the people of Alabama. A large portion of the territory of the State is valueless from natural sterility or the humidity of its location. The productive lands already in cultivation are rapidly deteriorating under the exhausting tillage to which they are annually subjected, and must, ere long, sink into utter impotency for all the purposes of a thrifty agriculture. The future prospects which thus open for the dominant pursuit of our people are gloomy, in the extreme, unless some mode of deliverance can be proposed by which it can escape from the blight which seems to be rapidly coming upon it. If the system of agriculture, which has already so greatly impoverished the soil of the State be continued, and no ameliorations be introduced, it requires not the gift of prophecy to predict the inevitable result. The numerous laborers of the State, yielding no adequate compensation to their employers, will be transferred to other regions. An exhausting emigration will take place among the most numerous class of citizens—the small farmers—to more inviting localities in other States. And thus, in a few years, the work of a ruinous depletion will be accomplished, and Alabama, short of her agricultural prosperity, her laborers and her citizens, will present the melancholy spectacle of youth crushed by the decrepitude of a premature old age. There are only two ways of averting so deplorable a calamity. One is, for the planters to avail themselves of the advantages to be derived from a geological survey of the State, for which the University of Alabama furnishes the necessary means. By discovering the localities and indicating the modes of applying those great fertilizing agents, marl and limestone, which, in the opinion of distinguished geologists, abound in various parts of the State, and by suggesting the means of reclaiming the bauxite and of draining the wet soils, such a survey would enable them to rectify the sterile and to recuperate the exhausted lands of the State.

The second, and a sure way of escape from the threatened calamity to the planting interest in Alabama, is the introduction of an improved system of agriculture, which will remedy present evils and guard against their recurrence in future. Such a system, however, can be introduced and sustained only by diffusing among the people of the State a knowledge of those principles upon which all improvements in agriculture must be based. The science of Agricultural Chemistry unfolds, elucidates, and teaches how to apply all these principles. It would require a volume to elucidate the number, the variety and the magnitude of the contributions which it makes to every department of agriculture. Suffice it to say, that the most enlightened agriculturists in Europe and in America admit the vast importance of a knowledge of its principles to the body of practical planters; science has demonstrated by unanswerable facts and irresistible illustrations that, without such knowledge, no permanent improvement can be made in the condition of agriculture, and experience has confirmed, by abundant proofs, these authoritative announcements of science. Now, the University of Alabama is provided with ample facilities for communicating to the people of the State a sufficient theoretical and practical knowledge of the principles of this valuable science, to enable them to revive the drooping agriculture of Alabama. It has among its Professors one who teaches the science of Agricultural Chemistry as a part of the regular collegiate course of study. All the young men, who graduate, will be instructed in this science; and many of them, on leaving the University, will become planters, and thus reduce to practice what they have learned in theory. Other individuals pursuing irregular courses of study in the University, and, indeed, every person in the State who desires it, may here learn all that is needful of this science to make them successful and intelligent planters. Through these several classes of individuals, the knowledge of Agricultural Chemistry will be speedily dif-
fused throughout the State. Agricultural Societies will be formed; papers and periodicals devoted to the farming interest will be established; facts will be collected and recorded by intelligent observers all over the State; and a new order of things will spring up in Alabama. Agriculture will be prosperous; the barren soils will be fertilized and the exhausted ones recuperated; new productions will be added to the list of our agricultural vocabulary; and the whole State will rapidly advance in prosperity, wealth and physical greatness. This is no dream of the rhapsodist, but a sober reality within the reach of the people of Alabama, if, with a due appreciation of the considerations to which I have above adverted, they sustain and patronize this institution.

...I have thus far, gentlemen, been endeavoring to illustrate the usefulness of the University. I next invite your attention to those considerations which prove the futility of the objections which have been urged against it, in the various sections of the State.

...It would be a tedious, and altogether useless task, to answer all the minute and fanciful objections which ignorance, prejudice, and an honest but misguided spirit of opposition, have invented and circulated against the University... I shall therefore advert, only to those which, from their plausibility, or from the frequency with which they are urged, seem to deserve notice.

...The discipline of the University has been made the ground of objection to it. Some allege that it is too lax; others, that it is too severe. As the objectors take the two opposite extremes, the reasonable presumption is, that the discipline of the institution occupies the conservative medium between unnecessary rigor and nerveless insufficiency. That is really the fact, must, I am satisfied, be the judgment of every unprejudiced person who will examine the regulations, ordinances and by-laws of the University, and inquire into the manner in which they are administered by the officers. The good order, sobriety and subordination which have characterized the students for many years, are the fruits of this discipline, mild but firmly enforced, and furnish a conclusive answer to both classes of objectors.

...The locality of the University is made the ground of a second objection. It is alleged, by a few, that Tuscaloosa is an immoral city, and exerts a prejudicial influence over the students. I am neither the accuser nor the apologist of that city. I should, however, bear an

unfaithful testimony to my own observation, were I to fail to attribute the origin of this objection to an inadequate acquaintance with the city and its inhabitants. Personal knowledge, founded on the observation of several years, justifies the remark, that for good morals, intelligence and refinement, Tuscaloosa bears a favorable comparison with any city in the south, and I may safely challenge the objectors to point out another locality in the State combining more advantages with fewer drawbacks for a high seminary of learning. And here, as appropriately as in any other connection, I may advert to the fact, that the removal of the State capital, of whatever detriment it may be to the city, is of decided benefit to the University. It has withdrawn the inflammable excitement, and the gilded temptations to dissipation and idleness consequent on the meeting of the Legislature in the vicinity of the University, and has given increased prominence before the public, to the commencement exercises, which, heretofore, were overshadowed by the pomps and glories of legislative convocation.

Another objection, sometimes urged is, that the young men contract, while in the University, habits of extravagance in dress, and in the expenditure of money. As the same objection may be urged against all the Colleges and Universities of the Union, it follows, if it be fatal to this institution, either that we must do without high seminaries of learning in our country, or that the objectors themselves must refuse the aid of any of them in the education of their sons. But I do not admit that the young men of this institution are needlessly extravagant in the particulars alleged. Admit, however, that they are, the fault lies not with the University, but with the parents themselves, as they either furnish the money, or allow the credit which works the mischief; the officers of the institution being neither consulted, in the premises, nor possessing, from the very nature of the case, more than a monitory control over the matter.

A fourth objection to the University is, that it is the nursery only of rich men's sons. This is the only one, in the whole catalogue of objections, which merits a serious and formal answer. If it be tenable, I candidly confess that my own regard for the University will be greatly diminished. If it cannot be overthrown, I admit that the days of the institution are numbered, as the objection will speedily array against it, all over the State, a powerful, and in a society like ours, an irresistible agency
— the prejudice of the mass of the people. Now I assert, and I pledge myself to prove to the entire satisfaction of every candid mind, that all the preferences of the University, as between different classes of the community, are in favor of the poorer class, and that it is an institution admirably fitted, as it was designed, for the common benefit of the whole people of Alabama.

The statistics of the institution prove, that thus far, at least, its benefits have not been enjoyed by the sons of the rich alone. Of those who have spoken the vadelectory addresses, in ten years, not one was the son of a rich man; only three were in a state of mediocrity as to wealth; four were below it; and three were gratuitously educated by the University, under a provision to be subsequently noticed. Of those who have spoken the Latin speech, in ten years, not one was above mediocrity as to wealth; four may be considered in that state; the residue were all below it, and four had their tuition and College charges at the expense of the University. These facts show, that the sons of men in moderate, and even in straitened circumstances, have not only found their way into the University, but that they have, by merit and scholarship, monopolized, for ten years, the honors of its graduating classes.

Again: By a regulation of the University, one young man from each county in the State, if of good character and in straitened circumstances, may receive his education free of all College charges. Seven of the twenty young men who have spoken the vadelectory addresses and the Latin speech, in ten years, were beneficiaries of the institution under this provision, and there are usually, in the University, from eight to twelve enjoying the benefit of it. The number may be increased to fifty, that being the number of counties in the State. This provision, and these facts, are conclusive to prove, that the University makes a preference in favor of the poor, and that they avail themselves of its liberality to receive a liberal education. No analogous provision in favor of the rich is to be found among its regulations. Should not these considerations silence the objectors?

"Look at the matter in another light." Suppose the University abolished. The sons of the rich, having the means, go abroad, and procure in foreign Universities a liberal education. The sons of the 'less affluent,' and they are the majority, remain at home, and receive such education as village academies and unendowed colleges can afford.

What is the result? In due time, a large number of wealthy and highly educated persons make their appearance in the State. Having the superiority, both in fortune and education, over the poorer and less cultivated persons who have been compelled to remain at home, for the want of means to go abroad, they enjoy what is the usual advantage of more highly educated intellect, and the sure result of that and wealth combined—they outstrip their competitors in the race of honor and preferment. Gradually but surely—for mind and wealth will accomplish their influence—they monopolize all the offices and honors of the State, and thus a most odious and grinding social despotism is established—that of the rich and educated few, over the poorer and less cultivated many. But as long as the University of Alabama exists, such a condition of things will be impossible in our State. For, being an institution of as high order as any in the Union, and therefore able to educate as liberally as any of them, and extending its benefits alike to the rich and the poor, as has been shown by the statistics, and the provision above noticed, and as will presently be proven by a still more convincing argument, it will prevent the concentration of superior education in the wealthy classes, and place the less affluent on an equal platform of mental power, to compete with them for the honors and the offices of the State. It is clear then, that the University is the great equalizer of ranks in our society, correcting the inequality of fortune in the rich, by equality of mental cultivation in the poor. I wish that this matter were inquired into, and well understood by all the people of Alabama, and especially by the poorer classes. The University is the best friend they have in the State. It does not give them riches, it is true, but it bestows upon their sons a far better heritage than wealth—it makes them the intellectual compatriots and the equal rivals of the more favored sons of fortune. That is something—yes, it is every thing in a country like ours, where there are no privileged classes, or hereditary monopolists of offices and honors, but where the race of preferment is open to all, and where cultivated mind and morals are, in the end, the sure passports to public favor and reward. If the 'less affluent' class of our citizens would only look at the University in this light—and it is the true one in which it should be viewed—they would grasp its pillars in the strong embrace of their affections, and regard all the arguments addressed to their prejudices, and founded upon the false assumption of its unfriendliness to
man in the State can have the use of it for the same purpose, for fifty-two dollars a year! Just think of the amazing and gratifying fact, that all the sons of Alabama, without distinction, are admitted in this institution, to the enjoyment of educational facilities which cost four hundred thousand dollars, by paying only fifty-two dollars a year for tuition fees!* What have they who object to the University on the ground that it is the nursery only of rich men's sons, what have they, I repeat, to say to these conclusive facts? They cannot deny them, nor can they resist the inevitable conclusion, that their objection is not only untenable, but that the very contrary of what it alleges is true, namely, that the University is the nursery of the sons of the poor, or rather that it is for the common benefit of the whole people of Alabama.

Having examined all the objections to the University deemed worthy of notice, I pass next to the consideration of its claims upon the Legislature and the people of the State.

The paramount claim of the University upon the Legislature, and the only one which I shall consider, relates to the custody and the application of its fund. I have already, in the early portion of this address, briefly indicated the origin of this fund. From the proceeds of the sales of the seventy-two sections of land, given by Congress for the use of a seminary of learning in the State, the sum of nearly three hundred and fifty thousand dollars was raised. As the University lands were of the most valuable description, a much larger amount might have been realized had the proper management been applied, both in the sale of the lands and in the subsequent direction of the proceeds. But by various relief laws passed by the Legislature for the benefit of the purchasers of these lands, allowing them to rescind their contracts and to become pre-emption purchasers, at greatly-reduced prices, when they held certificates, the sum of $144,239 18, of principal was lost to the fund. And by the withholding of interest on the deposits of the fund made in bank, prior to its conversion into bank capital, the additional sum of $28,963 05 was lost. The aggregate of these losses shows, that the enormous sum of $170,202 23, has been lost to the University fund by misman-

*The orator is here inadvertently in error. The true state of the case is still more favorable to the University. Forty dollars only are annually paid for tuition. Twelve dollars are paid for fuel and attendance in the dormitories.
giving the land for the use of a seminary of learning in the State, for that is the law applicable to the case by which the court would be bound to decide in the event a litigation could be instituted in a judicial forum, to ascertain and fix the nature of the fund, and the character in which the Legislature holds it. The very words of the act are: "That thirty-six sections, or one entire township, together with the one herefore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the Legislature of the said State, to be appropriated solely to the use of such seminary, by the said Legislature." Here we find every element of a simple trust, expressed in the very language used in the creation of private trusts between individuals. Congress is the grantor, the Legislature is the trustee, and the seminary of learning to be established is the beneficiary of the trust. When the Legislature converted the land into money, it still retained its character of trustee, and was bound to the same duties it was before the sale of the land. When it deposited the money in the State Bank for safe keeping, and when again it converted it into capital of that institution for the use of the State, it remained a trustee still. The deposit of the fund in bank, or the conversion of it into bank capital, worked no mutation in the character, or the duties of that body, but left matters precisely as they were before, except that in the last case, the State became liable for the fund converted to its own use. I conclude therefore, that the Legislature of Alabama was made, by the act of Congress, and has continued down to the present time, a trustee of the fund of this institution. But if it be a trustee, it must be bound, like other trustees in similar cases, to perform the ordinary duties of safely keeping and faithfully applying to the use of the beneficiary, the trust fund. The Legislature is bound then, first, safely to keep the fund of the University. This duty results so clearly from the fiduciary character of that body, the intention of the grantor, and the object of the grant, and has been so repeatedly recognized in the legislation of the State, by the passage of laws in the first instance, to prevent trespasses upon the lands of the University, and afterwards to provide for the safe custody of the proceeds of the sales of those lands, that no argument is necessary to demonstrate either its existence or its obligation. Premitting then, as unnecessary, what might be further said on this point, I shall address myself to the consideration of a matter of moment.

assuming for the moment what I shall presently prove, that the Legislature is the trustee of this fund, and bound to the duties, and subject to the liabilities of that character, one of which is, that the trustee shall account for all profits received, and if he sustains losses by his mismanagement, shall yet account for the fund and legal interest, and it follows that the Legislature is, in equity, bound to make good these immense losses. In this view, the compromise proposed to that body by the Board of Trustees, at their annual meeting in 1845, on the basis of a surrender of all claim upon the State for indemnity for these losses, in lieu of a relinquishment of the debt due from the University to the bank, was not only eminently equitable, but was exceedingly favorable to the State, as by accepting it, the State would have paid a debt of $170,203.23, justly due to the University, with the sum of $64,500, due from the University to the bank. The fund at present belonging to the institution amounts to $500,000, and is in the custody of the Legislature. Now, I maintain, that the Legislature is, to all intents and purposes, a trustee of this fund, and is bound, as such, safely to keep, and faithfully to apply it, to the use of the University. I shall endeavor to simplify and popularize the argument by which this conclusion is attained so as to make it intelligible and therefore conclusive to every unprejudiced mind in the State. A trustee is a person, or a collection of persons, incorporated by law, or acting without legal incorporation, clothed with a trust. Take an example which will serve to illustrate the definition, and also to confirm the principle assumed. A father vests the title to some thousands of acres of land in his friend, for the use of his child. In this example the father is the grantor, the friend is the trustee, and the child is the beneficiary of the trust. If the friend convert the land into money, that will change neither his character nor his duties. He is still a trustee, bound faithfully to execute the duties of his trust. If he deposit the money in a bank for safe keeping, or convert it into capital of a bank of his own, he still continues, as before, to be a trustee, clothed with the same powers, and subject to the same responsibilities, he was at first, except that in the last case he becomes individually liable to the beneficiary for the trust fund which he has converted to his own use. Apply this illustration to the case of the Legislature of Alabama, and see how clearly the character of trustee of the fund of the University is established. We must refer to the act of Congress.
tous importance to the University, and which may be discussed as appropriately in this as in any other place— I mean the present condition of the fund, in regard to which the legislature is bound to perform this fiduciary obligation of a safe custody. I take the position that the State, by the act of its lawful agent, has become the debtor to the University, and is bound to make good to it every dollar of its fund. Here again, I shall have to resort to illustration by example, in order to rid the argument of legal technicalities, and adapt it to the nature of a discourse like the present. Suppose, in the example already adduced, of a father creating a trust for the use of his child, that the trustee, upon his own responsibility, and for his own benefit, converts the trust fund into capital of a bank established and owned by himself, and pledges his faith and credit to the beneficiary for its safety, and issues to him certificates of debt. Here, upon admitted principles of law, the trustee, by the conversion of the trust fund to his own use, becomes the debtor to the beneficiary to the full amount of it, principal and legal interest. The plighting of his faith and credit, and the issuance of his certificates of debt to the beneficiary, did not create, but only authenticate, and make more public and solemn, his obligation to make good the trust fund. Now, if his bank explode, it is to his individual detriment alone, and not to that of the beneficiary. For the beneficiary is his creditor; and is neither partner nor stockholder in his bank. The trust fund has gone into the capital of the bank, it is true, but it went without the assent of the beneficiary, as the individual fund of the trustee, who, by the act of appropriation, made it such. He must then, bear all the losses of his bank, and respond out of his own pocket to the full amount of the trust fund, which he has appropriated and lost. This is believed to be sound law, and embraces all that is necessary to elucidate the position assumed. By an act passed in 1833, the Legislature established the Bank of the State of Alabama. The second section of the act provides in these words: "The money arising from which may have arisen, from the sale or rent of the lands given to this State by the Congress of the United States, for the support of a seminary of learning, shall form, compose, and constitute in part of the capital of the said bank; and the Governor for the time being, together with the President and Directors of the said Bank, on a majority of them, shall be authorized and required, for and in behalf of the State, and with a pledge of the public faith and credit, to issue to the trustees of the University of Alabama, State stock, or certificates of debt, bearing an interest of six per cent per annum, payable half yearly, to the said trustees, or kept subject to their order, according to the laws of the State, to the amount of such sum or sums, as may be, from time to time, paid over by the said trustees to the president and directors of the said bank, the said interest to be forever applied to the use of said seminary." A proviso in the section limits the amount to be vested, as part of the capital of the bank, to one hundred thousand dollars. But, by a subsequent act, passed in 1833, the Legislature converted all the funds of the University into capital of the bank, and renewed the guaranty of the public faith and credit, for their security. These enactments comprehend all the law pertinent to the present inquiry, and govern the case. The bank was a State institution, owned and governed solely by the State. The first section of the act creating it, declares that it was established in the name and for the benefit of the State, and it was governed solely by officers elected by the Legislature. It was, therefore, to all intents and purposes, in the sole ownership of the State, and there were not, and in the very nature of the case there could not be, any other proprietors, public or private, either as stockholders or partners. When, therefore, the State, upon its own responsibility, and for its own benefit, converted the funds of the University into capital for its bank, it was an appropriation of them to its own use. And, as the Legislature and the State were, in this transaction, identical, the act amounted to a conversion of the trust fund to its own use by the trustee. Then, upon the well settled principles of law applying in such cases, the State became the debtor of the institution to the full amount of the fund, principal and legal interest, so converted. It recognized, indeed, by its own acts, the establishment of the relation of debtor and creditor, between itself and the University. For it issued, not bank stock, but State stock, or certificates of debt to the trustees of the University, which was as explicit and undeniable an admission of its being the debtor of the institution, as the execution and delivery of a promissory note between private individuals is of the creation of the relation of debtor and creditor between them, both answering the very same purpose—ascertaining the amount, and authenticating the fact of the liability. Besides, the State pledged its faith and credit for the security of the
funds, which was only a more formal and solemn declaration of the fact, that it was in the possession and use of them, and that it intended, in every event, to be accountable for them, and make them good, giving, as an assurance of its intention to do so, the strongest guarantee it could command—its own honor and its own credit. This was a moral monument of the title of the University, just as the State stock, or certificates of debt, which it held, were the legal assurances of the State. When, therefore, the State bank exploded, it was solely to the detriment of the State, and not to that also of the University. For the University, by the act of the Legislature, had become the creditor of the State for the full amount of its fund. It was not a stockholder in the bank, for that would have implied a joint ownership of its capital, and a share, in its management, and in the dividend of profits proportionable to its investment. But it has been shown that the State was sole owner and director of the bank, and the University was allowed, by the act of 1823, only six per cent; interest on its funds, which proves that the Legislature itself regarded it as a creditor entitled to interest, and not as a stockholder entitled to profits. This view is further corroborated by the act of 1837, which directed the entire net profits, made on the funds of the University, to be set apart by the bank for its use and benefit, to be appropriated as the six per cent; was required to be used, and in the event that these profits should, at any time, be less than six per cent; that six per cent; should be paid as provided for by law. For, if the University had been a stockholder in the bank, it would have been entitled to these profits of right and not of favor at the hands of the Legislature. And that it took them as a matter of favor and not of right, is evident from the consideration that the Legislature might have revoked the favor by repealing the act, and also from the fact that six per cent; was intended, in any event, to be paid, which was a provision manifestly designed to place the institution on the stable foundation of a favored creditor, allowing an equal perception of profits, but not exposed to the hazards of fluctuating dividends. Neither was the University a partner in the bank, entitled on its final liquidation to a rateable dividend in its assets. For the bank itself was not, and could not, without a remodeling of its charter, have been a partnership association. It was expressly declared, by the power which created it, to be for the benefit of the State. Besides, the relation of partners could have been established between the University and the bank, only by the agency of its Board of Trustees, the sole organ through which it can do legal and binding acts. But the Trustees did not assent to the creation of a partnership, nor did they even convert the fund into bank capital, that act being done by the paramount act of the Legislature itself. Moreover, it is a clear principle of law, that a trustee cannot, by his own act, make his beneficiary either a partner or a stockholder with himself, either in trade or in banking. In addition, it may be observed, that as the act of 1833 directed the interest on the State stock, or certificates of debt, issued to the Trustees, to be forever applied to the use of the University, it must have contemplated a perpetual accretion of interest, which is manifestly incompatible with the idea of the University's being a stockholder, or a partner in a bank, limited in duration, by the express terms of its charter, to a period of twenty years. Since, therefore, the University was not, and could not be, a stockholder or a partner in the bank, when its funds went into the institution, they went as the funds of the State, which, by the act of appropriation, made them such. The State, then, must bear all the losses of its bank, and is bound to respond out of its treasury, for every dollar of the University fund which it has appropriated and lost by the casualties of its banking operations. But if it be bound to make good its fund to the University, as a creditor, placed precisely upon the same footing with all the bond creditors of the State, whose funds were borrowed and converted into bank capital, under the guaranty of the faith and credit of the State pledged on the face of the bonds which they hold, then is there, in contemplation of law, now in the hands of the State, a fund belonging to the institution precisely equal in amount to that which the State took from it to bank upon, and in respect to which the Legislature is bound to perform the second duty which appertains to its character of trustee—namely, faithfully to apply it to the use of the University. This duty, like the one just considered of a safe custody of the fund, is too apparent to need either argument or illustration in support of its existence and obligation. The act of Congress, giving the fund for the use of a seminary of learning in the State, declares that it shall be applied solely to the use of the seminary to be established. As this institution is the seminary contemplated by the act, it may, in addition to the other considerations which fortify its
claim, invoke its protection, and claim at the hands of the Legislature, a faithful application of the fund to its use.

But the Legislature is not only bound to perform the duties of safely keeping and faithfully applying the fund of the University, but it is perpetually and inalienably bound to discharge them. The perpetuity of its obligations results from the intention of the grantor, and the object of the grant. It was the design of Congress to establish a seminary of learning in the State, which should dispense the blessings of education among its citizens as long as the body politic endured. This intention, though not expressly declared in the act giving the land for the use of a seminary of learning in the State, results so clearly and irresistibly by implication, that it cannot be denied.

Hence as the seminary was designed to be perpetual, a perpetual fund was to be created for its support, and a perpetual trust vested with the custody. But the idea of perpetuity attaches to a Legislature, regarded, not as an assembly composed of individuals, who are perishable, but as a coordinate branch of the government, endued with the same immortality accorded in judgment of law to the political fabric of which it is an essential and component part. Hence Congress selected this indestructible political personage as the perpetual trustee of the perpetual fund, which it was about to create. And the Legislature being, by the ordinance of the Convention of the people of the State, accepting the proposition of Congress to create such a trust, clothed with it once, is clothed with it forever.

The inalienability of its obligation, safely to keep, and faithfully to apply, the fund of the University, results from the fact that these duties were not, voluntarily and by its own act, assumed by the Legislature, under the implied stipulation of a relinquishment of them at pleasure, but were imposed upon it by the act of the same power which created that body itself. The people, by accepting, in the fundamental ordinance just alluded to, the proposition of Congress to make the Legislature the trustee of the fund, the seminary of learning to be established in the State, have made the duty to discharge the obligations of the trust one of the primary duties of that body. Hence the Legislature, as it is clothed with this trust by an organic act of the people, and not by a voluntary assumption, can no more divest itself of it, than it can divest itself of the law-making power. Both are derived to it from the people, and it must continue to discharge the duties of both until it is itself abolished, or its powers transferred to another tribunal.

It results from the reasoning now submitted, and is, I think, clear, beyond all dispute, that the Legislature of Alabama is a trustee of the funds of the University, bound by a perpetual and inalienable obligation, safely to keep and faithfully to apply them to the use of the institution.

Viewed in this light, the Legislature occupies a position of commanding interest and great moral sublimity. It stands before the eyes of the world charged with the august duty of administering to the intellectual wants of the present and future generations. Supposing it faithful to this duty, we can behold, in imagination, down the long vista of the future, generation rising after generation and receiving from its hands the precious gifts of knowledge and mental cultivation. In the midst of perishing individuals, it looms up over the ruins of time an immortal personage, holding in one hand the thunderbolt of relentless justice for the guilty, and scattering with the other, the seeds of knowledge, virtue and happiness, among the people of Alabama.

Although I believe the considerations now adduced, to be conclusive as to the duty of the Legislature, safely to keep and faithfully to apply the fund of the University, yet the importance of the subject demands that I should fortify its claim to the regard of that body by some additional arguments. It would be absurd to suppose, that the Legislature entertained a feeling of spite or malevolence towards the University, which it would seek to gratify by its destruction. Such an ignoble motive cannot be supposed to operate upon a body of men, who, in theory, are the wisest and most intelligent in the State, and who are presumed to be influenced in their official action by the will of the constituent body, or by considerations relating to the public interests alone. Were the Legislature, then, seriously to meditate the destruction of the University by the repudiation of its fund, and the consequent breach of its own fiduciary obligations, an enormity which I trust and believe that body is utterly incapable of committing, it could be prompted only by one or both of two considerations—a belief that the public voice demanded the act, or a conviction that the public interest required it. But with what show of plausibility can it be said that the public voice demands the overthrow of the University? No formal and authoritative expression of public opinion has ever been elicited in regard to the
matter. The few murmurs of discontent which have been heard, in different parts of the State, are but the effervescence of individual prejudice, or, the ebullition of transient excitements, confined to limited localities. The people to whom the University belongs, have never said, by a direct mandate, or by implied instruction, that the deed of violence and shame should be done. And they never will issue the fatal order for that purpose, until misled by prejudice, or blinded by the sophistry of those in whom they have trusted, they forget their true interests and abandon the platform of a wise policy. In the absence, then, of any explicit declarations of the popular sentiment, we must resort to implications, and they lead irresistibly to the conclusion that an institution, which has been long enough in existence for the sentiment of disapprobation to have found an utterance if it had an existence, cannot be an object of popular displeasure. The public voice, then, decrees that the University shall be sustained, so far as that voice can be collected from the acquiescence of the past, and the rapidly increasing and already extended favor of the present. But if the public voice does not demand the destruction of the institution, do the public interests require it? Were the State disembarassed from debt, such a question would neither merit nor receive notice from any one in Alabama. All would admit the great usefulness of the University as a public foundation for the diffusion of knowledge among the people, and the importance to the public interests, of sustaining it. But the State has become deeply em- barassed with debt. I admit and deplore the fact, but cannot see what has to do with the question which I am considering. Any more than the majority of the debts of a private individual has to do with his obligation to pay them. If the University had broken the banks, created the public debts, and squandered the people's money, it should be held responsible. Or, if it were breeding, by its malign influence, a moral pestilence among the people, discontent among the laborers, and immorality among the youth of the State, it might be the duty of the Legislature to abolish it as a public nuisance. But the University is guiltless in all the particulars mentioned. Nor has the occurrence of the pecuniary embarrassments of the State impaired, in the least degree, the usefulness of the University. What then have these embarrassments to do with the institution or with the duty of the Legislature in regard to it? That body is not at li-
and Board of Trustees to the Legislature, and accounts of its public exercises; by combatting the prejudices against it; by removing the objections to it; and by exhibiting a friendly spirit towards it—and all this would require but little labor, and would occupy but small space in their several publications—they might contribute immensely to its popularity and usefulness. They have it in their power, more than any other class of citizens, to create what is needed, both for its stability and success—a State pride in favor of the institution. If they would, only now and then, indite a short paragraph in its behalf, they would soon gather around it the affections of the people of the entire State. And why should not these influential citizens perform these friendly offices for the University? They seek to advance, in their several publications, and promote, according to their respective ability, the cause of virtue, knowledge, and good order in the State. Is not the University a co-worker with them in the same field of labor? Why, then, should they not extend to it the right hand of good fellowship and treat it to the civility of occasional recognition? Nor would the University fail to make returns to their profession. It would soon cancel the obligation by raising up more patrons for their publications, and by furnishing able conductors and numerous contributors for the newspapers and periodicals of the State. It would help to direct these vast agencies into the channels of their true mission, and make them something higher and better than the loud panegyrists of declaimers, the hootings, or the mere instruments of partisan warfare for the honors and emoluments of office. I have been astonished at the indifference shown by the editors of the State to the cause of the University, and can account for it only on the supposition that the matter of their duty and responsibility, in regard to it, has been overlooked amid the fierce and absorbing discussion of the politics and the news of the day. It cannot be that their silence is the mark of a guarded hostility, for I have yet to see or hear of the intelligent editor in Alabama who is opposed to the University, and were I to seek for its enemies, I should never direct my inquiries to the ranks of that public-spirited and enlightened class of our citizens. But the University has claims upon all the people of the State. To enumerate these in detail, would lead to an amplitude of remark incompatible with the brevity necessarily prescribed for this portion of my Address. I shall, therefore, select for observation, one, pre-eminent in importance, and which, if respected, will secure a due observance of all the others. I mean the claim of the University upon the people to be supported and saved from destruction, either by their own act or by that of their representatives. The University belongs to the people of Alabama in common. It was founded for their benefit and the benefit of their posterity. They cannot, then, look upon it with an unfriendly eye, as an alien upon the soil of the State, having no claims upon their regard. It is theirs to cherish and theirs to enjoy. Being, therefore, the people's University, the people should see to it that no act of infidelity on the part of their representatives shall deprive them of it. But if they decree its safety, there is no danger to be apprehended from their representatives. And why should they not pass the decree of safety, and engrave it, as upon monumental marble, never to be erased by the suggestions of misguided interest, or the cunning arts of popular deceivers?

The benefits which it confers upon the State forbid that the people should let their University fall. These benefits I have enumerated elsewhere, and each one of them should be a strong cord to moor the institution to the rock of safety, or as the branch of a mighty vine to bind the parent stock whence it issues to the broad trunk of the body politic.

Gratitude to its munificent founders forbids that they should let it fall. It cost them not one dollar out of their treasury, but was the free and noble gift of the Congress of the United States, for the common benefit of themselves and their posterity. Will they requite the liberality of the donor by ungratefully squandering the splendid benefaction?

Honesty forbids that they should let it fall. By their lawful agents they have solemnly pledged the faith and credit of the State for the security of its fund and the consequent safety of the institution. Will they turn the dishonors of their own fair State, and ravish from its corona the bright jewel of its yet untarnished fame?

State pride forbids that they should let it fall. Other States have their Universities in which they educate their young men, and to which they point with pride and exultation. Will the people of Alabama let their State fall behind her sister States in this particular, and permit the world to point the finger of derision at them when they go abroad, and say: There are the citizens of a State which imolated its only University on the altar of an unhallowed cupidity?
Interest forbids that they should let it fall. If the University of Alabama be destroyed, how or when will the people be able to get another to supply its place. Congress either has not the land to give for the establishment of another seminary of learning in the State, or, if it has, it may not be inclined to bestow a second gift on a people who had squandered the first, just as persons rightly refuse a second charity to the reckless prodigal who abuses the first. The State, in its present embarrassed condition, cannot endow a University, and the magnitude of its debts forbids the idea of its being able to do the work for an indefinite time to come. The issue, then, is between this University and no University at all—between a present certainty and a doubtful expectancy in the future. Will the people, then, be content to have no University at all—for that is the issue to which the matter comes? They must answer for themselves.

Justice to posterity forbids that they should let it fall. It was founded and intended for the benefit of the present and of future generations. The long line of posterity, yet to be born on the soil of the State, are co-proprietors with their living progenitors, of the fund of this University, and were equally embraced in the intention of the munificent donors. Raising, in imagination, the veil which hides the future from our eyes, I behold generation rising after generation, in long progression through the dusky chambers of the years to come, and, with outstretched arms and pleading looks, they seem to utter, with a voice like the sound of many waters, the touching appeal: “We, who cannot help ourselves, implore our fathers to think of us and to save our intellectual patrimony for our use when we come upon the stage of being! Will the people of Alabama disregard the remonstrance of their posterity, who, if they cannot prevent the deed of pillage, can, at least, execrate the memory of the pillagers?” I appeal, then, to all the people of the State, in behalf of this noble University. “A free Government, wise laws, a genial climate, a fertile soil and an abundance of the elements of physical, moral and intellectual greatness—all these are theirs by the gift of Providence and by the bequest of their fathers.” But something more than these is needed to make Alabama a great and truly prosperous State. “The mind—the immortal mind—of her people must be educated and raised to the appreciation of those high pursuits attuned to the harmony of our imperishable natures. But how shall the great work be done, unless we preserve all the institutions of learning which we have, and build up more to meet the increasing intellectual wants of a rapidly augmenting population? The number of persons in the State, over twenty-one years of age, who can neither read nor write, shows a frightful disparity between our present means of education and the demands of the mind of the State. Will the people augment this already alarming disproportion by destroying the University? Would not that diminish the supply of the means of instruction to a degree approaching, if not to the limit of safety to which any community can go in this particular, at least to the bounds of a most deplorable destitution? No! no! the wise and the prudent course for the people of Alabama to pursue is, to build up more institutions of learning in the State, and not pull down any which they now have. Depend upon it, if they destroy this University, the deed will recoil upon them at some no distant future. Its results will come in the shape of an augmented immorality among the mass of the citizens—more felons at the gallows and more convicts in the Penitentiary—less general education and intelligence among the people—light gleaming on the mountain tops where wealth keeps its courtly residences—and darkness settling down in the vales where poverty dwells in its humble mansions. Let the people, then, beware in time of what they do. Let them never, as they value the best interests of themselves and of their posterity, place the hands of a mean cupidity upon the University of Alabama and lay it prostrate in the dust.

I fear, gentlemen, that I am trespassing too long upon your patience, and I hasten, therefore, to conclude.

Two pictures, a bright and a dark one, offer themselves for our contemplation, the outlines of which are drawn before the mental vision by the considerations to which we have been attending, and the reflections to which they naturally give rise.

Look, first, upon the bright picture. A noble University stands upon the soil of Alabama. Glancing, in imagination, down the vista of a few coming years, we behold the same State, geographically considered, but how changed in all else besides! Mighty intellects have been developed, which shed, as suns in the firmament of mind, a resplendent lustre over the moral skies of the State. The mass of the people have been raised to a higher standard of mental cultivation, and have proportionately increased in self-respect and in the capacity
of governing themselves. Cultivated morals restrain individuals by self-imposed restrictions or by the energy of a potent public opinion, and govern the masses by the discipline of laws vigorously administered. A general popular illumination has spread the light of knowledge in all the habitations of the people. The State discharges its duties as a member of the Union by furnishing its tribute of an educated and moral population to the national community, and its quota of competent men to the national councils. In the great moral contest for the institutions and the rights of the South, it has sent to the field champions worthy of the brightest steel of the foemen on the other side. The people have become proud of their State, linger fondly on its soil, and remove from it with regret. The young men, educated at home, are true to the State, doing no violence to it in the deed nor hiding treason to it in the heart. A geological survey of it has been made, and its developed mineral resources have added immeasurably to its wealth and the comforts of its citizens. An improved system of agriculture has augmented inconceivably its agricultural productions; and made all its barren hills and valleys blossom like a blissful Eden of delight. Ask, now, what mighty magician has wrought these wondrous results; and the answer comes—other agencies helped, but the University of Alabama was the prime instrumentality.

Turn, now, and look upon the dark picture.

In the vicinity of Tuscaloosa, at some distant future, a citizen of Alabama pauses in melancholy idleness to contemplate some mouldering ruins. Over them the long moss and the tangled undergrowth have woven the green livery which mantles the decay of the vegetable world, making it less hideous to the sight, and the trees, which sentinel the spot, flap their broad branches, like banners, in the mournful breeze. Standing on a large central pile, surrounded by other piles of equal magnitude, we may suppose him thus to soliloquise: Here once was the seat of the University of Alabama. This pile on which I stand was its Rotunda, and these shapeless masses around me were the dormitories of its students and the dwellings of its Professors. Hither, in years long gone by, came the young men of Alabama in quest of knowledge, and these now voiceless solitudes echoed to the lectures of the learned Professor and the recitations of the diligent student. The University rose, like a beautiful Temple, in calm and noiseless majesty, the light, the glory, and the ornament of the State. But the people were misled. The representatives assembled: A bright star fell from the literary firmament of the South, and no one equal to it in lustre has since risen in Alabama. From that dark hour the shades of a moral eclipse gathered rapidly over the State. Few gifted intellects rose upon its moral horizon, and the minds of the mass of the people sank to lower depths of sensuality and degradation. One of the vigorous props of public and private morals was destroyed. The light of knowledge went out in thousands of dwellings. The sons of the State stood, in the national councils, pigmies beside the giants of mind from other States, and a badly educated and immoral community fell, like a turbid stream, into the clear reservoir of the national mass. When the South was assailed, the State crept beneath the shield of her sister States and cowered in fear of the result, until the moral affray was over and the bird of victory fluttered its plumage on the standards of the South. The people lived in the State because they could not leave it. The young men grew up badly educated, or returned from foreign Universities, aliens in feeling and opinion, to the State of their birth. The mineral resources of the State lay, like gems in the sea, invisible to mortal eyes. Agriculture declined apace, for the nerves of science were needed to invigorate and energize its drooping system. Alas! alas! my beloved but injured State, how false to thee and how false to us their posterity, were they who plotted and achieved the destruction of thy noble University! As the black deed looks down upon us from the summits of the past, we forget the revenge due to the memory of our sires. But I must hence. The reptiles, disturbed in their dark retreats by my loud ejaculations, are beginning to glide and hiss beneath me, and the sun goes down, like a monarch to his couch, beyond the venerable city of Tuscaloosa!

I have sketched, gentlemen, the outlines of the bright and of the dark picture. Regard them attentively, for I and you, the Legislature and the people of Alabama, are the artists who are to draw the tints and touching beauties of the one, or the dark and revolving colors of the other, on the moral canvas of the State. This day, with feeble skill but with good intent, I have worked upon the profile of the bright picture. I know, gentlemen of the Erosophic and Philomathic Societies, upon which of the two your touches will fall. Legislature and People of Alabama, upon which will yours? The Future must tell.