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O R A T I O N

DELIVERED BEFORE THE

S O C I E T Y

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S T A T E O F N E W - Y O R K ;

I N C O M M E M O R A T I O N O F T H E

F O U R T H D A Y O F J U L Y .

BY THE HONORABLE ROBERT R. LIVINGSTON, ESQUIRE;

CHANCELLOR OF THE STATE.

N E W - Y O R K :

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O R A T I O N, &c.

I COULD have wished, Gentlemen, that the task I am now about to perform, had been assigned to some abler speaker; and, in that view, I long since tendered my apology for declining it, and hoped, till lately, that it had been accepted. Disappointed in this hope, and unwilling to treat any mark of your favor with neglect, I determined to obey your commands; although I was satisfied, that, in the execution of them, I should not answer your expectations. There is a stile of eloquence adapted to occasions of this kind, to which I feel myself unequal;—a stile which requires the glowing imagination of younger speakers, who coming recently from the schools of rhetoric, know
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how to dress their sentiments in all its flowery ornaments. The turbulence of the times, since I first entered upon public life, and the necessity they imposed upon those who engaged in them, of attending rather to things than words, will, I fear, render me, if not an useless, at least an unpolished speaker.

If the mind dwells with pleasure on interesting events—if the soul pants to emulate the noble deeds it contemplates—if virtue derives new force from the successful struggles of the virtuous, it is wise to set apart certain seasons, when, freed from meaner cares, we commemorate events, which have contributed to the happiness of mankind, or afford examples worthy their imitation. What are we this day called upon to commemorate?—Some signal victory, in which the victor weeps the loss of friends, and humanity mourns over the graves of the vanquished?—The birth of some prince, whom force, fraud, or accident, has entitled to a throne?—Or even that of some patriot who has
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FOURTH OF JULY.

raised the reputation, and defended the rights of his country? No, gentlemen, a nobler subject than the splendor of victories, or the birth of princes, demands our attention. We are called upon to commemorate the successful battles of freedom, and the birth of nations!

It may be expected, and indeed I believe it is usual on such occasions, that I should tread the steps we have taken, from the dawn of oppression to the bright sunshine of independence; that I should celebrate the praise of patriots who have been actors in the glorious scene, and more particularly that I should lead you to the shrines of those that have offered up their lives in support of their principles, and sealed with their blood your charters of freedom. Had I no other object in view than to amuse you and indulge *my own* feelings, I should take this path—For what task more delightful, than to contemplate the successful struggles of virtue; to see it at one moment panting under the grasp of oppression

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pression, and rising in the next with renewed strength; as if, like the giant son of earth, she had acquired vigour from the fall; to see hope and disappointment, plenty and want, defeats and victories, following each other in rapid succession, and contributing, like light and shade to the embellishment of the piece! What more soothing to the soft and delicate emotions of humanity, than to wander with folded arms, and slow and pensive step, amidst the graves of departed heroes, to indulge the mingled emotions of grief and admiration: at one moment giving way to *private sorrow*, and lamenting the loss of a *friend, a relation, a brother*; in the next, glowing with patriot warmth, gazing with ardor on their wounds, and invoking their spirits, while we ask of heaven to inspire us with equal fortitude! But, however pleasing this task, the desire of being useful impels me, at this interesting moment, to forego this pleasure—to call you from this tender scene—to remind you that you are the citizens of a free state—to bid you rejoice with Roman pride, that those you love

have

FOURTH OF JULY.

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have done their duty—to exhort you to crown the glorious work which they have begun. For, alas! my friends, though they have nobly performed the part assigned them, the work is still unfinished, and much remains for us to do. It may not, therefore, be improper, amidst the congratulations I make you on this day—this day, distinguished in the annals of fame, for the triumph of freedom and the birth of nations, to enquire how far it has been productive of the advantages we might reasonably have expected, and where they have fallen short of our expectations.

To investigate the causes that have conduced to our disappointment, two objects demand our attention—our internal and federal governments: Either, to those who are disposed to view only the gloomy side of the picture, will afford sufficient matter for censure, and too much cause of uneasiness. Many desponding spirits, misled by these reflections, have ceased to rejoice in independence, and to doubt whether it is to

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be considered as a blessing. God forbid that there should be any such among us : For, whatever may be the pressure of our present evils, they will cease to operate, when we resolve to remove them ; the remedy is within our reach, and I have sufficient confidence in our own fortitude to hope that it will be applied.

Let those, however, who know not the value of our present situation, contrast it with the state of servitude, to which we should have been reduced, had we patiently submitted to the yoke of Britain. She had long since seen our ease with envy, and our strength with jealousy. Loaded with debt, she wished to share that affluence, which she attributed to her protection, rather than to our industry. Tenacious of her supposed supremacy, she could not be indifferent to those increasing numbers which threatened its subversion.

Avarice and timidity concurred in framing a system
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FOURTH OF JULY. †

of despotism, which, but for our resistance, would have reduced us to the vilest subjection. Having resisted, accommodation was vain; pretences would not have been wanting to ruin those that had been active in opposition. Disputes among ourselves would have been encouraged; and advantages derived from our disunion would have enabled her ultimately to obtain her object. No alternative was left, but heaven-born independence, or abject submission. We have chosen as became a wife and generous people. Let slaves, or cowards, disapprove the choice!

Our constitutions are formed to ensure the happiness of a virtuous nation. They guard against the tumult and confusion of unwieldy popular assemblies, while they yield to every citizen his due share of power. They preserve the administration of justice pure and unbiassed, by the independence of the judges.— They prevent abuses in the execution of the laws, by committing the care of enforcing them to magistrates
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who have no share in making, nor voice in expounding them. In these circumstances, they excel the boasted models of Greece, or Rome, and those of all other nations, in having precisely marked out the power of the government, and the rights of the people—With us the law is written : no party can justify their errors under former abuses or doubtful precedents. With these constitutions, I shall be asked, how it has happened that the evils hinted at continue to exist? I shall endeavor to answer this enquiry, since my object in treating of this subject is to impress upon you the obligations we are under as *citizens*, as *men whose past services* entitle us to some weight in the community, zealously to unite in promoting a constitutional reform of every abuse, that affects the government.

Our constitutions being purely democratic, the people are sovereign and absolute. The faults of absolute governments are to be charged to the sovereign : in ours they must be traced back to the people.

FOURTH OF JULY

If our executive has sufficient energy, if the judiciary is competent to the administration of justice, if our legislative is so formed as that no law can pass without due deliberation, all the ends of government are answered, so far as they depend upon the constitution. If still it falls short of expectation, the evils must be sought in the administration: and, since every person concerned in that is either mediately or immediately chosen by the people, they may change it at pleasure. What can be devised more perfect than that constitution, which puts in the power of those, who experience the effects of a bad administration, to prevent their continuance: not by such dissolutions and irregular acts, as in the ancient republics, but by such as are cool, deliberate and constitutional. If they still exist, they must be changed to the negligence of the people, who, after violent agitation, have sunk into such a state of torpor and indifference, with respect to government, as to be insensible to the evils which they sustain.

dearest rights. When we chuse an agent to manage our private affairs, an executor to distribute our estate, we are solicitous about the integrity and abilities of those we entrust: we consult our friends: we make the choice after due deliberation.—Is it not astonishing, that when we are to elect men, whose power extends to our liberty, our property and our lives, that we should be so totally indifferent, that not one in ten of us tenders his vote?—Can it be thought that an enlightened people believe the science of government level to the meanest capacity? That experience, application, genius and education are unnecessary to those, who are to frame laws for the government of the state? And yet, are instances wanting in which these have been proscribed, and their place supplied by those insidious arts, which have rendered them suspected? Are past services the passport to future honors? Or have you yourselves, gentlemen, escaped the general obloquy? Are you not calumniated by those you deem unworthy

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of your country? Are you not even shamed by some who should wear with pride and pleasure this badge of former services?

You have learned in the school of adversity, to appreciate characters. You are not formed, whoever may direct, to promote measures you disapprove. Men, used to command and to obey, are sensible of the value of government, and will not consent to its debasement. Your services entitle you to the respect and favor of a grateful people. Envy, and the ambition of the unworthy, concur to rob you of the rank you merit.

To these causes, we owe the cloud that obscures our internal governments. But let us not despair: the sun of science is beginning to rise; and, as new light breaks in upon the minds of our fellow citizens, that cloud will be dispelled.

Having observed that our internal constitutions are adequate to the purposes for which they were formed;

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and that the inconveniencies we have some time felt under them, were imputable to causes which it was in our power to remove: I might perhaps add, that the continuance of those evils, were proofs of the happiness these governments impart; since, had they not been more than balanced by advantages, they would have pressed with such weight, as to have compelled the people to apply the remedy the constitution affords.— But, when I turn my eyes to the other great object of a patriot's attention,—our federal government, I confess to you, my friends, I sicken at the sight. Nothing presents itself to my view, but a nerveless council, united by imaginary ties, brooding over ideal decrees, which caprice, or fancy, is at pleasure to annul, or execute! I see trade languish,—public credit expire,—and that glory, which is not less necessary to the prosperity of a nation, than reputation to individuals, a victim to opprobrium and disgrace. Here, my friends, you are particularly interested; for, I believe, I should

do little justice to the motives that induced you to brave the dangers and hardships of a ten years war, if I supposed you had nothing more in view, than humble peace, and ignominious obscurity. Brave souls are influenced by nobler motives; and, I persuade myself, that the rank and glory of the nation you have established, were among the strongest that nerved your arms, and invigorated your hearts. Let us not then, my friends, lose sight of this splendid object; having pursued it through fields of blood, let us not relinquish the chace, when nothing is necessary to its attainment, but union, firmness, and temperate deliberation.

In times of extreme danger, whoever has the courage to seize the helm, may command the ship: each mariner, distrusting his own skill, is ready to repose upon that of others. Congress, not attending to this reflection, were misled by the implicit respect, that during the war was paid to their recommendations; and without looking forward to times, when the circum-

stances which made the basis of their authority, should no longer exist, they formed a constitution adapted only to such circumstances. Weak in itself, a variety of causes have conspired to render it weaker. Some states have totally neglected their representation in Congress; while some others have been inattentive, in their choice of delegates, to those qualities, which are essential to the support of its reputation: objects of some moment, where authority is founded on opinion only.

To these, I am sorry, gentlemen, to add a third, which operates with peculiar force in some states,—the love of power, of which the least worthy are always the most tenacious. To deal out a portion of it to Congress, would be to share that which some, among those who are elected by popular favor, already find too little for their own ambition,—To preserve it, rulers of free states practise a lesson they have received from eastern tyrants: and as these, to preserve the succession, put out the eyes of all, that may approach the seat of power:

to those strive to blind the people, whose discernment, they fear, may expel them from it.

I will not wear your patience and my own, by contending with those chimeras they have raised, to frighten the people from remedying the only real defect of this government: nor will I dwell upon that wretched system of policy, which has sunk the interest and reputation of such states in the great council of America, and drawn upon them the hatred and contempt of their neighbours.—Who will deny that the most serious evils daily flow from the debility of our federal constitution? Who but owns, that we are at this moment colonies, for every purpose but that of internal taxation, to the nation from which we vainly hoped our sword had freed us? Who but sees, with indignation, British ministers daily dictating laws for the destruction of our commerce? Who but laments the ruin of that brave, hardy and generous race of men, who are necessary for its support? Who but feels, that we are de-
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graded from the rank we ought to hold among the nations of the earth? Despised by some, maltreated by others, and unable to defend ourselves against the cruel depredations of the most contemptible pirates. At this moment; yes, great God, at this moment, some among those, perhaps, who have laboured for the establishment of our freedom, are groaning in Barbarian bondage. Hands, that may have wielded the sword in our defence, are loaded with chains. Toilsome tasks, gloomy prisons, whips and tortures, are the portion of men, who have triumphed with us, and exulted in the idea of giving being to nations, and freedom to unnumbered generations!

These, sirs;—these are a few of the many evils that result from the want of a federal government. Our internal constitutions may make us happy at home, but nothing short of a federal one can render us safe or respectable abroad. Let us not, however, in our eagerness to attain one, forget to preserve the other inviolate;

for better is distress abroad, than tyranny or anarchy at home. A precious deposit is given into our keeping: we hold in our hands the fate of future generations. While we acknowledge that no government can exist, without confidence in the governing power, let us also remember, that none can remain free, where that confidence is incautiously bestowed.

How, gentlemen, shall I apologize for having obtruded this serious address upon the gaieties of this happy day?—I told you, and told you truly, that I was ill qualified to play the holiday orator; and I might have added, that the joy of this day is ever attended, in my mind, with a thousand mingled emotions. Reflection on the past, brings to memory a variety of tender and interesting events; while hope and fear, anxiety and pleasure, alternately possess me, when I endeavor to pierce the veil of futurity. But never, never before, have they pressed upon me with the weight they do at present. I feel that some change is necessary; and yet

I dread, lest the demon of jealousy should prevent such change; or, the restless spirit of innovation, should carry us beyond what is necessary. I look round for aid;—I see in you a band of patriots,—the supporters of your country's rights: I feel myself indebted to you for the freedom we enjoy: I know, that your emotions cannot be very different from my own; and I strive, by giving you the same views on these important subjects, to unite your efforts in the common cause. Let us, then, preserve, pure and perfect, those principles of friendship for each other, of love for our country, of respect for the union, which supported us in our past difficulties. Let us reject the trammels of party; and, as far as our efforts will go, call every man to the post, his virtues and abilities entitle him to occupy. Let us watch with vigilant attention over the conduct of those in power; but let us not, with coward caution, restrain their efforts to be useful: and let us implore that omnipotent Being, who gave us strength and wisdom in the hour of danger, to direct our great council to that
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happy mean, which may afford us respect and security abroad, and peace, liberty, and prosperity at home.

After the ORATION was pronounced, Colonel MORGAN LEWIS addressed the newly admitted MEMBERS as follows :

GENTLEMEN,

PREVIOUS to your reception into this Society, permit us to call to your remembrance the circumstances which gave birth to our institution, and the principal objects which its founders had in view :—the reflection will not fail to add to the transports which each patriotic bosom must feel on this auspicious day.

At the close of that war, which emancipated the inhabitants of this vast continent, and confirmed a revolution greater than any the world had ever been presented with, a gallant band of patriots, who, for eight years,

years, had lived together in habits of the strictest friendship,—together borne the numerous hardships incident to the soldiers' life—together braved the various dangers of the field—together fought, bled, and conquered, saw themselves on the eve of separation, and could not bear the thought that it should be forever.

A general anxiety took place, which was heightened by the reflection, that new plans of life, new conditions, were to be formed, by men who had devoted themselves to their country, spent their fortunes in her service, and were about to return to the peaceful walks of private life;—many of them perfectly destitute, and all without the well-earned wages of their toil. The families too of many a departed brother, whom the adverse fortunes of the field had snatched untimely from them, claimed their assistance—under these impressions this institution was formed, Friendship the motive, and the great object Charity; cherished however, by this sentiment, that, in order to
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preserve that freedom we had fought for, it became essential to maintain that union which had acquired it.

Envy, notwithstanding, hath sometimes ascribed to us improper views; and a too quick apprehension of danger, prompted by lively imaginations, hath frequently suggested the possibility, that a set of men who had fought the battles of their country, and obtained her an honorable and advantageous peace, were, at the instant of resigning their arms and retiring from the field, meditating combinations dangerous to that liberty which they themselves had secured.

For vindication from such misrepresentations we appeal to facts, our own hearts bearing honest testimony to the rectitude of our intentions.

Our assuming the name of an illustrious Roman, whose virtues we wish to emulate, and our having pursued, as far as possible, his noble example, must convince the candid of the sincerity of our professions

ADDRESS, &c.

When we declare, that our designs are pure and disinterested. Nor have we a wish to confine the election of our members to the military line alone;—the choice of this day affords a proof to the world, that distinguished merit, whether it has throne conspicuous in the cabinet or field, hath an equal claim to the honors of our Society.

Accept, gentlemen, our warmest congratulations on the joyful occasion of our present meeting:—may each return of this happy day revive in our minds the memory of past achievements—may it enliven our former friendships—may it animate our future exertions in the cause of our country, and may it inspire our national councils with wisdom and patriotism, that our posterity, to the latest period of time, may have reason to respect it as the greatest blessing which Heaven e'er poured in mercy on them.