

Norfolk 24th December 1813.

Sir,

On Col. Parker's return from Richmond, he made known to me, (I think in your presence) some strictures of Mr. Richard Klee on my conduct. The Colonel has since done me the favour to reduce his statement to writing. It is enclosed. - (S. O. F.)

Had this been the scene of accusation & decision, such strictures, would pass unheeded. This whole community are informed of all the circumstances, of my military conduct. The public ear, could not here be abused, as to any of the facts; the moral & intellectual worth of the accuser & the accused, would be compared by those, who are perfectly qualified to judge of both. - I should await their awards in respectful silence. - I own to you Sir, that my ambition is not so humble, as to attach much value to a reputation, either military or moral, which could suffer before such a tribunal, on such an accusation.

But he has selected a different theatre. - To do him justice he has chosen it with the adroitness of one, who, by long experience has become an adept in the arts of malicious ingenuity. - It is exactly that scene, which was likely to give the most extended spread to his calumny, by the diffusion which the members of the legislature, cannot

fail to give to their opinions. His auditors there, will probably be those very members of the legislature, who recently dispensed to me a signal proof of confidence; whose opinion, from every motive of gratitude & fidelity I must be presumed to be peculiarly solicitous to obtain. — To estrange friends & to impair confidence, is the ordinary office of vulgar malice. It is but justice to his talents, to acknowledge, that it was, a master stroke of consummate, but detestable skill, to blast & wither that very confidence which I am most desirous to preserve; but the same instant to make the very friends he had estranged, the instruments of his calumny. — It was a happy resource of ingenuity, to use them in the circulation of his adulterated coin, to which their impress would give a value, which it could never acquire, if only his image & superscription were stamped upon it. Nor was he unmindful, that his official station, would give some degree of credit for truth; while my absence, & public engagements, cut me off from all opportunity of personal vindication, tho' I should even accidentally learn the accusations.

These considerations would not however have determined me to notice his structures. In my late appointment & employment I have been honored far, very far, beyond my merit, or my hopes. — Invited by no solicitation or intrigue, — directed by no political sympathy — the

legislatures & executives of my native state, disdaining the narrow & illiberal suggestions of party spirit, have confided to me at an eventful moment the guardianship of her military honour & her safety. — In the very proportion in which my country had displayed her confidence, should be my zeal to justify her selection. — If I were capable of abusing this confidence, or of applying the powers which she had thus liberally conferred, to the base & sordid objects of party or personal elevation, I should merit the contempt & scorn of every honest man. — It is due to them to shew, that their confidence has not been unworthily returned.

The two first imputations, as to my conduct respecting Crany Island relate wholly to my military arrangements.

I beg to be understood as recognising distinctly, in its utmost latitude the right of Mr. Lee, or any other citizen, to pass any judgment he pleases on my military conduct. — We allow to every individual the right, to destroy wantonly if he pleases, his private goods. — It is true that some but blockheads will exercise this right, but it is a badge of ownership; the appendage of title, which cannot be restricted, without subtracting from the character of property, which is necessarily sovereign & exclusive. — In like manner, the public may act with its public stock. My public service, I consider public property.

I repeat therefore that I acknowledge the ^{right of} any citizen confining himself to

to facts) to investigate, criticize, censure & arraign; the policy & propriety of all military arrangements. - It is true that this right is often abused by ignorance, still more frequently by malevolence. But what then for; the right of censuring, even without cause, the conduct of a public agent, cannot be impaired or restricted without endangering this privilege, when there is cause. Freedom of enquiry into the public acts of public men, is the nutrient & supporter of civil liberty. - I am content to pay the tax, which licentiousness may occasionally levy on my feelings, rather than surrender one iota of the right of free investigation.

I do not complain therefore, of any strictures which Mr. Lee has made, or may choose to make, on the judgment, policy, or expediency of any act or mission in my military life. - Those who hear him will judge, whether his opinions are of more weight than those of the party accused. - To them I leave the decision.

With respect to the intended abandonment of Sundry Island, I take the liberty to enclose (N^o. 2) the minutes of the proceedings of a council of War, held a few days previous to the attack upon it. You will perceive, that the unanimous Council of 14 field officers, comprehending as well those of the U States, as State troops, did recommend that measure. - I concurred in that opinion. - To

To develop the motives of that measure would require an exposition of so many particulars, relative to the state of the Island, its natural fortificational strength & weakness; the number, condition, quality & disposition of our troops; the force, views & probable operations of the enemy; as could not be reduced within the compass of a letter, even if it were proper to expose them. — Nor is it needful. — My sole object is to let you see, that the folly or wisdom of that intention at that time, is to be shared by every field officer in the army, except Col. Minstead who was not present. I cannot believe that the public mind is so infatuated, that without an adequate knowledge of facts, it will condemn a measure, unanimously approved by all those, who alone were possessed of materials for a sound decision; whose honour & life, were staked on the correctness of their judgement. Much less can it be apprehended, that it will do so on the mere suggestion of an individual, who however accomplished in the vile arts of insinuation & slander, has certainly no pretensions to military sagacity; whose situation moreover, necessarily excluded him from a knowledge of the facts, on which the propriety or impropriety of the measure wholly depended. — I consider my name of no account. — But read the list. — I think names will be found in it, which will not suffer in a comparison with Mr. Lee, for any quality of the head

a heart, which can render men either dear or usefull.

I enclose also (N^o 3) a minutes of the proceedings of a Council held on another day; at which were present Commodore Cassin & Captain Tarbell. — The reasons of this decision it is also impossible to convey in the compass of a letter, if it were even proper or necessary to do so. I will only state, that the measure then recommended was founded chiefly on the pledge given by the Naval gentlemen, that they would be responsible for the protection of the channel (which while maintained, secured our troops from the possibility of being cut-off at the Islands) & also on the representation that there was no other point, where the naval force could act with equal effect.

This second meeting is represented by Mr. Lee to have been called at the solicitation of the officers of the Navy. This is a matter of fact, over which I do not recognise the right of Mr. Lee to exercise unrestrained freedom of opinions, or expression. It is a part of my object, to deprive him of all capacity of future mischief in Richmond. — (for here he has it not) — I take upon me to say, that in this as in every other instance in which he has descended to specific facts, he has falsified them. The Naval gentlemen, did not solicit the call of that meeting; nor did they express to me, any opinions of their decisions of the first Council

till their appearance at the second meeting, which they were invited by
me to attend. - The real history of the second Council is this; Col.
Armistead of the engineers (being at the Island I think) was absent
from the first Council. - On learning from me their decision, he very
earnestly opposed it & represented, that he could place the battery in
a state to maintain the Island, with a force very inferior to that,
which all the Council had believed requisite; & which without endangering
the utter defence of this post, it was believed could not be spared.
The force he spoke of was 300 or fewer men. The opinions of Col.
Armistead were entitled from his talents & experience, no less than his
standing in the army to great respect; especially on a subject, within
his immediate department as an Engineer, & as to the tenability of
a work then carrying on, under his immediate superintendance.
I stated to him, that if with even 500 men there was a chance of
holding the post, I would hazard them, & that I was persuaded the
Council would not hesitate to do so. That I would therefore not carry
the advice of Council into effect, till they had heard his opinions. &
reconsidered the subject, for which purpose it should be again convened.
It was convened. - My motives for calling it were assigned Col.
Armistead invited to ~~attend~~ explain his views & opinions - He did so.

Whether he satisfied the Council I will not undertake to say; but the avowed motives of those who expressed their reasons, as far as I recollect them, turned on the pledge & representations before mentioned of the Naval gentlemen. — Whether "Norfolk (as Mr Lee supposes) would have been lost to the State" had the Island been evacuated in the first instance, happily can never be now ascertained. — Its value as a military position, with proper defences has been highly appreciated by most military men; by none more than myself, as my correspondence with the War Department, will prove. — But that Norfolk would necessarily have fallen, if the Islands had been evacuated, can be believed only by those, who think the officers who selected, the various administrations which have created & maintained forts Nelson & Norfolk, utterly ignorant & incapable; or by such who believe, (as Mr Lee does, of the troops of Craney Island,) that there was not nerve enough in the army to make a stand at these posts, I am pretty certain, that there was nerve enough to chastise the man, who had dared to express the latter opinion.

As to the stricture on my failure to capture the enemy's force at Craney Island, it displays such an utter ignorance, not only of the relative disposable force of ourselves & the enemy; of the

the means of attack & defence; of the practicability of transporting troops from one point to another; but of even the topography of my post, & the most obvious military truths, that I seem to notice it. - I believe there is not one military man, who does not consider the result of the enemy's attack on the Island, in the state it then was, as a reflection on his courage or capacity.

But these are matters of speculation, in which Mr. Lee may amuse himself at pleasure. I sincerely hope his views of the subject were more judicious than those of all the field officers. I shall rejoice to find that my Country possesses an individual, who without the benefit of experience, or the aid of reflection, is a consummate officer by intuition. We want such men. I ardently hope too, that he will no longer bury his military talents, in obscurity and inactivity; but that he will soon be found, where he has not yet been seen, among the host of gallant spirits, who are pressing with a generous ardour to the standard of their Country: Who without his capacity for military usefulness, or prospects of distinction are tendering to her, all that they have - their blood & their honours.

The residue of Mr. Lee's structures turn on matters of fact. - I am glad they do. Such statements can be brought to a fixed & known standard. They require no great scope of intellect to

to comprehend them. They admit of less prevarications in their representations. Their decision involves not a question of judgment, but of truth. Error here violates a rule of veracity, not of logick.

Now Sir, I state unequivocally; that the whole story of his being a private soldier in the army; of application to me for leave to vote; & my scornfull reply; is a sheer fabrication, destitute not only of truth; but deficient & naked of every circumstance, on which could be founded the apology of honest mistake, or unintentional misrepresentation. — This is harsh language. The occasion demands, & justifies it. — I mean that it shall be so, to the utmost point to which a gentleman can carry the expression of his scorn & indignation, without descending to the vulgarity of a tippling shop.

After this declaration, I certainly arrogate very little to myself when I ask, that my denial may be considered as a defence, against his charge, untill he is prepared to prove it. — But his statement shall in every point be exposed, by the only means, by which a charge can be negatived; by the establishment of other facts, inconsistent with the charge. The accompanying docume

(N.º 4) of the Adjutant General proves, that Major General Hampton was in command at this place from the 15th April to the 31st May, during which time of course, it belongs to him and not to me, to settle the question, whether the troops should leave the army for the purpose of voting. Any almanack will shew, that the elections of Norfolk County & Borough, were on the 3rd & 4th Mondays of April of course while he was in command.

The certificate of Colonel Sharp (N.º 5) attests, that instructions were given by me, of the wish of General Hampton, to allow the men to vote. That this was communicated by him to his troops, & that every man within his Regiment who chose it, did go & vote.

It proves also, that the 54th Regiment (that of Norfolk Boys) when in service, was commanded by him. W. see, if a soldier at the time of the elections, was therefore under him, had the same privilege of every other. Persons conversant with military life must know, that an application from a private for leave of absence from his Regiment for part of a day, would not be made to a Brigadier: If made, credulity itself cannot believe, that it would have ~~been~~ scornfully denied to a particular individual, that indulgence, which under the intimation of the wishes of my
superior

former place, but in its anxiety to make atonement for a temporary injustice, raises him somewhat higher than is merited.

But I disdain artifices or concealment; I ask no other estimate than that which ought to attach to my real opinions, the occasion never did arise, when it became proper for me to decide, if the army should vote. If it had, I would have refused it. This opinion may be wrong: I prefer however the imputation of a weak erroneous judgment, to the reproach of a disingenuous heart. — This opinion is founded upon some general considerations, which would influence me at all times & places; Others merely adventitious, applying to my particular situation at that time.

I avow my jealousy of military power; My conviction, that public liberty will ~~be~~ be endangered, whenever civil rights, shall be exercised under military sanction. I reason on human nature ~~tho~~ ^{tho} man's ^{perfection}, as we find them, but on an imaginary perfectibility, which, however gratifying it may be to national or individual self love, to presume its existence, never did exist, nor will exist, while man retains his nature. — Experience, the experience of our own country in other ^{States} within the last & present year, as well as in former days during the Administration of M^r. Adams, has proved what might have been anticipated without experience — that the elective franchise, when exercised by the Army, is nominal or injurious.

In the nature of things, one of two consequences must ensue: The army is under the influence of the officers, either from fear or partiality, & vote according to their instigation; or the officers, relying on the support which they may hope to derive from their superiors, will deny the power to those, who are too refractory to be intimidated; too intelligent to be deceived; or too independent to surrender their opinions. In the one case, the right is annihilated, in the other it is worse. It is made to produce effects the very reverse of those, which on a free exercise of judgment would have been desired by the voters. - For as a general principle, it may be assumed as a truism, that the ardent interest of the military, as a corps, instead of being the same, ~~of the people~~, are at war with those ^{of the people}. On principle therefore, I am opposed to any sort of interference, or the possibility of ~~interference~~ by military influence on the elective franchise. The danger is aggravated in a free country in proportion to the violence of party spirit, which among its other deleterious effects, takes off all the restraints imposed by public opinion.

Under no circumstances therefore would I have sanctioned a practice, which however innocent in a particular case, must in its progress, be injurious to the public liberty.

It is moreover, wholly inconsistent with my ideas of the regularity and subordination, which should attend an army, to surrender for

for a day, the wholesome discipline of the camp, to the riot & licentiousness which too often attend an election.

Private considerations would have influenced me at that time. — My political tenets you well know. — I have through life maintained them with the openness & decision, which honest convictions should always inspire; & I trust with the liberality of one, who pretends not to infallibility. — On my first entrance into military life, I prescribed it to myself as a rule from which never to depart, (and I challenge malice itself to state a single instance in which I have departed from it, in the course of my whole command) never to permit political considerations to mingle with my military character. If I wanted evidence of this, it would be found in the appointments around my person, which were within my gift.

It was easy to foresee, that if a candidate of my tenets were elected, & the army had voted, it would have been imputed to me, that I had applied my official power to party purposes, & that the very act of permitting the troops to vote, who living under the privations of military life, might be supposed to be least friendly to the war candidate, would have been urged as evidence of the fact. — As prudential considerations, are not among my qualities, I did with my usual freedom express these sentiments both before & after the election, and

thus he has heard them.

But Mr. Lee says, "I was willing enough to know him, when he was exerting him to obtain me my present situation, & making speeches in my favor in the legislature." - This is the unkindest cut of all.

Had Mr. Lee satisfied himself with reprehending my conduct however severely, there was one antidote to his poison, of which he could not have deprived me. The liberality of his auditors would have suggested that I was absent & unheard. The caution which a knowledge of the world inspires, might have taught them to make some deductions from his charges on the score of unavoidable resentment, or of political or personal rivalry; or perhaps of some untold "private grief." But to cut me off from even this last resource, he "damns with faint praise," represents himself as the friend of my appointment, & even to have spoken in support of my election. How could these gentlemen doubt therefore, the propriety of accusations, preferred by a former supporter who would necessarily be supposed to make the best of my conduct, in justification of his own judgment in electing me. - For one thing however I thank him. He has not represented me as his friend, nor libelled me by stating, that I was ever the confidant of his counsels, or the associate of his gross & profligate

of Aenestown & Puffaloe, if officers ~~would~~ ^{had} always remembered that a camp is not designed for argument, cajolery, or dissipation; but for orders, obedience, & execution. It was not by acts of popularity in commanders, that the Arms of Greece & Rome, in the proudest days annals of their civil liberty were everywhere glorious & triumphant. Civil liberty, was best understood at Rome precisely at that time, when the tears & hesitation, of a whole army could not save ~~the~~ ^{any} victorious son, the penalty of disobedience ~~for~~ ^{inflicted} by ~~his~~ a father — ~~It may~~ ^{It may} represent ~~credibly~~ ^{credibly} may believe, that strict Military discipline is inconsistent with civil liberty; but men of reflection will remember, that the discipline of the Roman army was most relaxed, (or as Mr. Lee would express it never did the officers carry a less high hand) than at the very moment when liberty was extinct, & the empire of the world was still by the Praetorian bands to the highest bidder.

But if he means to insinuate by "a ^{high} hand ~~amongst~~ the soldiers", that those in command have not been restrained, while I have played the tyrant & oppressor in the ranks; I have the consolation to know, that every officer & soldier who has served with me, knows the contrary. The highest rank in the army gives no licence for impropriety: the humblest man in it, has never been denied a patient hearing of every complaint & every request. If I have rejected, applications deemed unreasonable, none of them can accuse me of inaccessibility, or indifference, much less of

of oppression. That men accustomed to self control, should be restless
under restraint; that self love should deem those requests unreasonable
which are rejected as improper; that those reproved for iniquity or
punished for impropriety should complain; cannot be wondered at. But
on the prospect of action; on the horn of supposed peril, the army has
never failed to receive me with a confidence beyond my merits, & with
an affection, which can never be effaced from my recollection.