The Tercentenary of Connecticut

The Connecticut Ode

The Tercentenary in Review

Connecticut Celebrates

Connecticut and Her Founders

The Evolution of the Government of Connecticut

THE TERCENTENARY COMMISSION of THE STATE of CONNECTICUT
1771-1850

THE
CONNECTICUT
TERCENTENARY

1935
Connecticut Tercentenary Ode*

WILBERT SNOW

I.

What guerdon can we bring
To the pioneers who made this valley ring
With psalm and sword three centuries ago?
The broad-axe in the river towns proclaimed
Saint George adventuring forth once more to slay
The dragons that were challenging his way
To Liberty and Justice, setting free
Man's urge in separate moulds to shape his plea
That Heaven's will be tabernacled here.
Connecticut was Jordan, and the clear
Streams flowing to it marked the Promised Land.
Here Hooker, Stone, and Ludlow took their stand
And reared a Western tower that withstood
The dragons of rebellion, fire, and flood.

II.

A heritage to honor! As the oak
That hid the Charter from an acorn grew,
So from the Fundamental Orders broke

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The twig our fathers planted to renew
The faith of men in nations. Yggdrasill
Of Western soil, shed leaves of healing still!

III.

The hills conspired to drive the grimness out
Of hearts too soon aware of savage death;
Men roaming through the pastures, ringed about
With blooms of laurel, breathing its sweet breath,
Were nevermore content with door or panel
Where beauty was denied its bead or channel.
These homes our fathers cherished, like their laws,
Reveal the steady minds of men who caught
Life's dignity and beauty: freezing, thaws,
Time's negligence, and scars blind worms have wrought
Have sagged their oak foundations, yet they stand
The architectural glory of the land.

IV.

Gloom settled on the pioneers to see
The all too transient Oriental glow
Of full-flung autumn on each wayside tree
After a night of rain, fade out and go.
(How could such foliage fling
Defiance to the sky and fail to bring
Down on its head cold winter's reckoning?)
They watched the trees turn gray through countless falls
And poured their heart's blood into gray stone walls.
These walls their Pyramids; the Sphinx that gazed
Upon them from the green, the white church spire,
Whose priests curtailed the Liberty they praised,
And dangled over Everlasting Fire
The Pequots and the witches who defied
The Hebrew god their stern faith magnified.

V.

Whence came the sternness? Was it from the rocks
That pauperized their hillsides? Or the soil
So thin it set young men to making clocks
Or peddling Yankee notions? Did it coil
Out of the whirlwind gusts of cold that stormed
Hard pews in Meeting Houses never warmed?
Grim were the hardships, treacherous the foes
Our fathers grappled with to make them strong;
Out of their poverty and faith arose
A breed that to the Iron Days belong.
Gaze on their portraits, trace deep lines that spent
Long nights in Doubting Castle with Despair;
Heed earnest eyes to whom the heavens had sent
A sign like Jacob's when he strove in prayer.
VI.

How numerous the heroes crowd this vale!
A Revolutionary Muse might sing
The blue-eyed teacher-athlete, Nathan Hale;
Or "Brother Jonathan" whose echoes ring
As true as Washington's who called him friend
When friends were few and trusted leaders fled;
Or Putnam, ambushed, wheeling to descend
Precipitous steps; or Silas Deane who sped
DeKalb and LaFayette when many a head
Was bowed to meet an ignominious end.

VII.

Another with a fancy more perverse
Might sing the exploits of the untamed few
With habits not so steady. Arnold's curse
To him hides not the blessing. He would do
Obeisance to the name of old John Brown,
To Alcott smiting pedagogues of woe;
To P. T. Barnum tearing the black gown
From Puritanic shoulders—there to throw
A bright burnoose of merriment and cheers
On folk who reckoned earth a pilgrimage of tears.
VIII.

Our fancies, rather, let us weave around
The men who hewed the rafters and the beams,
Who served with Mason on Long Island Sound,
And drove the imperturbable ox teams;
Round sailors bearing lilacs from the far
And fragrant Orient
To merge at last their sweet, exotic scent
And color with New England eyes and hair.
How many a cellar yawns whose lilac tree
Can conjure up the scene for you and me!
Tumbled the walls and hearthstone; tough scrub oak
And hardy maple do their best to blind
Our hearts to these our people left behind:
Here is the record no success can bring
To glorious fruition. Lilac, cling
To your abandoned yard and broken wall
Lest we forget the wormwood and the gall
Steeped from New England hemlock. Reinvoke
The memory of the days before the yoke
Fell on unequal shoulders. Give to the breeze
Your heart-shaped blossoms, may they tell what tears
And laughter rounded out three hundred years
Of new-world story from whose page we scan
The enduring grief and dignity of man.
The Tercentenary in Review

SAMUEL H. FISHER

In the year 1635 three small bands of pioneers were beginning a precarious existence in the river settlements which subsequently became the towns of Windsor, Hartford and Wethersfield. From these early settlements there has grown the Commonwealth of Connecticut, rugged in its individualism, strong in its traditions, persistent in its ideas of economy. From the soil of this Colony and State have sprung leaders in religion, literature, medicine and industry, and here was formulated the first written document embodying the principles of self-government based on constitutional liberty.

Several years ago there was quietly voiced a desire to pay tribute in this tercentennial year to those founders of Connecticut as well as those who later helped develop the Commonwealth and who brought fame to it during these intervening years.

A meeting, at which different sections of the State were represented, was held in Hartford in December, 1927, at the home of Dr. George C. F. Williams. Those present agreed on the appropriateness of such a celebration and, under the leadership of the host of this first gathering, the idea of a Tercentenary was laid before the General Assembly at its session in 1929. The plan met with favor and a special act was passed authorizing the Governor to appoint a commission to make plans "for participation by the state in the appropriate observance of the three hundredth anniversary of the settlement of Connecticut as a colony." Such a Commission was duly
appointed, and continued by authority of acts passed at succeeding sessions of the General Assembly.

The Commission decided early that the celebration should be in keeping with the manners, methods and habits characteristic of the people of Connecticut,—that there should be a conservative, orderly progression of events following the best traditions of the State. This ideal persisted in the planning, and in the actual execution of the plans, from that day until the end of the celebration.

There may be said to have been four primary objectives in the mind of the Commission, and the events of the year have contributed more or less definitely toward these ends.

1. First, to record in permanent form the traditions of the past, and thus to point out the rich heritage the people of today have derived from their forefathers.

Naturally the most direct method of transmitting the stories of the early days was by publication. The Commission arranged for the printing and distribution of a series of historical pamphlets covering in somewhat popular form incidents of history thought to deserve a more permanent place in the records of Connecticut, many of which hitherto had been neglected or touched upon too briefly in available written accounts.

These were supplemented by an intensive study of Connecticut history in the schools of the State. The study was made as comprehensive and attractive as possible by combining classroom work with lighter voluntary work, such as pageantry, plays and essays. This, which was one of the first activities of the Commission, was continued throughout the period of observance and will undoubtedly be carried on for many years as a result of the impetus given it during the year.

Addresses on historical topics and interpretations of the influences of the past were frequent throughout the State during the entire period of the Tercentenary.
2. The second purpose was to interpret to the people at large the influences of the past and recount the occurrences of great historical significance by presenting them in popular and impressive form through exhibitions, pageants and parades, on a scale not only impressive but of enough magnitude and in such a variety of places as to give everyone an opportunity to see them and thus visualize the life and accomplishments of the former citizens of the State. Great exhibitions of furniture, paintings, costumes, utensils, books, maps, documents, records and other things which have been cherished as mementos of the men and women and the life of earlier days, but were seldom, if ever, on view to the public, came forth during the celebration and were assembled in attractive settings.

3. The third aim was to bring together the different elements of our population so that groups with various national antecedents could have an opportunity to learn the history of the State and some of the traditions of American life while telling of the rich folk lore of their own mother countries and the contributions of their representatives to the present life of the Commonwealth. Thereby they would have greater pride in their adopted country and understand more clearly the contributions which they make to the life of the people. The keen, active interest in the parades and pageants of these varied racial groups evidenced their appreciation of this feature of the Tercentenary.

4. The fourth object was the practical one. Perhaps the best results for the State were effected by the advertising and publicity attendant upon the celebration. Without any particular fanfare, those outside its borders were made aware of the splendid past, rich with the accomplishments of its citizens in government, law, art and craftsmanship, which Connecticut could celebrate. The people of the United States and those of many other lands know more about Connecticut because of the Tercentenary, and have a new picture of the State which was well worth while developing in the minds of the world at large.
Aside from the educational program already referred to and the publication of the historical pamphlets, as well as the issuance of souvenirs designed as appropriate mementos, the public ceremonies of the observance began on April 26th when there was held at Hartford a joint meeting of the Supreme Court of Errors, the General Assembly and representatives of the administrative branches of the Government. The day was chosen as an anniversary of the meeting of the first General Corte of Connecticut, that body from which the three branches of our present governmental system have descended. The principal address of the day was by Chief Justice William M. Maltbie and is here printed. More than three thousand people filled the hall and many others outside heard the exercises through amplifiers.

About this time an essay contest, which had been conducted in the schools of the State, came to a close. In all parts of the State pupils of the public, private and parochial schools had been encouraged to write historical essays, and on May 10th the writers of the best twenty-four compositions of the contest received awards from the hands of the Governor for the excellence of their work.

Early in the month of June the Commission arranged, through the coöperation of musical clubs throughout the State, a choral concert in the Yale Bowl in New Haven with a great massed chorus of some three thousand singers. While this was designed as a form of popular entertainment, it also provided an effective medium for creating interest in the Tercentenary, for the singers were drawn from nearly every part of the State and the audience came from all sections of Connecticut as well as from other States. The program was broadcast over a hookup of about thirty radio stations of the United States and Canada.

In this State the town has always played an important part. It might be said to be the keystone of our political, social and economic structure. Connecticut is not dominated
by any one great city, as is the case in many states. It is not surprising, therefore, that it early became obvious that the success of the Tercentenary was dependent on the coöperation of the various towns of the State rather than on any one great central event. To this end coöperation was sought from the different communities and, as an understanding of this desire on the part of the Commission became generally known, the aid and support of the several towns was readily given.

Town after town, through local committees, arranged something of interest such as exhibits, balls, pageants, parades, meetings, dinners, plays and reunions. Before the summer was over all but seven towns of the State had some sort of organized participation, and these seven towns have a combined population of less than twelve thousand. Nowhere, so far as known, has there ever been such whole-hearted coöperation in every community of a State as in the towns of Connecticut in the observance of this Tercentenary. Nearly three million people have attended these local affairs which have proved the real heart of the celebration.

The observances took various forms, according to the inclinations of the communities and the size of the towns. In some cases several places combined to produce a more elaborate program. They varied from some sixty or more colorful pageants and parades, witnessed by hundreds of thousands, to simple gatherings on village greens under the graceful elms or maples. Historic relics and family heirlooms were brought forth for display. Dedicatory exercises were held when statues and other landmarks were unveiled. Indian villages and settlers' cabins were reproduced. Many old meeting houses and neglected public buildings were restored, and in one town at least a permanent memorial was cut in the natural rock beside a much traveled highway.

It is not possible to recount all the varied activities of the different localities in these tercentennial celebrations, nor do credit to the many thousands of participants, but the spirit
of cooperation fostered in these affairs, the local history re¬
vived, the impetus to local and State pride quickened by them
is incalculable.

Also during the summer there were a number of State
exhibits. One of the most representative collections of authen-
tic Colonial furniture was assembled in Hartford and was
visited by thousands. In New Haven there were unusual
displays of the paintings by such early Connecticut artists as
John Trumbull, Ralph Earl and Samuel F. B. Morse, as well
as exhibits of silver and prints. The historical societies and
leading libraries brought forth for examination their treasures
of maps, books, prints and documents relating to Connecticut
to prove an inspiration to the student and historian.

These were followed in the fall by other exercises. The
Federal Government recognized the occasion and sent a squad-
ron of destroyers to New London. The officers and men were
welcomed in appropriate manner.

An educational day, with selected pupils and teachers from
every town attending a meeting in Hartford, was followed on
Monday morning of the next week with exercises in every
school of the State commemorative of the founding of the
Colony.

An Industrial Exposition in the State Armory in Hartford
from October 2nd to October 12th, inclusive, gave the manu-
facturers of the State an opportunity to evince their patriot-
ism. This was a non-commercial display with no selling or
advertising. Groups of manufacturers representing different
industries combined to present the development of their prod-
ucts historically over the years, as well as their present day
output. Here again was shown a whole-hearted spirit of co-
operation and nearly two hundred thousand people from home
and abroad visited this Exposition and learned of our indus-
trial growth.

On the evening of October 5th a choral concert of male
voices charmed an enthusiastic audience in the Music Shed on
the estate of Mrs. Carl Stoeckel in Norfolk. The three hundred singers came from different parts of the State and a nation-wide hookup gave the people of this and neighboring States an opportunity to hear the delightful program.

On Saturday and Sunday, the 5th and 6th of October, occurred the Connecticut Sabbath when the peoples of the different faiths and creeds met in their churches, pursuant to a proclamation of the Governor, to give thanks for their blessings and to recall the part which religion has played in the story of the Colony and State. These services were of varied types. In some cases the regular programs included special prayers and talks, while in others there were reproduced the early Colonial services with the congregations in appropriate costumes.

No ceremony showed the keen interest of the various racial groups as did the indoor pageant which was staged in the Bushnell Memorial Hall in Hartford on the three evenings of October 8th, 9th and 10th. It was entitled “America’s Making in Connecticut” and included among its actors all the principal nationalities which make up the citizenry of the State. A gorgeous spectacle, it recalled many of the leading historic episodes of Connecticut, climaxing in a striking gathering of all these representative racial groups in a beautiful scene which exemplified the spirit of cooperative endeavor possible in the years to come.

Early in the afternoon of Friday, October 11th, the Commission and special guests held a reception in the Memorial Hall of the State Library. This was followed by a dinner at the Hartford Club in an unusual, distinctive setting with modern skits showing the early Puritans and their natural enemies, the Indians. A great public meeting, held later in Bushnell Memorial Hall, included in its program an ode written for the occasion by Wilbert Snow of Wesleyan University, an historical address by James Rowland Angell, the President of Yale University, a short talk by Wilbur L. Cross, Governor
of Connecticut (all of which are included in this pamphlet), as well as songs by Lawrence Tibbett, the popular baritone. The meeting was representative of the best traditions of the State, just as the reception and dinner were characteristic of Connecticut hospitality.

The morning of Saturday, October 12th, dawned clear and bright and soon the city of Hartford was alive in anticipation of the Tercentenary parade. Promptly at ten-thirty, the scheduled time, the procession started, and for three hours there passed in review colorful marching units and floats depicting scenes from the history of the Colony and State. Few incidents of major importance in the story of Connecticut were omitted in the more than one hundred floats. This tremendous spectacle was a complete panorama of the life of the State from its founding to the present day. It was a fitting tribute to Connecticut by her citizens, for its success was the result of fine coöperative efforts of towns, schools, civic organizations, racial groups, business firms and individuals.

Among the marchers were a number of representatives of the Centennial Legion, old military organizations from most of the original thirteen States. These and other visitors were guests in the evening at a Colonial Ball in the Armory at New Haven, while in Hartford on the same evening a display of fireworks was witnessed by some twenty-five thousand people in one of the public parks.

 Appropriately the Tercentenary celebration ended on the same note with which the first settlement of Connecticut began, —that of prayer and religious observance. In all the larger cities impressive religious union services were held on Sunday, October 13th, in which members of all denominations and creeds took part.

The program of the Tercentenary, while of necessity changed from time to time, perhaps displayed a continuity as well ordered as any which could have been laid out in advance and adhered to rigidly. There was something of interest for
everyone. It touched all the activities in Connecticut life, past and present. History was reviewed. The progress of the Commonwealth was traced in arts, classical and manual, in government, education, literature, industry and business. Our modern ingenuity was taxed to reproduce these things of the past in the most comprehensive manner while affording a worth while entertainment.

It is impossible in this brief résumé to do justice to all the activities of the Commission, its committees and the local groups. There were such hospitable features as the Information Booths at the several entrances to the State to welcome and advise visitors. Guides and attractive maps, local and State-wide, were made available, and in general the people of the State were in a kindly, receptive mood.

So, by music, by printed matter, by word of mouth, by visual display, Connecticut set forth her history and her characteristics to the world at large. No one could travel over her graceful hills or cross the streams which flow southward to the Sound or visit her pleasant shores this past summer, attending here and there the varied celebrations, without feeling the richness of her heritage, without recognizing the healthy, joyous spirit abroad and without having confidence in her people and trust in her future. Many from outside her borders realized this year the charms of our State as never before, and Connecticut discovered herself anew and found the discovery pleasing.
Connecticut Celebrates

Wilbur L. Cross

Connecticut's Tercentenary Celebration is drawing to a triumphant close. As Governor I appreciate the honor paid to this Commonwealth by the presence here this evening of Governors or representatives of the original thirteen States and of Vermont, which is equally one of us, though a little late in coming into the Union. With the same pleasure I welcome other friends of Connecticut from whatever State or foreign country you may have come.

It is peculiarly fitting that the Governor of Rhode Island should have spoken for the other States. Rhode Island and Connecticut were settled at almost the same time. Both were originally plantations of the Massachusetts Bay Colony. There was, however, a difference in circumstances. Thomas Hooker migrated with his congregation in the warm days of spring to the Connecticut Valley by permission of the General Court of Massachusetts. Less fortunate, Roger Williams was ordered to depart and never to return when on a cold winter morning he set out for Narragansett Bay.

But with all their differences Hooker and Williams had similar, though not the same, ideas on the proper basis for civil government. It was repugnant to both that the franchise should be restricted to membership in the Puritan Church. The authority for government, both held, comes not from above but from below; that is, from the consent of the people, though they would limit the franchise to men qualified by intelligence and character. They thus laid the foundation for modern democracy, such as was eventually to be expressed by
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Lincoln in his famous phrase, "government of the people, by the people, for the people." Still it must be remembered that the ideal of Lincoln was far in the distance. Both Connecticut and Rhode Island obtained charters from King Charles the Second, guaranteeing complete independent self-government. Each colony became at once a sovereign state.

A point of difference was that Church and State in Connecticut remained one, whereas Rhode Island insisted upon full tolerance of opinion in matters of religion. The time was far off, though it at last came, when the Puritan Church in Connecticut and Massachusetts had to give way to that liberty of conscience which was a characteristic of Rhode Island. It was Rhode Island that first kindled the flame of civil and religious liberty, destined to enlighten all the land. Connecticut was a close second. Under the Constitution of the United States, soon afterwards to be established, one man, whatever his racial descent, became the equal of another before the law; one man, whether Protestant, Catholic, or Jew, was to have the same rights as another to worship God in his own way. This is the perfect state so far as there can be one.

The aim of this celebration has been to make alive the story of Connecticut in the long perspective of three hundred years. Behind everything that has been done has been an educational motive that we may all understand, the young and the old, our inherited institutions. The first enterprise undertaken was to begin, three years ago, the publication of a series of pamphlets by the most competent hands on significant phases of our history, from the Indian background and the very first English settlements along the rivers and shores onward into the twentieth century, thus bringing the present and the past into one picture.

The great men who have built up our civilization Connecticut can never forget. There was Roger Ludlow, who cast into legal form the Fundamental Orders of the colony, setting up a frame of government which, though greatly
altered in important details, still stands as our bulwark of civil liberty. There was John Winthrop, the younger, who obtained the charter granting to our forefathers all the territory north of Virginia and south of Massachusetts from Narragansett Bay, including the islands therein, westward to the South Seas. Eventually we had to let Rhode Island have back some of that land to the east, and we lost most of the land to the west, although our young men and their wives migrated thither in large numbers and left their impress upon Ohio, which they named "New Connecticut." Thence they pushed forward to the Mississippi and across the great river until they reached the South Seas of their dreams. Winthrop, we remember, was not only a statesman; he was a man of science. He set up the first chemical laboratory in the colonies. He was America's first experimental chemist.

There was Jonathan Trumbull, the Governor of the State through the Revolution, the friend of Washington, who when perplexed or discouraged used to ride over to Hartford from his headquarters on the Hudson to consult with Brother Jonathan. There was Roger Sherman who, as a member of the Continental Congress, was on the committee with Thomas Jefferson to draft the Declaration of Independence and who afterwards played an important rôle in the convention which framed the Constitution of the United States. There was Oliver Ellsworth who, as a member of the Constitutional Convention, brought forward in an acute crisis a plan of congressional representation in the two houses similar to Connecticut's and by his persuasive eloquence got it adopted; who later, as Senator from Connecticut, drafted the Act organizing the judicial system of the United States and ultimately became Chief Justice of the Supreme Court of the United States.

Nor in the long line have been forgotten our men of science other than Winthrop. For example, Horace Wells who discovered anaesthesia has been remembered as if he were
still with us. A road has been named after William Beaumont, the first of our physiologists, who was able through a gunshot wound of an army officer to look directly into a man's stomach and describe the process of digestion. These are but two of many to whom has been paid homage.

Likewise have not been forgotten our universities, colleges, and schools, those centers of culture, science, and professional training which have redounded to the glory of the State.

The 299th anniversary of the first session of our General Court was observed last April by the General Assembly. On that occasion Chief Justice Maltbie gave us an account of the growth of constitutional government in this state. Nearly all the towns have had their own peculiar celebrations accompanied by pageants, no two anywhere being alike because of differences in the development of our towns out of primitive agricultural communities. And this week all that is common in the history of Connecticut is being brought together in a vast industrial exhibit and in the pageant and the parade here in the Capitol City.

No praise of mine can do justice to the achievement of the Tercentenary Commission, over which first presided Dr. Williams and afterwards Colonel Fisher.

Recently has been published a Connecticut Guide calling attention to places of historic interest, colonial houses, and beautiful villages along our valleys and over our hills. Likewise has been prepared an aerial map of the entire state. Thus Connecticut may be revealed to visitors in whichever way they may prefer, either by driving over our roads or by flying through our clear elastic air.

May I repeat that through this Tercentenary Celebration one purpose runs, which is to inform the present generation and those who are to come after us what Connecticut has always stood for. Connecticut is a very conservative state. A man who called in my office not long ago put to me a humorous conundrum. It was: "Why is the Connecticut General Assem-
Connecticut and Her Founders

James Rowland Angell

"Let us now praise famous men and our fathers, of whom we are begotten.—All these were honorable men in their generations and were well reported of in their times. There are of them that have left a name behind them, so that their praise shall be spoken of. Their seed shall remain forever and their praise shall never be taken away."

So wrote the author of Ecclesiasticus more than 2000 years ago and his words may well be our text this evening.

We are assembled here to pay the tribute of our grateful homage to the little company of intrepid men and women who, amid innumerable perils, in fearless devotion to Almighty God laid deep and strong the foundations of our Commonwealth. And with them we would also honor the long line of loyal citizens who, in the years between, have carried high the torch lighted by the founders to illumine the path of independent self-government, which for 300 years our people have honorably trodden.

It is surely appropriate that, while we sound the praises of those who have made our Commonwealth, we seek to understand what manner of folk they were and to learn something of the reasons which impelled them to do what they did. And we may well attempt dispassionately to appraise the result and so to see clearly what lies before us as successors who would be worthy of them. Such an effort may lead us to reëvaluate
some of our traditional estimates, may detract at this point or at that from the glamour which time has thrown about their achievements, but it can only serve to establish more firmly our sense of profound obligation for blessings such as few peoples have ever enjoyed.

The beginning of the pageant, which extends across three centuries, must be projected against seventeenth century England, still torn with the controversies, both religious and political, which had become ever more menacing as the sixteenth century drew to a close. Her life was threatened with dissension from within and with peril of war from without while the settlements in America were only of passing interest and that to a small part of the population. Bishop Laud was making life intolerable for the Puritans; the first Charles was shortly to lose both his throne and his head before the advance of Cromwell and the Round Head forces of Parliament. Half way through the century, the monarchy is restored and Charles II comes to the throne, followed by James II, and later by William Prince of Orange and Mary his Queen.

In the Massachusetts Bay Colony, the pressure for more land is felt almost from the outset in 1628-1629 and discontent with the rigid and autocratic rule of the ecclesiastical authorities is instantly irksome to some. Especially in the towns of Dorchester, Newtown, and Watertown are these influences at work, and when Thomas Hooker and his company arrived in Boston in 1633, they at once fell into this atmosphere, being assigned to Newtown which is now Cambridge, where some hundred families were already established upon a few hundreds of acres of ground enclosed by a paling fence a mile and a half in length. Hooker and his company sense at once the difficulty of settling down in a community where the important offices are already preempted by forceful men with whose views they do not wholly sympathize, and where land seems to them already scarce and not too fertile. In September their desire to migrate was put to the General Court and rejected,
land being given them instead in the neighboring towns; but they were still dissatisfied. Under such conditions, the familiar story begins:—The sending out in 1634 of prospectors who, like the spies that Moses sent into the Promised Land, come back and report with enthusiasm upon their findings, with the result that the migration of small groups from these Massachusetts towns almost immediately begins to Windsor, Wethersfield and Hartford, which originally bore the names of the settlements from which the newcomers had just come. Hooker’s considerable company arrive in 1636 on the site of Hartford, having driven their cattle before them across country. Here they had been already preceded by a sprinkling of the emigrants from the towns just mentioned.

A little earlier the Dutch had built a fort on the Hartford site and subsequently had tried to establish themselves at what is now Saybrook. The latter attempt was frustrated by the building in 1635 of a fort at the mouth of the Connecticut River by the agents of John Winthrop, Jr., representing a company of English gentlemen, and the former undertaking at Hartford was abandoned when it became clear that the English were in too great force to be resisted.

It should perhaps be added that, while these Massachusetts expeditions represented the first permanent settlements, two trading posts, in addition to that of the Dutch at Hartford, had been earlier established in the Connecticut Valley by members of the Plymouth Colony. Edward Winslow of that Colony had been up the River at least as far as Windsor in 1632. In 1633 William Holmes had opened a post where the Farmington River falls into the Connecticut and in 1634, after a preliminary survey the preceding year, John Oldham for purposes of trade had built cabins and spent the winter at Wethersfield.

In 1638 John Davenport had in a similar manner, after a preliminary survey of the land in 1637, brought his party of settlers from Massachusetts to New Haven and established
there the colony which was to play so conspicuous a part in the later development of the territory.

Such was the setting for the development of the Connecticut River settlements. Their land had been purchased from the Indians, under conditions which, as elsewhere in the early colonies, probably involved no appreciation on the part of the natives that they were permanently alienating their patronage. Some of them were friendly, while some were not, and the colonists were more than once drawn into the tribal warfare between them.

In March of 1636 the Massachusetts General Court had issued a commission to “diverse friends, neighbors, freemen, and members of Newtown, Watertown, Dorchester and other places” who meant to transfer their estates to the Connecticut Valley. This document empowered eight men who were named, all of them either in Connecticut or about to go there, to exercise judicial powers, to inflict punishment, to make decrees and issue orders as might be required in the peaceable ordering of the affairs of the Plantation, to exercise military discipline and, if necessary, to make war. They were also empowered to convene the inhabitants under proper conditions that they might proceed to the execution of these powers. With this authority ordered government began in Connecticut at least two months before Thomas Hooker arrived in the valley and three years before the adoption of the celebrated Fundamental Orders. This important circumstance is too often forgotten in the accounts of these early years.

Nothing in the history of Connecticut has been a greater source of pride than the promulgation in January 1639 of these Fundamental Orders, which have been widely proclaimed as the first written constitution establishing a popular form of government which history records. To what extent the document is properly to be called a constitution, how essentially it differs from the Compact drafted and signed two decades earlier in the cabin of the Mayflower, are questions upon
which historians are not wholly agreed, and it ill behooves
the layman to dogmatize thereon. Unquestionably the docu-
ment embodied views which were to some extent foreshadowed
in the just mentioned commission issued by the Massachusetts
Court to the outward bound Connecticut expedition in 1636.
These views had steadily gained force in the Connecticut
settlements in the three intervening years and were in many
respects similar to those contemporaneously entertained and
defended by Roger Williams in Rhode Island. Nevertheless
the Orders certainly set forth more clearly and fully than had
previously been attempted a framework of popular govern-
ment of the kind which in the outside world was for the most
part regarded as at once impracticable and obnoxious. Indeed,
it would have been held essentially criminal by most of the
respectable folk in England. In any case, the formulation was
in fact, and probably in purpose, little more than a formal
recognition of principles which for several years had been
substantially accepted by the Colony—a circumstance which
detracts nothing from its profound historical significance. Such
evidence as is available indicates that in the form employed
the essential ideas largely emanated from that able, wise and
forceful leader Thomas Hooker, then in his fiftieth year, and
that the draft of the document was executed by Richard Lud-
low of Windsor, who was a lawyer by training. In any event,
the Orders served as the basis of government for the Colony
until a quarter of a century later it received its charter from
Charles II in 1662.

The Orders, opening with a recognition of the hand of the
Almighty in bringing the colonists to their homes, proceed to
pronounce that "We the inhabitants of Windsor, Hartford
and Wethersfield do associate ourselves to be one public state,
or commonwealth, to maintain and preserve the liberty and
purity of the Gospel of our Lord Jesus, as also the discipline
of the churches, and in civil affairs to be guided and governed
according to such laws and decrees as shall be determined."
Then follow eleven paragraphs defining conditions for the establishment and administration of the general court, or assembly, with an annually elected governor. The Orders do not attempt to specify in any detail the duties and powers of the different divisions of the government, nor do they provide, as in modern constitutions, any formal method of amending them, and, as a matter of fact, subsequent assemblies repeatedly modified their provisions, as might have been done in the case of any ordinary statute.

It is often assumed that the Fundamental Orders established a true democracy, but in the twentieth century sense of that term, nothing was further from the fact. The agreement was indeed a social compact, providing for representative government, but only a "freeman" could vote for the higher colonial officers and only one authoritatively designated an "inhabitant" for the minor officers. In actual practice, these groups were so closely restricted that the control of the government was in the hands of the godly members of the community who possessed property. Indeed, not until 1845—more than 200 years later—did the property qualification for voters disappear. The system has been called a "popular aristocracy". It did provide for a form of popular government whereby authority derived from below and not, as in a monarchy, from above. It rested literally upon the consent of the people, but the "people", so far from meaning all the inhabitants, applied only to those who, in Puritan doctrine, displayed a properly religious carriage. Only those who were Christians of honest and peaceable conversation were held worthy to build up a state and in actual practice they must also possess property giving them a substantial stake in the community. In these respects Connecticut differed from the procedure of the New Haven Colony only in that it set a broader basis for the religious criterion which both in practice employed.

The Fundamental Orders made no reference to the sovereign, nor to the laws of England, although it is clear that
there was at that time no thought of challenging the authority of the Crown and much less the basic laws of the realm.

With its popular government thus definitely established, Connecticut entered upon the long and honorable history of which we are witnessing the latest chapters. In the early years the rigors of the climate, the attacks of the Indians, the controversies with the neighboring colonies, especially Massachusetts and Rhode Island, chiefly over land boundaries, which were in all conscience hopelessly uncertain, resting as they did on conflicting charters, which applied to a territory where no correct surveys existed—all these things called for courage and wisdom of a high character and these were not found wanting.

When through the labors of Governor Winthrop, who went to London for the purpose, the charter of 1662 was secured from King Charles, a period of grave uncertainty came to an end and established the legal rights of the Colony, which had previously been of necessity somewhat uncertain. They had in good faith purchased land from the Indians and taken to themselves certain powers, but royal recognition of their claims they had had none.

The charter was extraordinarily liberal and, while it did not recognize the Colony as a commonwealth, it did in effect confirm all that had been previously done in the establishment of self-government. The territory involved in the charter, in addition to the undisputed regions occupied by the Connecticut settlements, covered all of New Haven, parts of Massachusetts and Rhode Island, and portions of the Dutch territory to the west. It conveyed to Connecticut land toward the West from Narragansett Bay to the South Sea, which we know as the Pacific Ocean—a modest strip some 3000 miles in length. The purely romantic character of the geography on which this grant was based requires no elaboration, but it gains added charm from the fact that His Royal Majesty, Charles II, introduces the matter with the sonorous phrase, “We of our
abundant grace, certain knowledge and mere motion, have
given, granted and confirmed”, and so forth, “the said terri-
tory.” Had the royal knowledge been more precise, we may
safely surmise that his regal and generous grace would have
been materially curtailed. However, no great harm was done
and Connecticut subsequently made rather a good thing out
of the blunder, as will later appear.

New Haven, to her great indignation and disgust was
presently obliged to join in 1664 with Connecticut. This choice
seemed a lesser evil than that of being absorbed by the royal
colony of New York, which fate appeared to be the inevitable
alternative. John Davenport, founder of the Colony, grief-
stricken at what he considered the ruin of his life work, re-
moved from New Haven to Boston, where he presently died,
and not a few members of the New Haven Colony migrated
to New Jersey, rather than stop under the jurisdiction of
Connecticut. So virulent even at that early day was the rivalry
of New Haven with the River towns and especially Hartford.

From the granting of the charter down to the Revolution,
Connecticut was extremely skilful in keeping out of the sight
of the royal government in England. When orders and requests
came, they were generally courteously acknowledged, but then
for the most part nothing happened, and the home govern-
ment, being much preoccupied with more urgent matters, let
the situation drift. Undoubtedly the absence of important sea-
ports, with the accompanying activities of trade and commerce,
served as a great protection to Connecticut in these respects.
Even when the ill-omened Andros in 1687 came as Governor
of New England to Hartford to demand the charter, which it
was intended to revoke and destroy, he was met with cool
civility and informed that the document (of which, by the way,
the shrewd Winthrop had had two copies made) was not to
be found. Whether or not the tale be true of the assembly
room with the suddenly lowered lights and the box containing
the charter found empty when, the lights being restored, His
Excellency went to remove the manuscript; whether either copy was actually hidden in the Charter Oak, as tenacious legend has it, the stories are at least good folklore and reveal the sturdy resolution of the colonists to hold on at all costs to their most valuable possession.

"Connecticut, the land of steady habits" is a slogan which has been heard a good deal of late, since our people awakened to the fact that we are three hundred years old and pressing hard on the heels of Methuselah. But there are definite disadvantages which may attach to the possession of steady habits. It was the prodigal son who got the fatted calf and the soft raiment, and not his worthy brother of far more admirable and steady habits, and so it may be with a state. Certainly one can think of colonies and states to which history has accorded more picturesque estimates than to Connecticut, but none which are intrinsically more deserving and none whose solid achievements are entitled to a higher rating. To be sure, the steady life may prove a bit drab and even dull, but early colonial life in Connecticut was certainly not often dull. The Indians saw to that, aided and abetted by the French. From that day to this Connecticut has indeed been a land where steady sobriety has prevailed and where men have enjoyed the just fruits of honest toil and honorable industry.

One of the most striking features of the Connecticut group was the insatiable land hunger which they revealed. No sooner had Hooker come into the valley and taken up land than these centrifugal tendencies began to appear. Adventurous men instantly started to push up the valleys and over the hills, always seeking new and better lands, more elbow room, more complete individual freedom, until they had penetrated to the farthest confines of the Connecticut territory and even beyond. Long Island was thus early invaded by Connecticut settlers and by 1662 a number of towns had there sprung up owing allegiance either to Connecticut or to New Haven. This dispersive tendency, which was indeed a dominant factor in
the migration from Massachusetts of the first Connecticut settlers themselves, has to this day remained characteristic. Western Massachusetts, northern New York, Vermont, New Jersey, Pennsylvania, early received many Connecticut settlers, who founded towns, often giving them Connecticut names. Even Georgia, South Carolina and Mississippi had Connecticut emigrants. From the Atlantic seaboard to the Mississippi Valley and the Pacific Coast beyond, there is no state in which will not be found appreciable numbers of the sons of Connecticut and in some of them these groups have been so large as distinctly to affect the development of the commonwealth.

The greatest organized venture was doubtless that of the Susquehanna Company in 1755, but time does not permit any account of it. The occupancy of extended portions of the Western Reserve in Ohio, bordering on Lake Erie, much of it at a considerably later period, also deserves mention. The claims upon these latter two regions derive from the charter of 1662, which, as already indicated, gave Connecticut the land westward from Narragansett Bay to the South Sea. The Pennsylvania claim was only settled after long and turbulent struggle with the Pennsylvania authorities, whose peaceful Quaker tenets did not prevent them from putting up a stiff fight. Much of the Western Reserve was later ceded to Connecticut settlers to compensate for losses suffered in the Revolution. The rest was ultimately sold for over a million dollars and the proceeds set up as a permanent school fund. All of which is chargeable to the geographical ignorance of his most gracious Majesty Charles II.

All but exclusively agricultural and pastoral during her early years, Connecticut gradually developed commerce and trade and fisheries, until in her second century these interests shared with agriculture in importance. Early in the nineteenth century, the industrial movement got under way, leading to the outstanding position which Connecticut now enjoys in the manufacturing world. Contributory to this development has been
the amazing ingenuity of her inventors, the mechanical skill, industry, and honesty of her workers and the sturdy character of her manufacturers. It is difficult, and a bit ungracious, to pick from the long list of her inventors any limited group of names; but Eli Whitney, inventor of the cotton gin, whose device revolutionized an industry and transformed the commerce of the world, Charles Goodyear, whose vulcanizing inventions created the rubber goods industry, and David Bushnell, inventor of the submarine, are too conspicuous to omit. The inventor of the wooden nutmeg, upon which unfriendly citizens of other states have dwelt so needlessly, is unknown to history and I cannot find any basis for the assumption that these indigestible but otherwise harmless objects were ever produced in Connecticut at all.

In religious affairs, Connecticut has always been highly conservative. She counts among her sons many of the greatest preachers and theologians that America has known and in Jonathan Edwards she produced a philosophical mind of the first order. Religious toleration, in the present day meaning of the term, simply did not exist in primitive New England outside of Rhode Island. The Connecticut folk had in large measure left England to be free of the persecutions of the Established Church and it was hardly to be expected that, when they had thus submitted themselves to exile, they should welcome with open arms the priests of that Church which had tormented them. The Puritans had indeed come to America that they might enjoy religious freedom, but it was a unilateral freedom, for, while it involved liberty to worship God as their consciences commanded, it did not provide for His worship in their colonies by persons who cherished different convictions and conformed to different ecclesiastical usages. Down to a late date, all persons were taxed to support the colonial church, whether they belonged to some other communion or not, to whose support they might also be contributing. This circumstance of double taxation doubtless retarded materially the
development in the northern colonies of the Church of England and its successor the Episcopal Church of America.

When the Methodists and the Baptists began to appear in appreciable numbers—to say nothing of the Quakers who were so numerous in Rhode Island and Pennsylvania—the Congregational authorities were at first cold and even hostile. But by the beginning of the nineteenth century, these animosities had begun to fade and, when, with the arrival of the large number of Irish in the middle of the century, the Church of Rome began to gain in power, the attitude toward it of the Congregationalists was not materially different from that of the other Protestant communions.

Like Massachusetts, Connecticut was only less solicitous for the education of her children than for the safeguarding of religion and accordingly schools were early provided, at first common schools to teach reading, writing and the rudiments of arithmetic, a little later grammar schools capable of preparing young men for college. The legacy of Governor Hopkins in 1657 to Hartford and New Haven, in the provisions of which John Davenport is said to have been influential, led to the establishment in the latter place in 1660 of the celebrated preparatory school which bears to this day the name of its founder. The school founded in Hartford was afterward merged with the public school system.

After prolonged effort, the Collegiate School of Connecticut was chartered in 1701 by the General Assembly, in response to a petition of a small group of clergymen who had met a little earlier in Branford and made a gift of books as a foundation. The School was opened at Saybrook and in 1716 removed to New Haven. In consequence of a generous gift from Elihu Yale, a retired East India merchant who had been born in Boston and was living in London, his name was in 1718 given to the institution which has since become one of the great seats of learning of the modern world. The establishment of this institution was occasioned in part by the diffi-
ulty of sending boys to Cambridge, where Harvard College had been generously assisted through annual contributions from Connecticut, and in part because of an increasing distrust of the trend in theological doctrine which was manifest in Massachusetts. The general latitudinarianism in religious matters which was appearing in the mother colony was anathema in Connecticut. John Davenport had in his original plan for the New Haven Colony specific provision for a college. It was therefore a happy circumstance that ultimately his dream should have come true, even though he was no longer living to enjoy it.

In 1823 the Episcopalians established Washington College at Hartford, which some years later was renamed Trinity. In 1831, the Methodists established Wesleyan University at Middletown. Both these institutions have in the last century made invaluable contributions to the educational life of the State and to the advancement of learning.

The State Normal Schools, the first of which was established at New Britain in 1850, under Henry Barnard, later the first United States Commissioner of Education, the State College at Storrs, the Connecticut College for Women at New London, and the several junior colleges in the State, to say nothing of the innumerable strong preparatory schools which have sprung up, are all striking outgrowths of the fundamental interest in education which has been so characteristic of the State.

In the Revolutionary War, as in the Civil War, Connecticut played a distinguished part, sending more than her fair share of troops into the line and supplying not a few of the most eminent officers. Israel Putnam will always remain one of the picturesque figures of the Revolution who early gained the confidence and respect of Washington. In the patriot Nathan Hale, Connecticut has the outstanding figure of devoted youth, offering its fresh young life upon the altar of the country's need.
Time does not permit that I dwell upon the notable literary history of Connecticut, important as it is. In every major form of the art of letters, the sons and daughters of the State have distinguished themselves, and in her adopted son, Samuel Clemens, Connecticut had the greatest humorist that America has produced. Nor can I give proper recognition to the eminent names in music and the fine arts. It must suffice to say that to all which is worthy in American culture Connecticut has contributed far more than her natural portion.

Connecticut's history is in no sense sensational and its importance lies far more in the men it produced and the ideas, habits and institutions which it fostered than in any dramatic events to which it was party. A small, inconspicuous agricultural community, admirably devised to perpetuate the habits of her founders, largely free of the commercial and political contacts which brought in wealth and disturbing outside ideas, she has been truthfully called the most conventionally Puritan of all the colonies, and, until the beginning of the nineteenth century, was controlled to an extraordinary degree by uniform religious ideals and purposes. Socially a homogeneous group of English stock, there were within it no great extremes of poverty and wealth. Social classes were clearly distinguished, but there seems to have been no class feeling. It is a shock to many to discover that slavery was countenanced until well into the nineteenth century, but such is the fact. Conservatism and caution, frugality and industry were universal. The idea that if the control of government were placed in the people, there would in time emerge a commonwealth built upon justice was common to Thomas Hooker and to Roger Williams and stood in sharp contrast to the more autocratic and oligarchical ideals of Massachusetts, to say nothing of the more aristocratic colonies to the south.

Connecticut was also peculiar in exercising powers of self-government which were almost completely independent of the royal prerogative. It was in fact, though not in British theory,
an essentially autonomous state, choosing its own governor and making its own laws. It raised its own revenues, no part of which, except the dues for customs, ever found their way into the coffers of the crown. It acknowledged allegiance to the King and obeyed royal commands, so long as they did no obvious harm to the Colony. But it was concerned to obey God rather than the King. The obstinate resistance which Connecticut offered to every effort to undermine her independence is thus easily intelligible. What was true of the Colony as a whole was equally true of the several communities, each of which, under its minister and the civil magistrates, conducted its own affairs.

Such an arrangement made for the development of self-respect, confidence and character, but it also made it extremely difficult to carry out any program for general betterment and it certainly resulted in highly ineffective treatment of many issues of basic importance to the Colony. The limitations of a regime based on such foundations become conspicuous only when the larger interests of mankind and the broader obligations of any social order are forced into the foreground. Ultimately this had to occur, for Connecticut could not in perpetuity remain an isolated community. In the nineteenth and twentieth centuries radical change has inevitably come over the face of the State. There have been very large invasions of foreign stock, to whom the traditional ideals of the Puritan are wholly alien, although almost without exception these folk have become good and loyal citizens, furnishing an important part of the labor required by Connecticut industry, bringing back into productive fertility large areas of the unused agricultural land, and in other ways playing an important part in the life of the community. For better or for worse the entire trend of national life has been away from much which the Connecticut Puritan regarded as most sacred. Despite the necessity of yielding here and there to the impact of this great sweep of modern thought and practice, Connecti-
cut still retains in an astonishing degree the conservatism and caution which characterized her earliest history.

In these troubled times, when both at home and abroad the air is full of the clamor of shrill voices urging one radical departure after another, from the beaten path which our fathers' feet have followed, propounding in the name of popular government weird doctrines in which thrift is contemned, or forgotten, in which religion is often ridiculed and held up to scorn, in which essentially dictatorial powers of government are called upon to achieve what sturdy self-reliance and industry have hitherto accomplished, when reasonable individual liberty is gravely and repeatedly invaded, when oppressive taxation is invoked to finance grandiose programs of social reform—in such a time it may well be wise to turn again the pages of our history and scan therein the lessons taught by three hundred years of quiet and sober living. The issues at stake far transcend any momentary political creeds, or any purely partisan policies, and my remarks are not directed to such. I am concerned with vastly more far-reaching matters which touch the whole philosophy of government and the relation of the individual citizen to the social order, his rights, his duties and his liberties.

No thoughtful and honest man can fail to recognize that the world in which we live is in many respects widely different from that which has gone before. Science and its handmaid technology alone, to mention no other agencies, have radically altered our world in many of its essential features. Yet this fact does but emphasize the more the need of avoiding hysteria and panic, and not less the obligation to hold fast to those priceless New England virtues of patience, courage, wisdom and caution, forged as they were on the anvil of necessity and tempered in the fires of repeated national crises. Such wisdom, courage, patience and caution were peculiarly characteristic of the fathers of Connecticut, who cherished a deep and abiding sense of the ultimate spiritual values which alone give life
dignity and enduring worth, maintaining a calm and unshatterable faith that truth and justice will ultimately prevail. Fortunate shall we be, if we can prove ourselves children worthy of so proud a heritage, passing on to the generations which follow us the incomparable blessings which we ourselves have received. To no lesser cause dare we plight our fealty, and to this great end we dedicate ourselves anew.
The Evolution of the Government of Connecticut

William M. Maltbie

To those not familiar with the history of Connecticut it may seem strange that on this anniversary of the first meeting of the General Court, there should be gathered here the representatives of the three great departments of our government, the Legislative, the Executive and the Judicial. Yet each here has its place, for in the General Court as it met two hundred and ninety-nine years ago today resided all these functions of government. At the first settlement of the Colony a provisional government was set up under a commission from the General Court of Massachusetts, issued to eight of the persons who “had resolved to transport themselves and their estates unto the River Connecticut”, “that commission taking rise from the desire of the people that removed, who judged it inconvenient to go away without any frame of government”. In this commission were named two men from each of the Plantations afterward known as Windsor, Hartford, Wethersfield and Springfield, the latter then one of the River Plantations; and to them was given the judicial authority “to hear and determine in a judicial way * * all those differences which may arise between party and party”, as well as to inflict punishment for misdemeanors, and legislative authority, “to make and decree such orders for the present as may be for the peaceable and quiet ordering of the affairs of the said Plantation”; and because no provision was made for other officers in the settlements, to the commissioners must have belonged
pending before it increased it began to devise methods of reducing the burden, limiting the nature of judicial actions it would entertain and surrendering more and more of jurisdiction in such matters to the courts which it established. In 1784 the functions of a Supreme Court were vested in the Lieutenant Governor and the Council and in 1806 those functions were transferred to the judges of the Superior Court as a body, five to be a quorum, who were to constitute a Supreme Court of Errors. Then followed the Constitution of 1818, with its division of the government into three distinct departments, the Legislative, Executive and Judicial. The article of that instrument establishing our courts adopted the provisions of the statute of 1806 establishing a Supreme Court and a Superior Court, and gave to the Legislature the power to establish such inferior courts as it should from time to time ordain. The annotators of the General Statutes of 1821 stated in a foot-note that after the adoption of the Constitution "of course the Legislature cannot interpose in matters of a private nature between parties without infringing that instrument". Yet the General Assembly did continue at times to exercise judicial functions, and it was not until 1870 that it was finally authoritatively declared that the General Assembly had no judicial power, but that all such power was vested in the judicial department.

The Executive, Legislative and Judicial departments, then, as we know them are all direct descendants from that General Court whose first assembly we hold in remembrance today. The separation of the judicial functions from the legislative was, until the adoption of the Constitution of 1818, brought about by voluntary surrender of power by the Legislature to the Courts and that document merely preserved the structure of the Courts as the General Assembly had already constituted it. The division of the functions of government into separate and independent departments, the Executive, Legislative and Judicial, following the analogy of the Federal Constitution,
produced no observable change in the operation of our government, and Legislature and Courts continued on their accustomed way, exercising the same powers as before, the fact of the division never seeming even to have caused controversy. Indeed, the declaration of the principle of division made by the Court in 1870 was in a purely incidental way. With this ancient relationship between them and this long course of development, it is not strange that the history of that relationship has been so free of strife or bitterness. The Courts have unhesitatingly maintained their power to declare acts of the Legislature unconstitutional if in their judgment they clearly violated the principles of the State or National Constitutions; but they have been extremely careful to take such action only when the unconstitutionality was clear and they have made every presumption and intendment in favor of the validity of the law. The Courts have striven to follow all legislative mandates within the power of the General Assembly to make. If at times the Legislature has passed acts changing the results which would follow from some decision, the Courts have cheerfully bowed to its wisdom. On the other hand, in few if any States has the Legislature so manifested its confidence in the Courts as has the General Assembly of Connecticut, particularly in its surrender to them of the power to regulate matters of procedure by rule. This recognition by both of these two great branches of government that each is working within its proper field for the best interests of the State, the mutual regard and consideration that has existed and does exist between them, has measurably served to further the peaceful and orderly development which so characterizes the history of this Commonwealth. If this gathering serves no other purpose than to afford an outward manifestation of the relationship between the Legislative and the Judicial branches of government, which has existed in the past and should continue in the future, it will have been worth while.
I have already referred to the commission from Massachusetts, which was the first governing instrument for the River Settlements, and to the Fundamental Orders. Let me now return to the latter, for they are the proudest glory of the Colony of Connecticut. I do not propose to enter here into a discussion of the moot question of the authorship of that document. To those of you experienced in the way in which such measures are formulated it must be most natural to believe that such an instrument did not spring full fledged from a single brain but that it came out of the counseling together by the leaders in the Settlement, counselings to which Thomas Hooker of Hartford, Roger Ludlow of Windsor, and others in the Settlements made their contribution; and in lack of other evidence the presumption that this was so seems the most workable hypothesis. Nor shall I discuss the question whether that instrument was adopted by the General Court or by an assembly of freemen in the Settlement; that fact we never can know with final certainty, for such evidence as exists is but circumstantial in its nature. Nor need we be concerned deeply to trace to their ultimate source the principles of government contained in the Fundamental Orders, for no matter whence they came, in this document were they first summed up and given effect as an instrument of government. Whatever we may think upon this question, there those Orders stand upon the records of the General Court with this entry, "14th January, 1638, the 11 Orders abouesaid are voted". The fact that they were adopted, that under them the government of the Commonwealth was conducted until the grant of the Royal Charter of 1662, and that they did establish a Commonwealth here upon the banks of Connecticut, is after all the great outstanding fact.

All of you, I assume, are somewhat familiar with the terms of that document. It begins with a somewhat lengthy and sonorous preamble in keeping with the religious tone of the
times, reciting that: "We the Inhabitants and Residents of Windsor, Hartford and Wethersfield * * * doe therefore associate and conioyne our selves to be as one Public State or Commonwealth; and doe for our selves and our Successors and such as shall be adioyned to us at any time hereafter, enter into Combination and Confederation together, to maintain and preserve the liberty and purity of the gospel of our Lord Jesus which we now profess, as also the discipline of the Churches, which according to the truth of the said gospel is now practised amongst us; As also in our civil affairs to be guided and governed according to such laws, Rules, Orders and decrees as shall be made, ordered and decreed, as followeth". Then follow eleven paragraphs providing for the choice of Governor and other officers and Magistrates to be elected by "all that are admitted freemen and have taken the oath of fidelity and do cohabite within this jurisdiction"; and the Constitution, sessions and calling together of the General Courts, "in which said General Courts shall consist the supreme power of the commonwealth, and they shall have power to make laws or repeal them, to grant levies, to admit of Freemen, dispose of lands undisposed of, to seuerall Townes or persons, and also shall have power to call either Courts or Magistrates or any other person whatsoever into question for any misdemeanour, and may for just causes displace or deal otherwise according to the nature of the offence; and also may deal in any other matter that concerns the good of this commonwealth, except election of Magistrates, which shall be done by the whole body of Freemen."

This document lacks some of the incidents of a constitution as we understand such an instrument today. It is doubtful whether it was adopted by vote of the Freemen as a whole and can therefore be regarded as an instrument in which the people, in whom the ultimate sovereignty resides, not only established the agencies of government but set the bounds and limitations to the powers which those agencies could exercise,
beyond their power to alter; nor did it provide that alterations in it could be made only through some process in which, under restraints designed to promote careful consideration, the ultimate sovereign might again give effect to its will. Indeed, in at least two instances the General Court assumed the right itself to change certain incidental provisions of the Fundamental Orders. But as indicating that it regarded that instrument as representing something very different from the ordinary orders passed by it is the fact that twice, instead of adopting additional provisions, it interpreted those of the instrument as it stood; and when the more vital question as to the removal of the limitation that no person be chosen Governor above once in two years arose, they submitted that question to the Freemen, and when the latter voted to make the change, further action by the General Court was deemed unnecessary. But though the Fundamental Orders may lack some of the elements which characterize a modern constitution, it was in essence and intention a constitution, that is, a framework of government defining and limiting the powers of the agencies established, designed to be more enduring than the ordinary laws passed by the General Court. So of it John Fiske could say that it “was the first written constitution known to history that created a government and it marked the beginning of American Democracy”. And so has it been hailed, not by men of Connecticut alone, however trustworthy be the witness of such scholars as Bushnell, Bacon and Baldwin, Trumbull and Johnston, but also by such historians as Bancroft and the Englishmen Bryce and Green.

The underlying spirit of the Fundamental Orders found expression in a sermon preached by Thomas Hooker a short time before they were adopted, to the Representatives assembled for the General Court, with others of the people. There have come down to us but brief notes of that sermon, kept by one who heard it; yet, as strangely as the disconnected fragments of the Scriptures have enshrined for all time the
teachings and picture of Jesus of Nazareth, so those notes bring to us the spirit of them who adopted the Fundamental Orders. Two of the heads of his discourse were: "That the Choice of Public Magistrates belongs to the People by God's own Allowance"; "That they who have the Power to Appoint Officers and Magistrates, it is in Their Power also to set the Bounds and Limitations of the Power and Place into which they call them". In the course of the sermon Hooker said: "The foundation of authority is laid in the free consent of the people", and finally he closed with this ringing challenge: "As God has given us liberty let us take it". The Fundamental Orders were the concrete expression of the spirit voiced by Hooker. That spirit had in it the essence of democracy. The foundation of the authority of government is the free consent of the people to be governed; it is for them to appoint the agencies which shall administer that government and for them to set the bounds and limitations upon the power of those agencies. That is the heart and soul of constitutional democracy.

But perhaps even more notable than the fact that the Fundamental Orders were the beginning of constitutional government on this continent is the fact that in it the settlers along the banks of the Connecticut assumed of their own right to establish a Commonwealth. Neither in the Fundamental Orders nor in the oaths provided for officers, magistrates and freemen do we find any reference to King or Parliament, any pledge of loyalty to any sovereign power. Instead the people dwelling along the banks of the Connecticut assumed of their own right to constitute a government for themselves. They answered Hooker's challenge: As God had given them liberty, so they took it. Then was laid the foundation of that Commonwealth of which today all of us are proud to be citizens. So is justified the legend upon the medal issued by the Tercentenary Commission: "Three Centuries of Self-government based on Constitutional Liberty".
Came the Revolution in England and the Restoration of the Stuarts, Connecticut, still a part of the English domain, had no direct relation with the English Crown, no royal grant of territory or rights. Sufficient unto herself within, she felt the need of some guaranty from King or Parliament against the deprivation of the rights she had assumed, some protection against encroachments by the neighboring Crown Colonies. So she determined to seek a Royal Charter. On that mission she sent to England her much beloved Governor, that very gentle man, Winthrop the Younger. Into the troubulous times of the Restoration he plunged and out he came with one of the most liberal charters ever granted to a Colony by a reigning sovereign. The first draft of it had in fact been prepared here, under the supervision of the General Court. Largely its provisions followed along the lines which had already been established by the Fundamental Orders. It in effect recognized the existing government of the Colony, which had been set up in virtual defiance of the Royal authority. It gave to the Colonies full power to make such laws as they saw fit, without any reservation of a right of revision to Crown, Parliament or English courts, only requiring that they be not "contrary to the laws of this realm of England". It made the Colony answerable for its acts to no authority under heaven.

The charter became to the Colonists very precious, not so much for the protection it afforded in external affairs as for its effect in validating the government which they had themselves constituted. Swift in his "System" sums up their attitude to it: "The application of the people for this charter and their voluntary acceptance of it, gave efficacy to the government it constituted, and not the royal signature *. * *. The authority of the government was supposed to have originated in the assent of the people, and never to have been dependent upon the royal charter. During the whole period of the existence of the Colonial government, Connecticut was considered as having only paid a nominal allegiance to the
British Crown, for the purpose of receiving protection and defence, as a part of the British Empire; but always exercised legislation respecting all internal concerns of the community; to the exclusion of all authority, and control from the King, and Parliament, as much as an independent State”.

Save for the brief period when Sir Edmond Andros was in power, the provisions of the charter of King Charles controlled the government of the Colony until the independence of this nation came, and for more than forty years after, until the adoption of the Constitution of 1818. Strange it seems that Connecticut, which had established a government of its own, in virtual independence, in 1638-9, Connecticut which has been hailed as the birthplace of American democracy, Connecticut where was adopted, in the words of John Fiske, “the first written constitution known to history that created a government”, for more than forty years after the declaration of Independence continued to conduct its government under a Royal charter. The explanation lies in the attitude of the citizens of the State toward that charter, in the fact that they looked upon it not as a source of their government but as a guaranty of that government in internal affairs and a protection for it from encroachments from without. True, in the act of October, 1776, when the Declaration of Independence was approved and our own General Assembly resolved that “This Colony is and of right ought to be a free and independent State”, it was enacted that the form of civil government should continue to be as established by the charter, so far as consistent with absolute independence. But of course such a legislative act could not give to the charter the attributes of a constitution as they had then come to be understood. It is not strange that soon the question was raised, whether Connecticut had any constitution. Able scholars and leaders in the Colony maintained that it did, men like Zephanish Swift and Judge David Daggett. But the contrary view gradually gained ground and ultimately resulted in the calling of the
convention which submitted to the people for ratification the Constitution of 1818.

For that Constitution in all its details I hold no brief. But this must be said for it. Modeled upon the Federal Constitution, it is confined to broad definitions and limitations upon the agencies of government, leaving it largely to the Legislature by its own acts to adapt their functions and determine their powers in view of the needs of the particular time, thus avoiding many of those difficulties which in other States have attended the embalming in the lasting form of constitutional provisions of measures essentially ephemeral. Few States have in operation a Constitution as old as ours, and in none has there been less of constitutional change.

Thus have I briefly outlined the great landmarks in the governmental history of Connecticut. In that history the great directing force from the beginning has been the General Court or the General Assembly. No other legislative body in the English speaking world, not excepting the English Parliament, has I think, over so long a period played so large a part in determining the internal policies and in guiding the destinies of a people, as has our Legislature. Nor has that been so because the people were weak and supine. Hooker’s maxim of three hundred years ago: “The foundation of authority is laid in free consent of the people”, has never for a moment been forgotten by them. The unusual power continuously reposed in the General Court or General Assembly has no other explanation than that the Legislature has, except perhaps for short times and on particular occasions, acted with prudence, carefully, with an eye to the best welfare of the State. Perhaps this is nowhere better seen than in the fact that from time to time the Legislature has voluntarily surrendered certain of its powers, not that it might shirk the responsibility which inevitably attends the exercise of public authority, but because it became satisfied that to do so would best serve the interests of the people of the State. I have already commented on the
way in which it established courts and had voluntarily released to them much of its judicial power before the Constitution divided the departments of government, and in which even to these recent times it has largely yielded to the courts control of judicial proceedings, because it felt that they could better manage such matters. There is one other striking example of the surrender of power by the Legislature. In the early days of the Commonwealth the members of the General Court were representatives not less of the established Church—the Congregational—than they were of the body politic. Yet gradually as times changed and the conceptions of people broadened they loosed the strong bonds in which that Church held the people until finally they were entirely removed; and so is justified the remark of an eminent Scotch divine, that Connecticut Congregationalism is the only established Church that ever voluntarily disestablished itself. The Legislature throughout its history by and large has represented the people of Connecticut, not so much in the sense of giving effect to their current moods and passions, but in the sense that its members themselves took the responsibility involved in the delegation of power to them, of seeking such solutions to the problems of the times as their own sound wisdom and enlightened common sense might dictate.

As one studies the governmental history of Connecticut the clearer becomes the conviction that it discloses certain definite characteristics, characteristics which are the expression of, and have their source in, the genius of the people of this State. One comes to sense in that history a spirit of courage, self-reliance and independence. One perceives in it a purpose quietly to serve the interests of the Commonwealth, not a desire for individual aggrandizement within or without its confines, a characteristic which has today one of its outward manifestations in the way in which, to an extent I believe unprecedented elsewhere in this country, many of its finest citizens are serving upon its boards and commissions without
compensation and without honor. One sees in that history, too, that spirit of conservatism which is not ready to go forward by long leaps into unknown and unknowable situations but seeks progress rather by gradual development, moving on from that which by trial has become known, with its good qualities and its defects, only so far as the effects of change can reasonably be anticipated; but nevertheless moving on, until today no State in the Union is better governed than is Connecticut.

The evolution of the government of Connecticut has been by growth from within, not as a result of the impact of external forces. There is a measured tread to its onward march, a sense of power held in restraint. If I were attempting to sum up in a single word the ultimate impressions created by a study of that history, that word would be “Stability”. Through the stress of changing times, in the State, in the Nation, in the World, for three hundred years the government of Connecticut has stood unchanged in its essence, surprisingly little changed in its structure. That could be said only of a strong government, strong because it has had its root in a people, whatever be their defects, who are strong, self-reliant and independent. We who are gathered here today are not merely heirs of that structure of government which has been built by those who have gone before but we sit as successors in their seats. Well for us is it to ask in these troubled and doubting times, whether in the long run, the welfare of the people of this State will not best be served if we strive to preserve those qualities which in the past have characterized its government. Well for us is it to test ourselves and our own conduct by that high standard of wise and disinterested public service which they have set.

Doctor Horace Bushnell in his great oration upon Connecticut quotes these words from the historian Bancroft: “There is no State in the Union, and I know not of any in the world, in whose early history, if I were a citizen, I could find
more of which to be proud”. Doctor Bushnell then adds this comment: “My own conviction is that this early history, though not the most prominent, is really the most beautiful that was ever permitted to any state or people in the world”. Beautiful seems a strange adjective to use. There is not much of grace or symmetry in that history, certainly little of pleasing color. Yet does not the word ring true? There is simplicity in that history; there is in it a homeliness like unto the homeliness of this land of ours, with its rolling hills and pleasant valleys, its verdant fields and rustling woods, its babbling streams and quiet lakes; and as sometimes through a homely countenance shines out the beauty of the inward spirit, so the history of Connecticut is bright with the indwelling of that high spirit which is its genius. It is a beautiful history, a history in the continuation of which every one of us should be proud that we play a part.