

AS
C. Sumner
ORATION,

DELIVERED

JULY 5th, 1813,

BEFORE THE

Washington Benevolent Society,

OF

THE CITY OF NEW-YORK.

IN COMMEMORATION OF

AMERICAN INDEPENDENCE.

BY THE

HON. GOUVERNEUR MORRIS.

NEW-YORK:

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1813.

AT a Meeting of the WASHINGTON BENEVOLENT SOCIETY, held at Washington Hall, on the 7th July, 1813, it was on motion unanimously

“ RESOLVED, That the thanks of this Society be presented to the Hon. GOUVERNEUR MORRIS, for the appropriate and eloquent Oration delivered by him before the Society, on the 5th inst. and that a copy be requested for publication.

“ RESOLVED. That David B. Ogden, Martin S. — Wilkins, and Isaac M. Ely, Esquires, be a Committee to carry into effect the foregoing resolution.”

Extract from the Minutes,

I. M. ELY, Sec'y.



ORATION, &c.

Fellow Citizens,

A SOCIETY which bears the name of WASHINGTON is assembled to celebrate the Birth of our empire. When *that* name is pronounced in connexion with *this* festival, what tumultuous recollections rush on the heart! The value of freedom—the duty to defend it—unsullied virtue—immortal fame. But let us endeavour to reduce our ideas to order.

Seven and thirty years have been borne on the current of time since our Independence was declared. Of the actors in that scene but few remain. The greater number of those who now perform a part on the stage of life, were then in their nurses arms, their mothers' wombs, or only to be numbered among possible existences. It may not be improper, then, for one who was a witness, to delineate the sentiments which prevailed. His feeble testimony may assist in cleansing the American character from representations by which it has been sullied; for it has become a fashion, with some, to celebrate this anniversary by invective; and,

mingling low abuse with vain applause, portray the men who stood forward to defend their country as slaves of vulgar resentment, or baubles of childish passion. There were then, indeed, as there are now, and as there ever will be, a herd who proved their patriotism only by their noise. Many of these, in the hour of trial, sought safety under the British flag; but when the American standard waved triumphant, they crawled from their hiding places, and found security in contempt. Afterwards, by degrees, they wriggled themselves into the confidence of a heedless people, and became again vociferous: founding a claim to exclusive patriotism on clamour against British influence. These are the men who stigmatized Washington as a tory, and those who shared his confidence and fought by his side, as a gang of conspirators.

Let it not be forgotten, that our contest with Britain was in defence of liberty. Those who engaged in it did not wait the galling of oppression, but opposed oppressive claims. In their minds a love of liberty was mingled with a sense of honour. They might perhaps have suffered themselves to be despoiled, but they could not bear to be disgraced. They were not blind to probable consequences. They had property, families, reputation; and, according to the calculations of human prudence, might anticipate an ignominious death. Imagination could not fail to present to their view helpless

orphans, driven from the paternal mansion to beggary and wretchedness. They derived no consolation from comparing the force of the opposed parties. The alternative, therefore, which reason presented, was basely to submit or bravely to perish. Under such impressions, men of calm temper, fair characters, and religious sentiments, after solemn communion with their own hearts, determined to hazard their all. Their trust was in the Almighty. They knew that the God of battles is the God of righteousness; and they felt their cause to be just.

Weighty arguments were not wanting to dissuade them. It was urged, that the supremacy of Parliament was a characteristic trait in the British constitution; that it was the pride and boast of British subjects; that it was the palladium of that liberty which they and we adored; that the union of the British empire was the base of its power and glory; that we shared in the lofty pre-eminence which British subjects enjoyed; that a separation from the mother country would expose both her and ourselves; that union was essential to the common security; that, should we succeed in breaking the arch of Empire, we should be crushed in its ruins. A strong appeal, also, was made to national antipathies; to resentments against France; for we were yet smarting with wounds received in the seven years' war. The savage yell, mingled with

the shout of *vive le roi*, yet tingled in our ears. We were told by friends who adhered to Britain, and such there were whose conduct, though different from ours, was equally dictated by a sense of duty, that we should become the prey of Gallic ambition; that, seduced by the wiles of a crafty court, we should exchange the privileges of England for the fetters of France.

These arguments were dispassionately weighed, and the result was a conviction that no earthly good is so valuable as Liberty: That it was our duty to deliver to our children, unimpaired, the rights we had received from our fathers: That, in the performance of duty, it is not permitted to deliberate; but, accountable to God for our actions, we are bound to submit the result to his sovereign will. These, indeed, were not the sentiments of fiery zealots, whose standard of patriotism was persecution. But these *were* the sentiments of that phalanx which marched with firm steps through the horrors of civil war. As they were not deterred by danger, so they were not seduced by hope, nor deluded by insidious propositions. When it was suggested that an American representation in the British Parliament would justify submission to its authority, they perceived that this expedient, (which in the moment of unsuspecting confidence might have been thankfully adopted) would only give to wrong a colouring of right. Reflection showed, that

between the parent state and the colonies, there was such diversity of interest that, if subjected to the same legislative authority, one must be sacrificed to the other. For it is a serious truth, that where, from permanent causes and geographical situation, a line of difference is drawn between members of the same community, no political contrivance can render a free form of government safe to the minority. The majority, feeling it a duty to keep possession of power, will consider more the end than the means. Far from being controlled by the presence of a minority, they will act *as* absolutely as if they were alone, and with *more* severity. For, to the pride of power, opposition having the air of insult, both pity and justice will be consumed by wrath. It was under the influence of these considerations, that every offer of conciliation was not merely rejected but repelled. Standing alone, with no prospect of foreign aid, the acknowledgment of Independence was insisted on as a preliminary to negociation. These, fellow-citizens, were the counsels of moderate men, acting from a sense of duty, not instigated by ~~revenge~~, but believing that their opponents (though mistaken) might be honest as themselves. This was the conduct of Washington. His heart was too pure to admit malice as a guest; his mind too lofty for illiberal reflections. As he fought with the gallantry of a soldier, and felt with the enthusiasm of a patriot, so he thought with the dignity of a statesman. At the close of

the conflict, our gallant army, like their venerable chief, buried their enmity when they sheathed their swords.

Under his conduct they defended our liberty against a foreign foe, and, but for him, we might have been taught, by woful experience, that those who defend can also destroy the freedom of their country. There are, in all armies, men of turbulent temper and inordinate ambition. Among the officers who served under Washington, were some who hated him; but they were not numerous. There were many of discerning minds, devoted to liberty, who had seen with concern that the articles of confederation were but a rope of sand; that these states, being kept together only by external pressure, peace would dissolve their union. They saw, or thought they saw, in that suspicious jealousy which withheld authority from the national government, a source of no distant despotism. They saw, or thought they saw, that we were doomed to pass through the medium of anarchy to the condition of slaves. Their hearts were wrung with those torturing apprehensions, and they wept over their wounds. Nevertheless, with the characteristic energy of great minds, they gathered hope from circumstances big with despair. They thought, by keeping the army together until provision should be made for discharging its arrears, they could create a necessity for new-modelling the general

government, and investing it with sufficient power; they believed that, from an army led by Washington, nothing was to be apprehended; and they flattered themselves that he, from this consideration, might be prevailed on to continue in the command. They were mistaken; they had not considered that sentiments which would restrain him from *abusing*, would prevent him from *accepting* unlawful power. There were, moreover, circumstances which would have rendered success doubtful, even if he had engaged in the enterprise. That army was, chiefly, composed of the yeomanry of New-England, desirous of returning to the bosom of civil and social life. There had been no previous exacerbations of party spirit, to marshal different members of the community against each other in hostile array. Moreover, that army had not been enlisted to achieve conquest or gratify ambition. They were patriot soldiers, engaged to defend their rights against foreign aggression. They were, in truth, the army of liberty. Nevertheless, it was believed, by men of sound mind, that even *they* might be brought to act against their country, should it refuse to redress their grievances.

Thus a great lesson was taught to those who were in a situation to know what was passing. They knew that the country, fatigued, exhausted, and worn out by war, sickened for repose: That the prospect of a new contest would shake the firm-

est temper : That, to oppose this veteran army, numerous levies must be raised and maintained : That the funds needful for that purpose would be sufficient to discharge what was due to our defenders : That the authority which could raise taxes for one purpose, might equally raise them for another : But that, so long as authority was withheld from the government, opposition to the army would be impossible. In the mean time, the troops would subsist by contributions; and there were not wanting considerate men, in civil life, who, knowing the defects of our confederation, would have seen, with no evil eye, the efforts to produce an efficient government, not reflecting that laws imposed by power are seldom marked by mildness.

Heedless, indeed, must they have been who could pass through such scenes without wholesome reflection. We had been often told, that standing armies are dangerous to republics; and now we could read the same thing in the great book of the world. We had been taught, by experience, that no people, however brave, can prudently rely for defence on militia alone. These, setting aside the insupportable expense, being unaccustomed to a camp, perish by disease. Not being habituated to actual service, they are incapable of that unshaken order, that prompt obedience, and those steady efforts, without which opposition to veteran troops is almost impossible. Such considerations,

combined with our geographical situation, render the maxims of our policy clear and distinct. It was evidently proper to keep up, as guards and garrisons for forts, arsenals, and posts on the frontiers, the skeleton of an army, so large that experienced officers might not be wanting in a case of emergency. But, above all, it was proper, as soon as the national resources would permit, to build, equip, and keep in service a reputable naval force. To this effect, it was necessary to indulge the national disposition for trade, and encourage the fisheries. The same navy which protected our country would protect her commerce; and commerce, so protected, would support the navy. This was, and this is the scheme of Washington's policy,—How simple—how safe—how easy—how efficient! This policy contemplated the preservation of peace, as long as it could be done without sacrificing national honour. Not the fantastic honour of a captious duellist, nor the nice punctilios of regal pride; but that broad principle of right on which the dignity and independence of nations repose. These United States, possessing all that reasonable creatures can ask; a domain fertile, extensive, too extensive perhaps; a climate favourable to every useful production; a rational religion, just laws, free government—what have we to gain by war? and what have we not to lose? Oh folly! Oh madness! to stake a fortune against a feather, in a game whose every turn is stained with human blood!

But we are engaged in war ; it becomes us, therefore, as free men, to inquire into its cause and object ; moreover, it is our duty, as accountable beings, to examine the ground of quarrel, and give aid or opposition, according to our moral sense. Let no man persuade himself that the guilt of unjust war will be imputed, only, to the government under which he lives. No ; were that government absolute as the grand Signior, still there is a power supreme, to whom our paramount obedience is due. Let no man hug the hope of success, however flattering the appearance, where the cause is unholy. Momentary flashes of victory may dazzle the world's eye ; battle may be gained after battle, and province after province be subdued : but the hour of retribution will come ; the trumpet of vengeance will sound—the cups of conquest shall be dashed from the vain-glorious lip ; and armies, swept away, shall vanish like a morning dew. Look into the volume of sacred science. Do you not believe ? Examine the annals of human history. Do you still doubt ? Open your eyes. Behold what is now passing in the world.

And, even if the rest of the world should suppose that the eye of Omniscience could be closed in sleep, we, at least, should remember that we owed our deliverance to an Almighty arm. This day should admonish us that we, more than all others, should endeavour, by a conduct scrupulously just, to secure

the Divine assistance. It is not needful, on the present occasion, to look back at past transactions. These may subserve the purposes of satire or panegyric; they may serve also as a clue to future labyrinths of political intrigue; but we have nothing now to do with satire, panegyric, or intrigue; there is now no ground for sophistry, no room for evasion. We are at war, avowedly, to protect British seamen against their own country. Is such war just? Is it wise? There are, who pretend that the cause avowed is not the real cause; there are who, styling themselves friends of the administration, claim for them, as incident to their calling of politicians, the privilege to deceive, to withhold the truth, and communicate such matter, (true or false,) as will make an impression favourable to their designs. These advocates, having read perhaps in satirical writings, that great statesmen are great knaves, seem to think that great knaves must be great statesmen; and decorate their idols by the attribution of perfidy and falsehood, as with precious gems. They ought to consider that, taken at their words, they preclude their favourites from claiming trust, faith, or confidence, at home or abroad. Far be it from us to disgrace ourselves by such imputations on our rulers. Let us, standing on the ground of reason, history, and experience, insist that falsehood is the resource of feeble minds: of that mean cunning which, entangled in the meshes of its own duplicity, creeps out by a lie. Wisdom foresees, and, foreseeing,

provides against events. A noble candour marks its conduct. Cautious not to hazard an assertion; scrupulous not to violate an engagement; true to itself, honourable to its enemies, impartially just to all, it finds, under the pressure of misfortune, a never-failing resource in public confidence. Far be it, then, from us to suppose that our government has any object but that which they profess: and let us examine that object.

Until lately, it never entered into the heads of well-informed men, to question the right of a nation to the military service of its own citizens. The practice on this subject has been constant and invariable. It would seem, therefore, that, even if the reason were doubtful, such universal consent would prevent the most powerful prince from opposing a current of opinion which has flowed steadily, in the same channel, from the earliest age. Much more might modesty prevent an inferior power from raising the standard of a new doctrine; and, above all, from requiring the assent of others on no better ground than its own will. There is in such course something so offensive, that, even were the principle reasonable and just, it could not fail to shock the sense of national dignity, and make disagreeable impressions on a dispassionate observer.

The great mass of mankind, precluded by their special vocations from making matters of this sort

their study, must rely, in legal questions, on the authority of others; and it might suffice to refer to all reputable writers on public and municipal law, as well as to the solemn decisions of our own tribunals; challenging those who entertain a different opinion to support it by a single authority. But, as the occasion is of deep concern, we will, instead of hiding ourselves behind the rampart of authority, venture out into the field of reason. A distinction has, it is said, been lately made, respecting this object, between rights under public and under municipal law; and, on that ground, it is pretended that the right of a nation to its own citizens, does not depend on, nor form part of, the law of nations. But surely the law of nations requires that each respect the rights of others, whatever they may be, or however derived. To violate those rights, therefore, is contrary to that law. Moreover, what idea can we form of the law of nations, if that be no part of it which is the law of every nation? Questions respecting property, are, and must be, decided by municipal law. Does it follow that, according to the law of nations, one may take property belonging to the other? Or can it be lawful to take men, and unlawful to take goods? Moreover, on the broad question of justice, what matters it whether the wrong-doer violate public or municipal law?

Shall I trespass on your patience, fellow-citizens, to prove the duty of defending our country? God

forbid. I will not insult your understanding, nor wound your feelings. What! prove to Americans—who glory in the name of Washington—and that, too, on the fourth of July, that it is their duty to defend their country! As well attempt to prove that they see the sun, or breathe the air, or feel the pulsation of their own honest hearts. That great Being who fashioned his creatures from the clay, formed and fitted them for society. To man, society is not only advantageous, but indispensable: for years must pass away before children can exist without the care of their fellow-creatures. Citizens, therefore, contract in earliest youth indissoluble obligations. But it would have been an insufficient resource to have left the care of children and defence of states to the reason of parents and soldiers. The Almighty has filled the bosom of parents with love for their children; and every parent has, in his own sentiments a standard by which to measure the duty of other parents. The same Almighty wisdom has impressed on every human heart the love of its native country. He who shivers on the shores of the frozen sea, or pants beneath the burning sun of Africa; those who groan under the yoke of despotism, as well as those who bask in the rays of freedom, all love their country. In the dictates of that love they find the duties of other men; if men there be who have no such affection. To such men—to men who, driven from their native soil by vices or crimes, would stifle the dictates of nature in the embrace of a selfish philosophy, it may

be well to exhibit the consequence of their tenets. If the supposed right of expatriation exists, it must exist at one time and place as well as at another. If it belong to one, it must belong to many. If we have a right to abandon our native country and become subjects of another, we must have the right to abandon her without assuming a new allegiance. But if all this be so, any number of citizens, in the northern and western parts of our states, may lawfully cast off their allegiance, and either join Great Britain, or declare themselves neutral. In like manner, any gang of sailors may lawfully change their condition, declare themselves independent, and exercise hostility against the rest of mankind. According to this principle, there can be no piracy—no treason. True it is, that communities may be separated, and the political union between different parts of a nation be dissolved. Imperious circumstances may render this not only lawful, but laudable; not only justifiable, but indispensable. Of this truth, the day we celebrate is a splendid example. But to assert that individuals have the same right, and may exercise it on no better ground than their own caprice, is pregnant with such absurdity, that I feel ashamed to have dwelt so long on the subject before intelligent men.

But, it will be said, this war is not waged to compel a relinquishment of British rights to British sailors, but to prevent that abuse of it by which

they impress Americans; and here we meet with a list of more than six thousand—I cannot say names, for it appears that to swell that exaggerated list, the same names are repeated: I cannot say native Americans, for it is not pretended that they are natives; neither can I say naturalized British seamen—for there is no evidence of naturalization; but I can say that, if native Americans be meant, it is probable, from investigations made by the state of Massachusetts, that they do not amount to one hundredth part of that number. Admitting, however, the complaint to be founded in its utmost extent, let us pause and examine the claim, on the part of America, which has been advanced with so much confidence and so much clamour. I venture to say it rests on a principle destructive to liberty. This assertion may surprise. Bear with me, then, a few minutes, and lend your patient attention. The cry raised against Britain has been very loud. That government, it is said, should prevent the abuse. But how? a ready answer is given—by punishing officers who do the wrong. But how? The British are a free people; their rulers cannot imprison nor amerce them without trial: neither will British spirit submit to the cashiering of officers unheard. Let us make the case our own: Suppose some foreign government should charge an American with having injured its subjects; what course shall be taken by the President of the United States? shall he punish the person

charged, without evidence, without trial, without giving him a chance to defend himself? Are American citizens to be thus condemned unheard? Is this the new law of nations which is to prevail over the old? I hope not. The old course, on such occasions, is to refer the complaint to a court of law, assuring the complainant that his cause shall be impartially examined by the proper tribunals, and justice done according to their decision. Can we, rightfully, ask more from another nation than we, in our turn, will perform? In what law shall we find this prerogative? Certainly not in the law of justice. Is it then in the law of force? Where are our fleets? and where our armies? and where the treasure to support fleets and armies? We stand committed, and have gone to war against a principle held sacred by all, and against a practice which, if restrained otherwise than by applying to civil tribunals, is to be so restrained by the stipulations of treaty. But such stipulations must be reciprocal. Those, therefore, which we are willing to submit to, we may equitably propose; and to those which we *exact*, we must *submit*. In treating with England, there is little to apprehend; because British ministers dare not accede to a treaty which would infringe the rights of Englishmen; and even if they had that temerity, the law of England would not bend its stubborn neck to the yoke of such a treaty. But different indeed may be the case when, on this or any similar subject, an

American President, less honest and more ambitious than he who now directs our affairs, shall treat with an absolute prince, then it may be agreed, as a proof of friendly respect for a faithful friend, an honourable ally, that when charges are regularly made against the subjects or citizens of one country, by the government of the other, trial shall be considered as unnecessary, and execution issue. If, at that time, a citizen shall be found, of sterling worth, strong in virtue, and high in the confidence of his country, who dares oppose approaching despotism, he may quickly be disposed of under these reciprocal stipulations. Are you, fellow-citizens, prepared for such treaties? Are you willing to surrender your liberty, and the liberty of your children, into the hands of a President or an Emperor? If you are, assemble no more to celebrate this anniversary: let the name of Washington dwell no longer on your lips: let his remembrance be obliterated from your hearts. But you are not so base. You will not tear to pieces the charter of your rights. And for whom are you called on to make the sacrifice: and what is the boon to be obtained? Every thing is at hazard to protect men who abandon their country in the hour of her distress. Fellow-citizens! Do you feel the sacred love of country? I know that you do. Are you capable of abandoning your country in the day of danger? Oh no! If you were, you would not assume the name of Washington. That name would

crimson your cheeks with the blush of guilt. Can you then approve of, can you otherwise than detest, the men who abandon their country? Surely it is not possible to be at once virtuous and the friend of vice. Surely they have not a proper sense of duty to their country, who would seduce others from the performance of that duty, or protect them in the violation of its dictates. Do you believe in the justice of him who receives stolen goods? Do you believe in the chastity of a bawd?

But it is said that our government has taken new ground; that we are to fight here and to negotiate elsewhere for the liberty of the seas. In other words, to establish, as a principle, that neutral ships shall not be searched. The right to search such ships is a necessary incident to the right of capture in war: and, as such, has been exercised by the United States from the day of the declaration we now celebrate. Our tribunals, like those of other countries, have invariably condemned the property of enemies taken in the ships of a friend, and liberated the property of friends taken in the ships of an enemy. Can we then ask Great Britain to surrender a right generally acknowledged, and which we ourselves have constantly exercised? Admitting it would be convenient to us that she should relinquish it in our favour, (we reciprocally giving it up to her,) surely we cannot insist on the surrender of her *right* for our *convenience*. We may, properly

make it the subject of friendly convention, and endeavour to procure the object of our wish by the offer of compensation; but surely it is unjust to make war on a nation because the sovereign will not surrender his rights. It follows, therefore, that whether the object of our government be to protect British seamen against impressment, or American merchantmen against search, it is equally an unjust war.

And it is not less unwise than unjust: for if the contemplated regulations were established, it would be our interest to have them revoked. Separated, as we are, by a vast ocean from every power which can injure us, our defence must be on that ocean. Our complete, our cheap, and *safe* defence, is a navy. After a war of forty years, we should have nothing to fear from a victorious fleet. During the course of it, our expense would not be half so great as the maintenance of military force to defend us against an invading army: not to mention that the invader might, by laying contributions, oblige us to bear his expense as well as our own. But what is expense, compared to the waste of lives, by opposing militia to mercenary troops! And what is life, compared to liberty; which must be endangered, if not lost, when a victorious general, at the head of a disciplined army, devoted to his person and flushed with human slaughter, shall turn their swords on the bosom of his country? If, then, as we sincerely be-

heve, a naval force be our best and only safe defence, how deeply does it concern us to provide that, during peace, none but native Americans shall navigate our merchant ships; so that, in war, we may rely on the bravery and fidelity of native seamen; and also to provide that, if there be among them any so lost to honour and virtue as to desert their country, they may find no protection, against her arm, under a foreign flag? Neither is it our defence alone that is to be made at sea. At sea, and there only, can we carry on operations of offensive war, with any prospect of success, against the greater number of those with whom we may have to contend. If we turn our face to the Atlantic ocean, we have on our right the treasures of the world. These must pass before us, on their way to Europe, and reward our maritime skill and enterprise, when at war with nations to whom they belong. The whole will be our prey, unless the transportation be in fleets under strong convoy; and a considerable part, however convoyed, must fall to our share. The very necessity of providing such convoy is, in itself, an inconvenience which will be seriously felt. So that a war with the United States, when possessed of a respectable navy, would not be sought by any European power. And when, from the combination of those chances which no human eye can foresee, such war shall take place, the greatest power will soon accede to reasonable terms of conciliation. But let it be once established, that a few breadths of

bunting, tied to the mast of a merchant ship, shall cover the property against capture, and, from that moment, our best means of offence are annihilated. Thus, then, it is evident that the right of a nation to take her own seamen from neutral merchant ships and the right of searching those ships to detect contraband of war and make prize of enemy's property, are among our most important rights, the loss of which we should never cease to lament. And yet, we now wage war to destroy those very rights. We waste our treasure to disarm our country, and shed our best blood to protect the worst of our enemy's subjects. Can this be wise?

I will not, fellow-citizens, trace the ills we suffer up to their source. That is an object of legislative wisdom. If attempted here, we might be charged with hostility to the union. For, strange as it must seem, it is nevertheless true, that those who inculcate principles inconsistent with all social union, charge the opponents of their disorganizing principles with an intention to separate the Eastern from the Southern States. That the course pursued, for some time past, will, if persisted in, occasion that separation, there can be little doubt; but he who spent the flower of youth and the strength of manhood in labouring to promote and confirm the American union, can never, but in the last necessity, recommend its dissolution. Federalists are too proud of the name they bear, to view, unmoved, the danger to which

our federal compact is exposed. The followers of Washington cannot wish to pluck a star from the constellation of his glory. This day, which calls to fond remembrance our brotherhood in the war for freedom, our fellowship in its sufferings, and that union of heart which preceded, and produced our political union, this is not the day to tear asunder the bands of affection, and strangle the charities of our political existence. But although we deprecate the impending separation, yet we conceive that, under existing circumstances, prudent men should prepare for events, and fortify their hearts for such struggles as the cause of justice and their country may require. Under the pressure of these circumstances, I attest the revered name of Washington; I attest the cause which has marked this day of glory, while I remind you, that liberty is the greatest earthly good, and to defend it the first human duty. I call on you, therefore, by all you held most dear, never to desert, under any pretence, or for any consideration, the sacred cause of freedom. Be just to others—be just to yourselves.

FINIS.