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An Oration, on ... Jurisprudence.

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**AN
ORATION,
ON THE
PROPRIETY OF INTRODUCING
THE
SCIENCE OF JURISPRUDENCE**

**INTO A COURSE OF
CLASSICAL EDUCATION.**

**PRONOUNCED IN THE BAPTIST MEETING-HOUSE,
IN PROVIDENCE,**

**AT THE ANNIVERSARY COMMENCEMENT OF
RHODE-ISLAND COLLEGE,
SEPTEMBER 6th, A. D. 1797.**

BY SAMUEL W. BRIDGHAM,

A CANDIDATE FOR THE DEGREE OF MASTER IN THE ARTS.

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A N

O R A T I O N.



That a Science which is universal in its use and extent, accommodated to each individual, yet comprehending the whole community, should ever have been deemed unnecessary to be studied in an University, is a matter of astonishment and concern.

BLACKSTONE.



MAN's knowledge is circumscribed not only by the limitation of his faculties, but also by that of his existence. Perfection being unattainable, a resolution to arrive at the happy summit of universal knowledge, would be as preposterous as an attempt to arrest the sun in his rapid progress through the skies. Into what path then is man, that offspring of imperfection, that child of error, to be conducted? Let him, in his pursuits after knowledge, be allured to those branches only which have most for their object his own happiness, connected with that greater good, the good of society. Learning is the most precious jewel; and could I add, without being charged with partiality for a favourite study, I would say, that no learning is so excellent for all degrees of

men as a knowledge of laws, and the principles of legislation.

Universal diffusion of legal information beautifies and adorns Justice with all her splendid suit: it presents her in an attitude so divine, that I excuse the ancients who worshiped her as a goddess. To the honest industrious yeoman-citizens it affords a shield of protection against the secret insinuations of fraud, and the bold attacks of malevolence.

Although ecclesiastical and civil authority should never be blended together, yet our *Reverend Teachers of Holy Things* ought not to be unskilled in the science of jurisprudence. Their duty consists in holding up the mirror to the face of man, to reflect his weaknesses, his follies, his imperfections and vices; to teach him obedience to divine institutions and civil authority. If the whole duty of man is to be laid before him by his spiritual guides, the more extensive and universal their knowledge, the more useful will their instructions be to all classes of hearers.

To judges and jurors the knowledge of jurisprudence is of superlative concern. Shall man's dearest interests be adjudged by ignorance, by prejudice, and by passion? The wisdom of ages, improved and collected in those massy volumes of English jurisprudence, requires a laborious investigation, to empower the judges to merit the epithet and maintain the dignity of the fathers of the rights of the people.

Ill fated and deplorable is the condition of that country, whose legislators are ignorant. Their duty consists in expounding, modelling and creating laws. To maintain the propositions, that man can explain statutes he knows nothing about, can comment upon texts of which he is totally

ignorant, or can remedy defects in laws of which he has no knowledge, is preposterous in the extreme. As well might the unskilled in mechanics undertake to amend the defects in a complicated machine, or the untutored barbarian to enucleate those mighty wonders which decorate and adorn the vast amphitheatre of nature. A wise legislator is therefore a bright luminary to his country, and merits universal applause. His path is decorated with flowers, and leads to glory. Every man is his enemy, and his country's too, who would rob him of his wreaths, or tarnish his honour.

Wherever the principles of legislation are well understood, political jealousy and discontent are unknown or silenced. In every change of government from despotism to freedom, and in every improvement of law from barbarous rigour to polished mildness, ignorant citizens and blind legislators revolt against measures suggested by wisdom, and which eventually prove glorious and triumphant.

At the establishment of the federal constitution of the United States, some ignorant Americans, through blindness, felt all the horrors to be apprehended from internal agitation and civil commotion: yet how glorious has that institution proved—and how cordially do they now acquiesce in the system they so bitterly condemned.

The feudal system in England has been represented as a disgrace to its history. But if we contemplate the nature of English jurisprudence, our thoughts will bring home to our minds conviction, that the feudal system is the grand basis of that stupendous fabric: that it is the rock on which the wise men of the world have builded, and the storms and tempests have beaten upon the superstructure, and it has not yet fallen. There

were doubtless many evils in this system, but they were such as were not to have been prevented in the early age of the world. A pure American-like government could not have been hoped for in that period, when the savage foot roamed o'er half creation, and nature blushed at the dawn of science. The policy of the times would not admit of that spirit of liberty which now animates the republican. Let us not then be dejected: let the natural light which is within us shine with its full lustre: let charity, that celestial spark, that emanation of divinity, irradiate and sublime our souls: no longer let the dictates of sound policy be execrated, or magnanimous exploits stigmatized, by the enemies of man, or by misguided zealots.

Let these reflections serve to convince the mind of the vast importance of a general diffusion of the knowledge of jurisprudence. Permit me now to suggest, that while the fortunes of our citizens are incompetent for this purpose, propriety, public good and political necessity, plead the cause of this science, and solicit her introduction to the classical exercises of a collegiate education. In all countries celebrated for improvement, this science has been particularly cultivated, and made a branch of classical learning. No gentleman in those countries deems his education complete, till he has been indoctrinated in the science of laws. Public institutions for the promotion of literature are the heart and seat of life to our government, whence proceed the arteries in tides of health to nourish and support the whole system. This our seminary, though yet in her infancy, has afforded presages of her rising greatness. Already do her sons contend with those of Oxford and Cambridge for the laurels of *Par-*

