

ORATION,

PRONOUNCED AT MIDDLEBURY, (VT.)

ON THE ANNIVERSARY OF

AMERICAN INDEPENDENCE,

JULY 4, 1814.

.....
BY WILLIAM SLADE, JUN. Esq.
.....

“Watch ye—stand fast in the faith—quit yourselves like men—be strong.”
ST. PAUL.

MIDDLEBURY:

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[1814]

TO WILLIAM SLADE, JUN. Esq.

SIR—The Committee of Arrangement return you their thanks for the appropriate Oration, delivered by you, at the Republican Celebration of the 4th of July, 1814, and request that you would favour them with a copy for the press.

Your obedient servants,

**EBEN. W. JUDD,
HORATIO SEYMOUR,
GEO. CLEVELAND,
JONA. HAGAR,** } Committee.

Middlebury, July 5, 1814.

.....

GENTLEMEN,

I REGRET that want of time, and ill health, should have prevented me from doing common justice to the important subject embraced in my Oration. With all its imperfections, however, I am willing it should appear before the publick, for the single reason, that no exertion, however feeble, should, at this crisis, be withheld from the cause of our common country.

Very respectfully,

Your obedient servant,

WILLIAM SLADE, JUN.

**Messrs. EBEN. W. JUDD, HORATIO SEYMOUR, GEO. CLEVELAND,
and JONA. HAGAR.**

July 5, 1814.

ORATION.

.....

FRIENDS AND FELLOW-CITIZENS,

THIRTY-SEVEN years have successively witnessed the commemoration of the day we now celebrate. Consecrated by blood, it stands on the records of our country, an imperishable monument of the firmness which declared, and the perseverance which achieved our independence.

The sages and the heroes, to whom, under God, we are indebted for the invaluable blessing, we can never cease to remember with veneration and gratitude. The gloomy horrors of that contest, which spread conflagration and death through our country, can never be obliterated from the recollection of an American. We remember that we were once *colonies*, groaning under the gripe of despotism ; we recollect the day when our fathers made

the solemn appeal to the God of battles ;—we pwell on the arduous conflict which sealed our sovereignty, while we raise our hearts to that God, who led our armies to victory, and our country to peace.

It is not, however, the mere recollection of those events, which gives to this day its chief interest. It is the *preservation* of that independence, so dearly purchased, which gives value to the recollection, and importance to the day which enforces it. In this view, each succeeding anniversary has recurred with an increased interest ; for each has brought with it some new testimony of the value of our independence, and the rankling hostility of that nation who was compelled to acknowledge it. Each enforces more strongly the conviction, that Great-Britain wants but the opportunity, and she would re-colonize our country. The observation of every reflecting man, of whatever party, must have convinced him of this truth. Why else has she, constantly, in one shape or another, vexed our commerce ?—Why else unceasingly invaded the sovereignty of our flag ; wresting from the protection of our country its citizens, and forcing them to fight her battles, and die in her service ?—Why else has she turned a deaf ear to all our remonstrances ?—Why else persisted in refusing us indemnity for the millions she has robbed from us ;

meeting our demands for redress with new claims, and insulting our forbearance with new injuries, and aggravated abuses?—Why, but to bring us back to submission?

It is thus, fellow-citizens, that we have had before us a continued excitement to vigilance ; thus, that the value of our political institutions, and our disposition to defend them, have been constantly, and severely tested. Thus it is, that our thirty-eighth anniversary has brought with it a crisis so full of interest ; a crisis, which stamps value on our independence, and brings home to us the important truth, that, as was its achievement, so must be its preservation,—*the price of blood.*

What is this crisis ?

What causes have produced it ? and,

What duties does it impose on the American people ? are questions which, on this day especially, demand a candid and solemn investigation.

More than two years have elapsed, since our country, driven by the aggravated violation of her rights, drew the sword in their defence. Aided by the struggle which France was then making against the pretensions of our enemy, we hoped, ere this, to have brought her to a sense of justice, and an acknowledgment of our rights. But a combination of causes, the most extraordinary the world

er witnessed, has thrown back the current of war on France, with an energy resistless and overwhelming. The weapons with which her military leader would have annoyed his enemy, have been turned on himself. The nations whose independence he would sacrifice to the attainment of his object, have risen indignant, and put forth their strength against him. Content with the voluntary aid which their common interests would have furnished, Bonaparte might have succeeded in humbling his enemy, and establishing maritime law upon a rational and permanent basis. A liberal and enlightened policy would have effected this great object. But this policy was not within the scope of his ambition. The nations of Europe must first bow submissive to his power, and thus submissive, be *compelled* to resist G. Britain in *his way*. Tho' they felt the necessity of setting bounds to the alarming encroachments of British power, yet they felt a paramount interest, in resisting the more direct blow aimed at their independence by France. Little would it avail them if, in curtailing the power, and humbling the pride of Great-Britain, they themselves should be made to pass under the yoke. A sense of common danger, therefore, united them in a common struggle. In that struggle they succeeded. Bonaparte is driven from the throne of France into exile, and Europe for a moment is at rest.

It is thus that the potent obstacle to the career of British power has been broken down ; thus, that those relations have arisen in Europe, which forbid the hope of immediate resistance from that quarter, to the pretensions of our enemy.

Could any combination of evils present a crisis more interesting to our country than this ? and can the reflecting mind dwell on it, without the most agonizing anxiety ? What are we now to expect from our enemy ? Will she, who has at all times, and in all places, contemptuously disregarded our claims, and turned a deaf ear to our remonstrances, *now* listen to the voice of justice, and restore peace to our suffering country ? We had, indeed, hoped that our claims would have been embraced in negotiations which are to settle the peace of Europe : that we might thus have availed ourselves of the direct influence of Russia, and the other northern powers, in our exertions to obtain a safe and honorable peace for ourselves. Events, however, have proved that that hope was vain. There is now little doubt that those powers have stipulated not to interfere in the contest. It is now announced, that ministers are appointed by Great-Britain, for the purpose of a separate negotiation with ours at Gottenburgh or London ; and thus vanishes the hope of a speedy termination to the unhappy contest.

What, then, is the prospect before us ? It is, that the claims hitherto set up by our enemy, will be obstinately adhered to ; that new ones will be added to them ; and that her mighty naval and military means will be put in requisition to force us to submission unconditional. Already do we see her sanguinary legions warming on our borders, to fulfil her mandates. On the south, we see her urging to a renewal of the savage contest which has already drenched that portion of our country in the richest blood of its citizens. On the east, fire, plunder, and devastation, mark her progress ;— while, on the north, she is stretching forth the right arm of her power, to drive us from the Lakes, and secure new boundaries to her provinces in that quarter. These mighty preparations *may* consist with a disposition to give us honorable peace ; and while our ears are assailed with the din of war, in all its horrors, the winds of the Atlantic *may* waft to us the glad tidings of peace and salvation to our country.

We cannot, however, dwell on the pleasing prospect with any assurance that we shall soon realize it. The manner in which our claims have always been met by our enemy, her present increased power, and almost unbounded influence, and the unfeeling pride resulting from her last and great triumph, admonish us to expect little from an appeal to her interests or her justice.

No period, since the war of our revolution, presents a crisis more interesting and eventful ; none, more solemnly demanding the wisdom, and prudence, and firmness of the government and people of this country. To every American the solemn enquiry is now presented : Will you relinquish the claims for which your country is contending, and submit its destiny to the magnanimity of the enemy, or will you that the nation put forth its strength, redeem its honor, and assert its rights ? We ask you not to choose the latter, without calm, deliberate investigation. Weigh well the consequences of each alternative ; leave behind you the motives suggested by a love of party ; make a decision which, to your sober judgments, shall best promote your country's welfare ; and let it be a decision which will receive your FIRM SUPPORT, *in the hour of trial.*

The present is a moment, happily calculated for reflection. The mind is naturally invited to pause and re-examine the causes which have produced the contest, and led to the crisis we now witness. The important decision which we *must make*, urges the propriety of this course ; and the present is a favorable occasion to institute the enquiry.

Permit us then, to notice a few of the prominent injuries which we have sustained from Great-Britain—the excuses she has urged for inflicting those

injuries—the offers we have made to effect an accommodation,—and the reception those offers have met with from the enemy.

The ocean is the common highway of nations. Against every nation we claim the right to navigate it unmolested, with the exception, as to cargo, of contraband of war, and enemy's property; and as to destination, ports legally blockaded. The rights which are given to a belligerent, within these exceptions, are the necessary evils which a state of war imposes on neutrals, and are never to be resisted, while exercised within fair and rational limits. By the common consent of nations, no blockade is considered legal, unless the order is accompanied by a naval force stationed before the place blockaded, competent to render an entrance into it hazardous.

Keeping in view these principles, who will now undertake to justify Great-Britain, in carrying into vigorous operation the orders in council, under their successive modifications;—in thus sweeping from the Atlantick near one thousand of our vessels, and subjecting their cargoes to confiscation? Who will undertake to find a principle in the code of nations, which can be tortured into a sanction of this sweeping system, which aimed at a blockade of whole empires, by simple proclamation! and which extended its operation to every sea, and

even to our own waters? Who will now attempt to screen Great-Britain from censure, under the worn out plea of retaliation for the decrees of France? Who will undertake seriously to tell us, that the question of *priority*, as to those orders and decrees, has any thing to do with our rights as a neutral, against either nation? Was there no way of resisting the operation of the French decrees, but by a system, the severe effects of which have been felt, almost exclusively by a friendly neutral? Has not cool reflection convinced you, that the system, which was so constantly accompanied by the plea of necessity, was no other than a *direct* and *wanton* attack on the commerce of your country? Our government declared war under the full pressure of this system, and at a time too, when Great-Britain came out with a glaring extension of her claim, as to the condition on which she would consent to relieve us from its operation. All must remember, that until a short time previous to the declaration of war, Great-Britain claimed the fulfilment of no condition but that of a repeal of the Berlin and Milan decrees, as they affected our neutral rights; and it will not be soon forgotten, that in the last correspondence on this subject, before the declaration of war, Great-Britain demanded that the French decrees should be repealed, not only as to us, but all other neutrals; at the same time, rendering relief doubly hopeless by demanding the

abolition of that system, by which Bonaparte attempted to exclude the manufactures of Great-Britain from the continent of Europe. With these conditions no independent nation ever could, or ought to comply. While they furnished full evidence of the settled hostility of Great-Britain to our commercial prosperity, they left our government no honorable alternative but RESISTANCE BY THE SWORD. (*a*)

Think not, fellow-citizens, that this view of the more immediate origin of the contest is unimportant at this period. Though the system to which we have thus slightly adverted, was, subsequent to the declaration of war, conditionally suspended, yet its existence, at that period, will stand on the records of your country an everlasting, and an undeniable justification of the declaration of war against Great-Britain.

The repeal of the orders in council claims, however, in this place, a moment's attention. On the 18th of June our government declared war:—on the 23d of the same month the orders in council were repealed; and therefore, say some, we ought to have suspended hostilities, and made peace: the war ought to have ceased with the cause which produced it. Such were then, and still are, the sentiments of many among us. And are there any within the reach of my voice, who still em-

brace this dangerous error? Let me entreat you to pause, and survey the ground you have taken. Pass not hastily over this interesting part of our subject; but consider coolly the situation in which that repeal left your country, as to the contest in which she had embarked.

Passing over the extraordinary and alarming reservation in the act revoking the orders in council; a reservation expressly recognizing the right to restore at pleasure the system under which we had so severely suffered; (*b*) passing over too, ~~the strong evidence which this reservation furnished,~~ of a disposition in the enemy to resist our just claims for indemnification, let us simply enquire what sacrifice of honor and of right, a tame relinquishment of the contest must have then produced.

The many and deep wounds inflicted on our country's honor and sovereignty, had just urged us to the last resort of injured nations. We had drunk to its dregs the cup of humiliation. We had solemnly taken our stand on the battlements of liberty, and in the face of the world, proclaimed the causes which impelled us to the contest. Among them stood conspicuous, the IMPRESSMENT OF OUR SEAMEN; a practice, which, for twenty years, had unceasingly deprived our citizens of their liberty, and their country of their services;—a practice, against which we had never ceased to re-

monstrate, and which we had endured to a degree, which left us but one step short of degrading submission. Thousands, the wretched victims of this practice, were at that moment in the involuntary service of the enemy, far from their country, their homes, and all that rendered life dear to them; writhing under the lash, or toiling out their lives in the service of their oppressors. They had long looked to their country to stretch forth its arm to deliver and protect them; and that country, at length awakened to duty, had suspended remonstrance, and resorted to arms.

Was not our government thus committed to persevere in the struggle, till this great object should be substantially accomplished? Would not an unconditional relinquishment of the contest, have proved to the world that we viewed "sailor's rights" not worth contending for? Had we not before sufficiently proved our want of spirit to resist aggression, and punish the aggressor, and must we now cap the climax of submission, and seal ourselves to infamy? Fancy to yourselves the contest given up—our armies disbanded—and ministers appointed to re-commence negotiation. How would they have appeared at the court of St. James, remonstrating against impressment! No man who possesses the soul of an American, could have hesitated, as to the course which would become his country in such a crisis. He would say to his

government, sheath not the sword till you obtain substantial justice ; talk not of peace till your enemy proposes it, and make no treaty which shall not *effectually* secure the liberty of your citizens in future. But what was the language of our government ? If we err, let it be on the side of humanity. We will, therefore, make one more attempt at conciliation. Such was their language, and such their conduct. At a time when we least expected it, the olive-branch of peace was extended. "At the moment of the declaration of war, our government, regretting the necessity which produced it, looked to its termination and provided for it." On the 26th of June, instructions were transmitted to Mr. Russell, our *charge des affaires* in Great-Britain, authorising him to conclude an armistice with the British government, on terms which are distinctly expressed in the following language. It will be found in Mr. Russell's note to Lord Castlereagh, of the 24th of August following. Having adverted to the willingness of his government "to arrest on terms consistent with justice and honor, the calamities of war," he says—"It has, therefore, authorised me to stipulate with his Britannick majesty's government an armistice, to commence at, or before the expiration of sixty days after the signature of the instrument providing for it, on condition that the orders in council be repealed, and no illegal blockades to be substituted to them, and

that orders be immediately given to discontinue the impressment of persons from American vessels, and to restore the citizens of the United States, already impressed ; it being moreover well understood, that the British government will assent to enter into definitive arrangements as soon as may be, on these, and every other difference, by treaty to be concluded either at London or Washington."

"As an inducement to Great-Britain to discontinue the practice of impressment from American vessels, I am authorised to give assurances, that a law shall be passed, (to be reciprocal) to prohibit the employment of British seamen in the publick or commercial service of the United States."

In a subsequent part of his note, he says "The conditions now offered to the British government, for the termination of the war by an armistice as above stated, are so moderate and just in themselves, and so entirely consistent with its interest and honor, that a confident hope is indulged that it will not hesitate to accept them. In so doing, it will abandon no right ; it will sacrifice no interest ; it will abstain only from violating the rights of the United states ; and in return, it will restore peace with the power from whom, in a friendly commercial intercourse, so many advantages are to be derived."

Let us now see in what spirit this pacifick offer was received by our enemy. After pretending to doubt the powers of Mr. Russell to negotiate an armistice on these conditions, and therefore declining discussion, Lord Castlereagh says—"I cannot, however, refrain on one single point, from expressing my surprise, that as a condition preliminary, even to a suspension of hostilities, the government of the United States should have thought fit to demand, that the British government should desist from its ancient and accustomed practice of impressing British seamen from the merchant ships of a foreign state, simply on the assurance, that a law shall be hereafter passed, to prohibit the employment of British seamen in the publick or commercial service of that state."

Here endeth the first lesson ; and here, in justice to ourselves, ought to have ended, at that time, our offers of accommodation. On the 12th of September, however, new propositions, founded on new instructions, were made through Mr. Russell, in a manner which left no doubt of his powers, effectually to conclude the arrangement proposed. It was then offered, that "commissioners should be appointed by each party, with full powers to form a treaty, which should provide, by reciprocal arrangements, for the security of their seamen from being taken or employed in the service of the other

power ;” a clear, and distinct, though informal understanding, being first required with his majesty’s government, concerning impressment, comprising in it the discharge of the citizens of the United States, already impressed. In this proposal, Lord Castlereagh’s principal objection to the former offer was obviated, by providing that the discontinuance of the practice of impressment, might be deferred, until the actual passage of the law to prohibit the employment of British seamen in the service of the United States. It is needless to add, that this still more liberal offer was met by the flat, and contemptuous rejection of his majesty’s government.

Thus failed the honest exertions of our government to stay the effusion of blood, and procure an honorable peace.

Contemplating, for a moment, the spirit in which these offers were made, and the honorable terms which they embraced, we cannot refrain from expressing our utter astonishment at their rejection. Could our government have gone one step further, without an absolute sacrifice of the honor and rights of their country? Was it possible, while they entertained the least regard for that honor, to have made an offer more effectually securing the rights claimed by Great-Britain? What claim has she always urged, and urged alone, as an excuse

for a constant violation of the sovereignty of our flag, and the liberty of our citizens? It is, that she might reclaim the services of her subjects: and would not the passage of the proposed law have secured this claim more effectually than *she* could do it by impressment? Is not the conclusion irresistible, that she wanted more than she has ever dared expressly to claim? Yes; she wanted what she has always obtained by impressment,—the services of *native Americans*, as well as those, naturalized by our laws, *who were never British subjects*.

But, it is asked by some, why did not our government accede to the offer of an armistice made by Admiral Warren, on the 30th of September, 1812? What, let it be asked, were the terms of that offer? They were, that on the single ground of the revocation of the orders in council, hostilities should immediately cease!—No assurance was offered, nor even *any* proposition made, relative to the great interest of impressment. What was the answer of our government? No armistice can be concluded without an understanding relative to impressment. And here again, to our astonishment, we find renewed, in substance, the reasonable offer before made through Mr. Russell. It is embraced in the following language of the Secretary of State, in his letter to Admiral Warren, of the 27th of October, 1812.

“Without (says he) further discussing questions of right, the President is desirous to provide a remedy for the evils complained of on both sides. The claim of the British government is, to take from the merchant vessels of other countries, British subjects. In the practice, the commanders of British ships of war, often take from the merchant vessels of the United States, American citizens. *If the United States prohibit the employment of British subjects in their service, and enforce the prohibition by suitable regulations and penalties, the motive for the practice is taken away. It is in this mode that the President is willing to accommodate this important controversy with the British government, and it cannot be conceived on what ground the arrangement can be refused.*”

“A suspension of the practice of impressment, pending the armistice, seems to be a necessary consequence. It cannot be presumed, while the parties are engaged in a negotiation to adjust amicably this important difference, that the United States would admit the right, or acquiesce in the practice of the opposite party ; or that Great-Britain would be unwilling to restrain her cruisers from a practice which would have the strongest tendency to defeat the negotiation. It is presumable that both parties would enter into the negotiation with a sincere desire to give it effect. For this purpose it is necessary, that a clear and distinct understanding

be first obtained between them of the accommodation which each is prepared to make. If the British government is willing to suspend the practice of impressment from American vessels, on consideration that the United States will exclude British seamen from their service, the regulation by which this compromise should be carried into effect, would be solely the object of negociation. The armistice would be of short duration. If the parties agreed, peace would be the result. If the negociation failed, each would be restored to its former state, and to all its pretensions by recurring to war." To this proposition, thus repeated the third time, no answer was ever returned.

Do you want further evidence of the injustice and obstinacy of the enemy? You cannot, you will not ask it. Our government, however, still appeared bent on peace. Looking forward to the time when the door for negociation might be opened, and determined to remove, if possible, every obstacle on our part, to the restoration of peace, Congress, at its next session, enacted the law which the executive had before promised. (c)

Thus has our government done all that in justice it could do, to secure the enemy in her rights, while it sought to protect our own. What could have dictated these offers, and this last solemn act of our government, but an ardent desire to restore

relations of peace and friendship with the enemy? And what shall we say of that enemy, who, in the face of all these friendly advances, has stubbornly persisted in refusing us justice.

It may not, however, be improper in this place, to attend to an objection which has sometimes been made to these offers. It is, that they contain no stipulation to give up to Great-Britain those of her subjects in our service, who have already become naturalized by our laws. Great-Britain, says the objector, claims their perpetual allegiance, and therefore has a right to demand that you give them up. It is, to Great-Britain, a most conclusive answer to this objection, that she has uniformly refused to give up native Americans, who have become naturalized under her practice; a practice, by which marriage within the kingdom, or two years service in her navy, transforms an American citizen into a British subject. (*d*) Let Great-Britain turn the objection which way she will, and this answer will forever meet and put her to silence. But independent of this consideration, there are powerful and insurmountable obstacles to a compliance with this demand. Shall our government, after having, under the sanction of our excellent constitution, received and adopted foreigners into our political society, now force them to abandon it? We may, if we please, abandon our system of naturalization

altogether ; or if we continue it, we may prohibit from entering our service, those who may *hereafter* become naturalized ; but that we should give up those who, by the laws in force when they were naturalized, became entitled to full protection ; or that we should drag them from that employment which, from long habit, they had chosen as the means of their subsistence, would be a procedure, at once unjust to them, and disgraceful to ourselves. It is what an independent nation, who regards its honor and its faith, will never do.

We are here, however, met by another objection which, to many, has appeared a formidable one. It is, that we ought to have made the offer to exclude British seamen from our service, and to deliver them up when found there, before we declared war. That having resorted to arms, we could not expect that our enemy would now yield, even to terms, which, if offered before, might, and ought to have produced an adjustment. Our limits permit us not to describe the attempts repeatedly made by our government, before the declaration of war, to place this subject on a basis of reciprocity. A single one, however, shall suffice to put at rest the objection to which we have adverted. In the year 1806, our ministers at London, urging with great force of argument the justice of our claims, pressed the British government for a stipulation by trea-

ty, which should secure us from the evils of impressment. She objected that we employed her seamen, and would therefore make no stipulation, which should deprive her of the right of reclaiming, wherever she could find them. To obviate entirely this objection, and induce the British government to desist from impressment, our ministers came forward with the following offer—"that a law should be passed by Congress, making it penal for the commanders of American vessels to receive into service sea-faring people quitting the British service, being British subjects; and also making it the duty of our government to restore them, on their arrival in the United States, suitable application, and due proof being made of their persons." To an arrangement grounded on this offer, the British commissioners assented. It was submitted to the British cabinet for its sanction;—full time was given for deliberation, and the result was, an **UNEQUIVOCAL REJECTION OF THE PROJECT!** (e)

Thus it appears, that before, as well as after the declaration of war, we stood ready to make the only advance in the work of conciliation, which could, in reason, be demanded of us.

Keeping in view for a moment these offers, in what light must appear the assertion so often, and so unblushingly repeated, that our government are waging war solely for the protection of British sea-

men in our service? What has been the uniform language of those offers to the British government? We want not your seamen. We will stipulate to refuse them employment in our public or commercial service; and if, by any means, they shall have found their way into either, we will furnish you the necessary aid to reclaim them. But you must, at the same time, do us an act of justice. You must give up the Americans already impressed into your service, and stipulate effectually against the degrading practice in future. But Great-Britain has uniformly refused to make an arrangement on these grounds. And what has been the plain language of this refusal? We want men, and must have them. By your offer we should secure nothing but the services of our own subjects, whereas by impressment, we obtain at pleasure, your native citizens; and not them only, but an abundant supply of Swedish, Spanish, German, and other foreign sailors whom we have found in your employ; and whom, although they have become legally naturalized in your country, we take, for the pious purpose of supporting our national existence! (*f*)

We have thus, fellow-citizens, presented a few prominent facts, connected with the important interest of impressment. Our limits would not permit us to take a wider range in the investigation. We might have adverted to the practice as it exist-

ed under the first administrations of our government. We might have shewn you, by a copious reference to existing documents, with what marked indignation it was viewed, not only by Washington and Adams, but by every individual of their respective cabinets. We might have proved incontestibly, that they then maintained the *same doctrines*, and contended for the *same rights* as have the present administration, and that they *threatened war* as the last resort of the nation. Your recollection, however, will readily supply what we have thus been compelled to omit. (g) Nor have we deemed it at all necessary, to repeat the abundant evidence which has so often been presented, as to the number of Americans impressed and detained in British service. Every day is disclosing new victims to the unrighteous practice against which we are contending. We thus find our impressed brethren scattered from one end of creation to the other; having been from three, to five, ten, fifteen, and eighteen years in the service of their oppressors. But it would be insulting your patriotism to dilate upon this part of the subject. Whether the number wilfully detained in service be one thousand or ten thousand; whether they have thus served, three, five, or ten years—whether they have received fifty, or one thousand lashes, for refusing to fight against their country or its friends, we cannot but perceive, in either case, an equal necessity for

putting a period to the abominable practice. These and a hundred other circumstances of a like aggravating character, may move our feelings, and arouse our indignation, but they make no difference as to the *principle* nor do they vary the obligation which the nation owes to its citizens and itself. Establish the fact that Great-Britain knowingly, and wilfully detains in her service *one single American*, and it constitutes an injury which we must resist, or relinquish our claim to independence.

The monstrous principle out of which arises the practice which so powerfully affects our feelings, must be met *at the threshold* by determined resistance. To this end our flag must be made to protect the seamen sailing under it. Any thing short of this, will constantly subject us to the evils we now suffer. While, however, we ask this, we say to the enemy, demand of us any reasonable stipulation to secure you the services of your seamen, and we will enter into it. But the sovereignty of our flag *shall be respected*. We will never submit to a principle under the operation of which your naval officers may, at discretion, force from us our citizens, and compel them to remain in your service during your pleasure. You attempt, however, to excuse yourself, by pleading that you mistake them for British subjects. Without stopping to prove the utter falsity of this plea, in point of fact, it is sufficient for us to observe that even if it

is through mistake we thus suffer, it only proves the more conclusively the necessity of resisting the *principle* under which you are constantly committing such mistakes.

But say the enemy, prove that these men are native Americans, and we will give them up, and thus restore you to your rights! Thus, and with as much propriety, might say the midnight robber, who forcibly enters his neighbor's dwelling, and bears off his property, or even his children. Shall a nation, possessing independence, submit to have its citizens wrested from its protection, under circumstances which afford the highest presumption of their citizenship, and then sit down contented with the privilege of going through the humiliating process of proving its right to them? Shall not the person of an American citizen be as sacred as his property? And would Great-Britain dare to hold this language with respect to the cargo of an American vessel, which one of her cruisers might seize and carry into port, under suspicion that it contained contraband of war, or enemy's property? Could that property be confiscated without undergoing a solemn adjudication, in one of the highest judicial tribunals in Great-Britain? And would not the whole proceeding be at the risque and expense of the captor? Would he not, in default of proving the facts alledged, be compelled to restore the property? And yet, if, instead of

taking a *cargo*, the officer takes a CREW from under the American flag, he may exultingly say to our government, prove your right to the services of these men, and you may have them ! The men, in the mean time, are dispersed into every part of the British navy, where they frequently remain for years before their friends, or their government, can ascertain whether they are in the body or out of it. If they survive the stripes, and chains, and tortures inflicted on them, and their government can get their cases to the ears of the proper authority, it must there be met by a host of objections to giving them up. Among these objections, we are not unfrequently told that they have married in Great-Britain, or have served two years in her navy, and have therefore become British subjects !

But why dwell on this subject ? What American will patiently see the rights of his countrymen thus trifled with ? What government, who respects itself, and who makes any pretensions to sovereignty, will ever sit down submissive to such a practice ? Is it possible, that the most strenuous opposers of our government can desire its acquiescence in a principle, which, while it makes a direct attack on our sovereignty, must be constantly productive of such degrading and alarming consequences to our country ? Most assuredly, they cannot.

But we fear we have too much trespassed on your patience, fellow-citizens, in thus extending our

remarks on the subject of impressment. We trust, however, that its great and increased importance, as to the present contest, will furnish the necessary apology. Our original object was, to shew you that Great-Britain has obstinately persisted in the claim and practice of impressment, after all pretence for it has wholly failed. If the offer made to Great Britain in 1806, repeated three times successively immediately after the declaration of war, and at each time flatly rejected by the British government, will not establish our position, nothing, we venture to say, could establish it.

Thus, fellow-citizens, we have presented you a faint view of the interesting crisis now impending ; and we have noticed some of the causes which have led to this crisis. In doing this, we have adverted to the orders in council ;—the time at which they were revoked ;—the peculiar condition in which that revocation left the other great subject of complaint ;—the repeated offers made by our government, with a view to an honorable adjustment of that difficulty ;—the manner in which these friendly advances were met by Great-Britain ;—the alarming extent of the British claim of impressment ;—the insufferable evils arising out of it ;—and the obstinate determination of our enemy, to inflict on us those evils, while she possesses the *power* of doing it. We have deemed it peculiarly important, at this period, to present this view of the

subject, that you might be prepared to decide coolly on this solemn and interesting question :—*What duties does the present crisis impose on the American people ?*

We cannot believe that any American will long hesitate what stand it becomes him to take at this momentous period. A review of our subject, must urge on him motives which he cannot successfully resist. If he justly values “the precious heritage derived from the virtue and valour of our fathers,” and is ever disposed to defend it against lawless violence, he will halt not a moment between the alternatives which are now presented. No ; the man through whose veins thrills the blood of *seventy-six*, and who inherits a spark of that holy fire which lit up his country to independence, will not hesitate a moment between SUBMISSION OR RESISTANCE.

Where is the man who is prepared to give up the point now in controversy between his country and its enemy ? Who will tamely surrender that country’s rights and honor without a struggle ? True, that enemy is now triumphant ; her power as well as her pride is increased ; and she is ready to fall on your country with her heaviest vengeance. Do you ask what shall be done in this crisis ? Go to the tombs of the fallen heroes who achieved your independence, and there receive instruction and reproof. Converse with the mighty dead, who sleep in glory on the embattled fields of your

country. What is their language? They warn, impressively warn you, not to desert your country when danger threatens. They say to you, follow the example which we have set before you. Our country was weak and defenceless. Its only resources were our virtue and spirit. We saw in the measures which oppressed us, the commencement of a system which, unresisted, would entail slavery on ourselves and our children. We petitioned and remonstrated, but in vain. We saw, in the conduct of the mother country, a determination to wrest from us the rights and privileges of Englishmen; and although she possessed the power which, to all human probability, would silence and overwhelm us, yet we solemnly determined on resistance. We swore on the altar of our country, that we would **LIVE FREE OR DIE**. We submitted our cause to the God of battles; we paid with our lives the price of our country's independence, and transmitted to you its richest blessings. But it is not enough, that through hardships, and sufferings, and death, we saved our country, and gave it independence, if you our children want spirit to defend and preserve it. Talk not then, of the power of your enemy; make no dependence on her boasted magnanimity, for it will deceive you; hearken not to the suggestions of fear or avarice; **SUMMON ALL YOUR ENERGIES; BE UNITED; MEET THE CRISIS AS BECOMETH FREEMEN**; and the **GOD OF HOSTS** will smile on your exertions, and crown them with victory and peace.

NOTES.

(a) Page 12. The following extract of a letter from Mr. Foster to Mr. Munroe, of the 10th of June, 1812, shews the monstrous extent to which Great-Britain had wrought up her claims, as to the conditions on which she would repeal the orders in council.

He says; "Had you, in making a reply to my communication, asked me how far a repeal of the French decrees was demanded by my government, and as to whether a special repeal, as far as respected America would be sufficient, I should have had no hesitation in giving you every satisfaction."

"I have no hesitation, sir, in saying, that Great-Britain, as the case has hitherto stood, never did, and never could engage, without the grossest injustice to herself and her allies, as well as to other neutral nations, to repeal her orders as affecting America alone, leaving them in force as to other states, upon condition that France would except singly and specially, America from the operation of her decrees. You will recollect, sir, that the orders in council are measures of defence directed against the system contained in those decrees; that it is a war of trade which is carried on by France; that what you call the municipal regulations of France, have never been called municipal by France herself, but are her main engines in that novel and monstrous system. It cannot, then, be expected that Great-Britain should renounce her efforts to throw back upon France the evils with which she menaces Great Britain, merely because France might seek to alleviate her own situation, by waiving the exercise of THAT PART of her system which she cannot enforce."

The reader will understand, that the "system" of which Mr. Foster complains, was divided into two branches. One operated on the *high seas*, and affected what may be emphatically termed our neutral rights. It aimed simply, at cutting off our trade with Great-Britain and her dependencies. This part of the system is what Mr. Foster says France "cannot enforce." [Mark, reader;—the whole weight of the orders in council let loose upon America, in *retaliation* for a system which France "could not enforce!"] The other part of the "system" was that which operated, not on the high seas, but on the continent of Europe;—not to prohibit our trade with Great-Britain, but with the continent, in *British manufactures*. This latter was a branch of the system, which France could enforce, because she possessed a superior military power. And this, it was demanded, should be abandoned as an indispensable condition of the repeal of the orders in council. The plain language to us was—compel France to admit our manufactures into the continent, and we will cease plundering your commerce; provided nevertheless, that, in the mean time, you also compel her to abandon the maritime part of her system, so that not only your trade may be permitted to our ports, but the trade of *all other neutral nations*.

That the repeal of the French decrees, with respect to all other neutrals, should be made an indispensable condition of the repeal of the orders in council with respect to us, was a position as preposterous and inadmissible as it was *new* and unexpected. It closed, as well it might, the negotiation on this subject, and left us nothing but the *last resort*.

Thus, eight days before the declaration of war, stood the question as to the repeal of the orders in council. Such were "the strong assurances" which we have been told we had, at the declaration of war, "that the orders in council were about to be removed"!

(b) Page 13. The following is the reservation referred to:—

“His royal highness, the prince regent, is hereby pleased further to declare in the name and on the behalf of his majesty, that nothing in the present order contained shall be understood to preclude his royal highness the prince regent, *if circumstances shall so require*, from restoring, after reasonable notice, the orders of the 7th of January, 1807, and the 26th of April, 1809, or any part thereof to their full effect, or from taking such other measures of retaliation against the enemy, *as may appear to his royal highness to be just and necessary.*”

(c) Page 21. The following are the material sections of the law to which we have adverted :

Sec. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That from and after the termination, by treaty of peace, of the war in which the U. States are now engaged with Great-Britain, it shall not be lawful to employ as seamen, or otherwise, on board of any public vessel of the United States, or of any vessel owned by citizens of the United States, or sailing under their flag, any person or persons, except natural born citizens of the United States, or citizens of the United States at the time of such treaty being made and concluded, or persons who, being resident within the United States, at the time of such treaty, and having previously declared, agreeably to existing laws, their intention to become citizens of the United States, shall be admitted as such within five years thereafter, in the manner prescribed by law.

Sec. 2. *And be it further enacted,* That from and after the time as aforesaid, when this act shall take effect, it shall not be lawful to employ as seamen, or otherwise as aforesaid, except as is by this act excepted, any person or persons, not natural born citizens of the United States, unless such person or persons shall produce to the commander of the public vessel, or to the collector of the customs of the district to which the private vessel belongs, the certificate of his or their having been naturalized. The President of the United States, is hereby authorised, from time to time, to make such other regulations and to give such other directions to the several commanders of public armed vessels, and to the several collectors, as may be proper and necessary respecting the requisite proofs of nativity or citizenship to be exhibited to the commanders or collectors aforesaid.— And no person shall be admitted or employed as seamen or otherwise, as aforesaid, on board of any vessel owned by citizens of the United States, or sailing under their flag, unless his name shall have been entered in a list of the crew, approved and certified by the collector for the district to which the vessel belongs.

Sec. 3. *And be it further enacted,* That from and after the time as aforesaid, when this act shall take effect, no seaman or other seafaring man, not being a citizen of the United States, shall be admitted or received as a passenger on board of any public vessel of the United States, or of any private vessel owned by citizens of the United States, or sailing under their flag, without a passport from the proper officers of the country of which such seaman or seafaring man may be a subject or citizen.

Sec. 4. *And be it further enacted,* That from and after the time as aforesaid, when this act shall take effect, the consuls or commercial agents of any nation at peace with the United States, shall be admitted (under such regulations as may be prescribed by the President of the United States) to state their objections to the proper commander or collector as aforesaid,

against the employment of any seaman or seafaring man on board of any public or private vessel of the United States on account of his being a native subject or citizen of such nation, and not embraced within the description of persons who may thus be lawfully employed, according to the provisions of this act; and the said consuls or commercial agents shall also be admitted under the said regulations, to be present at the time when the proofs of the nativity or citizenship of the persons, against whom such objections may have been made, shall be investigated by such commander or collector.

Sec. 5. And be it further enacted, That if any commander of a public vessel of the United States, shall employ, or permit to be employed, or shall admit or receive, or permit to be admitted or received on board his vessel, any person whose employment or admission is prohibited by the provisions of this act, he shall, on conviction thereof, forfeit and pay the sum of one thousand dollars for each person thus unlawfully employed, or admitted on board such vessel.

Sec. 6. And be it further enacted, That if any person shall, contrary to the provisions of this act, be employed as a seaman or otherwise, or be received as a passenger on board of any vessel owned by citizens of the United States, or sailing under their flag, the master or commander, and the owner or owners of such vessel, shall each respectively forfeit and pay five hundred dollars for each person thus unlawfully employed in any one voyage; which sum or sums shall be recovered, even although such seaman or person might have been admitted and entered in the certified list of the crew aforesaid, by the collector for the district to which the vessel may belong.

(d) Page 22. The refusal of Great-Britain to give up native Americans naturalized under her practice, and the nature and extent of that practice, may be seen by a reference to the following official documents :

Extract of a letter from Mr. King, Minister Plenipotentiary of the United States at London, to Lord Grenville, dated

London, Great Cumberland Place, November 30, 1796.

“In your lordship’s letter of the 21st of September, in answer to my application for the discharge of Maxwell an American citizen, impressed and detained on board his majesty’s ship Sandwich, the reason assigned against his discharge is “that he is married and settled at Bristol;” and I understand that the orders of the lords commissioners of the admiralty for the discharge of American seamen usually contain a proviso, that the discharge is not to operate in favor of any person who has entered on board of his majesty’s ships, or who is married or settled within any of his majesty’s dominions. Without admitting, or contesting, on this occasion, the rule of English law, that a subject cannot divest himself of his natural allegiance, I take the liberty to request your lordships attention to the diversity of practice, so much to the advantage of the American citizens, that prevails in the application of this law.

“If Great Britain requires the acquiescence of foreign nations in this law, so far as regards the requisition of her subjects married and settled abroad, or voluntarily engaged in foreign service, is she not bound to observe it in like manner herself, in respect to the subjects of foreign powers, under similar circumstances, in her service or within her dominions? If to the demand of a foreigner in her service by the nation to which he belongs, Great Britain answers, that such foreigner cannot be delivered, be-

cause he has voluntarily engaged to serve his majesty, or is married or settled within his majesty's dominions, is she not bound by her own principles to admit the validity of the same answer from such foreign nation, when she requires the surrender of British subjects found in a similar predicament in the service or within the territory of such foreign nation? Justice, which is impartial, furnishes the proper answer to these questions.

"Admitting then, that the voluntary contract of an American citizen within his majesty's dominions, is the foundation of a right in his majesty's government to refuse the requisition of the United States of America, that such citizens should be discharged from his majesty's service, do we not thereby establish a principle, that at once condemns and puts an end to the practice of his majesty's naval officers, in entering American ships, in search of, and for the purpose of impressing British seamen, since all seamen found on board such ships are there of choice, and by voluntary contract to serve in the American employ?"

"But if neither of these circumstances can be considered as justly giving a right to his majesty's government to refuse the discharge of American citizens, does it not result that the usual proviso connected with the orders for the discharge of such citizens, and which is assigned as a reason against the discharge of Jno. Maxwell, is without any just foundation, and consequently operates to the disadvantage and injury of American citizens."

Extract of a letter to Rufus King, Esq. from the Secretary of State, dated October 3, 1797.

"Lord Grenville's observations on the act of congress for the relief and protection of American seamen, present difficulties, which demand consideration at the ensuing session of congress. But your reasoning, in your letter to his lordship, of the 30th of last November, is conclusive against the British pretences to retain real American seamen, who are married in their dominions, or who have voluntarily entered on board British vessels. It behoves the honor and faith of the British government to adhere to their principle of natural allegiance wholly, or to renounce it wholly."

John Marshall, when Secretary of State, in writing to Rufus King, then our minister at London, under date of Sept. 20, 1800, says:—

"The practice of the British Government itself may certainly, in a controversy with that government, be relied on. *The privileges it claims and exercises, may certainly be ceded to others.* To deny this would be to deny the equality of nations, and to make it a question of power, and not of right."

"If the practice of the British government may be quoted, that practice is to *maintain and defend in their sea service, all those of any nation, who have voluntarily engaged in it, or who, according to their laws, have become British subjects.*"

Thus stood the British practice during the administrations of Washington, and Adams, and thus has it stood ever since. In proof that it has never been abandoned, we advert to official documents which transpired immediately previous to the declaration of war.

On the 30th of May, 1812, Mr. Munroe, in answer to an assurance from Mr. Foster, that native impressed Americans should be given up on application and proof, says; "It is impossible for the United States to discriminate between their *native and naturalized* citizens, nor ought your government to expect it, AS IT MAKES NO SUCH DISCRIMINATION ITSELF."

On the 3th of June, 1812, Mr. Munroe, in answer to a letter from Mr. Foster, in which he states that "the Prince Regent will continue to give the most positive orders against the detention of American citizens, on board his majesty's ships," says:—

"You observe that your government has charged you to state, that it will continue to give the most positive orders against the detention of American citizens on board British ships of war. If those orders were to prohibit the impressment of seamen from American vessels at sea, the great source of the evil, they would have been a welcome proof of its disposition to do justice and promote a good understanding between the two countries. Nothing short of this can be an adequate remedy; and the United States are known to be ready to substitute to the practice the most liberal arrangements on the subject. But, suppose the orders to be given as signified, and in the latitude and form promising most efficacy, how could they restore that portion of the thousands of our citizens who have been impressed or passed into ships stationed or cruising in remote parts of the globe? But it is signified only that your government will continue to give orders against the detention of American citizens on board British ships of war. It follows that they are to be detained as heretofore, until formal proof can be produced to the British admiralty, in each particular instance, that the seaman is a native citizen of the U. States; the difficulty, and delay in doing which are too obvious to need explanation. Nor is this the only cause of complaint. When such proof has been produced to the British admiralty, a direct refusal is made to the discharge of the seaman, *if he has resided in Great-Britain, shall have married there, or shall have accepted the bounty given to seamen voluntarily entering the service,* although for the most part the American seamen, after having been forced into the service, have accepted the bounty either to relieve their wants, or otherwise to alleviate their condition.

I omit other causes of detention which might be mentioned. Add to the whole, that it is not sufficient to prove, that the seamen taken from American vessels are not subjects of Great Britain, nor the subjects of her enemy. It has been the invariable practice of the British cruizers to include in their impressments from American vessels the citizens and subjects of neutral nations, even where it was known that they were such—and no instance, it is believed, can be given of the success of an application for the restoration of such neutral aliens to the service of the United

Britain to deliver up native Americans thus naturalized, is, *after "having been forced into the service, they have accepted the bounty, either to relieve their wants or otherwise to alleviate their condition," & thus furnished the very ground on which Great-Britain refuses to discharge them.* It ought to be remembered also, that even their voluntary entrance into service is, almost uniformly resorted to, both for the purpose of alleviating their condition, and facilitating their escape.

(c) Page 24. That the reader may the more perfectly understand this part of our subject, we present the following history of it from the official documents.

On the 28th of August, 1806, our ministers at London, Messrs. Munroe and Pinckney, at the request of the British commissioners, presented the following project of an arrangement on the subject of impressment:

of. It did not follow, they observed, that such deserters would in all or even most cases retire into the country; they might, on the contrary, go on board an American vessel which might put immediately to sea, where our flag would protect them; that such desertions might also take place in a neutral port, and be attended with like consequences. They were therefore desirous that we should stipulate, that a law should be passed by the congress, (to be of course reciprocal) which should make it penal for the commanders of American vessels to take deserters from those of Great Britain under such circumstances, they being British subjects, and likewise to make it the duty of our government to restore them on their arrival in the United States, on suitable application, and due proof being made of their person. We agreed to provide a remedy for this presumptive evil. They then observed that the term "deserters" was too limited, according to their law, to comprehend those who might leave their merchant vessels; that it would apply only to such as left their ships of war; they therefore proposed that we should enlarge its import by adding the following terms, "sea-faring people quitting their service," to which we also agreed; taking care, however, by confining their operation always to the case of real desertion from some vessel, not to give them a greater range in the sense of our law than we had at first intended. To our original project, thus amended, the British commissioners seemed to give their assent; they agreed expressly to propose an article to the cabinet to that effect, from which circumstance, and from what had previously occurred in our conferences, we were led to conclude that they would also support it. To give the full time for deliberation on the subject, our next meeting was postponed to so distant a day as to admit it. We are sorry to add that the result of that deliberation was a rejection of the project, and with it an end to all hope of obtaining at this time, in its stead, any satisfactory stipulation by treaty respecting impressment."

(f) Page 25. Without going through with the tedious exhibition of documentary proof, that Great-Britain impresses the seamen of neutral nations, in our employ. and refuses to give them up, we simply refer the reader to the *last paragraph* of Mr. Munroe's letter to Mr. Foster, dated June 8, 1812, which he will find in page 37 under note (d).

(g) Page 26. The limits of a pamphlet will not permit us to produce from the documents which transpired under Washington and Adams, the voluminous and abundant proof of the positions we have here taken. As a *sample* of the ground uniformly maintained, and the threats repeatedly uttered, by those administrations, we present the following extracts from a letter of instructions from John Marshall, Esq. Secretary of State, (now chief justice of the United States,) to Rufus King, Esq. minister plenipotentiary of the United States at London, dated

"Department of State, Sept. 2, 1800.

"The impressment of our seamen is an injury of very serious magnitude, which deeply affects the feelings and honor of the nation.

"This valuable class of men is composed of natives and foreigners, who engage voluntarily in our service.

"No right has been asserted to impress the natives of America. Yet they are impressed, they are dragged on board of British ships of war, with evidence of citizenship in their hands, and forced by violence there to serve, until conclusive testimonials of their birth can be obtained. These must most generally be sought for on this side of the Atlantic. In the mean time acknowledged violence is practised on a citizen of the United States by compelling him to engage and continue in foreign service. Although the lords of the admiralty uniformly direct their discharge on the production of this testimony, yet many must perish unrelieved, and all are detained a considerable time, in lawless and injurious confinement.

"The mere release of the injured, after a long course of serving and suffering, is no compensation for the past, nor security for the future. It is impossible not to believe that the decisive interference of the government in this respect would pre-

vent a practice, the continuance of which MUST INEVITABLY PRODUCE DISCORD between two nations which ought to be the friends of each other.

"If no regulation can be formed which shall effectually secure all seamen on board American merchantmen, we have a right to expect from the justice of the British government, from its regard for the friendship of the United States, and its own honor, that it will manifest the sincerity of its wishes to redress this offence, by punishing those who commit it.

"We hope, however, that an agreement may be entered into satisfactory and beneficial to both parties. The article which appears to have been transmitted by my predecessor, while it satisfies this country, will probably restore to the naval service of Great-Britain a greater number of seamen than will be lost by it. Should we even be mistaken in this calculation, yet the difference cannot be put in competition with the mischief which may result from the IRRITATION JUSTLY EXCITED by this practice, throughout the United States. The extent and justice of the resentments it produces, may be estimated in Britain by inquiring what impressions would be made on them by similar conduct on the part of this government.

"Should we impress from the merchant service of Britain not only Americans, but foreigners, and even British subjects, how long would such a course of injury unredressed, be permitted to pass unrevenged? How long would the government be content with unsuccessful remonstrance? I believe, sir, that only the most prompt correction of, or compensation for, the abuse, would be admitted as satisfaction in such a case.

"Is it not more advisable to desist from, and to take effectual measures to prevent an acknowledged wrong, than by perseverance in that wrong to excite against themselves THE WELL FOUNDED RESENTMENTS of America, and force our government into measures which may very possibly terminate in OPEN RUPTURE."